

LEGISLATURE OF NEBRASKA
 ONE HUNDRED THIRD LEGISLATURE
 FIRST SESSION
LEGISLATIVE BILL 585

Introduced by Smith, 14.

Read first time January 23, 2013

Committee: Education

A BILL

1 FOR AN ACT relating to learning communities; to amend sections
 2 79-2102.01 and 79-2104.01, Reissue Revised Statutes of
 3 Nebraska, and sections 32-546.01, 32-555.01, 32-604,
 4 77-3442, 79-611, 79-769, 79-1013, 79-1014, 79-2104,
 5 79-2111, 79-2113, 79-2115, and 79-2118, Revised Statutes
 6 Cumulative Supplement, 2012; to change provisions
 7 relating to coordinating councils, transportation, an
 8 advisory committee, focus schools, focus programs, magnet
 9 schools, pathway programs, and early childhood education;
 10 to eliminate achievement subcouncils and elementary
 11 learning centers; to harmonize provisions; to repeal the
 12 original sections; and to outright repeal section
 13 79-2114, Reissue Revised Statutes of Nebraska, and
 14 sections 79-2112, 79-2116, and 79-2117, Revised Statutes
 15 Cumulative Supplement, 2012.

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

1 Section 1. Section 32-546.01, Revised Statutes Cumulative
2 Supplement, 2012, is amended to read:

3 32-546.01 (1) Each learning community shall be governed
4 by a learning community coordinating council consisting of ~~eighteen~~
5 ~~voting members, with twelve members elected on a nonpartisan ballot~~
6 ~~from six numbered subcouncil districts created pursuant to section~~
7 ~~32-555.01 and with six members appointed from such subcouncil~~
8 ~~districts pursuant to this section. Each voter shall be allowed to~~
9 ~~cast votes for one candidate at both the primary and general~~
10 ~~elections to represent the subcouncil district in which the voter~~
11 ~~resides. The four candidates receiving the most votes at the primary~~
12 ~~election shall advance to the general election. The two candidates~~
13 ~~receiving the most votes at the general election shall be elected. A~~
14 ~~candidate shall reside in the subcouncil district for which he or she~~
15 ~~is a candidate. Coordinating council members shall be elected on the~~
16 ~~nonpartisan ballot. six members, who shall be school board or board~~
17 ~~of education members of member school districts in the learning~~
18 ~~community either elected to take office or continuing their current~~
19 ~~term of office at the time of the appointment.~~

20 (2) ~~The initial elected members shall be nominated at the~~
21 ~~statewide primary election and elected at the statewide general~~
22 ~~election immediately following the certification of the establishment~~
23 ~~of the learning community, and subsequent members shall be nominated~~
24 ~~at subsequent statewide primary elections and elected at subsequent~~
25 ~~statewide general elections. Except as provided in this section, such~~

1 ~~elections shall be conducted pursuant to the Election Act.~~

2 ~~(3) Vacancies in office for elected members shall occur~~
3 ~~as set forth in section 32-560. Whenever any such vacancy occurs, the~~
4 ~~remaining elected members of such council shall appoint an individual~~
5 ~~residing within the geographical boundaries of the subcouncil~~
6 ~~district for the balance of the unexpired term.~~

7 ~~(4) Members elected to represent odd-numbered districts~~
8 ~~in the first election for the learning community coordinating council~~
9 ~~shall be elected for two-year terms. Members elected to represent~~
10 ~~even-numbered districts in the first election for the learning~~
11 ~~community coordinating council shall be elected for four-year terms.~~
12 ~~Members elected in subsequent elections shall be elected for four-~~
13 ~~year terms and until their successors are elected and qualified.~~

14 ~~(5) The appointed members shall be appointed in November~~
15 ~~of each even-numbered year after the general election. Appointed~~
16 ~~members shall be school board members of school districts in the~~
17 ~~learning community either elected to take office the following~~
18 ~~January or continuing their current term of office for the following~~
19 ~~two years. For learning communities to be established the following~~
20 ~~January pursuant to orders issued pursuant to section 79-2102, the~~
21 ~~Secretary of State shall hold a meeting of the school board members~~
22 ~~of the school districts in such learning community to appoint one~~
23 ~~member from such school boards to represent each of the subcouncil~~
24 ~~districts on the coordinating council of such learning community. For~~
25 ~~subsequent appointments, the current appointed members of the~~

1 ~~coordinating council shall hold a meeting of the school board members~~
2 ~~of such school districts to appoint one member from such school~~
3 ~~boards to represent each of the subcouncil districts on the~~
4 ~~coordinating council of the learning community. The appointed members~~
5 ~~shall be selected by the school board members of the school districts~~
6 ~~in the learning community who reside in the subcouncil district to be~~
7 ~~represented pursuant to a secret ballot, shall reside in the~~
8 ~~subcouncil district to be represented, and shall be appointed for~~
9 ~~two year terms and until their successors are appointed and~~
10 ~~qualified.~~

11 ~~(6) Vacancies in office for appointed members shall occur~~
12 ~~upon the resignation, death, or disqualification from office of an~~
13 ~~appointed member. Disqualification from office shall include ceasing~~
14 ~~membership on the school board for which membership qualified the~~
15 ~~member for the appointment to the learning community coordinating~~
16 ~~council or ceasing to reside in the subcouncil district represented~~
17 ~~by such member of the learning community coordinating council.~~
18 ~~Whenever such vacancy occurs, the remaining appointed members shall~~
19 ~~hold a meeting of the school board members of the school districts in~~
20 ~~such learning community to appoint a member from such school boards~~
21 ~~who lives in the subcouncil district to be represented to serve for~~
22 ~~the balance of the unexpired term.~~

23 ~~(7) Each learning community coordinating council shall~~
24 ~~also have a nonvoting member from each member school district which~~
25 ~~does not have either an elected or an appointed member who resides in~~

1 ~~the school district on the council. Such nonvoting members shall be~~
2 ~~appointed by the school board of the school district to be~~
3 ~~represented to serve for two year terms, and notice of the nonvoting~~
4 ~~member selected shall be submitted to the Secretary of State by such~~
5 ~~board prior to December 31 of each even numbered year. Each such~~
6 ~~nonvoting member shall be a resident of the appointing school~~
7 ~~district and shall not be a school administrator employed by such~~
8 ~~school district. Whenever a vacancy occurs, the school board of such~~
9 ~~school district shall appoint a new nonvoting member and submit~~
10 ~~notice to the Secretary of State and to the learning community~~
11 ~~coordinating council.~~

12 ~~(8) Members of a learning community coordinating council~~
13 ~~shall take office on the first Thursday after the first Tuesday in~~
14 ~~January following their election or appointment, except that members~~
15 ~~appointed to fill vacancies shall take office immediately following~~
16 ~~administration of the oath of office. Each voting member elected or~~
17 ~~appointed prior to April 6, 2010, shall be paid a per diem in an~~
18 ~~amount determined by such council up to two hundred dollars per day~~
19 ~~for official meetings of the council and the achievement subcouncil~~
20 ~~for which he or she is a member, for meetings that occur during the~~
21 ~~term of office for which the election or appointment of the member~~
22 ~~took place prior to April 6, 2010, up to a maximum of twelve thousand~~
23 ~~dollars per fiscal year. Each voting member shall be eligible for~~
24 ~~reimbursement of reasonable expenses related to service on the~~
25 ~~learning community coordinating council. Each nonvoting member shall~~

1 ~~be eligible for reimbursement of reasonable expenses related to~~
2 ~~service on the learning community coordinating council.~~

3 (2) One school board or board of education member from a
4 school district within the learning community shall be nominated and
5 appointed to the coordinating council from each of the six subcouncil
6 districts created pursuant to section 32-555.01, and each such
7 coordinating council member shall reside within the subcouncil
8 district he or she is appointed to represent. The nominated member
9 who receives the greatest number of votes cast by the other school
10 board or board of education members residing within the particular
11 subcouncil district shall be appointed.

12 (3) The Secretary of State shall hold a meeting of the
13 school board or board of education members of the member school
14 districts in the learning community to nominate and appoint the six
15 members to the coordinating council. The meeting shall be held within
16 sixty days following the date of the certification of the
17 establishment of a learning community or within sixty days after any
18 change in the membership structure of the coordinating council.
19 Notice of such meeting shall be provided fifteen days in advance of
20 the meeting.

21 (4) Within ten days following the date of the
22 certification of the establishment of a learning community or within
23 ten days after any change in the membership structure of the
24 coordinating council, the Secretary of State shall send notice to all
25 school board or board of education members of the member school

1 districts in the learning community requesting such school board or
2 board of education members to nominate school board or board of
3 education members for appointment to serve on the coordinating
4 council. Once all nominations have been received, the Secretary of
5 State shall provide a list to all school board or board of education
6 members of the names and the school board or board of education
7 affiliation of the nominees to serve on the coordinating council at
8 the meeting to appoint the initial coordinating council.

9 (5)(a) For a learning community that is certified prior
10 to August 1, 2011, or if there is a change in the membership
11 structure of the learning community coordinating council prior to
12 October 1, 2013, the initial members of the coordinating council
13 shall serve staggered terms with the initial terms commencing
14 November 1, 2013. The members selected from subcouncil districts one,
15 two, and three shall serve initial terms that shall expire on the
16 first Thursday after the first Tuesday in January following the
17 statewide general election 2016. The members selected from subcouncil
18 districts four, five, and six shall serve initial terms that shall
19 expire on the first Thursday after the first Tuesday in January
20 following the statewide general election 2014. Upon expiration of the
21 initial terms, all members shall be appointed to serve terms of four
22 years, starting on the second Thursday after the second Tuesday in
23 January following a statewide general election.

24 (b) For a learning community that is certified after
25 January 1, 2013, or if there is a change in the membership structure

1 of the learning community coordinating council after January 1, 2013,
2 the initial members shall serve staggered terms commencing on the
3 second Thursday after the second Tuesday in January following a
4 statewide general election. The members selected from subcouncil
5 districts one, two, and three shall serve initial four-year terms.
6 The members selected from subcouncil districts four, five, and six
7 shall serve initial two-year terms. Upon expiration of the initial
8 terms, all members shall be selected to serve terms of four years,
9 starting on the second Thursday after the second Tuesday in January
10 following a statewide general election.

11 (c) If there is any change in the membership structure of
12 the learning community coordinating council and at the time of such
13 change in structure there is an existing learning community
14 coordinating council, such coordinating council shall continue to
15 serve until September 30, 2013, or until the new coordinating council
16 is appointed and takes office as prescribed in subdivision (5)(a) or
17 (b) of this section.

18 (6) Subsequent coordinating council members shall be
19 selected and appointed to the coordinating council during a meeting
20 of the school board or board of education members of the member
21 school districts. Such meeting shall be held in November of each
22 even-numbered year after the statewide general election, or within
23 thirty days after the effective date of any vacancy on the
24 coordinating council. During such meeting, the school board or board
25 of education members who reside within the subcouncil district shall

1 appoint school board or board of education members to fill such
2 vacancy on the coordinating council in the manner prescribed in
3 subsection (2) of this section. The members appointed shall take
4 office on the second Thursday after the second Tuesday in January
5 following a statewide general election if appointed to a four-year
6 term or immediately following administration of the oath of office if
7 appointed to fill a vacancy.

8 (7) A vacancy in the membership of the coordinating
9 council exists upon the occurrence of any one of the following events
10 at any time before the expiration of the term of office: (a)
11 Resignation of a member; (b) death of a member; (c) removal of a
12 member as a school board or board of education member; (d) a member
13 ceasing to be a resident of the subcouncil district from which he or
14 she was selected; (e) the nominee who received the highest number of
15 votes being ineligible, disqualified, deceased, or for any other
16 reason unable to assume the office for which he or she was selected;
17 (f) forfeiture of office as provided by law; (g) conviction of a
18 felony or of any public offense involving the violation of the school
19 board or board of education oath of office of the member; or (h)
20 absence from more than two consecutive regular meetings of the
21 coordinating council unless excused by a majority of the remaining
22 members of the coordinating council.

23 Sec. 2. Section 32-555.01, Revised Statutes Cumulative
24 Supplement, 2012, is amended to read:

25 32-555.01 The election commissioners of the applicable

1 counties, pursuant to certification of the establishment of a
2 learning community pursuant to section 79-2102 or after any change in
3 the membership structure of the coordinating council, shall divide
4 the territory of the ~~new~~ learning community into six numbered
5 subcouncil districts for the purpose of ~~electing~~ appointing members
6 to the learning community coordinating council, ~~in compliance with~~
7 ~~section 32-553 and for the purpose of organizing achievement~~
8 ~~subcouncils pursuant to section 79-2117.~~ Such subcouncil districts
9 shall be compact and contiguous and substantially equal in
10 population. ~~The newly established subcouncil districts shall be~~
11 ~~certified to the Secretary of State on or before November 1~~
12 ~~immediately following such certification. The newly established~~
13 ~~subcouncil districts shall apply beginning with the election of the~~
14 ~~first council members for such learning community.~~ Following the
15 drawing of initial subcouncil districts pursuant to this section,
16 additional redistricting thereafter shall be undertaken by the
17 learning community coordinating council according to section 32-553.

18 Sec. 3. Section 32-604, Revised Statutes Cumulative
19 Supplement, 2012, is amended to read:

20 32-604 (1) Except as provided in subsection (2) or (4) of
21 this section, no person shall be precluded from being elected or
22 appointed to or holding an elective office for the reason that he or
23 she has been elected or appointed to or holds another elective
24 office.

25 (2) No person serving as a member of the Legislature or

1 in an elective office described in Article IV, section 1 or 20, or
2 Article VII, section 3 or 10, of the Constitution of Nebraska shall
3 simultaneously serve in any other elective office, except that such a
4 person may simultaneously serve in another elective office which is
5 filled at an election held in conjunction with the annual meeting of
6 a public body.

7 (3) Whenever an incumbent serving as a member of the
8 Legislature or in an elective office described in Article IV, section
9 1 or 20, or Article VII, section 3 or 10, of the Constitution of
10 Nebraska assumes another elective office, except an elective office
11 filled at an election held in conjunction with the annual meeting of
12 a public body, the office first held by the incumbent shall be deemed
13 vacant.

14 (4) No person serving in a high elective office shall
15 simultaneously serve in any other high elective office, except that a
16 county attorney may serve as the county attorney for more than one
17 county if appointed under subsection (2) of section 23-1201.01.

18 (5) Notwithstanding subsection (4) of this section, any
19 person holding more than one high elective office upon July 15, 2010,
20 shall be entitled to serve the remainder of all terms for which he or
21 she was elected or appointed.

22 (6) For purposes of this section, (a) elective office has
23 the meaning found in section 32-109 and includes an office which is
24 filled at an election held in conjunction with the annual meeting of
25 a public body created by an act of the Legislature but does not

1 include a member of a learning community coordinating council
2 appointed pursuant to ~~subsection (5) or (7) of~~ section 32-546.01 and
3 (b) high elective office means a member of the Legislature, an
4 elective office described in Article IV, section 1 or 20, or Article
5 VII, section 3 or 10, of the Constitution of Nebraska, or a county,
6 city, community college area, learning community, or school district
7 elective office.

8 Sec. 4. Section 77-3442, Revised Statutes Cumulative
9 Supplement, 2012, is amended to read:

10 77-3442 (1) Property tax levies for the support of local
11 governments for fiscal years beginning on or after July 1, 1998,
12 shall be limited to the amounts set forth in this section except as
13 provided in section 77-3444.

14 (2)(a) Except as provided in subdivision (2)(e) of this
15 section, school districts and multiple-district school systems,
16 except learning communities and school districts that are members of
17 learning communities, may levy a maximum levy of one dollar and five
18 cents per one hundred dollars of taxable valuation of property
19 subject to the levy.

20 (b) For each fiscal year, learning communities may levy a
21 maximum levy for the general fund budgets of member school districts
22 of ninety-five cents per one hundred dollars of taxable valuation of
23 property subject to the levy. The proceeds from the levy pursuant to
24 this subdivision shall be distributed pursuant to section 79-1073.

25 (c) Except as provided in subdivision (2)(e) of this

1 section, for each fiscal year, school districts that are members of
2 learning communities may levy for purposes of such districts' general
3 fund budget and special building funds a maximum combined levy of the
4 difference of one dollar and five cents on each one hundred dollars
5 of taxable property subject to the levy minus the learning community
6 levies pursuant to subdivisions (2)(b) and (2)(g) of this section for
7 such learning community.

8 (d) Excluded from the limitations in subdivisions (2)(a)
9 and (2)(c) of this section are amounts levied to pay for sums agreed
10 to be paid by a school district to certificated employees in exchange
11 for a voluntary termination of employment and amounts levied to pay
12 for special building funds and sinking funds established for projects
13 commenced prior to April 1, 1996, for construction, expansion, or
14 alteration of school district buildings. For purposes of this
15 subsection, commenced means any action taken by the school board on
16 the record which commits the board to expend district funds in
17 planning, constructing, or carrying out the project.

18 (e) Federal aid school districts may exceed the maximum
19 levy prescribed by subdivision (2)(a) or (2)(c) of this section only
20 to the extent necessary to qualify to receive federal aid pursuant to
21 Title VIII of Public Law 103-382, as such title existed on September
22 1, 2001. For purposes of this subdivision, federal aid school
23 district means any school district which receives ten percent or more
24 of the revenue for its general fund budget from federal government
25 sources pursuant to Title VIII of Public Law 103-382, as such title

1 existed on September 1, 2001.

2 (f) For school fiscal year 2002-03 through school fiscal
3 year 2007-08, school districts and multiple-district school systems
4 may, upon a three-fourths majority vote of the school board of the
5 school district, the board of the unified system, or the school board
6 of the high school district of the multiple-district school system
7 that is not a unified system, exceed the maximum levy prescribed by
8 subdivision (2)(a) of this section in an amount equal to the net
9 difference between the amount of state aid that would have been
10 provided under the Tax Equity and Educational Opportunities Support
11 Act without the temporary aid adjustment factor as defined in section
12 79-1003 for the ensuing school fiscal year for the school district or
13 multiple-district school system and the amount provided with the
14 temporary aid adjustment factor. The State Department of Education
15 shall certify to the school districts and multiple-district school
16 systems the amount by which the maximum levy may be exceeded for the
17 next school fiscal year pursuant to this subdivision (f) of this
18 subsection on or before February 15 for school fiscal years 2004-05
19 through 2007-08.

20 (g) For each fiscal year, learning communities may levy a
21 maximum levy of two cents on each one hundred dollars of taxable
22 property subject to the levy for special building funds for member
23 school districts. The proceeds from the levy pursuant to this
24 subdivision shall be distributed pursuant to section 79-1073.01.

25 (h) For each fiscal year, learning communities may levy a

1 maximum levy of two cents on each one hundred dollars of taxable
2 property subject to the levy for elementary learning center facility
3 leases, for remodeling of leased elementary learning center
4 facilities, early childhood education programs for children in
5 poverty and for up to fifty percent of the estimated cost for focus
6 school or program capital projects approved by the learning community
7 coordinating council. ~~pursuant to section 79-2111.~~

8 (i) ~~For each fiscal year, learning communities may levy a~~
9 ~~maximum levy of one cent on each one hundred dollars of taxable~~
10 ~~property subject to the levy for elementary learning center~~
11 ~~employees, for contracts with other entities or individuals who are~~
12 ~~not employees of the learning community for elementary learning~~
13 ~~center programs and services, and for pilot projects, except that no~~
14 ~~more than ten percent of such levy may be used for elementary~~
15 ~~learning center employees.~~

16 (3)(a) For fiscal years 2011-12 and 2012-13, community
17 college areas may levy a maximum of ten and one-quarter cents per one
18 hundred dollars of taxable valuation of property subject to the levy
19 for operating expenditures and may also levy the additional levies
20 provided in subdivisions (1)(b) and (c) of section 85-1517.

21 (b) For fiscal year 2013-14 and each fiscal year
22 thereafter, community college areas may levy the levies provided in
23 subdivisions (2)(a) through (c) of section 85-1517, in accordance
24 with the provisions of such subdivisions. A community college area
25 may exceed the levy provided in subdivision (2)(b) of section 85-1517

1 by the amount necessary to retire general obligation bonds assumed by
2 the community college area or issued pursuant to section 85-1515
3 according to the terms of such bonds or for any obligation pursuant
4 to section 85-1535 entered into prior to January 1, 1997.

5 (4)(a) Natural resources districts may levy a maximum
6 levy of four and one-half cents per one hundred dollars of taxable
7 valuation of property subject to the levy.

8 (b) Natural resources districts shall also have the power
9 and authority to levy a tax equal to the dollar amount by which their
10 restricted funds budgeted to administer and implement ground water
11 management activities and integrated management activities under the
12 Nebraska Ground Water Management and Protection Act exceed their
13 restricted funds budgeted to administer and implement ground water
14 management activities and integrated management activities for
15 FY2003-04, not to exceed one cent on each one hundred dollars of
16 taxable valuation annually on all of the taxable property within the
17 district.

18 (c) In addition, natural resources districts located in a
19 river basin, subbasin, or reach that has been determined to be fully
20 appropriated pursuant to section 46-714 or designated as
21 overappropriated pursuant to section 46-713 by the Department of
22 Natural Resources shall also have the power and authority to levy a
23 tax equal to the dollar amount by which their restricted funds
24 budgeted to administer and implement ground water management
25 activities and integrated management activities under the Nebraska

1 Ground Water Management and Protection Act exceed their restricted
2 funds budgeted to administer and implement ground water management
3 activities and integrated management activities for FY2005-06, not to
4 exceed three cents on each one hundred dollars of taxable valuation
5 on all of the taxable property within the district for fiscal year
6 2006-07 and each fiscal year thereafter through fiscal year 2017-18.

7 (5) Any educational service unit authorized to levy a
8 property tax pursuant to section 79-1225 may levy a maximum levy of
9 one and one-half cents per one hundred dollars of taxable valuation
10 of property subject to the levy.

11 (6)(a) Incorporated cities and villages which are not
12 within the boundaries of a municipal county may levy a maximum levy
13 of forty-five cents per one hundred dollars of taxable valuation of
14 property subject to the levy plus an additional five cents per one
15 hundred dollars of taxable valuation to provide financing for the
16 municipality's share of revenue required under an agreement or
17 agreements executed pursuant to the Interlocal Cooperation Act or the
18 Joint Public Agency Act. The maximum levy shall include amounts
19 levied to pay for sums to support a library pursuant to section
20 51-201, museum pursuant to section 51-501, visiting community nurse,
21 home health nurse, or home health agency pursuant to section 71-1637,
22 or statue, memorial, or monument pursuant to section 80-202.

23 (b) Incorporated cities and villages which are within the
24 boundaries of a municipal county may levy a maximum levy of ninety
25 cents per one hundred dollars of taxable valuation of property

1 subject to the levy. The maximum levy shall include amounts paid to a
2 municipal county for county services, amounts levied to pay for sums
3 to support a library pursuant to section 51-201, a museum pursuant to
4 section 51-501, a visiting community nurse, home health nurse, or
5 home health agency pursuant to section 71-1637, or a statue,
6 memorial, or monument pursuant to section 80-202.

7 (7) Sanitary and improvement districts which have been in
8 existence for more than five years may levy a maximum levy of forty
9 cents per one hundred dollars of taxable valuation of property
10 subject to the levy, and sanitary and improvement districts which
11 have been in existence for five years or less shall not have a
12 maximum levy. Unconsolidated sanitary and improvement districts which
13 have been in existence for more than five years and are located in a
14 municipal county may levy a maximum of eighty-five cents per hundred
15 dollars of taxable valuation of property subject to the levy.

16 (8) Counties may levy or authorize a maximum levy of
17 fifty cents per one hundred dollars of taxable valuation of property
18 subject to the levy, except that five cents per one hundred dollars
19 of taxable valuation of property subject to the levy may only be
20 levied to provide financing for the county's share of revenue
21 required under an agreement or agreements executed pursuant to the
22 Interlocal Cooperation Act or the Joint Public Agency Act. The
23 maximum levy shall include amounts levied to pay for sums to support
24 a library pursuant to section 51-201 or museum pursuant to section
25 51-501. The county may allocate up to fifteen cents of its authority

1 to other political subdivisions subject to allocation of property tax
2 authority under subsection (1) of section 77-3443 and not
3 specifically covered in this section to levy taxes as authorized by
4 law which do not collectively exceed fifteen cents per one hundred
5 dollars of taxable valuation on any parcel or item of taxable
6 property. The county may allocate to one or more other political
7 subdivisions subject to allocation of property tax authority by the
8 county under subsection (1) of section 77-3443 some or all of the
9 county's five cents per one hundred dollars of valuation authorized
10 for support of an agreement or agreements to be levied by the
11 political subdivision for the purpose of supporting that political
12 subdivision's share of revenue required under an agreement or
13 agreements executed pursuant to the Interlocal Cooperation Act or the
14 Joint Public Agency Act. If an allocation by a county would cause
15 another county to exceed its levy authority under this section, the
16 second county may exceed the levy authority in order to levy the
17 amount allocated. Property tax levies for costs of reassumption of
18 the assessment function pursuant to section 77-1340 or 77-1340.04 are
19 not included in the levy limits established in this subsection for
20 fiscal years 2010-11 through 2013-14.

21 (9) Municipal counties may levy or authorize a maximum
22 levy of one dollar per one hundred dollars of taxable valuation of
23 property subject to the levy. The municipal county may allocate levy
24 authority to any political subdivision or entity subject to
25 allocation under section 77-3443.

1 (10) Property tax levies (a) for judgments, except
2 judgments or orders from the Commission of Industrial Relations,
3 obtained against a political subdivision which require or obligate a
4 political subdivision to pay such judgment, to the extent such
5 judgment is not paid by liability insurance coverage of a political
6 subdivision, (b) for preexisting lease-purchase contracts approved
7 prior to July 1, 1998, (c) for bonds as defined in section 10-134
8 approved according to law and secured by a levy on property except as
9 provided in section 44-4317 for bonded indebtedness issued by
10 educational service units and school districts, and (d) for payments
11 by a public airport to retire interest-free loans from the Department
12 of Aeronautics in lieu of bonded indebtedness at a lower cost to the
13 public airport are not included in the levy limits established by
14 this section.

15 (11) The limitations on tax levies provided in this
16 section are to include all other general or special levies provided
17 by law. Notwithstanding other provisions of law, the only exceptions
18 to the limits in this section are those provided by or authorized by
19 sections 77-3442 to 77-3444.

20 (12) Tax levies in excess of the limitations in this
21 section shall be considered unauthorized levies under section 77-1606
22 unless approved under section 77-3444.

23 (13) For purposes of sections 77-3442 to 77-3444,
24 political subdivision means a political subdivision of this state and
25 a county agricultural society.

1 (14) For school districts that file a binding resolution
2 on or before May 9, 2008, with the county assessors, county clerks,
3 and county treasurers for all counties in which the school district
4 has territory pursuant to subsection (7) of section 79-458, if the
5 combined levies, except levies for bonded indebtedness approved by
6 the voters of the school district and levies for the refinancing of
7 such bonded indebtedness, are in excess of the greater of (a) one
8 dollar and twenty cents per one hundred dollars of taxable valuation
9 of property subject to the levy or (b) the maximum levy authorized by
10 a vote pursuant to section 77-3444, all school district levies,
11 except levies for bonded indebtedness approved by the voters of the
12 school district and levies for the refinancing of such bonded
13 indebtedness, shall be considered unauthorized levies under section
14 77-1606.

15 Sec. 5. Section 79-611, Revised Statutes Cumulative
16 Supplement, 2012, is amended to read:

17 79-611 (1) The school board of any school district shall
18 provide free transportation, partially provide free transportation,
19 or pay an allowance for transportation in lieu of free transportation
20 as follows:

21 (a) When a student attends an elementary school in his or
22 her own district and lives more than four miles from the public
23 schoolhouse in such district as measured by the shortest route that
24 must actually and necessarily be traveled by motor vehicle to reach
25 the student's residence;

1 (b) When a student is required to attend an elementary
2 school outside of his or her own district and lives more than four
3 miles from such elementary school as measured by the shortest route
4 that must actually and necessarily be traveled by motor vehicle to
5 reach the student's residence;

6 (c) When a student attends a secondary school in his or
7 her own Class II or Class III school district and lives more than
8 four miles from the public schoolhouse as measured by the shortest
9 route that must actually and necessarily be traveled by motor vehicle
10 to reach the student's residence. This subdivision does not apply
11 when one or more Class I school districts merge with a Class VI
12 school district to form a new Class II or III school district on or
13 after January 1, 1997; and

14 (d) When a student, other than a student in grades ten
15 through twelve in a Class V district, attends an elementary or junior
16 high school in his or her own Class V district and lives more than
17 four miles from the public schoolhouse in such district as measured
18 by the shortest route that must actually and necessarily be traveled
19 by motor vehicle to reach the student's residence.

20 (2)(a) The school board of any school district that is a
21 member of a learning community shall provide free transportation for
22 a student who resides in such learning community and attends school
23 in such school district if (i) the student is transferring pursuant
24 to the open enrollment provisions of section 79-2110, qualifies for
25 free or reduced-price lunches, ~~and~~ lives more than one mile from the

1 school to which he or she transfers, and is not otherwise
2 disqualified under subdivision (2)(c) of this section, (ii) the
3 student is transferring pursuant to ~~such—the~~ open enrollment
4 provisions of section 79-2110, is a student who contributes to the
5 socioeconomic diversity of enrollment at the school building he or
6 she attends, ~~and~~ lives more than one mile from the school to which he
7 or she transfers, and is not otherwise disqualified under subdivision
8 (2)(c) of this section, (iii) the student is attending a focus school
9 or program and lives more than one mile from the school building
10 housing the focus school or program, or (iv) the student is attending
11 a magnet school or program and lives more than one mile from the
12 magnet school or the school housing the magnet program.

13 (b) For purposes of this subsection, student who
14 contributes to the socioeconomic diversity of enrollment at the
15 school building he or she attends has the definition found in section
16 79-2110. ~~This subsection does not prohibit a school district that is~~
17 ~~a member of a learning community from providing transportation to any~~
18 ~~intradistrict student.~~

19 (c) For purposes of this subsection, any student residing
20 within a learning community and transferring to another school
21 building pursuant to the open enrollment provisions of section
22 79-2110 is disqualified and not eligible to receive any
23 transportation allowance if (i) the student is transferring to
24 another school building within his or her home school district or
25 (ii) the student is transferring to a school building in a school

1 district that does not share a common border with his or her home
2 school district.

3 (3) The transportation allowance which may be paid to the
4 parent, custodial parent, or guardian of students qualifying for free
5 transportation pursuant to subsection (1) or (2) of this section
6 shall equal two hundred eighty-five percent of the mileage rate
7 provided in section 81-1176, multiplied by each mile actually and
8 necessarily traveled, on each day of attendance, beyond which the
9 one-way distance from the residence of the student to the schoolhouse
10 exceeds three miles.

11 (4) Whenever students from more than one family travel to
12 school in the same vehicle, the transportation allowance prescribed
13 in subsection (3) of this section shall be payable as follows:

14 (a) To the parent, custodial parent, or guardian
15 providing transportation for students from other families, one
16 hundred percent of the amount prescribed in subsection (3) of this
17 section for the transportation of students of such parent's,
18 custodial parent's, or guardian's own family and an additional five
19 percent for students of each other family not to exceed a maximum of
20 one hundred twenty-five percent of the amount determined pursuant to
21 subsection (3) of this section; and

22 (b) To the parent, custodial parent, or guardian not
23 providing transportation for students of other families, two hundred
24 eighty-five percent of the mileage rate provided in section 81-1176
25 multiplied by each mile actually and necessarily traveled, on each

1 day of attendance, from the residence of the student to the pick-up
2 point at which students transfer to the vehicle of a parent,
3 custodial parent, or guardian described in subdivision (a) of this
4 subsection.

5 (5) When a student who qualifies under the mileage
6 requirements of subsection (1) of this section lives more than three
7 miles from the location where the student must be picked up and
8 dropped off in order to access school-provided free transportation,
9 as measured by the shortest route that must actually and necessarily
10 be traveled by motor vehicle between his or her residence and such
11 location, such school-provided transportation shall be deemed
12 partially provided free transportation. School districts partially
13 providing free transportation shall pay an allowance to the student's
14 parent or guardian equal to two hundred eighty-five percent of the
15 mileage rate provided in section 81-1176 multiplied by each mile
16 actually and necessarily traveled, on each day of attendance, beyond
17 which the one-way distance from the residence of the student to the
18 location where the student must be picked up and dropped off exceeds
19 three miles.

20 (6) The board may authorize school-provided
21 transportation to any student who does not qualify under the mileage
22 requirements of subsection (1) of this section and may charge a fee
23 to the parent or guardian of the student for such service. An
24 affiliated high school district may provide free transportation or
25 pay the allowance described in this section for high school students

1 residing in an affiliated Class I district. No transportation
2 payments shall be made to a family for mileage not actually traveled
3 by such family. The number of days the student has attended school
4 shall be reported monthly by the teacher to the board of such public
5 school district.

6 (7) No more than one allowance shall be made to a family
7 irrespective of the number of students in a family being transported
8 to school. If a family resides in a Class I district which is part of
9 a Class VI district and has students enrolled in any of the grades
10 offered by the Class I district and in any of the non-high-school
11 grades offered by the Class VI district, such family shall receive
12 not more than one allowance for the distance actually traveled when
13 both districts are on the same direct travel route with one district
14 being located a greater distance from the residence than the other.
15 In such cases, the travel allowance shall be prorated among the
16 school districts involved.

17 (8) No student shall be exempt from school attendance on
18 account of distance from the public schoolhouse.

19 Sec. 6. Section 79-769, Revised Statutes Cumulative
20 Supplement, 2012, is amended to read:

21 79-769 (1) Any one or more member school districts of a
22 learning community may establish one or more focus programs, focus
23 schools, ~~or magnet schools,~~ or pathway programs with the approval of
24 the learning community coordinating council, or may independently
25 participate in one or more joint entities formed pursuant to the

1 Interlocal Cooperation Act for the purpose of creating, implementing,
2 and operating focus programs, focus schools, magnet schools, or
3 pathway programs, which participation shall not require the approval
4 of the learning community coordinating council. If included as part
5 of the diversity plan of a learning community, the focus school or
6 focus program shall be eligible for a focus school and program
7 allowance pursuant to section 79-1007.05.

8 ~~(2) Focus schools, focus programs, and magnet schools may~~
9 ~~be included in pathways across member school districts pursuant to~~
10 ~~the diversity plan developed by the learning community coordinating~~
11 ~~council pursuant to section 79-2104.~~

12 ~~(3) If multiple member school districts collaborate on a~~
13 ~~focus program, focus school, or magnet school, the school districts~~
14 ~~shall form a joint entity pursuant to the Interlocal Cooperation Act~~
15 ~~for the purpose of creating, implementing, and operating such focus~~
16 ~~program, focus school, or magnet school. The agreement creating such~~
17 ~~joint entity shall address legal, financial, and academic~~
18 ~~responsibilities and the assignment to participating school districts~~
19 ~~of students enrolled in such focus program, focus school, or magnet~~
20 ~~school who reside in nonparticipating school districts.~~

21 ~~(4)-(2)~~ For purposes of this section:

22 (a) Focus program means a program that does not have an
23 attendance area, whose enrollment is designed so that the
24 socioeconomic diversity of the students attending the focus program
25 reflects as nearly as possible the socioeconomic diversity of the

1 student body of the learning community, which has a unique curriculum
2 with specific learning goals or teaching techniques different from
3 the standard curriculum, which may be housed in a building with other
4 public school programs, and which may consist of either the complete
5 education program for participating students or part of the education
6 program for participating students;

7 (b) Focus school means a school that does not have an
8 attendance area, whose enrollment is designed so that the
9 socioeconomic diversity of the students attending the focus school
10 reflects as nearly as possible the socioeconomic diversity of the
11 student body of the learning community, which has a unique curriculum
12 with specific learning goals or teaching techniques different from
13 the standard curriculum, and which is housed in a building that does
14 not contain another public school program;

15 (c) Magnet school means a school having a home attendance
16 area but which reserves a portion of its capacity specifically for
17 students from outside the attendance area who will contribute to the
18 socioeconomic diversity of the student body of such school and which
19 has a unique curriculum with specific learning goals or teaching
20 techniques different from the standard curriculum; and

21 (d) Pathway program means elementary, middle, and high
22 school focus programs, focus schools, and magnet schools with
23 coordinated curricula based on specific learning goals or teaching
24 techniques.

25 (3) Student selection and attendance for such focus

1 programs, focus schools, magnet schools, and pathway programs,
2 whether such are approved by the learning community coordinating
3 council or created and operated independently by member school
4 districts pursuant to the Interlocal Cooperation Act, shall be in
5 accordance with the requirements of subsection (3) of section
6 79-2110.

7 Sec. 7. Section 79-1013, Revised Statutes Cumulative
8 Supplement, 2012, is amended to read:

9 79-1013 (1) On or before October 15 of each year, each
10 school district designating a maximum poverty allowance greater than
11 zero dollars shall submit a poverty plan for the next school fiscal
12 year to the department and to the learning community coordinating
13 council of any learning community of which the school district is a
14 member. On or before the immediately following December 1, (a) the
15 department shall approve or disapprove such plan for school districts
16 that are not members of a learning community based on the inclusion
17 of the elements required pursuant to this section and (b) the
18 learning community coordinating council ~~and, as to the applicable~~
19 ~~portions thereof, each achievement subcouncil,~~ shall approve or
20 disapprove such plan for school districts that are members of such
21 learning community based on the inclusion of such elements. On or
22 before the immediately following December 5, each learning community
23 coordinating council shall certify to the department the approval or
24 disapproval of the poverty plan for each member school district.

25 (2) In order to be approved pursuant to this section, a

1 poverty plan shall include an explanation of how the school district
2 will address the following issues for such school fiscal year:

3 (a) Attendance, including absence followup and
4 transportation for students qualifying for free or reduced-price
5 lunches who reside more than one mile from the attendance center;

6 (b) Student mobility, including transportation to allow a
7 student to continue attendance at the same school if the student
8 moves to another attendance area within the same school district or
9 within the same learning community;

10 (c) Parental involvement at the school-building level
11 with a focus on the involvement of parents in poverty and from other
12 diverse backgrounds;

13 (d) Parental involvement at the school-district level
14 with a focus on the involvement of parents in poverty and from other
15 diverse backgrounds;

16 (e) Class size reduction or maintenance of small class
17 sizes in elementary grades;

18 (f) Scheduled teaching time on a weekly basis that will
19 be free from interruptions;

20 (g) Access to early childhood education programs for
21 children in poverty;

22 (h) Student access to social workers;

23 (i) Access to summer school, extended-school-day
24 programs, or extended-school-year programs;

25 (j) Mentoring for new and newly reassigned teachers;

1 (k) Professional development for teachers and
2 administrators, focused on addressing the educational needs of
3 students in poverty and students from other diverse backgrounds; and

4 ~~(l) Coordination with elementary learning centers if the~~
5 ~~school district is a member of a learning community; and~~

6 ~~(m)~~(l) An evaluation to determine the effectiveness of
7 the elements of the poverty plan.

8 (3) The state board shall establish a procedure for
9 appeal of decisions of the department and of learning community
10 coordinating councils to the state board for a final determination.

11 Sec. 8. Section 79-1014, Revised Statutes Cumulative
12 Supplement, 2012, is amended to read:

13 79-1014 (1) On or before October 15 of each year, each
14 school district designating a maximum limited English proficiency
15 allowance greater than zero dollars shall submit a limited English
16 proficiency plan for the next school fiscal year to the department
17 and to the learning community coordinating council of any learning
18 community of which the school district is a member. On or before the
19 immediately following December 1, (a) the department shall approve or
20 disapprove such plans for school districts that are not members of a
21 learning community, based on the inclusion of the elements required
22 pursuant to this section and (b) the learning community coordinating
23 council, ~~and, as to the applicable portions thereof, each achievement~~
24 ~~subcouncil,~~ shall approve or disapprove such plan for school
25 districts that are members of such learning community, based on the

1 inclusion of such elements. On or before the immediately following
2 December 5, each learning community coordinating council shall
3 certify to the department the approval or disapproval of the limited
4 English proficiency plan for each member school district.

5 (2) In order to be approved pursuant to this section, a
6 limited English proficiency plan must include an explanation of how
7 the school district will address the following issues for such school
8 fiscal year:

9 (a) Identification of students with limited English
10 proficiency;

11 (b) Instructional approaches;

12 (c) Assessment of such students' progress toward
13 mastering the English language; and

14 (d) An evaluation to determine the effectiveness of the
15 elements of the limited English proficiency plan.

16 (3) The state board shall establish a procedure for
17 appeal of decisions of the department and of learning community
18 coordinating councils to the state board for a final determination.

19 Sec. 9. Section 79-2102.01, Reissue Revised Statutes of
20 Nebraska, is amended to read:

21 79-2102.01 The Secretary of State or his or her designee
22 shall schedule and host the first meeting of the newly elected
23 learning community coordinating council ~~during the month of January~~
24 ~~following the election and shall schedule and shall host at least one~~
25 ~~meeting each month for the immediately following February and March.~~

1 subsequent meetings as necessary. The Secretary of State shall
2 preside until the council elects officers designated by the bylaws.
3 Those officers shall preside at the following meetings of such
4 council. The Secretary of State shall serve as a facilitator at such
5 meetings of the council ~~through March 31 of such year as~~ until the
6 council begins taking steps necessary to operate as a learning
7 community.

8 Sec. 10. Section 79-2104, Revised Statutes Cumulative
9 Supplement, 2012, is amended to read:

10 79-2104 A learning community coordinating council shall
11 have the authority to:

12 (1) Levy a common levy for the general funds of member
13 school districts pursuant to sections 77-3442 and 79-1073;

14 (2) Levy a common levy for the special building funds of
15 member school districts pursuant to sections 77-3442 and 79-1073.01;

16 (3) Levy for ~~elementary learning center facility leases,~~
17 ~~for remodeling of leased elementary learning center facilities,~~ early
18 childhood education programs for children in poverty and for up to
19 fifty percent of the estimated cost for focus school or program
20 capital projects approved by the learning community coordinating
21 council pursuant to subdivision (2)(h) of section 77-3442 and section
22 79-2111;

23 ~~(4) Levy for elementary learning center employees, for~~
24 ~~contracts with other entities or individuals who are not employees of~~
25 ~~the learning community for elementary learning center programs and~~

1 ~~services, and for pilot projects pursuant to subdivision (2)(i) of~~
2 ~~section 77-3442, except that not more than ten percent of such levy~~
3 ~~may be used for elementary learning center employees;~~

4 ~~(5)—(4)~~ Collect, analyze, and report data and
5 information, including, but not limited to, information provided by a
6 school district pursuant to subsection (5) of section 79-201;

7 ~~(6)—(5)~~ Approve focus schools and focus programs and
8 assist member school districts with and facilitate the development of
9 focus schools, focus programs, magnet schools, and pathway programs
10 to be operated by member school districts pursuant to subdivision (1)
11 (b) of section 79-769 and the Interlocal Cooperation Act;

12 ~~(7)—(6)~~ Adopt, approve, and implement a diversity plan
13 which shall include open enrollment and may include learning
14 community-approved focus schools, focus programs, magnet schools, and
15 ~~pathways~~ pathway programs pursuant to section 79-2110;

16 ~~(8)—(7)~~ Administer the open enrollment provisions in
17 section 79-2110 for the learning community as part of a diversity
18 plan developed by the council to provide educational opportunities
19 which will result in increased diversity in schools across the
20 learning community;

21 ~~(9)—(8)~~ Annually conduct school fairs to provide students
22 and parents the opportunity to explore the educational opportunities
23 available at each school in the learning community and develop other
24 methods for encouraging access to such information and promotional
25 materials;

1 ~~(10)~~(9) Develop and approve reorganization plans for
2 submission pursuant to the Learning Community Reorganization Act;

3 ~~(11)~~ Establish and administer elementary learning centers
4 through achievement subcouncils pursuant to sections ~~79-2112 to~~
5 ~~79-2114;~~

6 ~~(12)~~(10) Administer the learning community funds
7 distributed to the learning community pursuant to section 79-2111;

8 ~~(13)~~(11) Approve or disapprove poverty plans and limited
9 English proficiency plans for member school districts; ~~through~~
10 ~~achievement subcouncils established under section 79-2117;~~

11 ~~(14)~~(12) Establish a procedure for receiving community
12 input and complaints regarding the learning community;

13 ~~(15)~~(13) Establish a procedure to assist parents,
14 citizens, and member school districts in accessing an approved center
15 pursuant to the Dispute Resolution Act to resolve disputes involving
16 member school districts or the learning community. Such procedure may
17 include payment by the learning community for some mediation
18 services;

19 ~~(16)~~(14) Establish and administer pilot projects related
20 to enhancing the academic achievement of elementary students,
21 particularly students who face challenges in the educational
22 environment due to factors such as poverty, limited English skills,
23 and mobility; ~~and~~

24 ~~(17)~~(15) Provide funding to public or private entities
25 engaged in the juvenile justice system providing profiling and

1 diversion programming designed to reduce excessive absenteeism and
2 unnecessary involvement with the juvenile justice system; and -

3 (15) Hold public hearings at its discretion in response
4 to issues raised by residents regarding the learning community, a
5 member school district, and academic achievement.

6 Sec. 11. Section 79-2104.01, Reissue Revised Statutes of
7 Nebraska, is amended to read:

8 79-2104.01 Each learning community coordinating council
9 shall have an advisory committee composed of the superintendent from
10 each member school district or his or her representative. ~~The~~
11 ~~advisory committee shall meet at least four times each year to review~~
12 ~~issues related to open enrollment and proposals for focus programs,~~
13 ~~focus schools, magnet schools, and pathways, to provide~~
14 ~~recommendations for improving academic achievement across the~~
15 ~~learning community, and to provide input to the learning community~~
16 ~~coordinating council on other issues as requested. The advisory~~
17 committee shall be responsible for implementing all programs of the
18 learning community as directed by the learning community coordinating
19 council. The advisory committee shall also:

20 (1) Review issues related to open enrollment;

21 (2) Review proposals for focus programs, focus schools,
22 magnet schools, and pathway programs;

23 (3) Provide recommendations for improving academic
24 achievement across the learning community;

25 (4) Provide recommendations for improving the learning

1 community's diversity plan;

2 (5) Administer early childhood education programs for
3 children in poverty; and

4 (6) Provide input to the learning community coordinating
5 council on other issues as requested.

6 Sec. 12. Section 79-2111, Revised Statutes Cumulative
7 Supplement, 2012, is amended to read:

8 79-2111 (1) A learning community may levy a maximum levy
9 pursuant to subdivision (2)(h) of section 77-3442 for ~~elementary~~
10 ~~learning center facility leases, for remodeling of leased elementary~~
11 ~~learning center facilities, early childhood education programs for~~
12 ~~children in poverty and for up to fifty percent of the estimated~~
13 ~~costs for focus school or program capital projects approved pursuant~~
14 ~~to this section. The proceeds from such levy shall be used for~~
15 ~~elementary learning center facility leases, for remodeling of leased~~
16 ~~elementary learning center facilities, and to reduce the bonded~~
17 ~~indebtedness required for approved projects by up to fifty percent of~~
18 ~~the estimated cost of the approved project. The funds used for~~
19 ~~reductions of bonded indebtedness shall be transferred to the school~~
20 ~~district for which the project was approved and shall be deposited in~~
21 ~~such school district's special building fund for use on such project.~~

22 (2) The learning community may approve pursuant to this
23 section funding for capital projects which will include the purchase,
24 construction, or remodeling of facilities for a focus school or
25 program designed to meet the requirements of section 79-769. Such

1 approval shall include an estimated cost for the project and shall
2 state the amount that will be provided by the learning community for
3 such project.

4 (3) If, within the ten years following receipt of the
5 funding for a capital project pursuant to this section, a school
6 district receiving such funding uses the facility purchased,
7 constructed, or remodeled with such funding for purposes other than
8 those stated to qualify for the funds, the school district shall
9 repay such funds to the learning community with interest at the rate
10 prescribed in section 45-104.02 accruing from the date the funds were
11 transferred to the school district's building fund as of the last
12 date the facility was used for such purpose as determined by the
13 learning community coordinating council or the date that the learning
14 community coordinating council determines that the facility will not
15 be used for such purpose or that such facility will not be purchased,
16 constructed, or remodeled for such purpose. Interest shall continue
17 to accrue on outstanding balances until the repayment has been
18 completed. The remaining terms of repayment shall be determined by
19 the learning community coordinating council. The learning community
20 coordinating council may waive such repayment if the facility is used
21 for a different focus school or program for a period of time that
22 will result in the use of the facility for qualifying purposes for a
23 total of at least ten years.

24 Sec. 13. Section 79-2113, Revised Statutes Cumulative
25 Supplement, 2012, is amended to read:

1 79-2113 (1) ~~On or before the second June 1 immediately~~
2 ~~following the establishment of a new learning community, the learning~~
3 ~~community coordinating council shall establish at least one~~
4 ~~elementary learning center for each twenty five elementary schools in~~
5 ~~which at least thirty five percent of the students attending the~~
6 ~~school who reside in the attendance area of such school qualify for~~
7 ~~free or reduced-price lunches. The council shall determine how many~~
8 ~~of the initial elementary learning centers shall be located in each~~
9 ~~subcouncil district on or before September 1 immediately following~~
10 ~~the establishment of a new learning community.~~

11 ~~(2) Each achievement subcouncil~~ (1) The advisory
12 committee described in section 79-2104.01 shall submit a plan to the
13 learning community coordinating council for any elementary learning
14 center in its subcouncil district and the services to be provided by
15 such elementary learning center. In developing the plan, the
16 achievement subcouncil shall seek input from community resources and
17 collaborate with such resources in order to maximize the available
18 opportunities and the participation of elementary students and their
19 families. An achievement subcouncil early childhood education
20 programs for children in poverty and the services to be provided by
21 such programs. In developing the plan, the advisory committee shall
22 seek input from member school districts and community resources and
23 collaborate with such resources in order to maximize the available
24 opportunities and resources for such programs. The advisory committee
25 may, as part of such plan, recommend services be provided through

1 contracts with, or grants to, entities other than school districts to
2 provide some or all of the services. Such entities may include
3 collaborative groups which may include the participation of a school
4 district. ~~An achievement subcouncil may also, as part of such plan,
5 recommend that the elementary learning center serve as a
6 clearinghouse for recommending programs provided by school districts
7 or other entities and that the elementary learning center assist
8 students in accessing such programs. The plans for the initial
9 elementary learning centers shall be submitted by the achievement
10 subcouncils to the coordinating council on or before January 1
11 immediately following the establishment of a new learning community.~~

12 ~~(3) Each elementary learning center shall have at least
13 one facility that is located in an area with a high concentration of
14 poverty. Such facility may be owned or leased by the learning
15 community, or the use of the facility may be donated to the learning
16 community. Programs offered by the elementary learning center may be
17 offered in such facility or in other facilities, including school
18 buildings.~~

19 (2) The advisory committee shall take special efforts to
20 establish early childhood education programs for children in poverty
21 so that such programs are readily available and accessible to
22 children and families located in areas with a high concentration of
23 poverty.

24 Sec. 14. Section 79-2115, Revised Statutes Cumulative
25 Supplement, 2012, is amended to read:

1 79-2115 (1) Learning community funds distributed pursuant
2 to section 79-2103 may be used by the learning community coordinating
3 council receiving the funds for:

4 (a) The administration and operation of the learning
5 community;

6 ~~(b) The administration, operations, and programs of~~
7 ~~elementary learning centers pursuant to sections 79-2112 to 79-2114;~~

8 ~~(e)-(b)~~ (b) Supplements for extended hours to teachers in
9 elementary schools in which at least thirty-five percent of the
10 students attending the school who reside in the attendance area of
11 such school qualify for free or reduced-price lunches;

12 ~~(d)-(c)~~ (c) Transportation for parents of elementary students
13 who qualify for free or reduced-price lunches to school functions of
14 such students in elementary schools;

15 ~~(e)-(d)~~ (d) Up to six social workers to provide services
16 through the elementary learning centers; and

17 ~~(f)-(e)~~ (e) Pilot projects authorized pursuant to section
18 79-2104.

19 (2) Each learning community coordinating council shall
20 adopt policies and procedures for granting supplements for extended
21 hours and for providing transportation for parents if any such funds
22 are to be used for such purposes. An example of a pilot project that
23 could receive such funds would be a school designated as Jump Start
24 Center focused on providing intensive literacy services for
25 elementary students with low reading scores.

1 (3) Each learning community coordinating council shall
2 provide for financial audits of ~~elementary learning centers and pilot~~
3 projects. A learning community coordinating council shall serve as
4 the recipient of private funds donated to support any ~~elementary~~
5 ~~learning center or pilot~~ project receiving funds from such learning
6 community coordinating council and shall assure that the use of such
7 private funds is included in the financial audits required pursuant
8 to this section.

9 Sec. 15. Section 79-2118, Revised Statutes Cumulative
10 Supplement, 2012, is amended to read:

11 79-2118 (1) Each learning community, together with its
12 member school districts, shall develop a diversity plan to provide
13 educational opportunities pursuant to sections 79-769 and 79-2110 in
14 each ~~subcouncil~~member school district designed to attract students
15 from diverse backgrounds, which plan may be revised from time to
16 time. The initial diversity plan shall be completed by December 31 of
17 the year the initial learning community coordinating council for the
18 learning community takes office. The goal of the diversity plan shall
19 be to annually increase the socioeconomic diversity of enrollment at
20 each grade level in each school building within the learning
21 community until such enrollment reflects the average socioeconomic
22 diversity of the entire enrollment of the learning community.

23 (2) Each diversity plan for a learning community shall
24 include specific provisions relating to each ~~subcouncil~~member school
25 district within such learning community. The specific provisions

1 relating to each ~~subcouncil-member school~~ district shall be approved
2 by both the ~~achievement subcouncil for such~~ member school district
3 and by the learning community coordinating council.

4 (3) The learning community coordinating council shall
5 report electronically to the Education Committee of the Legislature
6 on or before December 1 of each even-numbered year on the diversity
7 and changes in diversity at each grade level in each school building
8 within the learning community and on the academic achievement for
9 different demographic groups in each school building within the
10 learning community.

11 Sec. 16. Original sections 79-2102.01 and 79-2104.01,
12 Reissue Revised Statutes of Nebraska, and sections 32-546.01,
13 32-555.01, 32-604, 77-3442, 79-611, 79-769, 79-1013, 79-1014,
14 79-2104, 79-2111, 79-2113, 79-2115, and 79-2118, Revised Statutes
15 Cumulative Supplement, 2012, are repealed.

16 Sec. 17. The following sections are outright repealed:
17 Section 79-2114, Reissue Revised Statutes of Nebraska, and sections
18 79-2112, 79-2116, and 79-2117, Revised Statutes Cumulative
19 Supplement, 2012.