LEGISLATIVE BILL 538

Introduced by Walz, 15.
Read first time January 19, 2021
Committee: Education

1. A BILL FOR AN ACT relating to schools; to amend section 79-1035, Revised Statutes Cumulative Supplement, 2020; to adopt the Community Schools Act; to change the distribution of income from solar and wind agreements on school lands; and to repeal the original section.

Be it enacted by the people of the State of Nebraska,
Section 1. Sections 1 to 9 of this act shall be known and may be cited as the Community Schools Act.

Sec. 2. For purposes of the Community Schools Act:

(1) Board means the State Board of Education;

(2) Commissioner means the Commissioner of Education;

(3) Community organization means a nonprofit organization that has been in existence for at least three years and yields positive outcomes for children and families within the community surrounding the community school with regard to education or other related issues;

(4) Community school means a school for which funding has been awarded pursuant to section 3 of this act;

(5) Community school consortium means a group of community organizations and at least one public school that propose to work together to plan and implement community school programming;

(6) Community school programming means services, activities, and opportunities described in section 7 of this act;

(7) Department means the State Department of Education;

(8) Eligible school means a school that has been designated as a priority school pursuant to section 79-760.06 or a school that is at the lowest performance level pursuant to such section;

(9) High-quality child care or early childhood education programming means an applicable child care or early childhood education program, as defined in section 71-1954, that is participating in the quality rating and improvement system and has received a rating of step three or higher under the Step Up to Quality Child Care Act; and

(10) Site coordinator is an individual who is responsible for aligning community school programming with the needs of the community as identified in the baseline analysis pursuant to section 6 of this act.

Sec. 3. (1) The department shall administer the Community Schools Act and employ two persons to oversee, monitor, and assist in operations under the act.
(2) The commissioner shall establish a competitive application process and timeline pursuant to which a community school consortium may submit an application for pilot program funding pursuant to this section on behalf of an eligible school. Beginning with school year 2022-23, the board, upon recommendation of the commissioner, shall award pilot program funding to two eligible schools in each congressional district to plan, implement, and improve community school programming.

(3) An eligible school may receive up to one hundred fifty thousand dollars in pilot project funding for each of five consecutive school fiscal years.

(4) Each community school receiving pilot project under this section shall hire or contract with a partner agency to hire a site coordinator, who shall be a member of the community school leadership team, to coordinate community school programming at such community school.

(5) In awarding funding, the commissioner shall prioritize, in addition to factors related to the community school plan and other requirements of the Community Schools Act, eligible schools with significant populations of students who qualify for free or reduced-price lunches, eligible schools with a significant proportion of homeless students, highly mobile students, or students with disabilities and equity among eligible urban, suburban, and rural schools.

Sec. 4. Each community school shall establish a community school leadership team responsible for, in collaboration with the site coordinator, developing school-specific programming goals, assessing program needs, and overseeing the process of implementing community school programming, in collaboration with the site coordinator. The community school leadership team shall have between twelve and fifteen members and shall meet the following requirements:

(1) At least thirty percent of the members shall be parents or guardians of students at the community school and thirty percent of the members shall be teachers at the community school. The membership shall
also include the school principal and representatives from community organizations in the community school consortium; and

(2) Each school leadership team shall be responsible for overseeing the baseline analysis under section 6 of this act, monitoring the development and implementation of community school programming at the community school, issuing recommendations to the community school on a regular basis, and summarizing such recommendations in an annual report. The annual report shall also be made available to the public at the community school and on the community school and school district web sites.

Sec. 5. Each community school leadership team shall develop a community school plan detailing the steps the team will take, including:

(1) Timely establishment and consistent operation of the community school leadership team;

(2) Maintenance of attendance records for all community school programming components;

(3) Maintenance of measurable data showing annual participation and the impact of community school programming on participating children and adults;

(4) Documentation of meaningful and sustained collaboration between the community school and community stakeholders, including local political subdivisions, civic engagement organizations, businesses, and social service providers;

(5) Establishment and maintenance of partnerships with institutions, which may include, but not be limited to, universities, colleges, hospitals, museums, or community organizations, any of which may be in the community school consortium, to further the development and implementation of community school programming;

(6) Ensuring compliance with school district nondiscrimination policies; and

(7) Plan for community school leadership team development.
Sec. 6. Each community school, led by the community school leadership team, shall complete a baseline analysis prior to beginning community school programming. The baseline analysis shall include the following elements:

(1) Engage in a need assessment, including:

(a) An analysis of current school district and school building policies; and

(b) An analysis of attendance data and chronic absence data;

(2) Analysis of the student body, including:

(a) The number and percentage of students with disabilities and the needs of such students;

(b) The number and percentage of students who have limited English proficiency and the needs of such students;

(c) The number of students who are homeless or highly mobile; and

(d) The number and percentage of students who qualify for free or reduced-price lunch and the needs of such students;

(3) Analysis of enrollment and retention rates for students with disabilities, limited English proficiency students, homeless students, highly mobile students, and students who qualify for free or reduced-price lunches;

(4) Analysis of suspension and expulsion data, including the justification for such disciplinary actions and the degree to which particular populations, including, but not limited to, students of color, students with disabilities, students who have limited English proficiency, and students who qualify for free or reduced-price lunches, are represented among students subject to such actions;

(5) Analysis of school achievement data disaggregated by major demographic categories, including, but not limited to, race, ethnicity, limited English proficiency, disability status, and free or reduced-price lunch qualification status;

(6) Analysis of current parent engagement strategies and the success
of such strategies;

(7) Evaluation of the need for and availability of wraparound services, including, but not limited to:

(a) Mechanisms for meeting the social, emotional, mental, and physical health needs of students, which may include coordination of existing services as well as the development of new services based on student needs; and

(b) Strategies to create a safe and secure school environment and improve school climate and discipline, such as implementing a system of positive behavioral supports, and taking additional steps to eliminate bullying;

(8) Analysis of community assets and a strategic plan for utilizing and aligning identified assets. This analysis should include, but is not limited to, a documentation of individuals in the community, faith-based organizations, community and neighborhood associations, recreational organizations, universities, colleges, hospitals, libraries, businesses, and social service agencies who may be able to provide support and resources; and

(9) Analysis of needs in the community surrounding the community school, including, but not limited to:

(a) The need for high-quality child care or early childhood education programming;

(b) The need for physical and mental health care services for children and adults; and

(c) The need for job training and other adult education programming.

Sec. 7. Each community school receiving funding under the Community Schools Act shall establish at least two of the following types of programming:

(1) High-quality child care or early childhood education programming;

(2) Academic support and enrichment activities, including expanded
(3) Financial literacy;
(4) Summer or after-school enrichment and learning experiences;
(5) Job training, internship opportunities, and career counseling;
(6) Assistance for students who have been truant, suspended, or expelled;
(7) Parental involvement and family literacy;
(8) Parent leadership development;
(9) Parenting education;
(10) Mentoring and other youth development, including peer mentoring and conflict mediation;
(11) Juvenile crime prevention and rehabilitation;
(12) Home visitation by teachers and other professionals;
(13) Developmentally appropriate physical education;
(14) Nutrition services;
(15) Primary health and dental care;
(16) School-based mental health services;
(17) Social and emotional growth and learning opportunities;
(18) Adult education, including instruction in English as a second language;
(19) Homeless prevention;
(20) Positive discipline practices; or
(21) Other programming designed to meet school and community needs identified in the baseline analysis and reflected in the community school plan.

Sec. 8. (1) On or before July 1 following the completion of the pilot project, each community school shall submit a report to the board and electronically to the Education Committee of the Legislature and shall make such report available at the community school and on the community school and school district web sites. The report shall describe efforts to integrate community school programming and the effect of the
transition to a community school on participating children and adults and shall include, but not be limited to, the following:

(a) An assessment of the effectiveness of the community school in the development and implementation of the community school plan;

(b) Any problems encountered in the development and implementation of the community school plan, including identification of any federal, state, or local statutes or regulations impeding program implementation;

(c) The operation of the community school leadership team and its contribution to successful development and implementation of the community school plan;

(d) Recommendations for improving delivery of community school programming to students and families;

(e) The number and percentage of students receiving community school programming who had not previously been served;

(f) The number and percentage of nonstudent community members receiving community school programming who had not previously been served;

(g) Improvement in attendance, learning engagement, and grade promotion among students who receive community school programing;

(h) Improvement in academic achievement among students who receive community school programming;

(i) Changes in student readiness to enter school, active involvement in learning and in the community, physical, mental, social, and emotional health, and relationships with the school and community environment;

(j) An accounting of anticipated school district cost savings, if any, resulting from the implementation of the program;

(k) Improvement in the frequency or depth of involvement of families in their children's education;

(l) An assessment of community stakeholder satisfaction;

(m) An assessment of institutional partner satisfaction;

(n) The ability, or anticipated ability, of the community school and
partners to continue to provide services in the absence of future funding under the Community Schools Act when the pilot project ends; and

(o) The degree of increased collaboration between the community school, institutional partners, and community organizations.

(2) Reports submitted under subsection (1) of this section shall be evaluated by the board with respect to the following criteria:

(a) The effectiveness of the community school or the community school consortium in implementing the community school plan, including the degree to which the community school navigated difficulties encountered in the development and implementation of the community school plan, including identification of any federal, state, or local statute or regulation impeding program implementation;

(b) The extent to which the pilot project has produced lessons about ways to improve the delivery of community school programming to students;

(c) The degree to which there has been an increase in the number or percentage of students and nonstudents receiving community school programming;

(d) The degree to which there has been an improvement in retention of students and improvement in academic achievement among students receiving community school programming;

(e) School district cost savings, if any, resulting from the implementation of the community school plan;

(f) The degree of community stakeholder, institutional partner, and community organization engagement;

(g) The ability, or anticipated ability, of the community school and partners to continue to provide services in the absence of future funding under the Community Schools Act when the pilot project ends;

(h) Increases in access to services for students and their families;

and

(i) The degree of increased collaboration between the community school, institutional partners, and community organizations.
Sec. 9. The State Board of Education may adopt and promulgate rules and regulations to carry out the Community Schools Act.

Sec. 10. Section 79-1035, Revised Statutes Cumulative Supplement, 2020, is amended to read:

79-1035 (1)(a) The State Treasurer shall, each year on or before the third Monday in January, make a complete exhibit of all money belonging to the permanent school fund and the temporary school fund as returned to him or her from the several counties, together with the amount derived from other sources, and deliver such exhibit duly certified to the Commissioner of Education.

(b) Beginning in 2016 and each year thereafter, the exhibit required in subdivision (1)(a) of this section shall include a separate accounting, not to exceed an amount of ten million dollars, of the income received through December 31, 2024, from solar and wind agreements on school lands. The amount of such income from solar and wind agreements on school lands shall be used to fund the pilot program grants described in the Community Schools Act section 79-308. The Board of Educational Lands and Funds shall provide the State Treasurer with the information necessary to make the exhibit required by this subsection. Separate accounting shall not be made for income from solar or wind agreements on school lands that exceeds the sum of ten million dollars.

(2) On or before February 25 following receipt of the exhibit from the State Treasurer pursuant to subsection (1) of this section, the Commissioner of Education shall make the apportionment of the temporary school fund to each school district as follows: From the whole amount, less the amount of income from solar and wind agreements on school lands, there shall be paid to those districts in which there are school or saline lands, which lands are used for a public purpose, an amount in lieu of tax money that would be raised if such lands were taxable, to be fixed in the manner prescribed in section 79-1036; and the remainder shall be apportioned to the districts according to the pro rata
enumeration of children who are five through eighteen years of age in each district last returned from the school district. The calculation of apportionment for each school fiscal year shall include any corrections to the prior school fiscal year's apportionment.

(3) The Commissioner of Education shall certify the amount of the apportionment of the temporary school fund as provided in subsection (2) of this section to the Director of Administrative Services. The Director of Administrative Services shall draw a warrant on the State Treasurer in favor of the various districts for the respective amounts so certified by the Commissioner of Education.

(4) For purposes of this section, agreement means any lease, easement, covenant, or other such contractual arrangement.

Sec. 11. Original section 79-1035, Revised Statutes Cumulative Supplement, 2020, is repealed.