

**ONE HUNDRED NINTH LEGISLATURE - SECOND SESSION - 2026**  
**COMMITTEE STATEMENT**  
**LB841**

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**Hearing Date:** Tuesday January 20, 2026  
**Committee On:** Education  
**Introducer:** Rountree  
**One Liner:** Change provisions relating to special education services, parental consent, and hearings

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**Roll Call Vote - Final Committee Action:**  
Advanced to General File

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**Vote Results:**

<b>Aye:</b>	5	Senators Conrad, Hunt, Juarez, Meyer, G., Sanders
<b>Nay:</b>	2	Senators Hughes, Lonowski
<b>Absent:</b>		
<b>Present Not Voting:</b>	1	Senator Murman

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**Testimony:**

**Proponents:**

Senator Victor Rountree  
Elizabeth Eynon-Kokrda  
Amy Bonn  
Mary Phillips  
Angela Willey  
Kristen Larsen  
  
Tom Venzor

**Representing:**

Opening Presenter  
Education Rights Council  
Self  
ARC of Nebraska  
Self  
Nebraska Council on Developmental Disabilities (NCCD)  
Nebraska Catholic Conference

**Opponents:**

Tammy Voisin

**Representing:**

Nebraska Council of School Admin and Nebraska Association of Special Education Supervisors

**Neutral:**

**Representing:**

\* ADA Accommodation Written Testimony

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**Summary of purpose and/or changes:**

LB 841 clarifies special education eligibility, consent requirements, and due process procedures. The bill requires that special education services provided to students formally identified under law shall also be directed in the student's individualized education program. The bill also provides consent protections for individualized education program changes, and assigns the burden of proof and the burden of production to school districts in due process hearings.

Section-by-Section Bill Summary:



Section 1 amends section 79-1139 to add definitions for “educational decision maker” and “surrogate”; requires school districts to provide special education services in accordance with each student’s individualized education program; prohibits school districts from implementing changes to an individualized education program without parental, guardian, educational decisionmaker, or surrogate consent unless the district documents reasonable efforts to obtain such consent without response within ten calendar days or obtains approval to implement such change through a due process hearing.

Section 2 amends 79-1164 to assign the burden of proof and the burden of production to the school district for any individualized education program due process hearing.

Section 3. Repealer.

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Dave Murman, Chairperson

