

ONE HUNDRED NINTH LEGISLATURE

SECOND SESSION

LEGISLATIVE RESOLUTION 405

Introduced by Murman, 38.

PURPOSE: The purpose of this resolution is to propose an interim study to examine current laws and regulations to ascertain whether the State of Nebraska is able to assume the increased responsibilities necessary in order to ensure compliance with federal civil rights laws relating to education and whether statutory or regulatory reform is necessary to provide for such responsibilities.

On March 20, 2025, President Donald Trump signed an executive order to begin shutting down several functions of the United States Department of Education and to send many of the department's functions to the states. The department oversees federal education policy and funding, which includes administering financial aid for higher education, distributing funds to schools and districts, collecting and analyzing education data, and enforcing civil rights laws in education. The federal civil rights laws pertaining to education include the Americans with Disabilities Act of 1990, Section 504 of the Rehabilitation Act of 1973, the Individuals with Disabilities Education Act, and similar laws such as Title IX of the Education Amendments of 1972.

The study shall include, but not be limited to, the following:

(1) Determining the responsibilities under federal law that will no longer be carried out by the United States Department of Education;

(2) Analyzing the responsibilities required of the state under the federal laws referenced above; and

(3) Evaluating the ability of state agencies to carry out such responsibilities under current statutory, regulatory, and fiscal frameworks.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED NINTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Education Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.