

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE  
Transcriber's Office  
FLOOR DEBATE

April 16, 2003      LB 249

Senator Stuhr, Pederson, and Raikes. (Read title.) The bill was read for the first time on January 13, referred to the Education Committee. That committee reports the bill to General File with committee amendments.

SENATOR CUDABACK: Thank you, Mr. Clerk. Senator Stuhr, you're recognized to open on LB 249.

SENATOR STUHR: Thank you, Mr. President and members of the body. LB 249 addresses the issue of option student enrollment eligibility. The bill as introduced applies only to the option enrollment program. It sets in statute a date clarifying the eligibility deadline for option students to compete in extracurricular activities. LB 249 applies only to option students transferring from one district to another district. As originally introduced, the bill changed the March 15 notification and corresponding dates to a July 1 deadline. I support the committee amendment, which leaves the original date in place, but does establish July 1 as the deadline for eligibility for option students to compete in varsity extracurricular activities if the applications are completed. If an application to the school board of the option school district is submitted after July 1, the student shall be ineligible to compete in varsity extracurricular activities sponsored by the option school district for a period of 90 school days after the student begins attendance at the option school. I believe it's important for the body to have some background information on how this issue evolved. The program of allowing students to option into another district was enacted in 1989 by the Legislature with the passage of LB 183. With that bill, ineligibility was set at 180 school days, or one school year. It made students ineligible for all levels of competition, not just varsity. The following year, in 1990, Section 11, the section dealing with ineligibility, was repealed. The Nebraska School Activities Association has consistently enforced in their bylaws a 90-school day ineligibility period for transferring students whose parents do not change their domicile. In regard to the option enrollment student, there has also been a waiver opportunity in place regarding student eligibility requiring administrators from both the resident and the option district to sign off on the waiver