Introduced by McDonnell, 5.

Read first time January 18, 2023

Committee: Education

A BILL FOR AN ACT relating to schools; to amend section 79-734, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to the purchase and loan of textbooks for children enrolled in kindergarten to grade twelve of a private school as prescribed; to provide powers and duties to the State Department of Education; to define a term; and to repeal the original section.

Be it enacted by the people of the State of Nebraska,
Section 1. Section 79-734, Revised Statutes Cumulative Supplement, 2022, is amended to read:

79-734 (1)(a) School boards and boards of education of all classes of school districts shall purchase all textbooks, equipment, and supplies necessary for the schools of such district. The duty to make such purchases may be delegated to employees of the school district.

(b) School boards and boards of education shall purchase and loan textbooks to all children who are enrolled in kindergarten to grade twelve of a public school.

(c) School boards and boards of education may adopt rules to carry out this subsection.

(2)(a) Through June 30, 2024, school boards and boards of education shall purchase and loan textbooks, upon individual request, to children who are enrolled in kindergarten to grade twelve of a private school which is approved for continued legal operation under rules and regulations established by the State Board of Education pursuant to subdivision (5)(c) of section 79-318. The Legislature may appropriate funds to carry out the provisions of this subdivision subsection. A school district is not obligated to spend any money for the purchase and loan of textbooks to children enrolled in private schools other than funds specifically appropriated by the Legislature to be distributed by the State Department of Education for the purpose of purchasing and loaning textbooks as provided in this subdivision subsection. Textbooks loaned to children enrolled in kindergarten to grade twelve of such private schools shall be textbooks which are designated for use in the public schools of the school district in which the child resides or the school district in which the private school the child attends is located. Such textbooks shall be loaned free to such children subject to such rules and regulations as are or may be prescribed by such school boards or boards of education. The State Department of Education shall adopt and promulgate rules and regulations to carry out this section. The rules and
regulations shall include provisions for the distribution of funds appropriated for textbooks. The rules and regulations shall include a deadline for applications from school districts for distribution of funds. If funds are not appropriated to cover the entire cost of applications, a pro rata reduction shall be made. It is the intent of the Legislature that on or before October 1, 2016, the department provide to the Education Committee of the Legislature recommended changes to this subsection that reflect advances in technology and educational content for students.

(b) Beginning on July 1, 2024, the State Department of Education shall purchase and loan textbooks, upon individual request, to children who are enrolled in kindergarten to grade twelve of a private school which is approved for continued legal operation under rules and regulations established by the State Board of Education pursuant to subdivision (5)(c) of section 79-318. The Legislature may appropriate funds to carry out the provisions of this subdivision. The State Department of Education is not obligated to spend any money for the purchase and loan of textbooks to children enrolled in private schools other than funds specifically appropriated by the Legislature. The State Department of Education may utilize up to five percent of the appropriated funds to administer the provisions of this subdivision. The State Department of Education may contract with a third-party vendor to assist in carrying out this subdivision. The State Board of Education may adopt and promulgate rules and regulations to carry out this subdivision. The rules and regulations shall include a formula or standard for determining a cost-per-child allocation of funding based on the Legislature's appropriation of funding. The rules and regulations shall allow a designated agent, which may include a private school, to assist the parents or guardians of a child in the request and acquisition of textbooks pursuant to this subdivision. It is the intent of the Legislature that on or before October 1, 2028, and every five years...
thereafter, the State Department of Education shall electronically provide to the Education Committee of the Legislature recommended changes to this subdivision that reflect advances in technology and educational content for students.

For purposes of this section, textbook means any instructional material, including digital, electronic, or online resources, that is designated for use by an individual student in classroom instruction as the principal source of study material.

Sec. 2. Original section 79-734, Revised Statutes Cumulative Supplement, 2022, is repealed.