



Hundredth Legislature - First Session - 2007
Committee Statement
LB 357

Hearing Date: February 20, 2007

Committee On: Education

Introducer(s): (Flood)

Title: Provide for community schools, operating councils, elementary grants, and attendance centers

Roll Call Vote – Final Committee Action:

Advanced to General File

Advanced to General File with Amendments

X Indefinitely Postponed

Vote Results:

8	Yes	Senators Adams, Ashford, Avery, Burling, Howard, Johnson, Kopplin, and Raikes
0	No	
0	Present, not voting	
0	Absent	

Proponents:

Senator Mike Flood

Representing:

Introducer

Opponents:

James Havelka

Representing:

Nebraska Rural Community Schools Association

Neutral:

Robin Stevens

Representing:

Schuyler Community Schools

Summary of purpose and/or changes:

LB 357 would restore community school and operating councils, elementary attendance center protections and elementary improvement grants as follows:

Community School and Operating Council:

Any elementary attendance center may be designated as a **community school** through the formation of an **operating council**. A class II, III, IV, or V school district would be required to hold an operating council organizational meeting with sixty days after receiving a request. School boards would be required to establish procedures for the formation of operating councils and once formed operating councils would determine the timing and procedures for selecting successor members. Each operating council would be composed of not less than three and not more than six members. Operating councils would be advisory to the board and administration

and would propose and submit a budget and one or more members would interview and recommend staff for the community school. The superintendent would be required to provide each operating council with a copy of public information provided by the school district staff regarding the budget and staffing decisions for the community school and proposed policy changes affecting the community school. The principal of a community school would be required to provide the opportunity to meet with the council at least once a month.

Elementary Attendance Center Protections from Closure:

- 1) School districts would not be allowed to take action to close elementary attendance centers or to change the grades offered if;
 - a) The closing of the elementary or changing of grades would cause at least one resident elementary student to reside **more than twenty miles** from the nearest elementary attendance center in the district; and
 - b) A parent or guardian of such student has provided written notice on or before May 1 of the school year preceding the first school year in which the elementary attendance center would be closed.
- 2) OR if;
 - a) The fall membership of the elementary attendance center preceding the first school year if at least **ten students** who were either resident students, students residing within the boundaries of a former Class I district; and
 - b) Either;
 - (i) The elementary attendance center is **at least ten miles** from the closest elementary attendance center within the district; **or**
 - (ii) The elementary attendance center is the only elementary attendance center located within the boundaries of an **incorporated city or village**.
- 3) The school board of any Class II, III, IV, or V school district would not be permitted to take action to close an elementary attendance center or to change the elementary grades offered at an elementary attendance center without the approval of at least **seventy-five percent of the school board** if;
 - a) **At least ten students** who were either resident students or students residing within the boundaries of a former Class I district in school year 2005-06; **and**
 - b) The elementary attendance center is **at least four miles but less than ten miles** from the closest elementary attendance center within the district; or
- 4) Until the completion of the school year in which a **kindergarten student** from school year 2005-06 would complete the highest grade offered at the elementary attendance center, the school board would not be permitted to take action to close an elementary attendance center or to change the elementary grades offered if;
 - a) At least ten students who were resident students or students residing within the boundaries of the former Class I district; and
 - b) At least one resident student has registered to attend such elementary attendance center as of August 1 immediately preceding the beginning of the school year for which the elementary attendance center would be closed or the grades offered would be changed.
- 5) Except when an elementary attendance center fails to meet the provisions of subdivision (4)(b) of this section, the school board shall not take action to close an elementary attendance center or to change the elementary grades offered at an elementary attendance

center unless **public notice** has been given that the school board is considering such action on or before January 1 of the school year preceding the first school year for which the elementary attendance center would be closed or the grades offered would be changed.

- 6) The **temporary relocation** of some or all of the students to an alternate elementary attendance center for a period not to exceed two years shall not constitute the closing of an elementary attendance center or a change in the grades offered at such elementary attendance center.
- 7) Definitions:
 - a) **Elementary attendance center** means a building in which education was offered by a school district in one or more of the grades kindergarten through grade four;
 - b) **Resident elementary student** means a student who will be attending school in an elementary grade in the school year in which the elementary attendance center would otherwise be closed or the grades offered would otherwise be changed and who resides within the boundaries of the school district which contains the elementary attendance center; and
 - c) **Resident student** means a student who resides within the boundaries of the school district which contains the elementary attendance center.

Elementary Improvement Grants:

A Class II or Class III school district would qualify for an elementary improvement grant for school fiscal years 2008-09, 2009-10, and 2010-11 if:

- 1) The voters of the district approve a bond issue for at least two million dollars on or after June 15, 2007, and on or before June 14, 2008, for a project to remodel an existing elementary attendance center or to build a new elementary attendance center;
- 2) Demographic factors increase the number of weighted formula students for the school district's local system by at least four and one-half percent to arrive at the adjusted formula students for the final calculation of state aid pursuant to section 79-1065 for the 2007-08 school year;
- 3) The final calculation of state aid pursuant to section 79-1065 for the 2007-08 school year included at least three hundred ninety formula students for the school district's local system;
- 4) The school district consists of at least one hundred fifty square miles; and
- 5) The State Board of Education approves the project as being designed to improve the educational environment for students with diverse economic and cultural backgrounds.
- 6) The amount to be distributed each school fiscal year shall be divided equally among qualifying school districts up to one hundred thousand dollars for each school district. The amount to be distributed shall be distributed to the school district as one lump-sum payment on the last business day of December and shall be treated as special grant funds as defined in section 79-1003.

Explanation of amendments, if any:

Senator Ron Raikes, Chairperson