



Hundredth Legislature - First Session - 2007
Introducer's Statement of Intent
LB 357

Chairperson: Ron Raikes
Committee: Education
Date of Hearing: February 20, 2007

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

LB 357 proposes to restore the following school house protections that were included in LB 126 (2005):

1. [§ 2(4)] Elementary attendance centers would be protected through the school year in which a kindergarten student from school year 2005-06 would complete the highest grade offered at the elementary attendance center progressing through the grades at the normal rate if:
 - a. The fall membership for the prior year had at least five students who were resident students, students residing in the former Class I if the attendance center is in a former Class I, or students who were in the 2005-06 fall membership if the attendance center is in a former Class I; and
 - b. At least one such student is registered to attend as of August 1st immediately preceding the beginning of the school year.

2. [§ 2(3)] After the initial protection expires, a 75% majority of the school board would be needed to close an elementary attendance center or change the grades offered if:
 - a. Fall membership for the prior year included at least ten students who were resident students, students residing in the former Class I if the attendance center is in a former Class I, or students who were in the 2005-06 fall membership if the attendance center is in a former Class I; and
 - b. Either:
 - i. The attendance center is at least four miles, but less than ten, from the closest elementary attendance center within the district; or
 - ii. The attendance center is at least four miles, but less than ten, from the closest elementary attendance center within the district with an average of at least ten students per elementary grade offered.

[§ 2(5)] Elementary attendance centers could not be closed without public notice, on or before the January 1st preceding the closure, that such action was being considered, unless there are no resident students, students who are residents of the former Class I, or former Class I students registered prior to August 1st.

3. [§2(2)] Elementary attendance centers would be continuously protected if:

- a. Fall membership for the prior year included at least 10 students who were resident students, students residing in the former Class I if the attendance center is in a former Class I, or students who were in the 2005-06 fall membership if the attendance center is a former Class I; and
 - b. Either
 - i. The attendance center is at least ten miles from the closest elementary attendance center within the district; or
 - ii. The attendance center is at least ten miles from the closest elementary attendance center within the district with an average of at least ten students per elementary grade offered; or
 - iii. The attendance center is the only elementary attendance center located within the boundaries of an incorporated city or village.
4. [§ 2(1)] Elementary attendance centers would also be continuously protected from closure or changes in grade offerings if at least one resident elementary student would be required to go to a school more than twenty miles from their residence.

In addition, LB 357 (1) provides for the designation of elementary attendance centers as “community schools” through the formation of operating councils, which would serve to represent the community schools’ interests, and (2) includes language regarding a Class II and Class III school district’s ability to qualify for elementary improvement grants. Both of these provisions were included in LB 126 (2005).

LB 126 (2005) was repealed by Nebraska’s voters in November 2006.

Principal Introducer:

_____ **Senator Mike Flood**