

LEGISLATURE OF NEBRASKA

ONE HUNDRED SECOND LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 247

Introduced by Pahls, 31.

Read first time January 11, 2011

Committee: Education

A BILL

- 1 FOR AN ACT relating to schools; to amend section 79-703, Reissue
- 2 Revised Statutes of Nebraska; to adopt the Classrooms
- 3 First Act; to harmonize provisions; and to repeal the
- 4 original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Sections 1 to 6 of this act shall be known and
2 may be cited as the Classrooms First Act.

3 Sec. 2. For purposes of the Classrooms First Act:

4 (1) Direct classroom instruction means the total amount
5 of funds expended by a school district related to: Regular
6 instructional programs; English language learners' instructional
7 programs; poverty programs; early childhood education programs; and
8 special education instructional programs. Direct classroom
9 instruction does not include amounts expended by a school district
10 related to: Support services for pupils; support services for safety
11 and security; regular pupil transportation; school-age special
12 education pupil transportation; support services for staff; support
13 services for school improvement; support services for implementation
14 of standards; the school board or board of education and its members;
15 executive administration services; general administration business
16 services; vehicle acquisition and maintenance for vehicles other than
17 pupil transportation vehicles; any principal or his or her office;
18 support services for maintenance and operation of building and sites;
19 any federal programs; categorical grants from corporations and other
20 private interests; community services; state categorical programs;
21 debt service; summer school; adult education; and transfers of funds;

22 (2) School fiscal year means the fiscal year designated
23 in section 79-1091 for school districts; and

24 (3) Total operating expenditures means the amount of
25 funds expended by a school district for direct classroom instruction

1 and: Support services for pupils; support services for safety and
2 security; regular pupil transportation; school-age special education
3 pupil transportation; support services for staff; support services
4 for school improvement; support services for implementation of
5 standards; the school board or board of education and its members;
6 executive administration services; general administration business
7 services; vehicle acquisition and maintenance for vehicles other than
8 pupil transportation vehicles; any principal or his or her office;
9 support services for maintenance and operation of building and sites;
10 any federal programs; categorical grants from corporations and other
11 private interests; community services; state categorical programs;
12 debt service; summer school; adult education; and transfers of funds.

13 Sec. 3. Beginning with school fiscal year 2012-13, no
14 public school district shall spend less than sixty-five percent of
15 its total operating expenditures on direct classroom instruction in
16 any school fiscal year.

17 Sec. 4. The Commissioner of Education shall establish an
18 intervention team to be assigned to any school district that does not
19 meet the requirements of section 3 of this act within two months
20 after the completion of any school fiscal year. Members of the team
21 shall be appointed by the commissioner and shall serve at the
22 pleasure of the Commissioner. The intervention team shall consist of:
23 (1) Staff of the State Department of Education; (2) representatives
24 of the educational service unit serving the public school district;
25 and (3) any other individuals appointed by the commissioner. The

1 intervention team shall work with the school board or board of
2 education of the district, the superintendent, and other employees of
3 the district to assist the district in meeting the requirements of
4 section 3 of this act for ensuing school fiscal year and each school
5 fiscal year thereafter.

6 Sec. 5. (1) Beginning with school fiscal year 2013-14,
7 any school district that does not meet the requirements of section 3
8 of this act for three consecutive school fiscal years shall not be
9 eligible for accreditation under section 79-703.

10 (2) The Commissioner of Education may waive the
11 provisions of subsection (1) of this section if the school district
12 adopts a plan that demonstrates to the commissioner's satisfaction
13 that the plan will move the district back into compliance with
14 section 3 of this act for the ensuing school fiscal year and each
15 school fiscal year thereafter.

16 Sec. 6. The State Department of Education shall adopt and
17 promulgate rules and regulations to carry out the Classrooms First
18 Act.

19 Sec. 7. Section 79-703, Reissue Revised Statutes of
20 Nebraska, is amended to read:

21 79-703 (1) To ensure both equality of opportunity and
22 quality of programs offered, all public schools in the state shall be
23 required to meet quality and performance-based approval or
24 accreditation standards as prescribed by the State Board of
25 Education. The board shall establish a core curriculum standard,

1 which shall include multicultural education and vocational education
2 courses, for all public schools in the state. Accreditation and
3 approval standards shall be designed to assure effective schooling
4 and quality of instructional programs regardless of school size,
5 wealth, or geographic location. The board shall recognize and
6 encourage the maximum use of cooperative programs and may provide for
7 approval or accreditation of programs on a cooperative basis,
8 including the sharing of administrative and instructional staff,
9 between school districts for the purpose of meeting the approval and
10 accreditation requirements established pursuant to this section and
11 section 79-318.

12 (2) The Commissioner of Education shall appoint an
13 accreditation committee which shall be representative of the
14 educational institutions and agencies of the state and shall include
15 as a member the director of admissions of the University of Nebraska.

16 (3) The accreditation committee shall be responsible for:
17 (a) Recommending appropriate standards and policies with respect to
18 the accreditation and classification of schools; and (b) making
19 recommendations annually to the commissioner relative to the
20 accreditation and classification of individual schools. No school
21 shall be considered for accreditation status which has not first
22 fulfilled all requirements for an approved school.

23 (4) By school year 1993-94 all public schools in the
24 state shall be accredited.

25 (5) It is the intent of the Legislature that all public

1 school students shall have access to all educational services
2 required of accredited schools. Such services may be provided through
3 cooperative programs or alternative methods of delivery.

4 (6) Any school district which does not comply with the
5 Classrooms First Act is not eligible for accreditation pursuant to
6 this section.

7 Sec. 8. Original section 79-703, Reissue Revised Statutes
8 of Nebraska, is repealed.