

LEGISLATURE OF NEBRASKA  
ONE HUNDRED FOURTH LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 781**

Introduced by Schumacher, 22.

Read first time January 07, 2016

Committee: Education

- 1 A BILL FOR AN ACT relating to education; to require school districts to
- 2       prepare for the closure of nonpublic schools as prescribed.
- 3 Be it enacted by the people of the State of Nebraska,

1           Section 1. (1) Every three years beginning with 2016, the school  
2 board of each school district having within its boundaries one or more  
3 accredited nonpublic schools shall estimate the cost per student to the  
4 school district for each of the ensuing three years to absorb the  
5 students enrolled in such nonpublic schools into the school district in  
6 the event of closure of such nonpublic schools.

7           (2) The school district shall prepare for the closure of such  
8 nonpublic schools in one of the following ways:

9           (a) Add sufficient capacity to its physical facilities to  
10 immediately absorb the students enrolled in such nonpublic schools;

11           (b) Place in reserve sufficient funds to cover seventy-five percent  
12 of the anticipated operating cost of absorbing such students for the  
13 ensuing three-year period; or

14           (c) Contract with the operating entity of each such nonpublic school  
15 to have the nonpublic school continue in operation for such three-year  
16 period, in exchange for which the school district shall, for each year of  
17 such three-year period, pay to the operating entity a sum equal to ten  
18 percent of the cost per year of absorbing the nonpublic school's students  
19 into the educational operation of the school district as estimated  
20 pursuant to subsection (1) of this section. Such contract shall include  
21 the requirement that such operating entity pledge sufficient assets or  
22 guarantees from a financial institution or other financially able person  
23 or benefactor to pay for seventy-five percent of the estimated cost of  
24 such nonpublic school continuing in operation for such three-year period.  
25 Such contract shall provide that the operating entity shall provide the  
26 school district at least one year's notice prior to closure. If the  
27 contract will expire in less than a year, the operating entity of the  
28 nonpublic school shall notify the school district of its intention to  
29 cease operation as soon as possible.

30           (3) The State Department of Education shall reimburse the school  
31 district for fifty percent of the costs incurred by the district pursuant

1 to subdivision (2)(c) of this section. Such costs shall not be considered  
2 when calculating the formula need of such district for purposes of  
3 sections 79-1007.04 to 79-1007.23 and 79-1007.25.