

LEGISLATURE OF NEBRASKA  
ONE HUNDRED SIXTH LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 1188**

Introduced by Howard, 9; Murman, 38; Walz, 15.

Read first time January 23, 2020

Committee: Health and Human Services

- 1 A BILL FOR AN ACT relating to juveniles; to amend section 43-401, Reissue
- 2 Revised Statutes of Nebraska, and section 79-1119.01, Revised
- 3 Statutes Supplement, 2019; to provide duties for the Office of
- 4 Juvenile Services relating to education; to change the definition of
- 5 interim-program schools; to harmonize provisions; to repeal the
- 6 original sections; and to declare an emergency.
- 7 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 43-401, Reissue Revised Statutes of Nebraska, is  
2 amended to read:

3 43-401 Sections 43-401 to 43-424 and section 2 of this act shall be  
4 known and may be cited as the Health and Human Services, Office of  
5 Juvenile Services Act.

6 Sec. 2. (1) On or before August 1, 2020, the Office of Juvenile  
7 Services shall establish the position of superintendent of schools to  
8 administer the education programs for the Youth Rehabilitation and  
9 Treatment Center-Kearney and the Youth Rehabilitation and Treatment  
10 Center-Geneva and shall hire an individual meeting the qualifications  
11 required under section 79-801 to fill such position. Whenever a vacancy  
12 arises in such position, the Office of Juvenile Services shall  
13 expediently hire another individual meeting the qualifications required  
14 under section 79-801 to fill such position.

15 (2) On and after August 1, 2021, the education services for any  
16 juvenile committed to the Office of Juvenile Services shall be provided  
17 by a school or program meeting the requirements for an interim-program  
18 school, an approved school, or an accredited school as provided in  
19 Chapter 79.

20 Sec. 3. Section 79-1119.01, Revised Statutes Supplement, 2019, is  
21 amended to read:

22 79-1119.01 Interim-program school means a school approved by the  
23 State Board of Education and located in or operated by (1) a county  
24 detention home established under section 43-2,110, (2) a juvenile  
25 emergency shelter, (3) beginning August 1, 2021, a youth rehabilitation  
26 and treatment center, or (4) ~~(3)~~ any institution which is a public or  
27 private facility, not owned or operated by a school district, which  
28 provides a residential program and regular educational or special  
29 education services approved by the State Department of Education.

30 Sec. 4. Original section 43-401, Reissue Revised Statutes of  
31 Nebraska, and section 79-1119.01, Revised Statutes Supplement, 2019, are

1 repealed.

2           Sec. 5. Since an emergency exists, this act takes effect when  
3 passed and approved according to law.