

LEGISLATURE OF NEBRASKA
ONE HUNDRED SEVENTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 154

FINAL READING

Introduced by Wayne, 13; Hansen, M., 26; Hunt, 8.

Read first time January 08, 2021

Committee: Education

- 1 A BILL FOR AN ACT relating to the Quality Education Accountability Act;
- 2 to amend section 79-760.05, Reissue Revised Statutes of Nebraska,
- 3 and section 79-760.06, Revised Statutes Cumulative Supplement, 2020;
- 4 to require tracking of student discipline as prescribed; to provide
- 5 duties; to harmonize provisions; and to repeal the original
- 6 sections.
- 7 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 79-760.05, Reissue Revised Statutes of Nebraska,
2 is amended to read:

3 79-760.05 (1) The State Board of Education shall implement a
4 statewide system for tracking individual student achievement, using the
5 student identifier system of the State Department of Education, that can
6 be aggregated to track student progress by demographic characteristics,
7 including, but not limited to, race, poverty, high mobility, attendance,
8 and limited English proficiency, on available measures of student
9 achievement which include, but need not be limited to, national
10 assessment instruments, state assessment instruments, and the indicators
11 used in the accountability system required pursuant to section 79-760.06.
12 Such a system shall be designed so as to aggregate student data by
13 available educational input characteristics, which may include class
14 size, teacher education, teacher experience, special education, early
15 childhood programs, federal programs, and other targeted education
16 programs. School districts shall provide the department with individual
17 student achievement data from assessment instruments required pursuant to
18 section 79-760.03 in order to implement the statewide system.

19 (2)(a) On or before August 1, 2022, the state board shall also
20 implement a statewide system for tracking individual student discipline,
21 using the student identifier system of the department, that can be
22 aggregated to track student discipline by type of discipline and
23 demographic characteristics, including, but not limited to, race,
24 poverty, high mobility, attendance, disability, and limited English
25 proficiency. The state board shall cause each school district to report,
26 by individual student, any:

27 (i) Act resulting in an in-school suspension, a short-term
28 suspension, a long-term suspension, a one-semester expulsion, a two-
29 semester expulsion, an assignment to an alternative school or
30 alternative-learning program, the use of physical intervention with such
31 student, or the restraint or seclusion of such student;

1 (ii) Offense constituting grounds for a long-term suspension, an
2 expulsion, or a mandatory reassignment pursuant to section 79-267,
3 regardless of consequences assigned; and

4 (iii) Act resulting in law enforcement involvement, including any
5 incident reported to law enforcement or to an onsite school resource
6 officer, and any school-related citation or arrest.

7 (b) For purposes of this subsection, school-related citation or
8 arrest shall include a citation or arrest of a student for any activity
9 conducted on school grounds; in a vehicle owned, leased, or contracted by
10 a school being used for a school purpose or in a vehicle being driven for
11 a school purpose by a school employee or by such employee's designee; or
12 at a school-sponsored activity or athletic event.

13 (c) The system for tracking individual student discipline may also
14 be used to record other disciplinary incidents.

15 (d) Each school shall designate at least one discipline data
16 coordinator for the purposes of gathering and reporting the discipline
17 data required pursuant to this subsection.

18 (3) ~~(2)~~ The department shall annually analyze and report on student
19 achievement and on student discipline for the state, each school
20 district, each public school, and each learning community aggregated by
21 the demographic characteristics described in subsection (1) of this
22 section. The department shall report the findings to the Governor, the
23 Legislature, school districts, educational service units, and each
24 learning community. The report submitted to the Legislature shall be
25 submitted electronically. Such analysis shall include aggregated data
26 that would indicate differences in achievement and differences in student
27 discipline due to available educational input characteristics described
28 in subsection (1) of this section. Such analysis shall include indicators
29 of progress toward state achievement goals for students in poverty,
30 limited English proficient students, students with disabilities, and
31 highly mobile students.

1 Sec. 2. Section 79-760.06, Revised Statutes Cumulative Supplement,
2 2020, is amended to read:

3 79-760.06 (1) ~~The On or before August 1, 2012,~~ the State Board of
4 Education shall establish an accountability system to be used to measure
5 the performance of individual public schools and school districts. The
6 accountability system shall combine multiple indicators, including, but
7 not limited to, graduation rates, student growth and student improvement
8 on the assessment instruments provided in section 79-760.03, student
9 discipline, and other indicators of the performance of public schools and
10 school districts as established by the state board.

11 (2) ~~The Beginning with the reporting of data from school year~~
12 ~~2014-15,~~ the indicators selected by the state board for the
13 accountability system shall be combined annually into a school
14 performance score and district performance score. The state board shall
15 establish levels of performance based upon school performance scores and
16 district performance scores in order to annually classify and report the
17 performance of public schools and school districts beginning with the
18 reporting of data from school year 2014-15. The department shall classify
19 and report the performance of public schools and school districts
20 annually on or before December 31 of each calendar year.

21 (3) The state board shall designate priority schools based on such
22 classification. Schools designated as priority schools shall be at the
23 lowest performance level at the time of the initial priority school
24 designation. Schools designated as priority schools shall remain priority
25 schools until such designation is removed by the state board. No less
26 than three schools may have a priority school designation at one time.
27 Schools designated as priority schools shall be subject to the
28 requirements of section 79-760.07. The State Department of Education
29 shall annually report the performance level of individual public schools
30 and school districts as part of the statewide assessment and reporting
31 system.

1 Sec. 3. Original section 79-760.05, Reissue Revised Statutes of
2 Nebraska, and section 79-760.06, Revised Statutes Cumulative Supplement,
3 2020, are repealed.