

LEGISLATURE OF NEBRASKA  
ONE HUNDRED SEVENTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 286**

Introduced by Walz, 15.

Read first time January 12, 2021

Committee: Education

- 1 A BILL FOR AN ACT relating to education; to amend section 79-101, Revised
- 2 Statutes Cumulative Supplement, 2020; to redefine a term; and to
- 3 repeal the original section.
- 4 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 79-101, Revised Statutes Cumulative Supplement,  
2 2020, is amended to read:

3 79-101 For purposes of Chapter 79:

4 (1) School district means the territory under the jurisdiction of a  
5 single school board authorized by Chapter 79;

6 (2) School means a school under the jurisdiction of a school board  
7 authorized by Chapter 79;

8 (3) Legal voter means a registered voter as defined in section  
9 32-115 who is domiciled in a precinct or ward in which he or she is  
10 registered to vote and which precinct or ward lies in whole or in part  
11 within the boundaries of a school district for which the registered voter  
12 chooses to exercise his or her right to vote at a school district  
13 election;

14 (4) Prekindergarten programs means all early childhood programs  
15 provided for children who have not reached the age of five by the date  
16 provided in section 79-214 for kindergarten entrance;

17 (5) Elementary grades means ~~grades~~ kindergarten through eighth grade  
18 ~~eight~~, inclusive;

19 (6) High school grades means all grades above the eighth grade;

20 (7) School year means (a) for elementary grades other than  
21 kindergarten, the time equivalent to at least one thousand thirty-two  
22 instructional hours and (b) for high school grades, the time equivalent  
23 to at least one thousand eighty instructional hours;

24 (8) Instructional hour means a period of time, at least sixty  
25 minutes, which is actually used for the instruction of students;

26 (9) Teacher means any certified employee who is regularly employed  
27 for the instruction of pupils in the public schools;

28 (10) Administrator means any certified employee such as  
29 superintendent, assistant superintendent, principal, assistant principal,  
30 school nurse, or other supervisory or administrative personnel who do not  
31 have as a primary duty the instruction of pupils in the public schools;

1 (11) School board means the governing body of any school district.  
2 Board of education has the same meaning as school board;

3 (12) Teach means and includes, but is not limited to, the following  
4 responsibilities: (a) The organization and management of the classroom or  
5 the physical area in which the learning experiences of pupils take place;  
6 (b) the assessment and diagnosis of the individual educational needs of  
7 the pupils; (c) the planning, selecting, organizing, prescribing, and  
8 directing of the learning experiences of pupils; (d) the planning of  
9 teaching strategies and the selection of available materials and  
10 equipment to be used; and (e) the evaluation and reporting of student  
11 progress;

12 (13) Permanent school fund means the fund described in section  
13 79-1035.01;

14 (14) Temporary school fund means the fund described in section  
15 79-1035.02;

16 (15) School lands means the lands described in section 79-1035.03.  
17 Educational lands has the same meaning as school lands;

18 (16) Community eligibility provision means the alternative to  
19 household applications for free and reduced-price meals in high-poverty  
20 schools enacted in section 104(a) of the federal Healthy, Hunger-Free  
21 Kids Act of 2010, section 11(a)(1) of the Richard B. Russell National  
22 School Lunch Act, 42 U.S.C. 1759a(a)(1), as such act and section existed  
23 on January 1, 2015, and administered by the United States Department of  
24 Agriculture; and

25 (17) Certificate, certificated, or certified, when referring to an  
26 individual holding a certificate to teach, administer, or provide special  
27 services, also includes an individual who holds a permit issued by the  
28 Commissioner of Education pursuant to sections 79-806 to 79-815.

29 The State Board of Education may adopt and promulgate rules and  
30 regulations to define school day and other appropriate units of the  
31 school calendar.

1           Sec. 2.    Original section 79-101, Revised Statutes Cumulative  
2 Supplement, 2020, is repealed.