

**NOTICE OF MEETING  
SCHOOL DISTRICT NO. 17**

Notice is hereby given of a Board of Education Committee of the Whole meeting of School District No. 17, in the County of Douglas, which will be held at 8:30 p.m. on Monday, February 14, 2011, at 5808 South 147th Street, Omaha, Nebraska.

**THE DAILY RECORD  
OF OMAHA**

**RONALD A. HENNINGSEN, Publisher**  
**PROOF OF JURISDICTION**

COMMITTEE OF THE WHOLE MEETING

February 14, 2011

NAME:

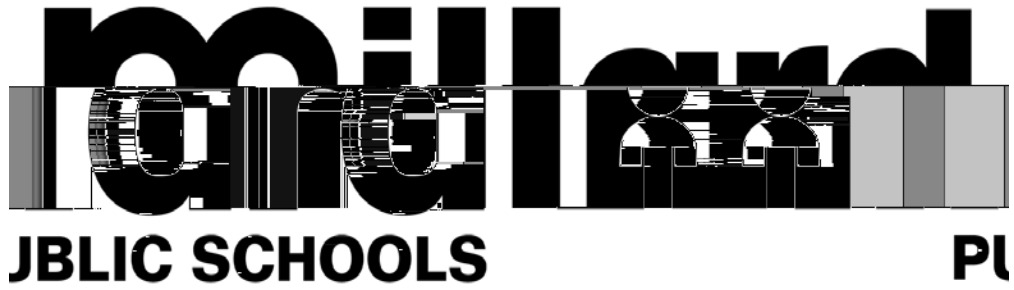
REPRESENTING:

Mary Blynn

Jamie London

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IBEW



***COMMITTEE OF THE WHOLE  
MEETING***

FEBRUARY 14, 2011

MILLARD PUBLIC SCHOOLS  
BOARD COMMITTEE OF THE WHOLE

The Board of Education Committee of the Whole will meet on Monday, February 14, 2011 at 6:30 p.m. at the Don Stroh Administration Center, 5606 South 147th Street.

The Public Meeting Act is posted on the Wall and Available for Public Inspection

Public Comments on agenda items - This is the proper time for public questions and comments on agenda items only. Please make sure a request form is given to the Board Vice-President before the meeting begins.

A G E N D A

1. Legislation

Public Comments - This is the proper time for public questions and comments on any topic. Please make sure a request form is given to the Board Vice President before the meeting begins.

**AGENDA SUMMARY SHEET**

**AGENDA ITEM:** Legislative Update

**MEETING DATE:**

A handwritten signature in black ink, appearing to read "L. W. ...", is written over a redacted area. The redaction consists of a solid black rectangular box. The signature is written in a cursive style.



A listing of bills we are tracking is attached.

### **National News and Advocacy Issues**

**Some fear the next Congress will freeze, cut K-12 funding** - the current federal funding for K-12 education will remain flat at least through March 4 under a measure passed by Congress. It will be up to the next -- more fiscally conservative -- Congress to establish funding levels going forward.

**Tuition tax credits** - A 1983-defeated Senate bill that would have given private school tuition credits may re-emerge this year as some in Congress may see a tuition-tax credit program as a silver bullet to lower taxes, divert money and power from the Department of Education, and give financial support to religious and secular private schools

**The child nutrition bill** was signed into law by President Obama, capping months of advocacy by the first lady as part of her efforts to reduce childhood obesity. The Healthy, Hunger-Free Kids Act will expand the number of children in school lunch programs by 115,000, increase the reimbursement rate to school districts for meals by six cents and replace the junk food available outside the cafeteria, such as in vending machines, with more healthful options.

| <b>BILL NO.</b> | <b>INTRODUCER(S)</b> | <b>DESCRIPTION AND SUMMARY OF BILL</b>   | <b>COMM. &amp; HRG. DATE</b>   | <b>GF</b> | <b>SF</b> | <b>FR</b> | <b>Status</b>      | <b>POSITION</b> |
|-----------------|----------------------|--|--|-----------|-----------|-----------|--------------------|-----------------|
| LB18            | Adams                | Provide for distribution of allocations from the federal Education Jobs Fund   | Education<br>01/18/11<br>1:30 p.m.<br>Room 1525  | 01/19/11  | 01/21/11  | 01/31/11  | Passed<br>02-04-11 | Support         |
| LB19            | McCoy                | Prohibit the use of certain drug substances as prescribed<br><br>Adds to Schedule 1 of the controlled substances act Any material, compound, mixture, or preparation containing any detectable quantity of synthetically produced cannabinoids. Makes such substances unlawful to possess. Punishment for such offense shall be equal to those of possession of marijuana.   | Judiciary<br>01/19/11<br>at 1:30 p.m.<br>Room 1113   | 01/21/11  |           |           |                    | Monitor         |
| LB33            | Louden               | Change valuation of agricultural and horticultural land<br><br>Beginning January 1, 2012 Ag and horticultural land shall be valued at 70 rather than 75% of its actual value. Changes acceptable range for valuation from 69-75% to 64-70% of actual value. Changes state aid value of ag and horticultural land to 67 rather than 72%.  | Revenue<br>01/21/11<br>at 1:30 p.m.<br>Room 1524   |           |           |           |                    | Monitor         |
| LB50            | Krist                | Adopt the Elementary and Secondary Educational Opportunity Act and provide for income tax credits<br><br>Provides income tax credits for contributions to entities that provide scholarships to children attending privately operated elementary or secondary schools. Scholarships can only be granted to kids of certain incomes. For grades K-8, the household income eligibility is three times the standard for free or reduced price lunch; for grades 9-12 the eligibility is increased to four times.  | Revenue  |           |           |           |                    | Oppose          |
| LB53            | Krist                | Change free transportation provisions relating to learning community students<br><br>Provides that Learning Community school districts must provide free transportation to students residing in the learning community and attending school in the school district if the student is transferring pursuant to the open enrollment provisions of section 79-2110 and either (i) is a student who contributes to the socioeconomic diversity of enrollment at the school building to which he or she attends, transfers and lives more than one mile from the school to which he or she transfers, or (ii) is a student attending a focus school or program and lives more than one mile from the school building housing the focus school or program. | Education<br>0 8.1e mile from the scho551tb16(( t)2(r)13(a)6r( t)2(h)1m)107cative .15(c)4(u)1Rngoush( t)25 |           |           |           |                    |                 |



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| LB58 | Adams | Provide for a study of dual-enrollment courses and career academies |  |  |  |  |  |  |
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|----------|---------------|--|--|----|----|----|--------|----------|
| LB148    | Avery         | Exclude lobbying expenses from the definition of general fund operating expenditures for state aid to education purposes<br><br>The one-liner says it all.   | Education<br>01/31/11<br>at 1:30 p.m.<br>Room 1525                                       |    |    |    |        | Oppose   |
| LB149    | Avery         | Adopt the Blind Persons Literacy Rights and Education Act<br><br>Provides that a teacher employed by or under contract with a school district, educational service unit, other education agency, or the State Department of Education who teaches blind or visually impaired children shall demonstrate competence in reading and writing Braille. Provides how such demonstration may be made.  | Education<br>02/08/11<br>at 1:30 p.m.<br>Room 1525                                       |    |    |    |        | Oppose   |
| LB173    | Avery         | Prohibit natural resources district board members from running for or holding more than one office<br><br>No person serving in a natural resource district shall simultaneously hold another high elective office.   | Government,<br>Military and<br>Veterans Affairs<br>02/02/11<br>at 1:30 p.m.<br>Room 1507 |    |    |    |        | Monitor  |
| LB189    | Council       | Adopt the Criminal Offender Employment Act<br><br>On an initial application for public employment, there shall be no question or checkbox for the applicant regarding the applicant's criminal record. Any criminal record of the applicant shall not operate as an automatic bar to otherwise qualified applicants in obtaining public employment and shall only be taken into consideration after the applicant has been selected as a finalist for employment. Certain criminal records shall not be used in connection with application for public employment. | Business and<br>Labor<br>01/24/11<br>at 1:30 p.m.<br>Room 2102                           |    |    |    |        | Oppose   |
| LB192    | Council       | Require school districts to offer instruction in sexual health education<br><br>Provides that beginning with school year 2012-13, each school district must offer instruction in sexual health education with a curriculum pursuant to listed criteria in the bill and State Board of Education regulations.   | Education<br>02/08/11<br>at 1:30 p.m.<br>Room 1525                                       |    |    |    |        | Oppose   |
| LB204    | Council       | Require blood-lead testing prior to enrollment in school<br><br>Provides that school districts shall require students to have undergone lead testing after the age of 18 months and before the age of 4 years. Provides for testing and notification procedures.   | Education<br>02/08/11<br>at 1:30 p.m.<br>Room 1525                                       |    |    |    |        | Oppose   |

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|----------|---------------|---|--|----|----|----|--------|----------|
| LB235    | Adams         | <p>Change provisions relating to state aid to schools</p> <p>Reduces the base limitation rate for school district to 0.5% for 2011-12 and 2012-13. Elements of the budget lids would be permanently modified. Modifications that would reduce the total amount of state aid: The cost growth factor would be permanently reduced by eliminating the factor that is added on to the two years of basic allowable growth rates in the calculation. The upper and lower ends of the range for need stabilization would be reduced by 5% for 2011-12. The threshold for the averaging adjustment would also be reduced by 5% for 2011-12 and the additional 0.5% that is used in the calculation of the threshold would be permanently eliminated to reflect the change in the cost growth factor. The local effort rate would be increased from \$1.00 to \$1.025 for 2011-12 and 2012-13. The allocated income tax reduction would be extended for 2011-12 and 2012-13 and would be increased to \$21 million. NCSA Summary.</p> <p>It is estimated that LB235 would decrease the amount of state aid distributed in FY2011-12 by \$140.9 million and the amount distributed in FY2012-13 by \$172.8 million of general funds</p> | Education<br>01/25/11<br>at 1:30 p.m.<br>Room 1525 |    |    |    |        | Support  |
| LB236    | Adams         | <p>Change provisions relating to state aid to schools</p> <p>Reduces the base limitation rate for school district to 0% for 2011-12 and 2012-13, which would affect budget lids and several elements of the aid formula. Elements of the budget lids would be permanently modified. Modifications reducing total amount of state aid: The cost growth factor would be permanently reduced by eliminating the factor that is added on to the two years of basic allowable growth rates in the calculation. Need stabilization and the averaging adjustment would be eliminated beginning with the 2011-12 calculation of aid. The local effort rate would be increased from \$1.00 to \$1.025 for 2011-12 and 2012-13. The allocated income tax reduction would be extended for 2011-12 and 2012-13 and would be increased to \$21 million. NCSA Summary.</p> <p>It is estimated that LB236 would decrease the amount of state aid distributed in FY2011-12 by \$184.8 million and the amount distributed in FY2012-13 by \$231.9 million of general funds.</p>  | Education<br>01/25/11<br>at 1:30 p.m.<br>Room 1525 |    |    |    |        | Oppose   |
| LB247    | Pahls         | <p>Adopt the Classrooms First Act</p> <p>Requires 65% or more of each district's total operating expenditures on direct classroom instruction beginning in 2012-13. Defines what constitutes "direct classroom instruction". Requires Commissioner of Education to send an "intervention team" to any district failing to comply, in order to help the school board and administration meet the requirements of the legislation. Beginning in 2013-14, failure to comply for three consecutive years would mean loss of accreditation. NCSA Summary.</p>  | Education<br>01/25/11<br>at 1:30 p.m.<br>Room 1525 |    |    |    |        | Oppose   |

**BILL**

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| LB381 | Speaker Flood | Change provisions relating to educational service units, withdraw from the Compact for Education, and eliminate a student achievement coordinator | Education<br>02/14/11<br>at 1:30 p.m.<br>Room 1525 |  |  |  |  | Monitor |
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| LB382 | Nordquist | <p>Change deposit and contribution rates for certain retirement systems</p> <p>Requires School Retirement Fund retirement contributions from employees of 9.28% of compensation from 9/2011 through 8/2013 and contributions of 8.28% from 9/2013 through 8/2014. The most recent required contribution was 8.28%. From 7/2011 until 7/2013, requires retirement contributions paid by Nebraska State Patrol officers or paid on the officer's behalf of 19% of monthly compensation. From 2013 onward, requires 16% contribution. Provides for assessments against the appropriation of the Nebraska State Patrol in those amounts for those periods.</p> <p>NCSA: Proposes to change the employee contribution rate for the School Employees Plan from 8.28% to 9.28% effective September 1, 2011. The employer rate (equal to 101% of the employee rate) would increase from 8.36% to 9.37%. It is important to note that the bill was introduced on behalf of the</p> |  |  |  |  |  |  |
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LB486 Louden Change provisions relating to compensation and contributions under the School Employees Retirement Act

Sunsets the 7% rule effective June 30, 2012. Thereafter, any amount of annual salary increase exceeding 9% would be excluded for purposes of computation of retirement benefits and there would be no exemptions to this rule. Currently, a plan member of the School Employees Retirement System applying for retirement benefits is subject to have his/her salary examined by NPERS (the Retirement Agency) for the 60 months leading up to the anticipated date of retirement. Under the current rule, any amount of annual salary increase exceeding 7% would be excluded for purposes of computation of retirement benefits unless at least one of three exemptions applies.

NCSA: Proposes to eliminate the 7% Rule under the School Employees Plan along with the three exemptions under the rule and, in exchange, to raise the cap for purposes of calculating benefits to 9% with no exemptions. Under the existing rule, a plan member applying for retirement benefits is subject to have his/her salary examined by NPERS (the Retirement Agency) for the 60 months leading up to the declared date of retirement. Any amount of annual salary exceeding 7% would be excluded for purposes of computation of retirement benefits unless at least one of three exemptions applies. The three exemptions





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| LB664    | Nelson        | Repeal the Industrial Relations Act and the State Employees Collective Bargaining Act and prohibit public collective bargaining and work stoppage  | Business and Labor<br>02/07/11<br>at 1:30 p.m.<br>Room 1524           |    |    |    |        | Monitor  |
| LB680    | Heidemann     | <p>Adopt the School Employees Cash Balance Retirement Act</p> <p>Creates a cash balance retirement system for new hire school employees, similar to the current plan offered to state employees, often referred to as a hybrid of both defined benefit and defined contribution plans. Does not impact the retirement system for existing school employees. Under the State Employees Retirement Plan, employees contribute about 4.8% of salary and the employer (the state) contributes about 7.5% of salary to an employee account. The employee cannot control investment of the account, but is guaranteed an annual return of at least 5% a year. The account can receive a higher return, depending on investment earnings. At retirement, the employee may buy an annuity, or withdraw the balance in a lump sum or in installments. The bill will likely be referred to an interim study after the session adjourns.</p> <p>NCSA: Would create a cash balance retirement system for new hire school employees. It is important to note this legislation would not change the retirement system for existing school employees. The bill proposes a retirement system similar to the current plan offered to state employees, often referred to as a hybrid system (both a defined benefit and defined contribution plan). Senator Heidemann offered the bill knowing that it would require significant study. The bill will likely be referred to an interim study after the session adjourns.</p> | Nebraska Retirement Systems<br>03/01/11<br>at 12:10 p.m.<br>Room 1525 |    |    |    |        | Monitor  |