

LEGISLATURE OF NEBRASKA  
ONE HUNDRED SIXTH LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 1089**

FINAL READING

Introduced by Vargas, 7; Lindstrom, 18; Murman, 38; Hansen, M., 26.

Read first time January 21, 2020

Committee: Education

- 1 A BILL FOR AN ACT relating to schools; to amend section 79-729, Reissue
- 2 Revised Statutes of Nebraska; to add a high school graduation
- 3 requirement and provide an exception as prescribed; to provide a
- 4 duty for schools to submit data to the State Department of
- 5 Education; to provide duties for the Commissioner of Education and
- 6 require an annual report to the Legislature; to provide for rules
- 7 and regulations as prescribed; and to repeal the original section.
- 8 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 79-729, Reissue Revised Statutes of Nebraska, is  
2 amended to read:

3 79-729 (1) The Legislature recognizes the importance of assuring  
4 that all persons who graduate from Nebraska high schools possess certain  
5 minimum levels of knowledge, skills, and understanding.

6 (2) Beginning in school year 1987-88, each high school student shall  
7 complete a minimum of two hundred high school credit hours prior to  
8 graduation. At least eighty percent of such credit hours shall be core  
9 curriculum courses prescribed by the State Board of Education.

10 (3)(a) Beginning with the 2021-22 school year, each public high  
11 school student shall complete and submit to the United States Department  
12 of Education a Free Application for Federal Student Aid prior to  
13 graduating from such high school except as otherwise provided in this  
14 subsection.

15 (b) A public high school student shall not be required to comply  
16 with subdivision (3)(a) of this section if:

17 (i) A parent or legal guardian of or a person standing in loco  
18 parentis to such student signs and submits the appropriate form  
19 prescribed by the Commissioner of Education pursuant to subdivision (3)  
20 (c) of this section indicating that such parent, legal guardian, or  
21 person standing in loco parentis authorizes such student to decline to  
22 complete and submit a Free Application for Federal Student Aid;

23 (ii) The school principal or the school principal's designee signs  
24 and submits the appropriate form prescribed by the Commissioner of  
25 Education pursuant to subdivision (3)(c) of this section authorizing such  
26 student to decline to complete and submit a Free Application for Federal  
27 Student Aid for good cause as determined by the school principal or the  
28 school principal's designee; or

29 (iii) A student who is nineteen years of age or older or is an  
30 emancipated minor signs and submits the appropriate form prescribed by  
31 the Commissioner of Education pursuant to subdivision (3)(c) of this

1 section stating that such student declines to complete and submit a Free  
2 Application for Federal Student Aid.

3 (c) The Commissioner of Education shall prescribe the forms to be  
4 used by each public high school for purposes of subdivision (3)(b) of  
5 this section. Such forms shall be made available:

6 (i) By each public high school to students, parents and legal  
7 guardians of students, and persons standing in loco parentis to students;  
8 and

9 (ii) In English, Spanish, and any other language spoken by a  
10 majority of the students enrolled in any English learner program at such  
11 public high school.

12 (d) The school principal or the school principal's designee of each  
13 public high school shall provide such compliance information to the  
14 school district or governing authority for such public high school and to  
15 the State Department of Education without disclosing, for any student who  
16 has complied with the requirements of this subsection, personally  
17 identifiable information distinguishing whether such compliance was  
18 pursuant to subdivision (3)(a) of this section or subdivision (3)(b) of  
19 this section. Such school principal or school principal's designee shall  
20 provide separately the aggregate number of students who have not complied  
21 with this subsection, who complied pursuant to subdivision (3)(a) of this  
22 section, and who complied pursuant to subdivision (3)(b) of this section,  
23 unless otherwise prohibited by federal or state law regarding the  
24 confidentiality of student educational information.

25 (e) On or before December 31, 2022, and on or before December 31 of  
26 each year thereafter, the Commissioner of Education shall electronically  
27 submit a report with the information received by the State Department of  
28 Education pursuant to subdivision (3)(d) of this section to the Clerk of  
29 the Legislature.

30 (4) The State Board of Education may establish recommended statewide  
31 graduation guidelines. This section does not prohibit the governing board

1 of any high school from prescribing specific graduation guidelines as  
2 long as such guidelines do not conflict with this section.

3 (5) This section does not apply to high school students whose  
4 individualized education plans prescribe a different course of  
5 instruction. This section does not prohibit the governing board of any  
6 high school from prescribing specific graduation guidelines as long as  
7 such guidelines do not conflict with this section.

8 (6) For purposes of this section, high school means grades nine  
9 through twelve and credit hour shall be defined by appropriate rules and  
10 regulations of the State Board of Education but shall not be less than  
11 the amount of credit given for successful completion of a course which  
12 meets at least one period per week for at least one semester.

13 (7) The State Department of Education shall adopt and promulgate  
14 rules and regulations as necessary to implement this section. Such rules  
15 and regulations shall include, but not be limited to:

16 (a) A timeline for the distribution of the Free Application for  
17 Federal Student Aid and the forms prescribed pursuant to subdivision (3)  
18 (c) of this section by public high schools and for the submission of the  
19 Free Application for Federal Student Aid and the forms prescribed  
20 pursuant to subdivision (3)(c) of this section by students;

21 (b) Standards regarding the information that a public high school  
22 must provide to students regarding:

23 (i) Instructions for filling out the Free Application for Federal  
24 Student Aid;

25 (ii) The options available to a student under subdivision (3)(b) of  
26 this section if a student wishes to decline to complete and submit a Free  
27 Application for Federal Student Aid; and

28 (iii) The method by which a student shall provide proof to the  
29 public high school that such student has completed and submitted the Free  
30 Application for Federal Student Aid or a form prescribed pursuant to  
31 subdivision (3)(c) of this section; and

1           (c) A requirement for each public high school to report the number  
2 of students who completed and submitted a Free Application for Federal  
3 Student Aid and the number of students who instead submitted a form  
4 prescribed pursuant to subdivision (3)(c) of this section.

5           Sec. 2.   Original section 79-729, Reissue Revised Statutes of  
6 Nebraska, is repealed.