



NEBRASKA

DEPARTMENT OF EDUCATION

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TO: State Board of Education

FROM: Scott Summers, Legal Counsel III - Commissioner's Appointed Staff Person to Conduct Rule Hearing on revisions to Title 92, Nebraska Administrative Code, Chapter 83, *Procedures of the State Committee for the Reorganization of School Districts* 

DATE: January 20, 2016

RE: Summary of Hearing on Proposed Revisions to 92 NAC 83

On December 14, 2015, the Commissioner approved a hearing draft, set a hearing date and location, and designated a staff person to conduct a hearing on the adoption of proposed revisions to 92 NAC 83. By a memorandum dated December 18, 2015, the Commissioner appointed me to conduct this rule hearing on January 20, 2016, commencing at 9:00 a.m. After the proper legal notice was published, the hearing was held at the Nebraska State Office Building, State Board Meeting Room, 301 Centennial Mall South, Lincoln, Nebraska. Pursuant to State Board of Education Policy B9, what follows is a written summary of the hearing testimony.

An audio recording of the hearing is available if any members of the Board wish to hear it.

SUMMARY OF TESTIMONY ON THE PROPOSED REVISIONS TO 92 NAC 83 Procedures of the State Committee for the Reorganization of School Districts

Scott Summers, staff attorney and the hearing official, called the hearing to order, read into the record the name of the newspaper in which legal notice of the hearing was published and the date the notice appeared, and outlined the procedures for the hearing and introduced **Mr. Bryce Wilson, Director**, School Finance and Organizational Services, Nebraska Department of Education.

Mr. Wilson introduced and explained the proposed revisions to Title 92, Nebraska Administrative Code, Chapter 83. Mr. Wilson testified that the proposed revisions to Rule 83 will incorporate updates due to legislative changes that affect school districts that have the only high school in the county (Section 79-499 R.R.S.) and eliminates obsolete language for assimilation of Class I districts. Please see Mr. Wilson's written testimony attached.

No other written or oral testimony was received.

Rule 83

We are proposing two changes to Rule 83.

-First, we are eliminating the assimilation process which was repealed in statute (2006).

-Second, we are adding rules for Class II and Class III districts which maintain the only high school in the county and have membership in grades 9-12 less than 25 students. These changes are being made to conform with state statute 79-499 which changed during the 2015 legislative session when LB 477 was passed to add exceptions for districts with the only High School in the County.

**Testimony of
Bryce Wilson, Director
Finance & Organizational Services
January 20, 2016**