

ONE HUNDRED SEVENTH LEGISLATURE - FIRST SESSION - 2021
COMMITTEE STATEMENT
LB359

Hearing Date: Tuesday February 16, 2021
Committee On: Education
Introducer: Pansing Brooks
One Liner: Change provisions regarding multicultural education as prescribed and provide powers for the State Board of Education

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:
Aye: 8 Senators Day, Linehan, McKinney, Morfeld, Murman, Pansing Brooks, Sanders, Walz
Nay:
Absent:
Present Not Voting:

Oral Testimony:

Proponents:
SENATOR PATTY PANSING BROOKS
BARBARA BAIER

MATTHEW BLOMSTEDT
JUDI GAIASHKIBOS
LAZARO SPINDOLA
ANN HUNTER-PIRTLE

Representing:
INTRODUCER
LINCOLN BOARD OF EDUCATION, LINCOLN PUBLIC SCHOOLS
NEBRASKA DEPARTMENT OF EDUCATION
NEBRASKA INDIAN COMMISSION
LATINO AMERICAN COMMISSION
STAND FOR SCHOOLS

Opponents:

Representing:

Neutral:
JEREMY EKELER

Representing:
NEBRASKA CATHOLIC CONFERENCE

Submitted Written Testimony:

Proponents:
SPIKE EICKHOLT

Representing:
ACLU OF NEBRAKA

Opponents:

Representing:

Neutral:

Representing:

Summary of purpose and/or changes:

Legislative Bill 359 changes provisions regarding multicultural education within the Curriculum and Instruction Requirements

statutes for K-12 education.

Section 1:

Changes the statutory definition of multicultural education for the purposes of curriculum and instruction as follows:

-[M]ulticultural education includes and reflects the diverse races and cultures of all persons in Nebraska and the United States of America and incorporates the histories, perspectives, but is not limited to, studies relative to the culture, history, and contributions of African Americans, Hispanic Americans, Native Americans, and Asian Americans. Special emphasis shall be placed on human relations and sensitivity toward all races, ethnicities, and cultures."

Section 2:

Clarifies the language for incorporation of curriculum from "all phases ... grades kindergarten through twelve" to explicitly state it should be incorporated into "elementary, middle, and secondary instructions programs."

Beginning with school year 2022-23, LB359 requires that multicultural education curriculum shall be incorporated into elementary, middle, and secondary instructional programs at all approved and accredited, private, denominational, and parochial schools (nonpublic schools).

LB359 requires the Nebraska Department of Education (NDE) to employ a full-time consultant trained and experienced in the field of multicultural education and expands the requirement of NDE to create and distribute recommended multicultural education curriculum guidelines to all schools, which includes nonpublic schools. Currently, the requirement is to only distribute the materials to public school districts.

Strikes language articulating that "[e]ach district shall create its own multicultural education program based on such recommended guidelines."

Explicitly states that the incorporation of multicultural education into instructional programs shall not change the number of instructional hours prescribed in Neb. Rev. Stat. Sec. 79-211 (not be less than (1) one thousand thirty-two instructional hours for elementary grades and (2) one thousand eighty instructional hours for high school grades in any public school district or private, denominational, or parochial school.)

Section 3:

Articulates that the duty to annually present evidence to NDE that multicultural education curriculum is being taught in the schools now extends to nonpublic schools, as well as public school districts. Further, it extends the loss of accreditation (and now approval) status to any nonpublic school, as well as public school district, that fails to provide the required evidence.

Section 4:

Eliminates antiquated language from statute and harmonizes the provisions with current statutory language.

Section 5:

Harmonizes with current statutory language the provision regarding whom is granted authority to adopt and promulgate rules and regulations to carry out the multicultural education curriculum statutes and makes such rulemaking permissive versus mandatory.

Explanation of amendments:

AM400 becomes the bill. The changes from LB359, as introduced are noted below. All other provisions from LB359 are included in the Committee Amendment.

Section 2:

Changes the implementation date requirement from school year 2022-23 to 2023-24. AM400 also adds the missing verb "shall" to the first sentence and harmonizes the language related to nonpublic schools with other statutory provisions.

Section 3:

Removes the changes in the original bill, as well as strikes the current statutory language, in Neb. Rev. Stat. 79-721(2). This eliminates the loss of a school's or school district's accreditation or approval status for failure to provide evidence of its compliance with the multicultural education requirements.

Lynne Walz, Chairperson