

LEGISLATIVE BILL 450

Approved by the Governor April 5, 1971

Introduced by Wayne W. Ziebarth, 37th District; Harold D. Simpson, 46th District; Thomas C. Kennedy, 21st District;

AN ACT to amend sections 79-522, 79-523, 79-524, 79-526, 79-527, 79-528, and 79-529, Reissue Revised Statutes of Nebraska, 1943, and section 79-525, Revised Statutes Supplement, 1969, relating to schools; to revise and clarify provisions governing Class IV school districts; and to repeal the original sections, and also section 79-539, Reissue Revised Statutes of Nebraska, 1943.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 79-522, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

79-522. ~~The provisions of sections 79-523 to 79-529 shall apply to Class IV districts only, and the~~ provisions of sections 79-530 to 79-540 shall apply to Class IV and V districts only.

Sec. 2. That section 79-523, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

79-523. The board of education of a Class IV district shall hold two or more regular meetings each month, the time of which shall be fixed by the by-laws adopted by such board, ~~but special~~ Special meetings may be held ~~from time to time~~ as circumstances may demand. All meetings shall be open to the public unless otherwise especially ordered.

Sec. 3. That section 79-524, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

79-524. The board of education of a Class IV district shall have power to select its own officers, and make its rules and regulations, ~~subject to the provisions of sections 79-523 to 79-540 necessary to carry out the board's legal duties.~~ The board of education, ~~herein provided for,~~ or any committee of the members thereof, shall have power to compel the

attendance of witnesses for the investigation of matters that may come before them. The presiding officer of the board of education, or the chairman of such committee, ~~for the time being,~~ may administer the requisite oaths, and such board or committee ~~thereof~~ shall have the same authority to compel the giving of testimony as is conferred on courts of justice.

Sec. 4. That section 79-525, Revised Statutes Supplement, 1969, be amended to read as follows:

~~79-525.~~ At any regular meeting, the board of a Class IV district may elect from outside its own members officers such as a superintendent of public instruction, an assistant associate superintendent in charge of business affairs, a building supervisor, ~~a principal of the high school,~~ an architect, and the number of employees the board may deem necessary for the proper conduct of the affairs of the school district, at such salaries as the board may deem just. It may contract with them for a term not to exceed three years. The election of all officers of the board, principals, teachers, and regular janitors, and all elections for filling vacancies on the board, shall be by ballot. No person shall be declared elected unless he receives the vote of a majority of all the members of the board.

Sec. 5. That section 79-526, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

~~79-526.~~ (1) It shall be the duty of the secretary of the board of education of a Class IV district (a) to be present at all meetings of the board, (b) to keep an accurate journal of its proceedings, and (c) to perform all such other duties as the board may require.

(2) It shall be the duty of the assistant associate superintendent in charge of business affairs to (a) take charge of the books and documents of the board of education, (b) countersign all warrants for school money drawn upon the city treasurer by order of the board, (c) apply for and receive school funds from the county treasurer or other persons to whom such funds are payable by law and deposit the same with the treasurer of the board, and (d) perform all such other duties as the board may require.

Sec. 6. That section 79-527, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

79-527. Before entering upon the discharge of his duties, the assistant associate superintendent in charge of business affairs of a Class IV district shall give a bond payable to the school district in such sum as the board of education may fix but not less than five thousand dollars and shall take and subscribe the usual oath of office. The board may require any other officer or employee to give a bond in such an amount as it may deem necessary. The cost of all bonds shall be paid by the school district and shall be approved by the board of education.

Sec. 7. That section 79-528, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

79-528. The city treasurer of the city in which such a Class IV School district is principally located shall be ex officio treasurer of the school district. He shall (1) attend all meetings of the board of education when required to do so, (2) prepare and submit in writing a monthly report of the state of its finances, (3) pay out school money only upon warrants signed by the president or vice president, and countersigned by the assistant associate superintendent in charge of business affairs, and (4) give a bond payable to the school district in such a sum as may be fixed by the board of education.

Sec. 8. That section 79-529, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

79-529. All accounts of a Class IV district shall be audited by the assistant associate superintendent in charge of business affairs, approved by the chairman of the proper--committee board of education, and countersigned by one other member of the board. No expenditure greater than one thousand dollars shall be voted by the board except in accordance with the provisions of a written contract. No money shall be appropriated out of school funds except on a recorded affirmative vote of a majority of all the members of the board.

Sec. 9. That original sections 79-522, 79-523, 79-524, 79-526, 79-527, 79-528, and 79-529, Reissue Revised Statutes of Nebraska, 1943, and section 79-525, Revised Statutes Supplement, 1969, and also section 79-539, Reissue Revised Statutes of Nebraska, 1943, are repealed.