Introduction and Purpose

Mandates on schools, whether funded or not, continues to be a debated topic between districts, their boards, and the Legislature. Disparity in school funding can produce added confusion about whether a particular mandate is funded or not. Most importantly, mandates that districts must follow have not come all at once. Rather, these mandates have been placed into statute over time. School board members, school leaders, and Senators must discern the appropriateness of mandates. Understanding the scope of mandates is helpful to boards in both fiscal management and advocacy. This document is designed to share current mandates that affect school districts.

Note: The mandates listed here are not exhaustive and do not include mandates imposed on districts from the federal government. * Inclusion on this list does not mean NASB disagrees with the mandate *

Mandates

Mandates have been grouped into seven (7) categories with statutory references included:

1. **Required Policy:** These mandates require specific policy adoption by local school boards. While the adoption of the policy is not in and of itself a mandate that costs dollars. It is the implementation of the policy which can require resources (i.e., training)
2. **Required Training:** These mandates training of staff. NASB has noticed an increase in required training by school personnel which has caused the increase of staff in-service days necessary to facilitate all required training.
3. **Curriculum:** These mandates require districts to implement curriculum without regard to their specific needs, resources, or community involvement.
4. **Graduation requirements:** These mandates relate to graduation requirements imposed by legislative mandate. These mandates often require added resources in staff and are imposed without regard to community involvement or student preference consideration.
5. **Meetings:** Statutorily required meetings.
6. **Other**
7. **Removed Mandates**

Mandate Topic/Area of Requirement

1. Required Policy
    - Bullying Prevention – Statutory Reference 79-2, 137 – Enacted 2008
    - ***Return to Learn (Pediatric Cancer) – Statutory Reference 79-2, 148 – Enacted 2015***
    - Dating Violence – Statutory References 79-2, 139; 79-2, 141; 79-2, 142 – Enacted 2009
    - Pregnant/Parenting Students – Statutory Reference 79-2, 150 – Enacted 2017
    - Homeless, State Ward, Military Students – Statutory Reference 79-215 – Updated 2019
    - Student Discipline – Statutory References 79-254; 79-255; 79-256; 79-257; 79-258; 79-259; 79-260; 79-261; 79-262 – Updated 2018, updated 2026 (2026 – LB 653)
    - Personnel Files, Student Records – Statutory Reference 79-539 – Enacted 1996
    - ***Student Vaccine Requirement – Statutory Reference 79-217 – Updated 2017***
    - Youth Organizations Student Access – Statutory Reference 79-297 – Enacted 2023
    - Dress Code, Grooming, and Tribal Regalia – Statutory Reference 79-2, 159 – Enacted 2023
    - Behavioral Intervention and Management, Classroom Management, and Student Removal – Statutory Reference 79-262.01 – Enacted 2023
    - Electronic Communication Devices (LB 140) – Statutory Reference 79-2, 162 – Operative 2025-2026 School Year
    - Rights of Parents Regarding Library Materials (LB 390) – Statutory Reference 79-533.04 – Operative 2026-2027 School Year
    - Sex/Gender Specific Athletic Competition (LB 89) – Statutory References 79-3801; 79-3802; 79-3803; 79-3804; 79-3805; 79-3806; 79-3807 – Operative 2026-2027 School Year
    - Rights of Parents Regarding Student Surveys – Statutory Reference 79-532 – Operative 2026-2027 School Year
    - Prevention of and Response to Anaphylaxis Emergencies (LB 457) – Statutory Reference 79-227 – Operative 2026-2027 School Year
    - Cybersecurity (2026 – LB 937) – Statutory Reference – 79-1340

2. Required Training
    - Bullying Prevention – Statutory Reference 79-2, 137 – Enacted in 2008
    - ***Return to Learn (Pediatric Cancer) – Statutory Reference 79-2, 148 – Enacted 2015***
    - ***Concussion – Statutory Reference 71-9104 – Enacted in 2011***
    - Dating Violence – Statutory References 79-2, 139; 79-2, 141; 79-2, 142 – Enacted 2009, Updated 2024
    - Suicide Awareness/Prevention – Statutory Reference 79-2, 146 – Enacted 2014, Updated 2024
    - School Resource Officer – Statutory Reference 79-2704 – Enacted 2019
    - Homeless, State Ward, Military Students – Statutory Reference 79-215 – Updated 2019
    - ***Seizures – Statutory Reference 79-3203 – Enacted 2021***
    - Behavioral Awareness Training – Statutory Reference 79-3602 – Operative 09.01.2023, Updated 2024

3. Curriculum
    - Health Education Requirements – Statutory Reference 79-712 – Enacted 2013
    - Multicultural Education Requirements – Statutory Reference 79-720 – Enacted 2022
    - Reading Requirements – Statutory References 79-2601; 79-2602; 79-2603; 79-2604; 79-2605; 79-2606; 79-2607 – Enacted 2017
    - ***Fire Recognition Day, Fire Prevention – Statutory References 79-705; 79-706 – Enacted 1997***
    - Civics – Statutory Reference 79-724 – Updated 2019
    - El-Hajj Malik El-Shabazz, Malcom X Day (2024 – LB 1102) – Statutory Reference 82-903 – Enacted 2024

(3. Curriculum continued)

- Require that home-schooled students be admitted to participate in extracurricular activities, without charge, if such activities are not available in their home district (2025 – LB 306 and LB 497, modified 2026 – LB 937) – Statutory Reference 79-215 – Operative 06.04.25

4. Graduation Requirements
   - Financial Literacy – Statutory Reference 79-729 – Enacted 2021
   - Computer Science and Technology – Statutory References 79-729; 79-3304 – Enacted 2022, Updated 2023
   - Free Application for Federal Student Aid (FAFSA) – Statutory Reference 79-729 – Enacted 2023

5. Other
   - Display of US and Nebraska Flags – Statutory Reference 79-709 – Enacted 1971, Updated 1996
   - Student Health Exam – Statutory Reference 79-248 – Updated 2010
   - Dyslexia Reporting Requirements – Statutory Reference 79-11, 157.01 – Enacted 2023
   - Suspension Alternative Programming for Pre-Kindergarten Through Second Grade Students – Statutory Reference 79-265.01 – Enacted 2023
   - Adopt New Process for Determining and Sharing Option Enrollment Requirement – Statutory Reference 79-238 – Operative 09.02.2023
     - Option Enrollment Sibling Acceptance (2026 – LB 653) – Statutory Reference 79-238
   - Employee screening requirements (2026 – LB 937) – Statutory Reference 79-880
   - Professional Employee Organizations (2026 – LB 429) – Statutory Reference 79-874.01
   - ***Prohibit certain color additives (2026 – LB 940) – Statutory Reference 79-5, 110***

6. Meetings
   - Attendance Officers, County Attorney Meeting – Statutory References 79-208; 79-209 – Enacted 1999
   - Committee on American Civics, two (2) meetings per year – Statutory Reference 79-724 – Enacted 1949, Updated 2019
   - Meeting Notice Publication – Statutory Reference 84-1411 – Updated 2022
   - Joint Public Hearing – Statutory Reference 77-1632 – Enacted 2021, (modified by 2026 – LB 803)
     - At least one elected official to attend (2026 – LB 384) – Statutory Reference 77-1633 – Operative date 01.01.2027

7. Mandates Removed (New for 2026)
   - Eliminate human relations training requirement for substitute teachers (2026 – LB 1022) – Enacted 2026
   - Reduced notice requirements (2026 – LB 596) – Enacted 2026

Bullet points in bold and italics apply to both public and non-public schools
Items highlighted in yellow were added to the mandate list in 2026

Required Polices:

- Bullying Prevention
- ***Return to Learn***
- Dating Violence
- Pregnant/Parenting Students
- Homeless, State Ward, Military Students
- Student Discipline
- Personnel Files, Student Records
- ***Student Vaccine Requirement***
- Youth Organizations Student Access
- Dress Code, Grooming, and Tribal Regalia
- Behavioral Intervention and Management, Classroom Management, and Student Removal
- Student Communication Devices (Cell Phones)
- Parent rights and access to school library materials
- Parent rights regarding surveys
- Prevention and response to anaphylaxis
- Cybersecurity

Other:

- Student Health Exam
- Joint Public Hearing
- Dyslexia Reporting Requirements
- Suspension Alternative Programming for Pre-K to 2 Grade Students
- Option Enrollment Determination and Reporting Requirements
- Home School Student Extra-Curricular Activities Participation
- Employee Screening Requirements
- Professional Employee Organizations
- ***Prohibit Certain Color Additives***

Required Training:

- Bullying Prevention
- ***Return to Learn***
- ***Concussion***
- Dating Violence
- Suicide Awareness/Prevention
- School Resource Officer
- Homeless, State Ward, Military Students
- ***Seizures***
- Behavioral Awareness

Meetings:

- Attendance Officers, County Attorney Meeting
- Meeting Notice Publication
- Joint Public Hearing

Required Curriculum

- Health Education Requirements
- Multicultural Education Requirements
- Reading Requirements
- ***Fire Recognition Day and Fire Prevention***
- Civics

Graduation Requirement:

- Financial Literacy
- Computer Science/Technology
- FAFSA

Removed Mandates (New for 2026):

- Eliminate Human Relations Training Requirements for Substitute Teachers
- Reduced Notice Requirements

Applicable NASB Standing Positions

Conditions of Children

S-20 — STUDENT DISCIPLINE: NASB opposes legislative mandates related to student discipline. NASB supports student discipline as an essential, mutual responsibility of parents, teachers, and administrators, with final responsibility resting with school boards. (1999, amended 2019)

Curriculum and Instruction

S-25 — CURRICULUM ADOPTION: NASB opposes legislative mandates addressing curriculum and testing. NASB supports the adoption of curriculum by local school boards and the State Board of Education. (2019)

S-28 — STUDENT EXPRESSION: NASB supports the authority of the local boards of education and school administration to regulate the content of school-sponsored publications and curriculum. (1997, amended 2009)

Funding and Finance

S-33 — COMPENSATION FOR STATEWIDE STANDARDS & ASSESSMENTS: NASB supports adequate funding to compensate school districts/ESUs for the cost of implementing and managing the statewide learning standards and assessments. (2008, amended 2009, 2013)

S-38 — FINANCING CAPITAL IMPROVEMENTS: NASB supports adequate funding for school districts and ESUs for maintenance or replacement of our rapidly deteriorating facilities. (1997, amended 2015)

S-46 — LEGISLATION IMPLEMENTATION: NASB supports the concept that any legislative bill that limits financial resources, or requires additional financial resources, is done within a timeframe that will not negatively affect the school's ability to prepare their budget. (1997, amended 2015, 2017, 2019)

S-56 — STATE FUNDING SYSTEM: NASB supports a stable, predictable, equitable, and adequate statewide education funding system that honors the Legislature's commitment to provide for free instruction in the common schools of this state, as guaranteed by the Nebraska Constitution, by prioritizing education funding in the state budget, and that:

- Invests in the education of all Nebraska public school children;
- Establishes a state fund or funding mechanism that assists Nebraska public schools with the costs of maintaining and constructing facilities;
- Reduces our dependence on local property taxes by drawing revenue from multiple funding sources;
- Promotes the responsibility of locally elected school boards to make sound, transparent school budget decisions;
- Provides funding in a timely and predictable manner;
- Includes the principle of equalization;
- • Funds the total excess allowable costs for special education and support services; and
- • Recognizes that a long-term solution to education funding will require an ongoing, collaborative effort to execute a vision and strategic plan to grow and diversify our economy. (1997, amended 2009, 2018)

For more information, click here, beginning on page six (6) inside the Advocacy Handbook