

Transcript Prepared by Clerk of the Legislature Transcribers Office
Education Committee January 29, 2019

GROENE: [RECORDER MALFUNCTION] --42, I serve as chair of this committee. The committee will take up the bills. But today we're going to have three gubernatorial appointments first, they'll be calling in to the-- it's appropriate because it's the assessment committee on how we test our students statewide. But there will be three appointments. Our hearing today is your public part of the legislative process. This is your opportunity to express your position on the, on the proposed legislation before us today. To better facilitate proceedings, I ask that you abide by the following procedures. Please turn off cell phones and other electronic devices. Move to the front chairs at the front of the room when you are ready to testify. If you move to the front and keep getting in line, and it's orderly as people come up to the chair, instead of somebody bumping into each other, one coming from the back and one from the front. The order of testimony is introducer, proponents, opponents, and neutral remarks. If you will be testifying, please complete the green testifier sheet it and hand to the committee page when you come up to testify. If you have written materials that you would like distributed to the committee, please hand them to the page to distribute. The pages are over there. If you are not going to publicly testify or need to leave early, you can turn in written testimony with a completed green testifier sheet. We need 12 copies for all committee members and staff. If you need additional copies, please ask a page to make copies for you now. When you begin to testify, please state and spell your name for the record. Please be concise. It is my request that the testimony limit to five minutes. You don't have to use five minutes. We're going to have a long, a lot of testifiers today on the first bill, probably. If you're being redundant, maybe you could cut it shorter, and then it would give us committee members time to ask questions. We will be using a light system. Green is for four minutes; yellow, one minute; and please wrap up comments; red, stop. I probably won't let anybody overrun today because of the time. If you would like your position to be known but do not wish to testify, please sign the white form at the back of the room and it will be included in the official record. On the form you can say for or against or neutral. Just check the box. If you are not testifying in person on a bill and would like to submit a written position letter to be included in the official hearing record as an exhibit, the letter must be delivered to the office. That's past, that's a little late. But anytime, anybody listening, if a bill is coming up and you want to testify or send an email, have it into my office or any committee office at, by 5:00 the day before, business day. Additionally, the letter must include your name and address,

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state a position of for or against or neutral and bill in question, include a request for the letter to be included as part of the public hearing record. When emailing, please include in the subject line as letter of support, opposition or to, to the bill. This will ensure your request is taken in by the staff, by the staff. Please speak directly into the microphone so our transcribers are able to hear your testimony clearly. It's not for magnification, it's for recording purposes. The committee members is with us today will introduce themselves beginning at far right.

MURMAN: Senator Dave Murman: Clay, Webster, Nuckolls, Franklin, Phelps, Kearney, and part of Buffalo County.

LINEHAN: Good afternoon, I'm Lou Ann Linehan, western Douglas County.

WALZ: Lynne Walz, District 15, which is all of Dodge County.

BREWER: Tom Brewer, District 43: 13 counties of western Nebraska.

PANSING BROOKS: Patty Pansing Brooks, District 28, right here in the heart of Lincoln.

KOLOWSKI: Rick Kolowski, District 31 in southwest Omaha.

GROENE: My assumption is Senator Morfeld will be joining us, he hasn't said otherwise. He might be introducing a bill or just running late. To my immediate left is legal counsel Amara Block. To my right, at the end of the table, is committee clerk, Trevor Reilly. The pages who you will see, that you need to hand your information to, is Nedhal Al-Kazahy. I probably butchered your name, young lady. But she's a sophomore at Southeast Community College studying criminal justice. And Maddie Brown is a junior at University of Nebraska-Lincoln studying political sciences. Please remember that senators may come and go during our hearing and they may have bills to introduce in other committees. I'd also like to remind our committee members to speak directly into the microphones. Lastly, we are electronically-equipped committee, and you might see myself or, only if I'm desperate, texting my office to do-- research a question to make sure I'm questioning the testifier correctly. But that doesn't happen a lot. And we will start with the appointments. I believe that phone call was one of the appointees calling in. I believe that would be-- the appointments are for the, for the advisory, Technical Advisory Committee for Statewide Assessment. They don't create the test. Jeffrey can maybe fill us in, Mr., Mr. Nellhaus. They make sure

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testing is done correctly, unbiased testing methods. They look at the methods, I believe, more than anything. And there's three members that are technical advisors, so we don't have a lot of those in the state in Nebraska. It's one of the few times that we appoint somebody to a commission or a committee that can be from outside the state. And Mr. Nellhaus is from Washington, D.C., and welcome, Jeffrey. Do you want to say a few things about you? We have a pretty, we have a pretty well crowded room. Not bad, it's going to get more crowded. We're going to do, do a hearing after your appointments on, on civic standards. So you have a lot of people to speak to.

JEFFREY NELLHAUS: So, good afternoon. Thank you, Senator. Would you like me just to state a little bit about my background and why I'm qualified for serving on this commission?

GROENE: Yes, that's what we want to hear.

JEFFREY NELLHAUS: OK. So let me just begin by saying that I started to begin my work in assessment with the Massachusetts Department of Education, where I worked for 25 years. And I was the main architect of their current testing program, which we developed in 1998, MCAS. So that's where I earned my stripes on assessment. I also served as deputy commissioner of education for the Massachusetts Department of Education. I came to Washington in 2011 to work with the project management organization for the PARCC Testing Consortium, that I served as the chief of assessment with the PARCC Consortium. I left the consortium about two years ago, and I'm an independent consultant at this time. But I've also served on advisory committees for the National Assessment of Educational Progress, NAEP, and on, and for the technical advisory committees for the state of Maine, New Hampshire, Rhode Island, Kentucky, and the province of Ontario in Canada. Another thing that qualifies me is that I was a teacher. I taught high school chemistry and, and math and general science, and I've worked with the Council of Chief State School Officers on a number of projects as well. So that's a real thumbnail sketch of my background.

GROENE: Questions from the committee? How did-- go ahead sir.

JEFFREY NELLHAUS: Yeah, I just wanted to say that, you know, the, the role of a technical advisory committee is, is advisory, and we will take up matters that are brought to us by the Department of Education or their testing contractors that are technical in nature. And, you know, provide from our experienced insights as to how to, you know, there are typically issues around assessment that require technical

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solutions. And there is always a number of different ways to solve a problem that we bring our experience and our background and provide options and advice to the department and their contractor. That's our main role. So we're not making policy. We're, you know, we're there to help the state basically make the argument that they have a valid, reliable, and feasible testing program.

GROENE: Thank you. Questions from the committee? Sir, how-- you live in Washington, D.C. How were you contacted or how did you become interested in this position?

JEFFREY NELLHAUS: I heard through an individual who served previously on the committee that there would be a vacancy, and I was encouraged to contact, I believe, I may have contacted the Department of Education at first, but there may have been another contact. This was over a year ago that I made the contact, but it was primarily a gentleman named Brian Gong, who was on the committee up until recently, is a colleague of mine in the past, and I learned it through him.

GROENE: So your background has always been in aiding as a consultant, you, you haven't been involved in the business of assessment yourself?

JEFFREY NELLHAUS: No, I don't work for, I don't work for a testing company. You know, I've always worked on it from the state perspective, having worked for the Massachusetts Department of Education. Interacted quite a lot with the education committee, the Legislative Education Committee in Massachusetts; the governors: Romney and Deval Patrick, Paul Celucci, Jane Swift. So I worked for a number of administrations, worked closely with the Legislature on policy-- so I was, true, I was a testing expert. But as deputy commissioner I also dealt with a lot of policy matters around how the results of the assessments were being used to evaluate schools and districts and students, and improve instruction per student.

GROENE: Thank you. I think--

JEFFREY NELLHAUS: So, you know, it's just recently that I became a consultant. But my bulk of my experience has been working either directly for the Department of Education or, or on behalf of the Department of Education where I worked for this consortium. I was basically working with the, with the testing directors and the commissioners in those states.

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GROENE: Thank you. Thank you. I think I just read a report the other day that Massachusetts sits right on the top of the test scores of public education. So I think you would be a good addition to our committee. So thank you, and you will be--

JEFFREY NELLHAUS: OK.

GROENE: --notified about your appointment. We just have to make a vote on it in exec. And it's a sure thing I'm sure, sir. So thank you.

JEFFREY NELLHAUS: Well, I appreciate the opportunity to address everyone.

GROENE: Thank you. Next we will begin receiving a call from Linda Poole. She is the teacher representative on the, on the commission-- on the committee. Excuse me, it's a committee. She's a reappointment so she-- there she is. Linda?

LINDA POOLE: Yes.

GROENE: You can start right in. I understand you're a reappointment, so you know the background. And give us a little bit of a background on why you want to stay on it and what you've done so far. And maybe give us a little bit of what the committee does.

LINDA POOLE: OK. First of all, good afternoon. My name is Linda Poole, and I am a teacher in the Papillion La Vista school district. And I want to thank Senator Groene and the members of the Education Committee for giving me the opportunity to participate in this confirmation hearing of the committee today. A little bit about myself. I've been a teacher in the public schools for 17 years. I have taught, I began my teaching career in Millard and then took some time off to raise my kids. And then came back and now teach in the Papillion La Vista school district. I also kind of wear a unique hat in that I'm also a school board member in the state of Nebraska too. And I've been serving on the board of education since 1996 in the metro area. And I've also served on the State School Boards Association for 19 years, and as a past president of the Nebraska Association of School Boards. And I also served on the National School Boards Association for a year as a director there representing the western region. So I kind of bring a unique perspective to the board. You know, the Technical Advisory Committee was appointed by Governor Heineman back in 2008, and it was approved by the Legislature of course. Of the people, of the five members of the Technical Advisory

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Committee, I'm the only one that has been ever since the inception. So I've been serving in this capacity since 2008. And, you know, I think the committee it has a, you know, the role is to help to review the Statewide Assessment Plan, state assessment instruments, and the accountability system that's developed under the Quality Education Accountability Act. And as you know, on our committee we have three very knowledgeable psychometricians. And then there is also a teacher that's appointed and a superintendent, or somebody from central office. And I think it's really, really important to have a teacher serving on this committee, because I feel that, that as a teacher I'm able to bring the classroom perspective to the conversation, which sometimes teachers feel is missing in this kind of work. You know, and our committee's role is to take a big picture look at the statewide assessment and to provide input. And I also feel that I think it's a good thing that, you know, I also serve on the local school board, because I'm also able to bring that role or that, you know, a path to the table too that I can look through things from a school board member's eyes but then I'm able to go back and communicate with not only the teachers across the state about what's going on with our statewide assessment system but also my, my fellow board members across the state and kind of keep the lines of communication open there in the whole process. So, so in terms of previous dealings that I've had, with this [INAUDIBLE] board I have been on since 2008. You know, I'm not fazed by anything. You know, the psychometricians that are on the board, they are there for a very important part in that they are all into the data, know how to make the statewide system, statewide assessment system, and all the data. All the things to make sure it's valid and reliable. And I see that kind of as their role. My role is more to kind of bring in the teachers' perspective and talk about, you know, how is this working in our classroom? What are some of the good things that we've seen? What are some of the challenges that we've had and how can we make the system better?

GROENE: Thank you.

LINDA POOLE: So I think that each one of the five of us bring a different perspective to the board and are able to help and to offer in our own ways, if that makes sense.

GROENE: Thank you. Any questions from the committee? Senator Kolowski.

KOLOWSKI: Thank you, Mr. Chairman. Linda, Rick Kolowski here. And I just want to thank you for all the past work that you've done, not only in the Millard Public Schools, but the other areas that you

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elaborated upon. And we, we think we will have an excellent candidate again with you volunteering to fill this position and move on to the next level. I have known you for over 30 years and know the quality you stand for. And thank you in advance for what you're doing.

LINDA POOLE: Thank you, Senator. Thanks for all you do as well.

GROENE: Any questions, other questions? I have a question. So you've been on the board-- correct me if I'm wrong. You've seen the transition from, to the new Nebraska Student-Centered Assessment System from the-- you give us a report, do you think it's been a good move. It's a better testing system than the previous one?

LINDA POOLE: You know, it, from my perspective, you know, I like how the new system is based on growth. I think that it's still important that we have all of our children across the state that we want to make sure that all of our kids, no matter where they are in their learning continuum. Whether they're a struggling student or an average student or a high ability student, you know, we want to make sure that they are all showing at least there is growth. And, you know, I guess that's probably the part, of the piece that I like probably the most is-- and as a classroom teacher, that I want to make sure that I'm able to differentiate my instruction to make sure that I'm maximizing the potential of each one of my kids. So that that's a part of it that I really like with the new system.

GROENE: Thank you. And that's in math, science, and English in the state of Nebraska, right? Thank you. Thank you. Any other questions? Thank you. You will be hearing back soon. We'll exec on this quickly and for your reappointment. So thanks for taking the time and--

LINDA POOLE: Thank you very much, Senator Groene.

GROENE: --and working with the committee. Appreciate it. OK, thank you. One more. Robert Henson from High Point, North Carolina, is another on the technical appointment, one of the three technical advisers. He's also a new appointment, as Jeffrey was, Nellhaus was. So he should be calling any minute and telling us about his qualifications. Sir, are you Robert Henson? Are you there?

BOB HENSON: Yeah, this is Bob Henson.

GROENE: All right, we'll call you Bob, then. Bob, launch right into it. We have a roomful of people. I'd like to be able to tell you

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they're here to listen to you, but there's a bill coming up afterwards that they're here to listen to. But they get to find out about this committee through your testimony. So would you tell us a little bit about yourself and why you want to be on this advisory committee?

BOB HENSON: Yeah. So I've been working in assessment measurement since about 2005. And even as a grad student my research kind of largely stemmed from that. And so I was actually directly contacted, and of course, this is the type of thing that I enjoy. And so that's, that's largely why I was interested in it, is because I like being part of these plans. I like building assessments, I personally enjoy the modeling aspect of it, so that the scoring of them and kind of the statistical side of it.

GROENE: Thank you. But you have the background in it. And how did you hear about our opening on this being from North Carolina, that we had an opening on this committee in Nebraska?

BOB HENSON: You know, as I understand it, someone had given my name, and now let's see if I could tell you who this was. But I was contacted asking if I was interested in being part of it.

GROENE: Well, thank you. That's a clear answer. Do we, let's see if we have any questions from the committee. Committee questions? I have one. Are, are you familiar with our testing system now, the Nebraska Student-Centered Assessment System?

BOB HENSON: I am not.

GROENE: So you'll be walking into it with open eyes. All right, that's fine.

BOB HENSON: Yeah, that's right.

GROENE: Well you're bringing, apparently you're bringing some testing methods that you've seen work and not work from across the country, is that correct?

BOB HENSON: That is correct. So I've served on other technical advisory committee, and I will say in each one of those, usually I'm kind of walking into either a new system or a system that's been operating for a while before I got there. And so I am kind of accustomed to coming in maybe with a set of ideas that kind of I personally have, but also being aware of how they would work into a system that's already been going prior to me. I know these things

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don't turn on a dime, and it's usually kind of finding that, that spot in the middle where I feel like I can make a difference.

GROENE: Thank you, sir. If there's no more questions from the committee, we will be getting back to you soon. Somebody will, with your finalization of your appointment.

BOB HENSON: OK, great.

GROENE: Appreciate you taking the time and working with the committee to do it today.

BOB HENSON: Oh, sure. Yeah, no problem.

GROENE: Thank you.

BOB HENSON: All right, bye.

GROENE: That closes this portion of the hearing on appointments. We will now go to LB399. And Senator Slama, would you want to come forward and introduce your opening on your bill?

SLAMA: OK. Good afternoon, Chairman Groene and members of the Education Committee. My name is Julie Slama, J-u-l-i-e S-l-a-m-a, and I represent District 1 in southeast Nebraska. I'm here today to introduce LB399, a bill regarding the currently statutorily-required Committee on Americanism. LB399 would ensure that our youth are given the opportunity to learn, understand, and appreciate American and our rich history, as well as our Nebraska state history. The Committee on Americanism was put into law in 1949, and is already required by statute. Unfortunately, it is my understanding that some school districts either don't adhere to this law or don't put enough emphasis on the importance of this critical curriculum. LB399 isn't just a rehashing of the same bill that you've heard in the past. We have listened to the committee's concerns and we took out "Americanism." Changing the name of the committee to the Committee on American Civics. In this bill, we have incorporated multicultural education; have set out important holidays that fall within the school year; and included more modern wording, emphasizing let students be offered the opportunity to learn. The Committee on American Civics would be charged with holding two public meetings annually, where at least one is open to public testimony. Minutes will be recorded for each meeting that will include the date, time, and location of the meeting; members present and absent; and the details of each meeting. The Committee on

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American Civics will examine the social studies curriculum to ensure that it is aligned with the social studies standards in statute. Also, the curriculum approved by the Committee on American Civics should be readily available and accessible to the public. It is my intention with LB399 that every student learn the basics and become knowledgeable of, on our nation's history, and understand and be able to answer 60 percent of the questions on the civics portion of the examination administered by the U.S. Citizenship and Immigration Services. Students in eighth and eleventh grade will be assessed regarding their American history knowledge. Students will not be graded on these assessments. The only people that will know what a child's score is, is the student, the parent or guardian, and the teacher. The Committee on American Civics will be provided the scores in "agrid," aggregate, with no student names attached. And these scores, as well as recommendations produced by the Committee on American Civics as a result of students' scores will be forwarded to the Nebraska Department of Education to ensure the students are learning the required curriculum. Lastly, a final provision in LB399 would eliminate the criminal penalty for not abiding by the American civics law. Failure to teach civics in accordance with this statute is currently a Class III misdemeanor, and changing this to being under the enforcement of the Department of Education is something that I believe we can all get behind. In conclusion, I'm sure that everyone on this committee knows that I'm not that far removed from high school. Even so, I couldn't tell you much about the Pythagorean theorem, how to diagram a sentence, or even much about the periodic table. There are many things in high school that once I was tested on I never used again. Civic education is a different story. I've used that knowledge every day since high school, in everything from reading the newspaper to voting in elections. While not all students will strive to be an elected official, we should be giving them the basic knowledge and opportunity to be informed citizens. Thank you, and I would be happy to answer any questions that you may have.

GROENE: Any questions from the committee? Senator Kolowski.

KOLOWSKI: Thank you, Mr. Chairman. Senator, thank you for the presentation and your bringing this forward. Would you talk more about the test or the quiz that would be given? How many parts are there to that and how that will be used again, please?

SLAMA: Yes. So the way I envision it is the 100-question test currently given to incoming citizens. And the statute, as it is

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written, gives schools the flexibility to where they can break it into pieces, adjust the answers to be acceptable. Because I know that there are some answers with outdated wording that the federal government just hasn't updated yet. But I envision this test being based on that 100-question naturalization test. But schools really have the flexibility to have it meet their needs.

KOLOWSKI: OK, and we're not looking at the students, a range of scores that they might have correct out of the 100 questions? And I have that test in my office, by the way.

SLAMA: Yes, good.

KOLOWSKI: And that's a challenge in some areas, depending what kids have had as far as a background. But the ability to get that score and find out where that would be in one of your class is only going to be looked at by the teacher and the parents?

SLAMA: Yes. The only person who will have an idea as to the range of scores will be the teacher who has graded all the tests. The parents will only receive their child's grade, and the child would receive what their score was as well. The cumulative scores would be given to the Committee on American Civics.

KOLOWSKI: At that school?

SLAMA: Yes, at that school. Yes.

KOLOWSKI: OK, I'll come back to some things. Thank you.

GROENE: Senator Walz.

WALZ: I just have a quick question.

SLAMA: Sure.

WALZ: You were talking about there's a couple of things that you don't remember in school. What was that, in your testimony you said, was it--

SLAMA: The Pythagorean theorem, most of the periodic table, and how to diagram a sentence.

WALZ: OK. But you said that you came out of school and you were really prepared for community--

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SLAMA: Yes, I was prepared. Yes. So I had the opportunity to attend a university that had one of the best political science departments in the world. And I was--

WALZ: I meant high school.

SLAMA: Oh, OK. I was talking like compared to my classmates I knew what the three branches of government are. So that has put me above a lot of the kids in that political science department. So in high school, yes, in terms of civic education, I was very well prepared.

WALZ: OK. So that just makes me then wonder why, what was missing then? Because you, you were very, very prepared, obviously, when you came out of high school and understood. You know, sounds like you're prepared. So I'm, I'm just wondering what piece then, what, what piece was missing? What made you--

SLAMA: So you're right. I went to Auburn High School, and I was blessed that they had a great civics education program. But I've had the chance to work with young people across the state as a counselor for girls, Cornhusker Girls State. And I noticed the girls from across the state were coming up short when they would come into our summer program, which for those who aren't familiar, rising seniors from across the state are given the opportunity to attend American Legion Auxiliary's Girls State, which is a weeklong program where we teach them about government and get them involved and get them to meet elected officials. And there were some gaffes that were very concerning to me, just in terms of inconsistencies in what these girls knew coming in as rising seniors in high school.

WALZ: I would imagine, and I'm, I'm just making the point here, that people just have different areas of interest.

SLAMA: Sure.

WALZ: Like I'm sure there was a lot of gaps for me in math. But, all right, thank you. I just was curious if there was something specific that you felt was missing being that you felt very prepared when you came out. OK, thanks.

GROENE: Senator Pansing Brooks.

PANSING BROOKS: Thank you for coming, Senator Slama.

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SLAMA: Thank you.

PANSING BROOKS: Couple things. So, have you talked with the Department of Education about this bill?

SLAMA: Yes, my staff has.

PANSING BROOKS: OK. And how are-- I see you've made some changes from previous years on this.

SLAMA: Yes.

PANSING BROOKS: And I appreciate some of those changes. And I'm just, I'm interested how you, did you look at previous testimony and some of the concerns that people had? Or how did you go forward on making the changes that you've brought?

SLAMA: Yes, I did. I, in preparing this bill, I worked with old testimony, old versions of the bill. But I also spoke with educators and leaders of education as to what they were looking for and where previous versions of the bill came up short. And I think we hit a lot of the points that had been missed in previous versions, were adding holidays that currently aren't codified in statute, were adjusting some of the wording that is just very, very outdated. This bill was written in 1949, and that shows in some parts. So we really worked to bring this up to speed with what we've needed in 2019.

PANSING BROOKS: I think you've done a lot of work to help this. So I'll, I'll save some of my questions for later.

SLAMA: Thank you.

PANSING BROOKS: Thank you very much.

GROENE: For clarification.

SLAMA: Yes?

GROENE: You said something about they have to, a student has to pass with a 60 percent grade and the test scores aggregate goes to that to the Department of Education. That's not in this bill. Is that an amendment you're thinking of bringing.

SLAMA: I believe that is in the bill, just let me check.

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GROENE: That you're thinking.

SLAMA: My understanding is that only the parents get the child's score.

GROENE: Yes.

SLAMA: And then the Committee on American Civics get the grades from the entire school.

GROENE: It's not in the bill. I mean, because that was some of the concerns from last time. I mean, the final language. Just to clarify that, not to confuse folks.

SLAMA: Great, thank you.

GROENE: It's only given to the student. And then the student, and then the teacher is responsible to make sure the parents receive the test score. But I believe that's the only assessment.

SLAMA: Thank you. I must have misspoken then and gotten versions of my bill confused. Thank you.

GROENE: For an earlier version of your introduction. Just for clarification.

SLAMA: Thank you.

GROENE: Thank you.

SLAMA: Appreciate it.

GROENE: Any other questions? You're staying around for the testimony?

SLAMA: Yes, I'll hang around for close.

GROENE: We're all going to get a civics lesson today. Proponents.

DOUG KAGAN: Good afternoon. Doug Kagan, D-o-u-g K-a-g-a-n, representing Nebraska Taxpayers for Freedom. Our taxpayer group normally opposes state mandates placed upon local governments. However, we hold LB399 as an exception to this rule. Current lax social studies standards in our K-12 public schools is one reason that I believe we are losing our nation's heritage. School districts do not necessarily follow their stated standards in social studies. We believe that is not only the right, but also the duty, of our State

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Board of Education to create rules and monitor local school districts to ascertain that our youth understand the underpinnings of our Constitutional Republic. Those who intend to destroy our way of life depend very much on the ignorance of our youth to create future generations of automatons ready and even eager to embrace alien and oppressive ideologies. Yes, socialism appeals to some of our youth, because they think it is a great way to get free stuff. In our opinion, social studies curricula currently do not instill a fundamental knowledge of our national and state founding documents, to graduate students who can discern the difference between the freedoms our ancestors fought so hard to guarantee and the political guarantee and the doctors that would consign our citizens to become slaves of the state. If future generations remain ignorant of the political pillars upon which our democracy stands, they will not preserve, protect, or defend them. Rather, they might fall victim to the blandishments of fascism or communism. There exists plentiful curriculum materials that Nebraska school districts could use as text materials or supplements to abide by the principles as stated in LB399. Unfortunately, the state Board of Education in recent years, in our opinion, has refused to adopt and implement rules that require school districts to offer a solid curriculum on Americanism. Therefore, we urge this committee to advance LB399 to the full Legislature. Thank you.

GROENE: Any questions from the committee? Doug, your group, they attend public meetings, hearings, local?

DOUG KAGAN: Yes, particularly school board meetings.

GROENE: And you testify?

DOUG KAGAN: Oh, we testify, yes.

GROENE: What's the average age of the person who shows up and testifies?

DOUG KAGAN: I would say probably either in their-- I would say a range from maybe mid-50s to 70s.

GROENE: So our youth, apparently, a couple few generations have not, doesn't, don't realize the importance of showing up to public hearings?

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DOUG KAGAN: Yeah, funny you mentioned that. I was here last week and the same question came up in the-- another hearing. And I think the problem is that people don't, the younger people don't realize they have a right and duty and a responsibility to show up. They don't know what's, what's at stake, so they just don't come. The public hearings are advertised in the newspaper and on the news, but people, younger generations, even our younger members, don't, some of them don't realize what-- why they should show up.

GROENE: Think you, any other questions? Dave.

MURMAN: Yes. Thanks a lot.

GROENE: Senator Murman.

MURMAN: You give, I think, five examples down there at the bottom of possible curriculum that could be used.

DOUG KAGAN: Right. Those are just samples.

MURMAN: OK. Are those used now in schools in Nebraska or nationwide?

DOUG KAGAN: I'm not sure they're used in Nebraska schools, but if you check the Internet, you'll see they are used in K-12 schools in other parts of the country. And these are all samples of curriculum materials that we believe would reflect what's the basis in LB399.

MURMAN: OK, thanks.

GROENE: Yes, Senator Pansing Brooks.

PANSING BROOKS: Thank you for coming, Mr. Kagan. I am pleased that you've brought some of this information. I just wanted to state for the record that have you-- or, I guess I have a question for you. Have you talked with the Department of Education? Do you believe that they're not teaching this across the state? He sort of asked you that, but where are they not teaching this?

DOUG KAGAN: They are teaching it. But we don't, we don't think that the standards, standards are strict enough.

PANSING BROOKS: And in what manner? Could you, do-- can you, do have a specific example? I can't tell you how much I agree with making sure that our people understand that we have to fight fascism, communism, all of that. And when you see what's happening in our country a little

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bit, I could not be more with you on this idea of making people understand what our democracy stands for. So what is it that you see that's not being taught?

DOUG KAGAN: We don't think that it's being taught in depth. If you go, and we've gone on the Internet, and I live in OPS. And if you go on the OPS Web site you'll see how, you know, on pages on their Web site what they are, say they are teaching in social studies. For instance, about the Constitution, about the Declaration of Independence, about the founding principles of our republic. And that's all well and good, but then, if you go look at the textbooks, and I'm sorry I didn't bring any materials with me, it's just it's, it's Constitution-light. It's just like pabulum, they skip over it too much. It's not, it doesn't give our young people the foundation they really need to understand the underpinnings of our republic.

PANSING BROOKS: OK. Just having had three children go through Lincoln Public Schools, I will say that it was not Constitution-light. I saw the work that they were doing now. They were in an accelerated curriculum, but it was definitely not Constitution-light. But I, I'm not arguing that that might be happening at places around our state. I just wanted to thank you for coming.

DOUG KAGAN: OK. You're welcome.

GROENE: Thank you, Doug. The next proponent.

JOHN ROSS: Good afternoon, Chairman Groene, Groene and fellow committee members. My name is John Ross, J-o-h-n R-o-s-s. I am a Vietnam veteran that is very concerned that our youth are not involved in our government. LB399 is needed to ensure that our youth are taught what they need to know to be involved American citizens. They need to know what our founding fathers went through to gain our independence, and that after they won our independence they wrote the Constitution and later the Bill of Rights. These two documents are the foundation of our country. It takes a lot of hard work from all elected officials to make our government work so we can keep our country strong. The freedoms we have are not free. We need to be sure that our youth have the knowledge to be good citizens that will be involved and work to keep our country strong and free. Our forefathers gave us the foundation. We all know what happens when a foundation of a building fails, it collapses. I don't want this country to collapse. I believe the bill is a good guide for our schools to use to give our youth the knowledge to be good citizens. It also provides for guidelines to

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assess that the basics are being taught. But it should not stop there. You have to get them involved in it. And the brochure that I handed out to you is what we do in Cuming County on Government Day, which is sponsored by the American Legion. And the, at 9:15 they are brought in and they are broken up into different groups at tables, and then they are given a scenario to solve. Where can I build a hog barn in my county, where can I build a new house? I just got arrested for possession of marijuana. I'm 16 years old and I spent all my money on the marijuana, and my parents don't have money to hire a lawyer. There's all kinds of other scenarios to be involved with the Veterans Service officer, the assessor. My house is valued too high, there's not enough gravel on my roads. Everybody's there. They have to go solve this problem, find the answers, and then make a report back to the entire body that is there. So they learn how to work with local government. The next big thing that was on the agenda there at 11:45 was voter registration. We brought in somebody and explained the Democratic Party, a Libertarian, a Republican. And when you vote what would happen in a primary, voting as you if you're registered as at each one of these different things. So we make them work. We had two people running for District 16 legislative seat. We had both of them there. They presented their platform and spoke to the children students. We had a mock election. And part of that mock election was whether we should expand Medicaid. So I know Cuming County is a small county, we don't have a lot of students and we can bring them all in. But I do firmly believe something like this needs to be implemented after what is taught in the schools in the classroom. Because then I think at that age it's unbelievable to watch those students. You cannot believe the presentation they put on. Half to the entire body, because they we have a nice convention center at west by Nebraska and they use their computers. They have stuff up on the screens. Get them involved as soon as you can. And I guess that probably is just going to-- I think this bill is needed. I think everybody needs to be on board. And at the schools, all kind of teach the same thing. I think this bill will do that.

MORFELD: Thank you, sir. Any questions? Senator Morfeld. First, thank you for coming in today, sir. And thanks for doing County Government Day, I think it's a really important thing to do. I'm just asking for a friend, how did the mock election for Medicaid expansion turn out?

JOHN ROSS: Hey, you know, I do not remember. I'm sorry.

MORFELD: They what?

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JOHN ROSS: I think it probably failed.

MORFELD: It failed. Oh, probably.

JOHN ROSS: I don't know, sir.

MORFELD: Probably a rigged elections.

JOHN ROSS: I don't know, Senator.

MORFELD: I'm just messing around with you. OK, thank you very much, sir, for coming. I appreciate it.

GROENE: Senator Walz.

WALZ: Yeah. Thank you, again, for coming. Thank you for your service. And I just want to reiterate what Senator Morfeld said. Thank you for this County Government Day. This is a piece of enrichment that I think is very, very important. Probably those kids early learning more from the day that you are giving them here than they would in a book or on a test. This, I think, is what makes a difference. So thank you for doing that.

JOHN ROSS: Thank you. And I have to give a plug. The Cuming County clerk is the person that has basically put this together. So if anybody wants to talk to her, I would be happy to give you her e-mail address or whatever. And but we, I'm pretty proud of her and our county and the people who put this on.

GROENE: Sir. Any other questions from the committee? What age, what class group?

JOHN ROSS: The junior class.

GROENE: Junior class. Does any of them come and go, wow, government? I mean, this is actual government or--

JOHN ROSS: No, I'm really not sure.

GROENE: --with the knowledge from the classroom how--

JOHN ROSS: I don't know how much time they have in our public schools in Cuming County. I know there are three public schools and one parochial high school. But they seem to be fairly knowledgeable, they

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seem to understand some of this stuff when they get there. Just doesn't seem to be all Greek to them.

GROENE: Thank you. Appreciate your service as a county commissioner. Any other questions? Next component.

NANCY CARR: I furnished my own chair. I would make a terrible trip of that swivel.

GROENE: Well, that's really turning down government services.

NANCY CARR: It really is, but I'm providing my own services, so it didn't cost you any money for my chair. My name is Nancy Carr, N-a-n-c-y C-a-r-r. I am here today, is the mike all right?

GROENE: Yes, you can call me Mike.

NANCY CARR: I am here today in support of LB399. I believe the intent of the Americanism statute is clear. The applications are specific and the consequences for failure to follow it are also clear and specific. As a patriot, I fully agree with the bill's premise. And the bill's premise is as follows, quote An informed, loyal, just, and patriotic citizenry is necessary to a strong, stable, just, and prosperous America. Such a citizenry necessitates that every member thereof be fully acquainted with the nation's history and that he or she be in full accord with our form of government and fully aware of the liberties, the opportunities, and advantages of which we are possessed, and the sacrifices and struggles of those whose efforts these benefits were gained. It is the duty of our schools today to follow this law. When I was in school, the schools taught American history and patriotism and they taught it from the first grade on, because this is when children are ready to learn about their country and their family and things that affect their life. So it's very important that it's taught at an early age. We learned the fundamental duties of citizenship. We also learned the songs and the stories of our country and our form of government, which is uniquely American. For many decades, this has not been the case in our public schools. And this is a great concern to me as a patriot and as an educator. Our schools are not only not teaching about America and American citizenship, but are teaching global socialism and world citizenship all with our tax dollars of American citizens. This needs to be stopped, and that is why I support LB399. The requirements for the American Civics Committee, which each school board member is required to appoint from its members, will now include holding public meetings,

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providing for an opportunity for public testimony, and keeping careful minutes of each meetings. These committees are now publicly responsible for implementing the statute in their school district, and these requirements in LB399 make them accountable now to the taxpayer. I had asked my friends to pray about this hearing today, that the testimonies would be true and clear, that mine would be. And my testimony is true and clear. Our schools are not teaching about America or American history, patriotism, or American citizenship. Our schools are teaching something diametrically opposed to this: global socialism and world citizenship. This unfortunate reality needs to be changed for the sake of our futures and the futures of our children, our grandchildren, and our great grandchildren. The rich heritage of America must not be lost. Thank you.

GROENE: Thank you, Nancy. Any questions from the committee? Nancy, some may say we don't need this law because we have standards on four areas: math, English-- not English, but and science and social studies. But in the other three areas we don't define it, the elected officials. But would you agree that it's hard and you don't need to define what 2 plus 2 is? You don't need to define what the periodic table says on chemicals, but when it comes to social studies, that it's different for every country. That the people of that state or that country should define it through their elected officials as we are doing here? I gave a speech there.

NANCY CARR: I thought the bill's premise that I read defined what it's all about.

GROENE: Yes.

NANCY CARR: It's more principles of our government, which are so important.

GROENE: Which aren't the same in a different country.

NANCY CARR: Definitely they're not. Now we're an exceptional nation. And this is what our children are not being taught.

GROENE: But 2 plus 2 is the same in the Soviet Union or North Korea as it is in the United States.

NANCY CARR: If you're talking about facts like that. I'm talking about principles.

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GROENE: Which need to be--

NANCY CARR: And I'm talking about the foundation. A republic means the law. And that's what our Constitution was, and that's what our foundation is. And children are not being taught that, people do not understand that they call us a democracy. We're not a democracy, we're a republic. And that's so very important. And I just happened to pick up some, a copy of, they have a, the government-- the history is called Center for Civic Education is being taught all across the United States. And I picked up a lesson for upper elementary and everything in it is not defined according to our Constitution at all. It's totally, totally wrong. It's talking about the government should give people everything. That's what common welfare is called. And it's just, I was so sad when I read through this because they have missed all the wonderful points of our government. You know, what makes it so unique and so wonderful and what makes us free. We're only free because of the Constitution, the law. That's what protects our freedoms.

GROENE: Thank you, Nancy. Any other questions? Thank you for your testimony.

S. WAYNE SMITH: Good afternoon. My name is S. Wayne Smith. It's S. Wayne, W-a-y-n-e, Smith, S-m-i-t-h. I think this bill includes several improvements, improvements to the current law. Last summer, I sent a survey on the current law to 250 superintendents with four questions. I received 45 responding, indicating that they had a committee on Americanism. Sixteen percent indicated that they did not cover all of the requirements of the statute or they delegated the responsibility to the school administration. Thirteen percent made changes as a result of their meetings. I only received 45 responses out of 250. Why didn't more superintendents respond? Do they have committees or do they have committees that don't meet? Or don't the committees cover all of the requirements? Although I think the bill is very good as is, I do have a few suggestions. Page 2, line, line 9 ad "free enterprise" before "economic system" to emphasize that ours is a free enterprise economic system. Page 2, line 10, remove the word "democracy" since we are a constitutional republic, as stated later in lines 10 and 11. Page 2, line 11, replace the word "people" with the word "states" since the constitutional republic was established by the states, not the people. The Constitution is a contract between the states, and it was this contract that created the federal government. Page 3, line 18, replace "multiculturalism education" with "curriculum standards."

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Multiculturalism should not be emphasized in school. Teaching multiculturalism will further Balkanize the student population. It emphasizes the differences between groups, not assimilation of groups into a common American culture. We should be teaching E Pluribus Unum; From Many, One, not multiculturalism. Page 5, line 20, add "socialism" to "Nazism" and "communism." This bill increases transparency and accountability and it ensures that requirements of the law are carried out. Also, it will raise the awareness of the minimum requirements when teaching history and civics. Lastly, it will provide important guidance to Nebraska Department of Education when revising the social studies standards this year. Please pass LB399 out of committee and give the full Senate a chance to vote. Thank you.

GROENE: Senator Pansing Brooks.

PANSING BROOKS: Thank you for coming, Mr. Smith. I'm interested why you about, why you aren't adding fascism to that as well.

S. WAYNE SMITH: Well, that's a good idea.

PANSING BROOKS: Just wondered. Thank you.

S. WAYNE SMITH: OK.

GROENE: To make a point on the multiculturalism, that's already in our statutes. When you read that, and it says 79-719 and 79-723. It's a section of the law that was sponsored by Senator Chambers in the 1990s that said multicultural education includes, but is not limited to studies relevant to culture, history, and contributions of African Americans, Hispanic Americans, Native Americans, and Asian Americans. So to be fair, unless you wanted to remove this statute we have to keep it in the other statute. So which, these areas should be taught. You can rename them but those areas shouldn't be taught about our history and the ethnic contributions from all ethnicities.

S. WAYNE SMITH: OK.

GROENE: Thank you. Any other questions? Thank you, sir.

S. WAYNE SMITH: You're welcome.

GROENE: Senator Slama I'm sure heard some of those recommendations. Next. Let's keep it moving. This is a contact sport, so whoever gets there first. Thank you.

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AUDREY WORTHING: Good afternoon. My name is Audrey Worthing, A-u-d-r-e-y W-o-r-t-h-i-n-g, and I am a student at Elm Creek Schools previously, and at Arthur County Schools presently. At the close of the Constitutional Convention on September 17, 1787, Dr. Benjamin Franklin left the hall in Philadelphia, he was asked: What type of government have you given us? He replied: A republic, if you can keep it. For the past four years I have visited these winter hearings in support of increased civics education. I know that you all have worked hard and continue to work hard on behalf of education in Nebraska. I'm sure it feels like a slow process, and dealing with the day to day politics and pressures is exhausting. But you should know that during the three-plus years of debate in this room the number of states that have passed some kind of civics initiative has reached more than 30. As a student, I am thankful that you care and worry that you are fighting so much for us and our futures. But it is time to move forward. Almost four years ago, a simple survey conducted in Nebraska found less than 24 percent of juniors and seniors could pass the basic civics test that we require of all immigrants to pass when seeking citizenship. And according to the National Center for Education Statistics, the results were similar across the country. Which is why this issue became so important to so many states. Since that time, those Nebraska students who failed that sample test have graduated, and I wonder how they are voting or even if they are voting. I wonder if they are engaged in what is happening in our world and I wonder and sincerely hope that they are a positive voice. I am not saying that the civics test is the miracle cure for the civics engagement, but we do know that education and civics knowledge does have a direct tie to voting, running for office, and civic engagement. Today we urge you again to move past the politics and emotions behind this issue and come together to move forward. To that end, I want to remind you of what has happened in Elm Creek Schools and community that might put to rest some of the concerns I have heard in this room. Three years ago, Elm Creek Schools actually passed a requirement that all students must be able to pass the U.S. citizenship test with an 80 percent or higher in order to graduate from high school. At that time, the school's average ACT score was a 17.9, one of the lower in the state. Elm Creek is a small demographic, is a small school on the Interstate 80 with a challenging demographic of students. And according to the state, is considered to be an impoverished district. Elm Creek School is exactly that school you're worried about when it comes to accountability and high-stakes testing. But three years later, I can say that on behalf of that school that no student has been unable to graduate because of the civics requirement. In fact, the mandate has helped to change the

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entire environment of the school and community. For example, the community came together to sponsor a student history bus tour of Washington, D.C. for eighth and tenth graders. On the eighth, in our high school, a mock trial team successfully competed in their first season. They have also used this test as a springboard to now requiring community service hours for our high school, and is having an, and it is having an impact on our community. Elm Creek has had students as young as the second grade pass this test, and that dismal ACT story is actually improving to a now 20 average, and we only see that getting higher. When that school decided to make Americanism and civics a priority, students listened, and it sparked a movement. Would this have happened without the mandate? From a student perspective, I think no. There are a lot of education issues for you to worry about and work through, but we believe that this bill, LB399 is the right compromise to address American civics issues in our state. This is year four of discussion. Please consider moving past your worries and politics to pass a bill that will speak loudly to all Nebraskans that we intend to preserve our republic and that we intend to spark a transform, transformative movement that could impact our state, and we are ready to do that now. Thank you, again, for all that you've done on behalf of education. Do you have any questions for me?

GROENE: Any questions from-- Dave, Senator Murman.

MURMAN: Yes. Thank you, Audrey, very much. I'm proud to say you're from 38th District. My question is the citizenship test, do you think it was a good measure of social studies achievement? And if so, why?

AUDREY WORTHING: The civics test is really more of a nuts and bolts test. It tests students on their very basic knowledge of our government and our history and how we became the great nation that we are. I think that it helped-- brought to light some of the issues that we did have. I conducted a survey within that's, within Elm Creek, and 25 percent of the juniors and seniors of my freshman year passed with-- 25 percent passed with a 60 percent grade or higher. Everyone else failed. So it did bring to light some of the issues that we had with students not taking history and government seriously. And since we put that test as a graduation requirement, the students are paying more attention in class. And I think, because of that mandate, they've been absorbing more information than they thought. And they've been becoming better citizens, not only for the community, but for their state and for their country.

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MURMAN: Thanks a lot.

GROENE: Any other questions? Thank you. Very good testimony again.

AUDREY WORTHING: Thank you.

GROENE: Next.

LEE TODD: Senator Groene, fellow senators, it's a pleasure to be here. My name is Lee Todd, I live here in Lincoln, Nebraska. I'm proud to be a part of the United States, proud to be an American citizen. One of the things, many topics and that have been brought up thus far, and I'm very happy to hear some of the comments that have been made. We, one of the things I'd like to point out is, in so far as why is America great, and I do believe it is a great country. I believe it's a great country for a reason. In so far as why is America great in relationship to the Constitution. If I ask people why is America great, I don't think they get the link, and maybe it's my opinion, it is because of the Constitution. I don't think we are a country endowed with particularly, shall we say, exceptional citizens. I mean, we came from all different walks of life. Why are we any better than the people that came from Europe who still are in Europe? What set this country apart? We are, what, about 5, 6 percent. There's 360 million people in this country, 8 billion people in the world. What makes this country exceptional? And in so far as the Constitution, I think that is the key. I've been on, I've lived over four and a half years on five different continents. I've had a chance, and this question that I'm asking wasn't something that was particularly important to me then. It is now. Having looked at what's going on in these other places, and most of these are Third World countries, not all-- some were-- I would call First World countries. But there is no solid underpinnings in these places. The Constitution gives us this. It is a well thought out document. It is a document that is predicated on the fact that we're not going to change the sands, in fact, we're going to have a bedrock underneath you. And you and your next generation, the next generation can make a living based on those things: That all men are created equal and that we are endowed by our creator with certain inalienable rights. That doesn't mean we have equal outcome. If you have equal outcome and you mandate equal outcome, it is my opinion you're going to have very little equality at all, if any, and you're certainly not going to have the kinds of prosperity that we aspire to. I think you give people the opportunity to do what they need to do, and the Constitution does that. If you want to be lazy, you can. If you want to work hard, you can. And so from that standpoint, I look at

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my life as being part of my priorities are, are, are God, family, and then the Constitution in that order. Those are the things that are important to me. And I'm very happy to say that it was amazing to me when I first saw this, Isaiah 33:22 talks about that God, that God is my king, God is my law-giver, and God is my judge. There are your three entities of our Constitution right there: the Executive, the Judicial, and the Legislative Branch. Right there out of the Bible. And I think our people who founded this great country did so under the standpoint that we need to study history carefully or else we are going to be condemned to repeat it. And I think that is so critical. And so when I ask young people, including my daughter, and I have a 21-year-old daughter, she does not have a clue, unless I talk to her about it. And of course then I'm the doting father or the overbearing father that says, well, you're just getting after me because you're my dad. Why is this country great in relationship to the Constitution? She doesn't know. She has no clue at all. And my concern, and that's anecdotal evidence, but I have never talked to a young individual that has been able to really articulate that well. I think Audrey probably could, and I thought her testimony was exceptional today. She knocked it out of the park. And so one of the senators brought up, well, why do we, isn't this-- I think maybe it was maybe you, Senator Brooks, about isn't this maybe redundant or why do we need this? I think the symptoms are there. Some, one of the senators brought it up maybe why we need this LB399, which if you haven't figured out I'm in support of. I think the symptoms are there. How do we have socialism being so prevalent today? You compare socialism to what the, what the U.S. Constitution has allowed us to achieve, and there is no way we could get there without what we've had as an under, under, the underpinnings of the bedrock of the Constitution in my opinion. And I know I'm excited about it, this is something I really love to talk about. It is exciting to me because I've been to these places, I've been to so many places. And I tell my daughter there's an infinite number of ways that something will not work. But there are very few ways that it will work. And when you think about what works, you have a lot on your mind as far as a lot of wisdom if you say, you know what I'm going to choose that way, because it is a proven technology. And one other thing I'd like to add before I conclude. I see there are a lot of veterans here, and I want to thank them for their service. And I would bet if the veterans voted on this bill, LB399, it would be out of committee in half an hour. That would just be my assessment. And I have a lot of respect, because these guys and women I think understand

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what this country is really, really all about, and the price you have to pay for. So thank you for your time. I appreciate it.

GROENE: Any questions from the committee?

LEE TODD: Thank you, again.

GROENE: Next proponent.

JOHN WORTHING: Good afternoon. Appreciate your time here. And my name is John Worthing, first name, J-o-h-n, last name Worthing, W-o-r-t-h-i-n-g. I am here on behalf of the Elm Creek School Board, as a 12-year member of that board. And also 20 years before that, a school board member in Venango, Nebraska, Senator Hughes's hometown, my hometown as well. So obviously I'm very much in support of LB399. Over the last four years, this being the fourth meeting, I guess, and hearing the testimony that my daughter has given, and that we've partaken in here. I've heard many of the issues that were raised, and I believe this bill is a good compromise to provide a civics initiative that will change the state. The concerns over financing, by not having a state-required reporting of it and tracking eliminates that from the state end. I can speak from Elm Creek's situation that it has not been a cost burden at all. There has been no cost difference to our district for one dollar. We have been able, as Audrey has stated, the district has grown its civics initiative into a lot of different areas. As other senators have talked about, that I know you've seen in your own districts, that the test becomes a springboard into other things and initiates conversation that wouldn't have happened otherwise. But one of the primary things, I think I heard Senator Walz ask this question earlier, as to why a test would be good and what the difference is. Well, the state is already in the testing business. We already require school districts to monitor and track science, math, English. But we leave out the fourth area with social studies. And it is my belief, from sitting back and again observing proceedings here and what my daughter has gone through the investigation on, that kids are smart if you push them and say these things are important. And by giving them high-stakes testing, if that's what you want to call, that is required on those area and we don't do it to a fourth, they're going to believe that that fourth area is not as important. And so when Audrey and her classmates went out and performed that test to area schools and around the area of, you know, throughout Nebraska, those 200 students, we had an abysmal response. And because they didn't take it serious. And so by this bill being a, an excellent compromise requiring a test, you have the

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accountability to the parents. And yet, we leave as much possible local control to each school district to modify and to build off of it. It's a building block. It's a way to start the process, to get people engaged, and yet provide an accountability piece that's not exactly the same, but at least is something for social studies that we've been missing. And obviously I know that and can assume that, from listening to the State School Board, the issues here that you guys don't want to get, and I totally understand, involved in legislating curriculum. But the State School Board has looked at this, they've punted it back to you. The Department of Education, I believe, it's a hot button issue, as you know, because it to pick out questions for a standardized test is going to cause a lot of debate as to what questions get put in and what don't. Which is why, again, the citizenship test becomes a nice, a nice get. You have a base of questions that are basic, it's as Audrey said, a nuts and bolts of basic knowledge that you can build from. But it's apolitical. It's not a slanted test, but it's just a base to build off of. And it is my belief that that is, that what has been proposed by Senator Slama is a fantastic step in that direction. And I believe Elm Creek is the perfect example of how it can springboard into a lot of growth. And from a school that started that was maybe on the needs improvement line, the state just acknowledge this Elm Creek School as a great school this year. And so I, and I believe there is a direct correlation between the efforts that have been made between the civics initiative that we did there to the final results that they're experiencing now. Thank you for your time.

GROENE: Any questions? Senator Pansing Brooks.

PANSING BROOKS: So thank you for coming today, Mr. Worthing. And you certainly have raised an amazing young woman. I am wondering, as a member of the school board, what is it that you-- I mean, you're involved in the Nebraska Association of School Boards, so you have an understanding of what's going on across the state. Where is, is, where are we lacking?

JOHN WORTHING: Where are we lacking in-- I think, like I said, I think that the lack is not-- I don't think we have bad teachers. I don't think it's that the curriculum or the state standards are off base. I think it's strictly a component of that we're not putting it at the same par that we do the other three core areas.

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PANSING BROOKS: OK, so you do believe that we're teaching all of this? That the schools are teaching this across the state.

JOHN WORTHING: I believe that the state statute, the statutory requirements, and all 100 questions on that test, do correlate with current statutes education standards. It's not all of them, but it's a piece.

PANSING BROOKS: Are you talking about the civics test?

JOHN WORTHING: The civics test, yes.

PANSING BROOKS: The portion of the immigration?

JOHN WORTHING: Right.

PANSING BROOKS: Which I am concerned about. But she has expanded that, which to me, is very good, because--

JOHN WORTHING: Right.

PANSING BROOKS: Do you know how many questions there are about the impact of women in history in our, in our country's history? Do you know how many?

JOHN WORTHING: Yeah, exactly, there's zero.

PANSING BROOKS: No, there's one.

JOHN WORTHING: So you have--

PANSING BROOKS: --the answer.

JOHN WORTHING: I-- believe me, I, the test is not supposed to be the end all. But we have to have something to have an accountability piece. And four years into the process, and granted I understand from being on the school board too, things move slow. And they're supposed to, so that we don't come to rash decisions and fall off the cliff and make a bad call that has unintended consequences.

PANSING BROOKS: So have you taken the civics test?

JOHN WORTHING: Yeah.

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PANSING BROOKS: This immigration part? So are you aware how many of the Nebraska tribes are listed as the correct answer to name a tribe in the United States?

JOHN WORTHING: I understand that the intent is to get as many questions about Nebraska in there. This is, it's not a Nebraska test.

PANSING BROOKS: It isn't.

JOHN WORTHING: And so, but it is a civics test to give a base knowledge. And because we can't, four years in can't find a way to come together on a test format that will work because of the issues, can we have a base point to start from. And so I think each district, once that-- just like it has with Elm Creek-- will initiate its own expansion from this, because it's going to spark some interest in it, as it did with us.

PANSING BROOKS: Well, I appreciate that. And I do appreciate the fact that you're saying that it's a starting point and that it is not-- because I do not believe that that civics test is Nebraska-centric or teaches us. It does teach some, but in my opinion, it doesn't even go far enough on the Constitution--

JOHN WORTHING: Oh, agreed.

PANSING BROOKS: --or the three branches of government. So just hoping that those hundred questions are sufficient, it's nowhere nearly what the schools are doing right now, nor should it be the standard bearer of what they should teach in my opinion.

JOHN WORTHING: And I totally agree, Senator. Yeah, it's, it's not intended to be the end all be all, but because of the difficulty that there has been in coming up with a standard test to implement, it does provide that baseline. And, and again, I'm obviously proud of what Elm Creek has done. And that without a lot of push, and because it was student driven, it has allowed us to springboard into a lot of different areas. And it's, it's changed the dynamics of that school. And I think that every school will be allowed, because this bill provides flexibility, to allow each local district to provide a different pathway that fits what that district wants.

PANSING BROOKS: Thank you. I'm asking you more questions just of course because you're a school board member. But I, too, am proud of what Lincoln Public Schools has done.

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JOHN WORTHING: Sure.

PANSING BROOKS: Even without this bill or this any of this language. They are teaching-- my three kids can answer any of those questions for you, I believe. And I'm not sure that all the people in Congress and in our national government can do this. So thank you.

JOHN WORTHING: Thank you.

GROENE: Senator Morfeld.

MORFELD: Thank you for coming in. So I guess I interpreted the State Board of Education not adopting this a little bit differently. So, and maybe you were there and you heard what they said, and I didn't hear it right. But you said that they punted it back to us. I interpreted their actions as just simply rejecting it.

JOHN WORTHING: Rejecting the test or--

MORFELD: Yeah, rejecting the test. There was something else different said there. I know there's somebody from the State Board of Education or this--

JOHN WORTHING: And I'd love to hear their opinion. I guess, again, for me, being a fly on the wall and observing it and, again, I take it back to we test three of the four core areas but we don't test the fourth. And we're telegraphing over and over again to these children that these three areas are the important ones and you can flush what's over here. And that, and that's my concern. And, again, the evidence is obviously anecdotal from me trying to extrapolate what Audrey drew from her study and what we've seen as results from changing things in our district. But I believe that that model is a way to try to catch everyone.

MORFELD: And I understand that. I guess, I guess my concern is, is, you know, I've heard from some teachers that, and I know a lot of social science teachers and a lot of civics teachers. And I guess my concern is that I know a lot of civics and social studies teachers that are doing a really good job teaching this curriculum, and they've told me that, OK, so you add on this curriculum that's not even based on any of our standards or connected-- well--

JOHN WORTHING: It is.

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MORFELD: Not any of them, some of the standards. But now, instead of doing my very interactive curriculum that I have that works very well, I'm going to be spending time on this test that was not developed by Nebraska teachers, not developed by the Board of Education, and not really tailored towards, towards students in this format, K-12. And so it's going to take away time from practices that are already really good and outstanding, because it worked well in your school district and a few, few folks from some other school districts like that. So I, I guess my concern is, is I applaud you guys for emphasizing this. I applaud your school district for focusing on this and using it as a tool. But I have real concerns with forcing it on other school districts, particularly school districts who I think are doing a really good job using other tools. And that this is going to take away from those school districts and the class time, which we know is very finite. There's a lot of demands on schools, and rightfully so. But they have finite time. So I, you know, that's why I've always been for last, I guess it's been four years now that I've been on here, that's why I've been very skeptical of this approach.

JOHN WORTHING: I understand that. And here's my response to that, is that with the testing as it is now that we focus, again, on those three areas but leave out social studies. And I can't emphasize that enough that we're leaving it out as the proverbial stepchild over here that we've forgotten. And it, it, the inability of anybody providing a test that we can use, it is at least a very generic, as we've all spoken and have agreed to, that it is a very limited but and generic test that hits basic areas that at least gives you a base knowledge to build from. And if, if we can't, if we weren't doing this test, and if we were going to have the state put a NeSA test together for social studies, we'd be doing that in the same way that you're talking about in the classroom. There would be some other way to get to--

MORFELD: Well, what if we, what if we just amend the bill to make it so that the State Board of Education has to come up with some kind of standardized test that's based on actual standards and actual things that teachers are teaching. I mean, would you be--

JOHN WORTHING: The 100 questions are based on, they are connected to the actual current state standards.

MORFELD: Some of them are connected, but not a lot of them. I've read it all and I've taken it. I think it begs another question. I mean, if that's the case for this then why aren't we requiring and mandating a specific test out of state created-- or a test created out of state

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for fine arts or PE or computer science, because that's the State Board of Education's role? And I guess I just don't believe in a one-size-fits-all approach. And I, again, I applaud your school district for using this. I think it's great that you're emphasizing civics in a different way than maybe some school districts. But I don't want to take away from the finite time that certain school, certain teachers have who may be doing this very well. And in fact, in my experience, and I've been in a lot of these classrooms, they are doing it really well.

JOHN WORTHING: And I would agree with that, Senator, and I would agree that they're doing a good job in some places. And I would agree that most schools are actually putting the information out. But we're lacking the accountability piece, and we're lacking some way to track and say that this is what needs to be followed.

MORFELD: But this doesn't, this bill doesn't do this. We don't--

JOHN WORTHING: It gives the accountability to the parent.

MORFELD: It gives the ability of the parent but we're not providing any accountability to the people that matter. The people that are creating the standards, that are accountable for making sure that our kids are educated well. Not to say that parents don't matter, they matter too. But it doesn't allow for the broader discussion of us being able to determine as policymakers, board of education members, State Board of Education members to decide, wow, are we doing a good job or are we not. If that's the approach that we want to take, that's a completely different approach and a completely different bill.

JOHN WORTHING: I agree. But we don't have a body yet in four years of talking about this that has stepped forward with any, any sample of any counterproposal to the hundred-question test. And I totally agree with you that the test is not perfect. I totally agree with you that it's a broad brush, very minor step.

MORFELD: OK.

JOHN WORTHING: But if we don't have something to pull in the accountability throughout the state to, to parents. And we've tried to keep the costs down. She, she has a bill that is doing as much as it can, but keeping local control so that, to your point, each district can create their own pathway. If we want to have a native tribe club that goes into depth and pulls schools in to discuss the things that

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the tribes of Nebraska have done for the state, great. And then hopefully other schools will build off of that. But, again, we want to open up that door and, and provide a way for schools to start the discussion. And, again, I agree--

MORFELD: I think we understand each other, we're just looking at it from a different approach. And I just--

JOHN WORTHING: Sure. Sure.

MORFELD: --wanted to have a little bit of a--

JOHN WORTHING: Yeah, I appreciate that.

MORFELD: I appreciate you coming down.

JOHN WORTHING: Thank you.

GROENE: Any other questions? Just for clarification. We've had this four years in a row about the Indian tribe. That's only a sample. The question starts off by saying number 80 is, the U.S. Immigration Service Office were supplied with a list of federally-recognized American tribes. There were hundreds of them. Omaha Tribe, Nebraska; Ponca Tribe; Indian, Indians of Oklahoma; Ponca Tribe in Nebraska. This is one I didn't know. There was a tribe, the Sac and Fox Nation of Missouri in Kansas and Nebraska. All of those answers are acceptable of all of those tribes. The state of Alaska has 100 tribes of their own.

JOHN WORTHING: Sure.

GROENE: Or more, so you can't go by the sample. If you're going to, you have to realize that all those tribes are acceptable. But you said to Senator Pansing Brooks that they are teaching that. But in your testimony you said the kids in the schools surrounding Elm Creek had a 25 percent success rate. So how can you answer that they are teaching it on the test score? I mean, just to clarify.

JOHN WORTHING: Right. And again, was I sitting in the classroom when they taught the standards? No. But I, I believe that our school systems in this state do a good job. And I believe that they are trying to put out the material that needs to get out, and are trying to follow the state standards and the requirements that have come down for each of them, and they're trying to follow the law. My, my firm

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belief is that because we have not put focus on the social studies as a state, but we do on three other core areas--

GROENE: But we do. We have four areas of standards in state law, and by the way, the Department of Education fought this body on all of those.

JOHN WORTHING: Sure.

GROENE: They did not want testing. They did not want test scores saying "needs improvement." Not every school is doing a job. We can sit here and say they are, but I can show you the results. There's a lot of needs improvement.

JOHN WORTHING: And I would-- I'm sure you're right.

GROENE: And that's in math, English, and science. But we have no idea if they need improvement in civics.

JOHN WORTHING: Right.

GROENE: Is that correct? And that's the point you're making.

JOHN WORTHING: That is the point I'm making.

GROENE: We have four areas of standards. We only have three areas of testing. Now as a school board member, would you like us to do an assessment and add all that testing to you or would you sit there and say, well, maybe if you make me give this test I would accept that?

JOHN WORTHING: Well, I think most--

GROENE: We can gladly next year bring an assessment on civics.

JOHN WORTHING: Right.

GROENE: And it sounds maybe we need to, because if we're going to get this much pushback from the education establishment, maybe it's time to do it. Thank you, sir.

JOHN WORTHING: Thank you.

AMBER PARKER: Good day. My name is Amber, A-m-b-e-r, last name Parker, P-a-r-k-e-r. I thank God for the government that we have and what our founding fathers had done. There was much blood spilled to stand before you today, or actually sit and share in our democratic republic

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in exercising freedom of speech here. I want to tie some loose ends together with some current information that I've recently found out. I actually didn't think I was going to come down and testify here today. But this is greatly important, and I felt that the information that I had came across needed to be heard and on public record pertaining to-- I'm sorry. Oh, OK. So I wanted to, to tie together very quickly on the national level of things on why do we need LB399. Now when I was running for school board in a previous district, this was something of research that I came across. So I want to give the credit to the researchers. But one article read: FBI uncovered documents revealing the goals of the Muslim Brotherhood and its subsidiary organizations like CAIR, C-A-I-R, planned to indoctrinate American K, kindergarten through 12th grade students by teaching Islam. That would be by Bethany Blankley. So when I did run for the school district, one of the things I brought before the board, I was very concerned. Pearson is a giant in curriculum and things like that, and since we're short on time I just want to get to the basics. I also want to tell you that the Omaha World-Herald wrote a report basically about what I'm about to share with you. And they actually contacted Pearson to ask who were their shareholders. Pearson is a \$9 billion private shareholder company, excuse me, who's biggest investor in 2015 was the Libyan Investment Authority. Pearson has held 26 million shares from the Lib, Libyan Investment Authority. And this was according to The Financial Times. Now, what you need to understand is that was setup by Muammar Gaddafi's son, Saif al-Islam. And I apologize if I'm not pronouncing that name correctly. So it is through the Libyan Investment Authority. So, anyhow, you can do your research on that. So that's on the national side of things. And I will tell you as a graduate from Lincoln Public Schools, I remember very clearly we were taught about Mohammed. And I can't really remember much else in areas. I also want to tell you that right now, at the present, I'm going to go back to 2017, and somebody from the Nebraska Department of Education I'm sure will be coming forward, and I'd be interested to hear what they have to say. But when they came, whoever came before of the Nebraska Department of Education to define civic readiness, I just wanted also on the record to note that there was state board member that had worked together and done their own copy. So what you have papers of is the defining civic readiness, which was actually proposed in 2017 from the Nebraska Department of Education. The second piece of paper you will see is the definition of civic readiness which was worked on in just from Pat McPherson, who was a former State Board of Education member. And I want to let you know that there was never a vote to adopt a version of the civic readiness. So my purpose in

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sharing all of this is saying it seems like it's making a plan to make a plan to make a plan. And it seems to me it's been that pattern for the last four years. Also to be addressed that there was such a pushback because of the definition on the civic readiness that came from the Nebraska Department of Education that, that was withheld, there was never even a vote. Nothing happened. And that's what I think is important for you senators to understand. So pretty much some things just get shuffled around here. And I encourage, if we do need to go further, I think it would be great to dig deeper in to see what Nebraska Public Schools and schools are teaching pertaining to civics. Because if you're training a generation, and I mean, the parents do the training and are entrusted by the parents, the parents entrust their children through their parental rights and what schools their children decide to go to. But how do you keep a free, I mean, a republic a republic? You have to teach these things to the next generation. How do you bring accountability to governing authorities? How do you know leadership roles? You have to understand our Constitution. If you don't understand that then how do you know as a United States citizen if you are actually living under the Constitution or committing treason?

GROENE: Thank you. Any questions? I have one, if nobody else does. For, in defense of the Department of Education--

AMBER PARKER: Sure.

GROENE: I believe one of the things they held off on some of this, they were expecting this body to act on an upgrade to the Americanism bill so they can follow it for their standards. Because we hope, otherwise, they will have to follow the old law, if they do obey the law, of the old Americanism law. So hopefully this body will act and act quickly.

AMBER PARKER: Absolutely.

GROENE: And give them guidance on their new standards. The question for you. I'm not going going to ask your age, but when you were in civics class, or what did you have at LPS? What did they call it, government class, civics class?

AMBER PARKER: No, it was actually called civics.

GROENE: And what did you do for activities there? Did you have any--

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AMBER PARKER: One thing that the one civics teacher did is he drew a line on the board, and it's been, it's been a few years, several years for me. But he said, OK, so where do you stand on this issue and this issue. And he would ask each student in the classroom; and he had like left, middle, and he had right. And so that's when I learned on the side of what I was in, because he would ask these questions and he would mark on this board of what it was. I truly cannot tell you much of that we learned of the Constitution, the Bill of Rights, you know, the Declaration of Independence.

GROENE: Did you learn anything about government, local governments?

AMBER PARKER: No. I do not, in fact, I would love to see that. You know, here in Nebraska, I believe that you guys are-- we could set an example for the rest of the states to follow. People need to understand the checks and balances to understand what state sovereignty is versus-- I'm sorry.

GROENE: I'm going to interrupt you.

AMBER PARKER: Yeah, please.

GROENE: How then did you get to the point you are where you now understand a lot of this and you're taking part in your government?

AMBER PARKER: I saw a need that, because I thought, here I am live, you know, where I'm living at, if I don't know my rights then how, how can I go on if I'm in a situation where I need to know my rights? So I took it upon myself actually, probably about in my early 20s, to go out and start doing research. In fact, I'm, I'm about to start taking courses on the Constitution because of what I didn't learn in the Lincoln Public Schools. And I do want to clarify, I went to a Christian school only in kindergarten. My, my family couldn't afford, I was adopted and they couldn't afford money to continue with private school. So from first grade to--

GROENE: That's fine.

AMBER PARKER: Yeah.

GROENE: So did you do any activities that they called civics?

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AMBER PARKER: Yes, we had civic hours. And I spent my time at like a nursing home. I went into a nursing home and did my civic hours I had to complete.

GROENE: That's called civic hours?

AMBER PARKER: Yeah, yeah, you had--

GROENE: I don't think that fits into civics.

AMBER PARKER: It was with your graduation. Yeah.

GROENE: All right, thank you.

AMBER PARKER: But it's probably different, it's very different than what, what things are. But in answer to your question, Senator, that's, it was in my early 20s.

GROENE: So LPS considers that civics, doing a can drive, donating something, walking around the track in a pink T-shirt?

AMBER PARKER: Well, if you look at the definition in 2017 of what they did have on here, that was really interesting to me. It said something about, along your lines: persuades by gathering, analyzing, communicating information, civic-ready individuals can be advocates while respecting and understanding differing opinions and processes, therefore being able to share information, make persuasive arguments, and impact policy. That was from the Nebraska Department of Education.

GROENE: Thank you, Miss. Appreciate your testimony. Senator Pansing Brooks.

PANSING BROOKS: So you didn't take the government and politics course that most juniors and seniors take?

AMBER PARKER: Well, if you're talking about--

PANSING BROOKS: Because civics is in ninth grade, ninth or tenth grade.

AMBER PARKER: No, actually you're-- are you talking-- I'm sorry, Senator, just reliable communication permits progress. One of my-- a good verse to follow. Could you tell me the time span, because I don't know what age you guys are looking at me as? I might surprise you.

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PANSING BROOKS: Well, I don't know. But I have children who are now 22 to age 30, they all took civics in ninth grade, then they took government and politics. There was a range of things that people could either learn to be a volunteer, because that's service to community. It's not just about-- it's about helping others. And part of our country is founded upon the interest and the ability of people to help others. So I don't understand, you know, we, there was a U.S. history that they had to take, there was world history they had to take, there was government in politics they had to take, and they had to take civics. So I don't know how you went through Southeast High School without taking all four of those years of courses.

AMBER PARKER: Well, I would, again, go back to clarify of what the years are in what state legislation was pertaining to at the time.

PANSING BROOKS: Could you tell me the years you're talking about?

AMBER PARKER: Yes, I sure can. I graduated in '99.

PANSING BROOKS: In 1999.

AMBER PARKER: Yeah. So we had a civics class, that I remember them calling it civics.

PANSING BROOKS: And you didn't have U.S. history?

AMBER PARKER: We had-- I'm sure we had U.S. history, and our U.S. history, thank you. That's where I learned about Islam.

PANSING BROOKS: OK.

AMBER PARKER: That was Mohammed. No, I'm being serious.

PANSING BROOKS: But you didn't learn anything about the Constitution in U.S. history?

AMBER PARKER: They would address things. I mean, one of the things our U.S. history addressed, our teacher said to us in the classroom, she gave us the name of all these people and she said, OK, this person makes this much money and this person does this. And she said, now, who would you vote upon this? And I said, well, where are there stands, where, where do they stand on this? And she got frustrated and she goes, you, just wait, Amber. Just who would you vote for? So those

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were the types of things like in high school that I remember from, you know, U.S. history. They're really, like I said, I--

PANSING BROOKS: Excuse me, because I know we are trying to move along. I just want-- so that was 20 years ago and I'm just wondering if you have current knowledge of what they're teaching right now?

AMBER PARKER: Well, I think the current knowledge is showing that the Nebraska Department of Education made it very clear on, you know, the defining of civic readiness.

PANSING BROOKS: OK, but I'm asking about specific courses.

AMBER PARKER: I want to know why about a American people-- I'm sorry, on civic courses I--

PANSING BROOKS: The specific courses, I'm sorry.

AMBER PARKER: OK. So I'm, can you, can you clarify what you're asking me when you say specific courses? Because I just shared with you some--

PANSING BROOKS: Well, I just shared what I know that they're teaching right now as far as four straight years.

AMBER PARKER: What are they, yeah, what are they teaching because I, I, I didn't learn--

PANSING BROOKS: Lincoln Public Schools teaches civics. In tenth grade, they teach, I believe, U.S. history or world history. The next year they teach U.S or world. And then the final year it's government and politics. So there are four straight years.

AMBER PARKER: Right. I had U-- I, right.

PANSING BROOKS: Thank you so much, Ms. Parker.

AMBER PARKER: U.S. history was the one I learned about Islam.

GROENE: Thank you for your testimony. You did fine.

AMBER PARKER: Thank you.

GROENE: What's great about democracy, you get a little debate. Next proponent, proponent? Does any of you, the veterans want to testify?

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You do? Sir, they were-- go ahead and sit in the front row, sir.
That's, go ahead and sit in the front row.

LYLE BARTELS: My name is Lyle Bartels, and currently I serve as the state commander of the American Legion. On the veterans' side of this, I don't know if I'm the best person to testify before all of you because I went to a small high school years ago, and my graduating class there was 31 of us. And my scholastic standing was about 29th. But I promise you I'll do the best I can.

PANSING BROOKS: Spell his name?

GROENE: Spell your name, sir.

LYLE BARTELS: Lyle Bartels.

GROENE: Could you spell it?

LYLE BARTELS: L-y-l-e, and Bartels is B-a-r-t-e-l-s.

GROENE: Well, you weren't 29th in spelling.

LYLE BARTELS: All I can say about this LB399 is a number of years ago, when the honorable Dave Heineman was governor of this great state, he visited one of our American Legion conventions and, and he told us that as veterans and as Legionnaires we had a challenge to go into our schools, our grade schools and our high schools, and tell them just what veterans have done for this country. And he told us that he felt that we could do a better job of this than what our history books and our teachers were doing. I don't know if he was 100 percent correct on that or not, but since then I have been doing some of this, going into our schools. And the students are receptive. They're, they're very interested, they listened to us. They, they shake our hands and thank us for our service. And, and they're really a receptive group, and I enjoy doing it. And if this bill would help in any way in getting that message forward, I, as a veteran, would support this 100 percent. And one gentleman up here, he asked the question several times what makes America great. Why is this country the greatest in the world? I agree, it's the greatest in the world. And it's our freedoms that make us great. And it's just the common everyday man and woman that stepped forward and served in the armed forces that protected these freedoms. And that's what makes America great. And I'm for anything that can teach our students just what the, what the American veteran did. I'm all for that bill. So I don't know if that helps you or not, but thank

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you for listening. It's an honor for me to be here and an honor for me to speak to you. Thank you very much

GROENE: Sir, will you take some questions?

LYLE BARTELS: Sure.

GROENE: Which-- go ahead, Senator Walz.

WALZ: I just have a comment. Again, thank you for your service.

LYLE BARTELS: Thank you.

WALZ: And thank you for going into the schools and giving your firsthand experiences to those kids. That does make a difference. They will understand a lot more after listening to your stories and your experiences. So thank you for doing that.

LYLE BARTELS: Thank you.

GROENE: Senator Brewer.

BREWER: Thank you, Mr. Chairman. Lyle, thanks for coming in today. Always nice to see the hats and the history that goes with it, because it does my heart good. This past fall they asked me to go to Plattsburgh and help out with the County Government Day. What is the goal? Is, is it generally every town that has a legion post tries to have that, that particular county designate and have a day set aside, generally in the vicinity of Veterans Day?

LYLE BARTELS: Our, our goal as the American Legion, we, we try to emphasize to our county commanders and our county legion organizations to have a county government day. But not all of them do. I think last year there was about 80, somewhere in that group. It's a pretty high percentage that, that do have a county government day, and, and they are run a little-- each county legion organization runs it a little bit different. I think in Saline County we have a pretty informative one and a pretty good one. And some of them are a little better than others. And this gentleman over here, it sounds like their county has a very top notch county government day. But they all don't participate in that program, but most of them do.

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BREWER: And then quick oversight for Boys and Girls State, you're normally the ones that are on the board that will select those representatives, is that right?

LYLE BARTELS: The individual American Legion posts and auxiliary units select the boys that go to Boys State and the girls that go to Girls State, and that's left up to our local post and units.

BREWER: OK. Well, thanks again for the work you do. We appreciate it.

GROENE: Senator Pansing Brooks.

LYLE BARTELS: Thank you.

PANSING BROOKS: I just have one. I want to thank you too. And to me, I can understand what Governor Heineman was saying, because those of you going into our schools tell a story that is actual and something that actually happened. And you're able to talk about what you fought for. How you're fighting for our way of life, and our democracy, our freedoms. That is so powerful for you all to go in there, rather than reading it in a book, and realizing the sacrifices you made. That is, that is powerful to students. And I just, I want to thank you. I, my dad was in the Navy in World War II, and we all grew up learning a lot of that because of the fact that our parents were involved at that time. So I see the power of all of you coming in and going to young people and explaining your sacrifices. Why you did it, what, what it's about for our country. And I just want to thank you all for your service. I'm not going to say that to everybody. Just wanted to use you as an example of our gratitude.

LYLE BARTELS: Thank you, Senator.

PANSING BROOKS: Thank you.

GROENE: And you're from Wilber?

LYLE BARTELS: I'm from Tobias, Nebraska. That is in Saline County. Wilbur is our county seat. Yes. Thank you all for listening to me.

GROENE: Thank you. Next testifier. I, let's make clarify. I was trying to follow the rules that if you were going to testify, get in the front row so you're in order. Sir, I didn't mean to reject you, but I know those gentlemen were sitting there in the front row and I wanted to make sure they had an opportunity to testify.

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ED SCHNABEL: My name is Ed Schnabel, S-c-h-n-a-b-e-l. I'm the past commander of Post 3 here in Lincoln, a 45-year member of the American Legion. And I can answer a couple for your questions. Your question on Boys and Girls State, my Lions Club also sponsor them. The director for like for Lincoln gets them all together and then sends them out to the Auxiliary or the different organizations that will pick out, after being the pack has picked out who they want to have as a representative. And for county government day, it is different every county. In Lancaster County, it takes in all the schools but Lincoln. Lincoln does not take part in Lincoln County-- in county government day. Being I've been involved with the county, with Lancaster County, every year we have it, Lincoln is not there. The same way with, we have an oratorical contest where the student go on to win an \$18,000 scholarship. Last five years, I can count on my hand about this many students came out of Lincoln Public Schools. The last couple years, I've had zero students even show up. And the years that we do have students, they all came either from the parochial schools, home schools, or our Christian vocational schools. We need this bill to get the school districts to start teaching the Constitution again. When I went to school, yes, we had all these courses. And I learned it all. But because on now, right now it's up to the individual teachers, if they aren't passionate about teaching it, they skip over all that stuff and teach what they want to be passionate about. But we need to have some leadership where they're going to teach basic, the kids the basic where we were founded on and where we need to go. I'm open for questions.

GROENE: Thank you. Any questions? Have you contacted the administration of LPS to see if you could come in and--

ED SCHNABEL: Yes.

GROENE: --talked to all of their history--

ED SCHNABEL: We, we--

GROENE: --and government teachers to encourage them to bring a field day for government, a field day to do a government day?

ED SCHNABEL: We contact them, the state, the state department sends out information to all the, all the school districts in the state of Nebraska about it. I've written-- in the last couple years, I've written two letters to the superintendent of schools, superintendent of the Catholic schools, the private schools. And if that person or

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the coordinator isn't interested in doing it, it goes right into file 13. It never gets to the students who might be interested and take part.

GROENE: You don't believe it's getting to the government teachers themselves and the history teachers themselves?

ED SCHNABEL: No, not if, if the coordinator that's, that's in charge that area doesn't want to do it, it doesn't get passed on.

GROENE: The county government, do they, do they work with you, Lancaster County government? That if you, if classes came in there--

ED SCHNABEL: Yeah, but we-- they, they publish the fact that we're going to have a county government day, when it's going to be held, where it's being held. The Lancaster County does a Great job. We go down to the county courthouse, they break up and they meet with the county commissioners. Then they break up and go to each one of the different divisions of the county government, you got sheriffs, all the different ones.

GROENE: Which school districts do take part in Lancaster County then?

ED SCHNABEL: Lincoln. All the rest of them do.

GROENE: No, who are the other ones?

ED SCHNABEL: Oh, like Hickman and Norris, Waverly.

GROENE: Ashland?

ED SCHNABEL: Raymond Central up there. Ashland is not in our district, they're in the county next to us.

GROENE: Thank you, sir. Senator Pansing Brooks.

PANSING BROOKS: Thank you for coming, I appreciate it. I wasn't going to ask but, I just wondered if, do you also provide busing? How are the kids going, how, is there a way for the kids to get there? I'm just interested if--

ED SCHNABEL: OK, well, back when Lincoln had their [INAUDIBLE], when we had the big club out west, Lincoln Post 3 provided all the transportation, provided the meals.

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PANSING BROOKS: Who did? I'm sorry, who?

ED SCHNABEL: When Lincoln had their Lincoln Club out here on O Street.

PANSING BROOKS: Yes.

ED SCHNABEL: They provided the busing and all that, now they-- no, Lincoln Public Schools doesn't provide any busing to them.

PANSING BROOKS: I'm just wondering if their, because that is a cost that schools end up paying for, and that would be about \$3,000 per class is my understanding, and so that would be a lot of busing.

ED SCHNABEL: Well, for county government day you, you have one or two representatives from each high school, so like in Lincoln it would be about 12 kids.

PANSING BROOKS: Because it's application only?

ED SCHNABEL: Yeah, that, I mean, theoretically you have elections in your, in your school to pick out those that are going to go. It's not the whole school doesn't go, it's just representatives from each high school.

PANSING BROOKS: Well, thank you. Appreciate it.

GROENE: Thank you, sir. Any other questions for him. Thank you, sir, that was good testimony. Next proponents.

DEAN MAGEE: Hi. My name's Dean Magee, D-e-a-n M-a-g-e-e, I'm from Omaha. Small business owner. And I am a proponent of LB399. You know, to deflect here, everyone has seen movies. Anyone remember the Last Samurai? One of the lines in there that I take away from that is: You must never forget who we are and where we've come from. And right now, this country is in so much turmoil out there. Just take a look at Washington. And we need to go back to the basics: The Founding Fathers, the Constitution, Kennedy. "Don't ask what the country can do for you but what you can do for the country." Our kids are not getting taught the principles, the collective of where you fit in and the roles you play. LB399 is going to standardize some things. I was not aware that the fourth leg of the table doesn't even have a standard or a testing model on it. Just found out today. Why is that? Some people don't like tests, you know, I was never a big fan of those. But they're standards, and these standards I think can make life changes in these kids. I employ 80 to 90 kids in my restaurants, and I stand

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beside them. And it's, you know, you hand them your first check and the reality: Where did 30 percent of my check go? Wow. Now we got a talking point. It's called the government, and they take money from you. And you have a little educational civics class in there. What's happening is I ask them, what are they learning in schools? They're not being taught the principles of how government works, what their roles are in it. You know, Amber's refract, reflection coming out of school. I know when I went to school, I grew up in Canada, it was drilled into us to the point where you couldn't forget it. You wanted to but, you know what? I understand the system, and we all need to fit into that system. I like LB399 because it's going to start a level playing field where the important things are going to be taught and it's going to be standardized. And I think the benefits will come down the road, once we start to get people working together and understand where they are in this country and how we all fit together. So I conclude with that. Any questions?

GROENE: Questions from the committee? You mentioned the word standardize. We heard a committee member say, well, the teacher has a plan and, and they are going to teach what they want to teach. Now, I understand in math $2 + 2 = 2 + 2$, and that's the same in every classroom. But do you believe that's the same in teaching government?

DEAN MAGEE: Governments have principles that, that--

GROENE: Or teaching civics, I should say.

DEAN MAGEE: Civics that apply to all levels. But we've all had good teachers and not so good teachers and bad ones. I can remember two teachers in my life. One was in social studies, that I wouldn't be the person I am today, because he excelled and taught me and went on beyond. And there's going to be different levels of teaching. But I do think there's a basic understanding how government works, what our roles are in them, and our responsibilities. You just don't come and not participate and then plead ignorance. We've got to teach them to be responsible, but also you give them hope. One of the kids I'm talking about the check. I said, you know, there's solutions to this. You can learn and you can go out and you can vote so that when someone's in your area that is trying to raise taxes you know that it's going to impact that check. What are you going to do about it? Well, you better learn about it. So I think there's a basic standard of how the government works that everyone should understand.

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GROENE: But should we allow 3,000-some history and civics teachers to sit down and write their own study plan on what they believe is civics, the definition of civics, or should it be defined by an elected body.

DEAN MAGEE: I'm--

GROENE: As LB399 is.

DEAN MAGEE: Yeah, it's six of one, a half dozen of another. Based on Amber's study, I'm really concerned about the largest textbook distributor in the country that's owned by the jihadist group that is teaching our curriculums into these schools. There's some governance in there to try to catch some of these things. And sure, there are exceptions. But guess what? One district getting a bad textbook in there and teaching things is not good for anyone.

GROENE: Thank you, sir. Senator Brewer, do you have a question?

BREWER: Well, yes. I got in the conversation a little bit late here, so I'm trying to sort out exactly what all the issues are here. But we've got a test, the test is imperfect, but it does address a lot of the concerns with understanding civics. If you weigh all this, is what isn't there still worth the product in the end? Is it still going to be something that, that moves the knowledge to the place it needs to be? Or at least test to see where it is?

DEAN MAGEE: Well, let me ask you a question. When you were 16, there's a thing with four wheels that moves. Did you take the test in order to pass it?

BREWER: I did.

DEAN MAGEE: You did, and in order to graduate, a basic understanding. Did you know everything about a vehicle? But you knew the principles, the stop and go and what to do to follow the laws. If you want to, you know, if I look at that the same way here, I understand where we are in our communities and our states and our federal governments and our roles within it.

BREWER: Very good, thank you.

GROENE: Thank you, sir. Any other question? That was a very good analogy, sir. Thank you. Next proponent.

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MARK BONKIEWICZ: Good afternoon, Chairman Groene and all the distinguished senators. I'm Mark Bonkiewicz. I was born and raised in Sidney, Nebraska, 350 miles west of here. I'm a former farmer of America. I now live in Omaha, live at 11129 Z Street, 68137. I thank you for this opportunity to testify with you today. And my perspective is going to come from a family perspective because my grandfather Joseph S. Bonkiewicz, Sr., legally immigrated to this country in the United States in the early decade of the 1900s. And it was because his family, my family, in Poland was experiencing repressive government policies and assaults on their religious freedoms. So after he gained his American citizenship, he entered the U.S. Army and fought for the allied forces back in Europe in World War II. He cherished, absolutely cherished his American citizenship and passed his deep appreciation for it to his three sons, one of whom was my dad, Joseph S. Bonkiewicz, Jr. One hundred and two years after my grandfather came to America, my wife Paula and I had the opportunity for a lifetime trip to go back to Poland and meet my grandpa's relatives. Wow, it was amazing. The color of soil in Poland was almost exactly the same color as the soil in Cheyenne County, Nebraska. It was incredible. I had a chance to visit with my grandfather's nieces and nephews and their children. Because they had lived under the tyranny of communism, not a single one of them had enjoyed half of the religious liberty or the economic prosperity that my family had enjoyed. So I firmly believe that we Americans need to ensure our students in middle and high school learn how our republic government operates and provides the freedoms that we enjoy today. Isn't it interesting? They all love just having this in their hands and using it for everything. Well, gosh, it happened because of the form of government we have them because of our capitalistic system. Where did the vast majority of the new ideas come from for prosperity? They come from America, because it's the land of the free, the home the brave, and we got to enjoy and reap the benefits of all of our extra hard work. So I believe we need strong, contributing members of society who will take advantage of the opportunities that they have living here. And so we must provide Americanism civics lesson to our children and grandchildren who are now students. How else are we going to be able to hand off the baton and keep this the greatest country in the world? So please do everything you can to forward the passage of LB399. I believe that one of the great things that will come from this is the fact that there's going to be some real, true local control for everyone across the state of Nebraska because now those Americanism committees are going to have to publish their meeting minutes, which is great. How else are we going to know what's going on? And that's supposed to meet three

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times a year. Are they really? Let's make sure they are. And then locally, let's find out what's their plans, and are they doing all the things that they should be doing so that we are raising our children to become great future citizens. Thank you for this opportunity.

GROENE: Thank you, Mark. Any questions for Mark? Thank you, sir. Next proponent.

DEAN TICKLE: Thank you. My name is Dean Tickle, first name, D-e-a-n, last name, T-i-c-k-l-e. I'm former, I'm a former a lot of things, former superintendent at Elm Creek. I'm currently the vice president of business operations at Nebraska Methodist College in Omaha. I am also the former principal at Lexington Middle School, and I taught and was activities director and middle school principal there for 18 years. I won't go much into what we did at Elm Creek. I think Audrey and John have chronicled that very well. Where some of that came from was when I transitioned to Elm Creek from Lexington. As a principal, I would go through classrooms and do my observations and walkthroughs. And I had two teachers and a paraprofessional that became U.S. citizens about the same time, and helped, helped all three of them study taking the U.S. citizenship test. And most people don't know there's a hundred questions. But when you go take the test, you only have to answer 10 randomly. You have to know them all, but they select 10 out. And that's, that's pressure. But anyway, I walked into Maria Santos, who was one of the young ladies, one of the young teachers who passed the U.S. citizenship test. And her kids were doing a reenactment of a citizenship ceremony. And a couple of the kids proudly proclaimed: I got 100 percent on the citizenship test. You think you could, you could get 100? And I'm like, I'm a former social studies teacher. Yeah. And they go, how many people are in the U.S. House of Representatives? And I'm like, oh gosh, you hit me with that one right off the bat. So anyway, I did a little studying. But anyway, we also had U.S. citizenship ceremonies at Lexington Middle School. People that had to pass that test, and that it meant something to them. Interestingly enough, the ceremony took place at 10:00 and they would show up at 7:00 because they did not want to miss that ceremony. People from all over the world. It was an honor to sit on the stage as they got their U.S. citizenship. You know, as a social studies teacher and a former school administrator, am I, am I up here begging for, you know, more testing? I will tell you at Lexington Middle School, 8th grade ELL students I would bet are the most tested group of kids in the state because Lexington is randomly selected every year because of our, our demographics to take those tests. And they test and test and

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test, and we test them. And in social studies, we tried to create criterion reference assessment. Since we don't have a state test, we created our own tests based on what's taught in the classroom. And we were pretty diligent on that. When we, when it came to Elm Creek, you know, we didn't have those criteria, and-- we had them, but they were generated by the teacher. And so we took a good, hard look. Well, what are we assessing? Are we assessing the standards, are we-- is it done right. We had one social studies teacher in a small school. One, that, that, you know, created all those tests. So anyway, is it perfect? No. Is it a place to start? Yes. I say it's a very small piece. I really like the idea of something we do at Methodist College called educated citizen, where we work on communication, where we work on being a change agent, where we work on being involved and active in the school, the community, the state, the nation, and ultimately the world. And we take our, our ideals, our, our citizenship, Americanism, and we take it out all over the place and it impacts healthcare. So.

GROENE: Thank you, sir.

DEAN TICKLE: I think my parking meter is about ready to run out, so I'll shut her down there.

GROENE: Any questions from the committee? Senator Brewer.

BREWER: Thank you, Mr. Chairman. What years were you at Elm Creek?

DEAN TICKLE: I was, I came to Elm Creek in 2012. And then I, in 2016 I went to Nebraska Methodist.

BREWER: I had a number of nephews who went to Elm Creek. And I'm sure if you were the principal while they were there you got to know them very well.

DEAN TICKLE: Nice thing in Elm Creek, you know them all.

BREWER: I'm guessing they spent more time on the principal's office. So at a school the size of Elm Creek, you're going to have one social studies/civics teacher. And I assume as you go to one, more the size of Lexington, does that go up to two or three or how-- what would be a normal?

DEAN TICKLE: Right. You know, and our middle school was sixth, seventh, and eighth and we had two social studies teachers per grade level and then one for our ELL program. At the high school, when I

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taught at Lexington High School, we had, oh, I think three or four teachers. Social studies teachers.

BREWER: And I feel bad to ask, ELL is an abbreviation for?

DEAN TICKLE: English language learner.

BREWER: OK. All right, thank you.

DEAN TICKLE: You bet.

GROENE: Any other questions? Senator Pansing Brooks.

PANSING BROOKS: Thank you for coming, Mr. Tickle. I'm wondering, you heard me ask the question before. Do you think that this has not been taught across the state in certain districts? And if so, where?

DEAN TICKLE: I, you know, I think it varies. And, and this, I guess to be just blunt, I think leadership matters. I think the superintendent is, is very important in driving this. I think the superintendent informs the school board and then the principals that, you know, create those curriculum committees. And, you know, we had social studies curriculum meetings where we took a look, a look at the state standards and how do we assess them and, and how many opportunities do we give kids to demonstrate proficiency on standards? And then the other thing is, you know, facts are nice, but how do we put those in action? I mean, a lot of times in social studies, kids will go, well, what does this matter? It's boring. And we're like, well, we have a relevancy problem. How do we teach kids that what we're learning in social studies, in civics is relevant, and how do we give them problems to solve to make it real world for them? And I think we underestimate kids a lot of times when it comes to being able to make a difference and to go out and impact. But to answer your question, I think it comes back to leadership in districts.

PANSING BROOKS: So do you think there are superintendents that are not pushing this or?

DEAN TICKLE: I think what gets assessed is what gets done. And so when you're-- I will guarantee you at Lexington I put a high premium on reading. You walked in there, and the culture of that building, totally focused on reading. But I had an entire building of, of about 85 to 90 percent came from non-English-dominant speaking homes, and reading is the linchpin to everything. If you can't read, you're not going to be much of a mathematician or a science student or a social

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studies student. So we really focused on that. In fact, we taught reading via the social science curriculum.

PANSING BROOKS: OK, sorry. I'm just jumping back to the social studies.

DEAN TICKLE: OK.

PANSING BROOKS: So did you, I think you may have heard me say that Lincoln Public Schools teaches civics, U.S. history, and government and politics. So did, did you teach those things as well or is that--

DEAN TICKLE: Right. And in eighth grade, generally, there was an American history; in ninth grade, it's geography course in most places. And then tenth grade is a world history; and then an American government again in eleventh grade. And then-- excuse me, American history and then American government as a senior. Now, we flip that at Elm Creek and taught American history at eighth and ninth, American government at tenth. What that did is, generally those are required courses, especially that American government, to graduate. And we took a lot of pressure off of kids by putting it there and then putting service learning in and, and, and putting in a trip to Washington, D.C., instead of seniors doing that. We wanted them to have that trip to D.C. so that they could draw upon that in their readings and writings for their entire four years of high school was our rationale.

GROENE: Any other questions?

PANSING BROOKS: Yeah, I'm sorry. So we had the same kind of thing at Irving Middle School. The kids have the option to go to D.C. and go see all the places that make me cry, because I'm so proud of them. But I, I'm just so-- I've heard from educators that nobody is really willing to say that it's not happening. It's just you want it more. But when I look at something like you mentioned, the 435 congressional members, right? Members of the house of Congress. That's a fact. But without more knowledge that they represent the people and how they're different from the Senate, I mean, that's a whole, that's a whole realm of study that just those 100 facts don't even begin to teach.

DEAN TICKLE: Oh, we--

PANSING BROOKS: And we all know that people teach to the test. That, that is a thing, teaching to the test. So memorizing the number 435 is

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not going to help my child become better knowledgeable about our great American history.

DEAN TICKLE: Oh, yeah. Your child needs to know about gerrymandering and, and how Nebraska could lose a House of Representatives seat based on population. Oh, yeah. There's, there's a lot more that goes into it. There's an old saying that we used to use. Teachers will tell you that the standards in a lot of time, in a lot of instances seem to be overwhelming, and they're a minimum. And when we unpacked our standards, we had this little Dr. Seuss saying, that all the standards will be taught, some we emphasized some are not so that we can pick the ones that are most important and help most impact. And that's what we did to make sure that, that we did a good job.

PANSING BROOKS: Just one more thing, sorry. Just I don't know if any other educators are coming up, so I'm just interested. What, I mean, we see the tests that we're talking about, possibly one of these tests. But my kids were tested all the way along with other tests. I, do we think those tests are inadequate that we're in: GoPo, government and politics; civics; U.S. history; world history; American history. Are those inadequate testing? Is that what's going on? Or I'm just interested, because--

DEAN TICKLE: I think they're varied--

PANSING BROOKS: --like crazy on all that.

DEAN TICKLE: Yeah, I think they're varied throughout the state in social studies. You know, it depends upon that leadership. Again, if there's an emphasis by the leadership and the board, and they put an emphasis on it, you know, it's going to happen. If not, you know, if you have a weakness in another area that is going to be a focus for you, that's where you're going to go after.

PANSING BROOKS: You're saying if, so do you believe that is happening in our state?

DEAN TICKLE: Well, when I say if, I'm-- like every, every school is, is different. You know, with different needs. Can I say social studies are being taught with the same fervor throughout the state--

PANSING BROOKS: Or math or English, but yes.

DEAN TICKLE: Right. Correct.

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PANSING BROOKS: OK, thank you, Mr. Tickle. I appreciate you, Superintendent.

MURMAN: I got a quick question.

GROENE: Senator Murman.

MURMAN: You taught a lot of immigrants at Lexington. You said they were really excited to take the test. What do you think the reason was for that?

DEAN TICKLE: Because their parents were taking it in a lot of instances. You know, I had students that were illegal or their parents were illegal. They may-- they weren't maybe illegal because they were born here. And I could tell you stories about manipulating how that happened and, and parents that wouldn't come in for conferences because they were afraid, or wouldn't report things that, you know, to law enforcement because they thought that they would be in danger. And we're like, listen, we're here to educate your kids, you know? Come in and partner with us and we'll partner with you. And in all honesty, I could care less about the rest of it. I'm just interested in your kid. And--

MURMAN: Well, I was hoping you would say they were really happy to be here. And my next question was how can we make an American, you know, a nationally-born citizens feel that way?

DEAN TICKLE: Right, right. I, I will say this, that most of the people when I was in Lexington thought that, that a lot of our kids were, our Hispanic kids came from Mexico. And we did a little study, we polled places of birth and took the names off them, and again, they thought that, that our kids came from south of the Rio Grande when, in all honesty, about 70 percent of them came from north of the Platte. They were born in Lexington and Kearney. But, you know, those parents, and then we had African refugee students, a large population come in. And we educated those students, and they are really interested in, in civics and learning about our country and the pride to be here. No one comes from, from Mexico or Central America to Nebraska for the weather. You know, they come here because of the freedoms that this country offers and the opportunities they offer. So there is a great deal of pride in, you know, not only where they come from but the country and the freedoms here and what they're helping to build here.

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MURMAN: Thanks a lot. I was just hoping that I could install that in everyone.

GROENE: You bet. Other questions? Sir, I'm from North Platte and I call the Wal-Mart in Lexington the United Nations.

DEAN TICKLE: Oh, yes.

GROENE: As a compliment.

DEAN TICKLE: Yes.

GROENE: But I wanted to--I'm glad I met the man who did a lot of that in Lexington. They test well, they read well. Nobody makes excuses that you're English second language or poverty, you educate them. And I'm glad to meet one of the people that did that there.

DEAN TICKLE: You bet. Thank you.

GROENE: But isn't one of the tenants about when we have immigrants that we teach their children English and they go home and teach their parents English?

DEAN TICKLE: You know, interestingly enough, we started, just really briefly, student-led conferences. And parents would come in, and I had a teacher, Mr. Keith Allen, who was bilingual, and he was sitting here trying to explain an issue to a parent. And he turned to the student and he said well tell you tell your parents about this, and the kid looked up and he goes, I can't. He goes, well, what do you mean you can't? He goes, I don't speak Spanish. And we're like, OK, your parents are fluent in English and you don't speak Spanish? How's this happen? And in Lexington, we're starting to see more and more students that, you know, do not speak Spanish and are losing their, you know, the ability to speak.

GROENE: The melting pot.

DEAN TICKLE: Nor do they read and write the language so.

GROENE: Also, then, if it works for English, wouldn't it be a great tool to have those immigrants in South Sioux City, Schuyler, to have them learn that test, the naturalization test, and then go home and tutor their parents when they need to take it?

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DEAN TICKLE: Oh, absolutely.

GROENE: So there's, there's, this is an "unpartisan" test. It's an American test. And all these people, brought a tear to my eye about those kids being there at 7:00 in the morning, those people wanting to be a citizen. I just don't understand why anybody would be against this test.

DEAN TICKLE: Right.

GROENE: Anybody.

DEAN TICKLE: It doesn't solve all the problems, but it's a good place to start.

GROENE: But isn't part of teaching, you sometimes you give a fact and stir the mind? And then they wonder to know how did that start? Why do I only have three senators, three congressmen here and there's 400? It kind of stirs the mind, doesn't it? Sometimes the seed is started with a fact and then it expands into a research--

DEAN TICKLE: Oh absolutely.

GROENE: --to find out why?

DEAN TICKLE: You know, and we set up our kids with opportunities. When, when I was a middle school principal I never was any more proud than, than on Veterans Day. We always had amazing speakers and we had everyone from, from Governor Heineman to Senator Nelson to Senator Johanns. We had played Clayton Anderson, we had all kinds of people that came in. And the dialogue that they had and the conversations they had, our local councilmen come in. I mean, we really worked hard to get kids involved and to get-- we wanted to break down our walls and, and bring people in.

GROENE: Sir, we assess math, like you said. We assess science, we assess English, we know who those leaders are because we assess it.

DEAN TICKLE: Right.

GROENE: And we know when it needs improvement, a school that's and has to be intervened in. We don't know that about social studies do we? Senator Pansing Brooks' continued question is, do you think everybody's doing it?

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DEAN TICKLE: Yeah, I don't know.

GROENE: We know on math, don't we? We know on science, we know on English. We don't know on social studies, do we?

DEAN TICKLE: No.

GROENE: Thank you, sir. And I want to say, please come back to education. We need you. Thank you. Next proponent. I'm going to read off the list for the record correspondence we received. If your name isn't in here, it wasn't clear to the clerk that you wanted it in the record or it came in after 5:00 last night. Proponents: Barbara Otto of Spencer, Nebraska; Virginia Curry of Scottsbluff, Nebraska; Duane and Gloria Bullock of Fremont, Nebraska; Patricia Connelly of Dannebrog, Nebraska; Neal Smith of Gering, Nebraska; Cindy and Tom Sundermen of Fremont, Nebraska; Judy Wolz of Bell, Bellevue, Nebraska; Doug Wittman of Dodge, Nebraska; Charlotte Ralston of Lincoln, Nebraska; Susan Meyer of Johnson, Nebraska; Clarence and Dorothy Staub of Tilden, Nebraska; Heidi Evans of Hastings, Nebraska; Westley Wilmot of Beaver City, Nebraska; Paul and Linda Von Behren of Fremont, Nebraska; Mary Bohling of Stella, Nebraska; John Nebelsick of Lincoln, Nebraska; Mary Hilton of Lincoln, Nebraska; Tom Nebelsick of Lincoln, Nebraska; Nadine Nebelsick of Lincoln, Nebraska; Bonnie Nebelsick of Lincoln, Nebraska; Wesley Wilmot of Beaver City, Nebraska; David and Lori Mraz of Roca, Nebraska; Barbara Durbin of Omaha, Nebraska; Mark Bonkiewicz of Omaha, Nebraska; Marilyn Asher of Omaha, Nebraska; Shirley Neddenriep of Johnson, Nebraska; Anna White of Omaha, Nebraska. I think that covers both ends of the Platte, where we received letters of support. So, opponents.

BRIAN HALSTEAD: Good afternoon, Senator Groene and members of the Education Committee. For the record, my name is Brian, B-r-i-a-n, my last name is Halstead, H-a-l-s-t-e-a-d, I'm with the Nebraska Department of Education. The Commissioner of Education asked me to read into the record the letter that he sent to all of you yesterday as to the opposition of the department to LB399. Dear Senator Groene, members of the Education Committee of the Nebraska Legislature and Senator Slama, please include this letter in the public hearing record for LB399 in opposition to the bill as currently written. I will be out of state on previously planned business and unavailable to appear personally at the hearing. I do, however, want the Education Committee and Senator Slama to know the reason for opposition to the bill. The State Board Legislative Committee, on Thursday, January 24, 2019, met and discussed LB399. The committee advised opposition to the bill

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based on the following language found in subparagraph F, beginning on page three, line 26. "Including at a minimum, not limited to, the civics portion of the naturalization examination administered by the United States Citizenship and Immigration Services...administered no later than eighth grade and, again, no later than eleventh grade, with the individual score from such examination for each student made available to the parents or guardian of such student." The State Board of Education adopted 2019 legislative priorities on October 5, 2018, which includes the following: The State Board supports policy that promotes civic engagement to ensure that students are prepared for post-secondary education, career and civic opportunities. The state board supports legislation that includes a comprehensive approach to defining and measuring civic, civic readiness aligned to social studies standards adopted under the Quality Education Accountability Act; monitors and adhere, assures adherence of revised statutes to the regulations established by the State Board, instead of criminal sanctions enforced by law enforcement officials. The naturalization examination is not an appropriate measure of civic ready, civic readiness, and should not be included in LB399. Additionally, the requirement of the additional assessment usurps the powers traditionally reserved to establish local curriculum and classroom instruction materials and methods for student learning and engagement. The remainder of LB399 does meet the aforementioned 2019 legislative priority of the State Board of Education. The Nebraska Department of Education is committed to working with the Education Committee and other senators on matters related to student learning of key civic concepts. Thank you for the continued dialogue regarding this important educational matter in Nebraska. Sincerely, Matthew L. Blomstedt, Ph.D., Commissioner of Education. Thank you.

GROENE: Sir. Any questions? Senator Linehan.

LINEHAN: Thank you, Chairman Groene. Thank you for being here, Mr. Halstead. Can you explain to me, because I don't understand, why don't we test social studies or civics or history? Because we do science, math, and English language. So why, why did that get disconnected from the NeSA scores and testing?

BRIAN HALSTEAD: Senator, as you're well aware, the Quality Education Accountability Act is something this body, the Legislature, adopted. They have never, this body has never asked for a social studies test as a summative to measure the social studies standards. Federal law,

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under, at the time, No Child Left Behind, now Every Student Succeeds Act, does not require a test in social studies.

LINEHAN: So it was, when the original-- were you here when that? Because I wasn't, so I need you to help me.

BRIAN HALSTEAD: LB1228, 1998.

LINEHAN: So was it just never part of the deal, social studies, civics just kind of got forgot?

BRIAN HALSTEAD: It never was included in any legislation this body enacted calling for a state social studies test.

LINEHAN: So there is-- I would agree with the concerns that have been mentioned today that, you know, what gets assessed gets taught. It's a little concerning that, you know, if we-- and we, then we score, you know, the schools. Those scores matter to the schools because it's why they're Excellent, Great, Good, or Needs Improvement. So OK, thank you.

GROENE: Any other questions? Sir, part of the reason Senator Slama did what she did in her bill, how they handled the test, is what the input from the State Board of Education was when, when a similar bill by Senator Brasch came up. You said then that you would be fine with the test, as long as you weren't involved in assessing it. Or you wouldn't be involved in having to report it and then report the scores that was accomplished. I understand the political makeup of the State Board is different this year but, but you do understand the frustration that now you're changing-- I know you're just the messenger. So don't get mad at him. He's just the messenger. But anyway, but you see our point, the point. It was a different message we received in the State Board a year ago. And for clarity, this body did define four areas that you have to have standards: science, English, math, and social studies or civics or whatever in history. It's just that we only defined three of them that have to be assessed. Is that correct?

BRIAN HALSTEAD: That's correct. And the State Board has, is right now in the process, as you've mentioned, revising the social studies standards that were last revised in 2012 based on the law of the Legislature that every seven years that should be updated. So that's the work do you going on.

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GROENE: Do you think the State Board, if we, if Senator Slama would take the test out and then next year we came with a, with a requirement for a, for an assessment in that fourth area. Do you think they would be-- But then I probably wouldn't vote for that because I don't want that board setting the assessment.

BRIAN HALSTEAD: I can't answer hypotheticals, Senator. I can tell you, as the Commissioner indicated, that language in this bill is the reason for the opposition to the bill.

GROENE: All right. Thank you. So if that could be changed, we don't need your approval. But that would be, the rest of it you're looking for, you're looking for the rest of that language for guidance on setting your standards. That's what we've been told in the past. So thank you. Senator Pansing Brooks.

PANSING BROOKS: Thank you. Thank you for coming, Mr. Halstead. OK, could you re-explain what he just said about the standards that we required for you to create? What, what is it that Senator, or maybe Senator Groene--

GROENE: If you want me to. We have four areas of study where we have standards, and that's what they are redoing every 10 years on--

PANSING BROOKS: And when is this--

GROENE: --time for social studies. There's only three of those four areas we, where we require an assessment.

PANSING BROOKS: OK. And that's, could you tell me when that's coming out?

BRIAN HALSTEAD: The social studies standards, we're currently working on that. The time line is this fall that the State Board would adopt any revisions to the social studies standards. It's still a work in progress.

PANSING BROOKS: So in the midst of those standards, is there a direction toward, for testing or assessment of student knowledge in the social studies area?

BRIAN HALSTEAD: We write the standards so it is possible one can assess against the standards, but we are not writing the standards to have a test. We're trying to write what the curriculum in social

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studies should include. What teachers should teach and what students should know, and a broader concept than just a test.

PANSING BROOKS: And so among those things would, you would include certain subjects, and then do you include, I mean, I'm trying to imagine what this is rather than-- because what was handed out before to us is just sort of a summary: Do good teaching social studies in a way. So what I'm wondering is does that, does that standard, is it going to set forth, teach about the Constitution and our forms of being a republic and what the first of-- what the Constitution says and what it means?

BRIAN HALSTEAD: Those are all currently and state standards, and I can certainly get the committee all the information on the what's in the social studies standards and the, all that information. Sure, be more than happy to get that to you.

PANSING BROOKS: Well, I would appreciate having that information.

BRIAN HALSTEAD: It's actually on our Web page, if you want to go look too.

PANSING BROOKS: I can look at that. Thank you. All right, thank you.

GROENE: Senator Murman.

MURMAN: Just so I'd be clear, and so I'm clear, on the national level they require testing in three subjects but not in civics or social studies?

BRIAN HALSTEAD: The Every Student Succeeds Act requires testing and reading, language arts in grades three through eight and one grade in high school. The same in mathematics: three through eight, one grade in high school. And then in the area of science: one grade in elementary, one grade in middle, one grade in high school. That's the federal.

MURMAN: And on a state level we require testing in three subjects?

BRIAN HALSTEAD: The state statute remarkably looks kind of like the federal law.

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MURMAN: So, so this would, if we pass this today, the state would require, if this legislation would pass, would be required to include social studies on the state level?

BRIAN HALSTEAD: Well, the bill, as currently written, has no state test in it.

MURMAN: Well, it's got the immigration test in it.

BRIAN HALSTEAD: And that is the language that the State Board's Legislative Committee recommended opposition for that test, they do not believe measures civic readiness.

MURMAN: OK.

BRIAN HALSTEAD: The remainder of the language in that subsection about assessment is fine.

MURMAN: And if I understood correctly from earlier testimony, and maybe you know this, approximately 30-plus states do require testing in social studies or civics?

BRIAN HALSTEAD: I can't speak to that right here, Senator. I'm sorry.

MURMAN: OK, thanks.

GROENE: To clarify, Senator Slama's bill does not make an assessment. That test is not an assessment in any way. It is just a tool for the teacher to give the test, and if they, the teacher wants to use it as a quiz or a part of the grade, they may. It's just reported to the parents, it's not an assessment. But, all right. Thank you, sir.

BRIAN HALSTEAD: Thank you.

DE TONACK: It is still afternoon. So good afternoon. My name is De, D-e, Tonack, T-o-n-a-c-k, and I am from Lincoln. I appreciate the opportunity to testify this afternoon in opposition to LB399. In my many years as an educator, I have been honored with the Nebraska Teacher of the Year Award; the privilege of helping start the Science Focus Program of Lincoln-- it gets nicknamed the "Zoo School"-- opportunities to teach at the middle school level, high school, and university. I have worked on a math and science grant from the University of Nebraska, cooperating with NET; and I have and continue to mentor student teachers. Some of my printed dialogue is here and I'll get to that, although some of it's been addressed already. But I

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can't help but mention a math assessment because this is talking about assessments. I am sure, because it's in the standards, although with math standards we struggle with what to include, we can't teach at all. I'll bet everybody around this room has been taught the quadratic formula. Can you give it to me? OK, this is not a test, but it is a challenge to be tested. And also talking about the naturalization test, you can Google it, like you can Google anything, and there will be the 100 questions there, along with the answers. And I had to think about this one. For example, under the Constitution, what is one power of the federal government? I did better with that than the next one. Under the Constitution, what is one power of the state? I do know this committee knows all of it, but it's to provide schooling. So that's an aside, but let me get back to my script here. As I examine the new language in LB399, I do see some positive word changes. Several of the people have already addressed that, from Americanism to American Civics. Americanism alludes to an allegiance to traditions, institutions, ideals. But by whose standards and definitions, in which decade? Also using terms such as relevance, reasoned discussions, responsibility, competence, and discussion rather than recital, have been and will continue to be goals of education, educators and educational systems. But then I think, what does it mean to be patriotic? And what does it mean exactly to show respect? Do you measure that by my saluting to a flag or my being supportive of returning veterans? Is that gauged by school assemblies on many days of the year or something that is called a "patriotic exercise," or is that best instilled by volunteering in the community, which may be an activity organized by a school or somebody else? When we went into Iraq many years ago, at that time I was against going into Iraq. Was I unpatriotic? Might have been viewed different when we did it than what it is viewed now. Also, besides the language, this bill is treading on other territories, territories that are already mandated, already examined, already adjusted, already assessed. The Nebraska Department of Education, and this was just alluded to by our previous testier, selected a geographically diverse team of K-16 educators representing many school districts across the state. That's referred to here, it's in that next paragraph. But in conclusion, I really feel that what we're all trying to do is better done with like the pages being here experiencing this, like my colleague from the "Zoo School" that had his students follow a legislative bill, and by hearing stories from the veterans that were here this afternoon. That's how you get what we're after. I have also attached two other testimonies from colleagues. One is Joe Higgins, who was a veteran of the U.S. Navy, a long-time teacher, and also had been a member of the Nebraska State

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Board of Education. And also testimony from Matthew Heys, who has been acknowledged for his tremendous teaching in this area of history. Thank you for your time, and as I said here, I don't think any of you are sitting around this table with all of your dedication because you took a test and passed it. Thank you for your service. Open to any questions.

GROENE: Any questions? I did get into college because I took a test and passed it.

DE TONACK: Do you remember the quadratic formula? That might have been on it. That's OK, I'm just kidding.

GROENE: Show it to me, I probably can do it.

DE TONACK: I bet you could.

GROENE: Thank you. Senator Kolowski.

KOLOWSKI: Thank you, Mr. Chairman. De, thank you for your excellent work and the honors you've received in the past. That's excellent. I would ask question, but I don't want to go on for two more hours. And that's very simply, where does critical thinking come in? Where do you use it? How is it applied? To what ends does that-- we don't have, you don't have to go on that.

DE TONACK: I'll try-- can I do it, and I'll try it in one short paragraph.

KOLOWSKI: Sure.

DE TONACK: I think you have hit the crux of education: critical thinking. That's really what we're after. And what does that come from? That comes from good questioning. That's such a challenge. As I work with student teachers, I often say to them, all right, here's going to be your biggest challenge. It's still mine after all those years of teaching. How do you ask really deep questions and get deep thought? So you've just highlighted what I think is the highlight of teaching. Thank you for asking the question.

KOLOWSKI: Well, Joe Higgins I know very well and Matt Heys I hired.

DE TONACK: Well, all right. They'll say hello to you if they were here.

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KOLOWSKI: Thank you very much.

GROENE: Senator Pansing Brooks.

PANSING BROOKS: Thank you. Thank you for coming. Thank you for your amazing leadership and teaching of our students and what you've done. It's an honor to have you here today. So could you tell me how, how do teachers use the standards that are up on the Web site? Because now I'm looking at it and going, oh my gosh, there's-- I just haven't done a very good job looking at that, obviously. And let me just say, I don't know, it talks about explaining the constitutional rights and civic responsibilities of U.S. citizens. Examples: Freedom of Speech; voting; staying informed of issues; respecting the rights, opinions, and beliefs of others; joining a civic group. It talks about describe the significance of patriotic symbols, songs, and activities. Example: the Pledge of Allegiance, The Star-Spangled Banner, America, commemorated state and national holidays. It goes on in quite a bunch of detail, including talking about people that have led our country: George Washington, John Adams, Thomas Jefferson, Ben Franklin. How are these standards which speak to in, in way more detail and ability than this civic immigration test, how, how do you apply these and what, what is happening?

DE TONACK: Well, and I wish that I was the history teacher sitting here that could answer the struggles, the challenges that might be. At "Zoo School" we did do a lot of interdisciplinary things, had senators come and speak and so forth. Well, that's really a longer list than we even have in math. I don't know how we do it all.

PANSING BROOKS: How, but how does the-- do, do you look at the standards? That's what I'm asking you.

DE TONACK: Yes.

PANSING BROOKS: I don't care if it's math or social studies or what.

DE TONACK: You're right.

PANSING BROOKS: How are teachers using these standards?

DE TONACK: Could there be a few teachers that are not? I suppose. But overall, that is our requirement. We are to look at the standards and go by that. It's not just a, if you feel like it. It's not that.

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PANSING BROOKS: Are, do those standards apply to your employment? I mean, if you aren't teaching the standards is there some question about whether or not you're going to be rehired or, I mean, do you get to just teach whatever you want that aren't pursuant to the standards?

DE TONACK: No. Although I have to admit, when I started teaching in 1965, I probably was like the cowboy roaming the range without a fence. And now there are lots of fences. But we still made a good stab at trying to do what we thought we should be doing.

PANSING BROOKS: Well, and we're talking about now, really.

DE TONACK: Right now. Well, now, are there other teachers sitting here around me? So I can't answer for all.

PANSING BROOKS: Well, you can answer for math what you would do.

DE TONACK: Yes. You have to look at the standards, and the testing is to match those. It's not just what you feel like. Although, how you play it out, the activities, what questions you ask, yes, that's open to educators to try to do the job.

PANSING BROOKS: Thank you.

GROENE: Senator Brewer.

BREWER: Thank you, Mr. Chair. All right. First off, thanks for what I'm sure was an unbelievable amount, amount of patience. My son is a math teacher, and I see some of the challenges he goes through. And so I appreciate the fact that you had the patience to endure all that and still have your wits about you. The concern I have is, and you brought up the example of whether or not you supported the, the Iraqi war. All I'm trying to do is have a good understanding of if we have separate, individual leadership in all these schools and we do have a set standard that we test in the three particular categories, how do you know that a school-- because if it didn't have very good leadership and the parents weren't actively involved, where they kind of understand what's going on day to day-- how would you know whether or not that's a void and they're not getting the information that they should have?

DE TONACK: Well, and, you know, I think that's a good question, Senator Brewer. I don't challenge, challenge that. I think the things that Senator Pansing Brooks just went through are much harder things to assess. Senator Groene, I've heard you say three times this

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afternoon we all know that two plus two is. Some of those things in that area of math are easier to test. Science, I also have taught physics. I think that starts being more of a challenge. I'm one who likes in science more addressing the process of science. And I think sometimes we're guilty in our science tests right now too, being too much of just the facts. We're getting by with that right now but I, I challenge that a bit. So I think assessing what you just listed, I don't know how I would go about doing it, to be honest.

PANSING BROOKS: Well, it's four years.

DE TONACK: We're giving it a good shot, right? And some of that will be remembered by the students, some will not be remembered.

GROENE: Thank you.

BREWER: OK, thank you.

GROENE: Senator Linehan.

LINEHAN: Thank you, Chairman Groene. Do kids have to take, children, students, I'm sorry, have to take four years of history and civics? I thought this was three years, but maybe it is four years, it changed.

DE TONACK: I'm going to have to look on that Web site that was just mentioned.

LINEHAN: All right, I just-- that would-- all right. Thank you.

GROENE: Thank you. Thank you for your testimony.

DE TONACK: Thank you for all of your dedication and civic involvement.

GROENE: Next opponent Good afternoon.

MARRIANNE WILLIAMS: My name is Marrienne Williams, M-a-r-r-i-a-n-n-e Williams, W-i-l-l-i-a-m-s, and I am here today to speak in opposition to this bill. I took several citizenship tests this afternoon and this morning to kind of see where the, the information is coming from. And every test that I took, all the information is coming from things that have already been taught in schools like, at least in LPS. So American history, civics, government, WoPo-- GoPo, so I'm not sure why we feel that we need to retest all of this knowledge under the heading of a citizenship test. I understand that there were several people here saying that that we're not teaching it, but we are. In, in Lincoln

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Public Schools the children are taking it in, in passing government AP courses and getting into college. And I'm unsure where that's coming from. I know that in all three of my children have gone to LPS, they've all taken civics courses, they've all taken government courses, they've all taken American history. So social studies, also, I would like to add, is not just American history. We do cover other governments in social studies because we live in a global, a global environment. And I believe it's important that we do that. Sorry, my phone is-- so I fully support the idea of increasing civics. I think it's very, very, very important. I would love to see more children involved. I mean, if that's truly what this bill seeks to accomplish, then perhaps spending less time and effort on Americanism activities and more activities, more time on activities that actually teach civics would be the way to go. I think that, for example, we could allow educators to possibly put more emphasis on student government, for example. Make student government more meaningful. Let them use their critical thinking skills and identify problems, propose solutions to the problems, and then vote on those problems. If you did that throughout their K-12 experience, I believe that they would be much more comfortable voting at the age of 18. And past that, you know, getting involved with government here. I'm also opposed to politicians being involved in the creation of the determination of curriculum. I believe that we should leave that to the professionals, the professional educators that we pay a lot of money for in our state to determine our curriculum. Under the heading of Americanism, yes, we, we get to celebrate and we get to teach our children a lot about our successes as a country. But are we also going to continue to include all of the less than successful things, the lessons of our failures, such as slavery, genocide of the Native American Indians? Would those still be taught in our schools if politicians are able to determine what is taught in our schools? Sometimes I have to wonder, listening to some of the testimonies here. It doesn't seem like there are a lot of people that are feel that it's important to, to understand everything about our country, but only parts of it that, you know, are successful. Ra-Ra, go USA. Thank you. If you have any questions, I'm open to them.

GROENE: Thank you, any questions? Thank you. Next opponent.

ANGIE SALAHOU-PHILIPS: Hello my name is Angie Salahou-Philips, that's S-a-l-a-h-o-u-P-h-i-l-i-p-s. Good afternoon, thank you for hearing me today. I'm here today to discuss not just LB399 but the law that it changes, Statute 79-724 and 79-727. I believe our current legislation,

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Statute 79-724 and 79-727 is of nationalistic nature and should be repealed and replaced. I also believe that LB399, while at a somewhat lighter version, is also of nationalistic nature and should not be the law. I consider myself patriotic. I am proud to be an American, I am proud to be born and raised in Nebraska. I also believe civic engagement is crucial and should be taught in school. Our current law and LB399, however, have missed out on the opportunity to legislate anything beyond indoctrination of our youth to blindly follow a government that does not always act in the best interests of all of them. Both statutes, 79-724 and LB399 are clear in their attempt to indoctrinate our youth. Statute 79-724 states, "Since youth is the time most susceptible to the acceptance of principles and doctrines that would influence men and women throughout their lives, it is one of the first duties of our educational system to conduct its activities, choose its textbooks, and arrange its curriculum in such a way that the love of liberty, justice, democracy, and America will be instilled in the hearts and minds of the youth of this state." This statement establishes a goal to the law and sets the tone for the rest of law. Of course we want our youth to love liberty and justice. Of course we want them to be proud of our country. But they should be proud of the U.S. because the U.S. is a country to be proud of, not because they have had it routinely drilled into their heads since kindergarten. Civics should include learning about our government and structures and how students can actively engage and participate in affecting the changes they would like to see for the future they desire. Civics should include learning everything about our country, not just a sugarcoated, whitewashed version that suggests superiority over other countries. Systematically and routinely installing into our youth that the U.S. is superior in government, structure, and systems is not civics, nor is it patriotism. It's nationalism and ethnocentrism, and it doesn't belong in our schools. LB399 comes a little bit closer, but holds its own concerns. LB399 reads, "Since youth is the time most susceptible to the acceptance of principles and doctrines that will influence them throughout their lives, it is one of the first duties of our educational system to conduct its activities, choose its textbooks, and arrange its curriculum in such a way that the youth of our state have the opportunity to become competent, responsible, patriotic, and civil American citizens. And while this version of that sentence sounds closer to actually teaching civics, LB399 also states that "the youth in our state should be committed to the ideals and values of our country's democracy and the constitutional republic established by the people. "In the United States of America, I have the right to criticize my government. I

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would like to see the United States move towards a true democ--
democracy and away from a system that allows a small percentage of
people the ability to control the masses. I, like many others, believe
our system is fundamentally broken and there are parts that simply
require dismantling. Both statutes 79-724 and LB399 repeatedly
reinforce installing pride, respect, and love of country into our
children. They call for the memorization and singing of the
Star-Spangled Banner and that our youth be taught the benefits and
advantages of our form of government, and the dangers and fallacies of
forms of government that restrict individual freedoms or possess
anti-democratic ideals. But neither of them discuss ensuring the
horrors of our history are taught so that we can have a better
understanding of our systems. Nor do these bills address learning the
dangers and fallacies that our own form of government can and has
created, like a two-party system so divided that our Congress comes to
a standoff and can't even function or the ability for a president to
win the election despite losing popular vote. When we talk about the
Constitution, do you plan on discussing how women and people of color
were not included in that? Nowhere in either of these bills do I see
the requirements to discuss a complete history of the United States.
Our children should be learning about their rights and how they can
participate. Rather, these laws promote ethnocentrism, which is a
disservice to our children and fails to teach them the critical
thinking skills they will need to cross the barriers their generation
will face. In the event LB399 does move forward, I would like to
strongly oppose the additional testing it calls for. Our children are
exhausted with tests and examinations. As a mother of three children,
one of whom is an honors student at Omaha North High, and the other
two who are about to enter our public school system, I can promise you
I will adamantly fight for the addition of more testing within our
school systems. I would also like to say that, in the event LB399 does
move forward, I would support removing Statute 79-727, which makes
failure to follow the current legislation a misdemeanor. And I would
also support adding Martin Luther King Junior Day and the Native
American Day to the list of days required.

GROENE: Thank you. Any questions? Thank you for waiting so long.

ROBERT KLOTZ: My name is Robert Klotz, R-o-b-e-r-t K-l-o-t-z. Original
purpose of statute 79-724 was to give a Lion's Heart to the youth who
are proud to be an American through the understanding of history. Line
17, where it talks about "full accord." LB399 eliminates pride in
America, America, replacing it with an academic understanding of

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history through civics. The original law basically begins and builds upon the place where LB399 proposes to end, and that is civics. The original law, 79-724 says in part, found beginning in line 23, "it is one of the first duties of our educational system to conduct its activities, choose its textbooks, and arrange its curriculum in such a way that the love of liberty, justice, democracy, and America will be instilled in the hearts and minds of the youth of the state." Have the educators of Nebraska been faithful in this? Not really. Several years ago, my son was going to East High School. He brought home a book by Zinn titled A People's History of the United States. I read it in one evening and then went to see the teacher. At the meeting, I told the teacher that this book of Zinn's had nothing positive or good to say about America. In fact, it leaves you with a negative feeling for America. The only thing the teacher said in defense of the book was, it says something good about Lincoln. He too could not find anything else that was positive in this book that would instill a love for, for America as the law required. This book was continued to be used anyway, and I would not be surprised if the updated versions are used still today. This is why penalties are needed to keep educators from going against the will of the people. Children's minds are impressionable. LB399 talks of giving an opportunity to become patriotic. That's wrong. In line (4), as opposed to instilling "love of country." LB399 is concerned about the civic dimensions of the student's life, line 16. Civics is a study of the rights and duties of citizenship, getting along, etcetera. Important, yes, but again, what is wrong with going to the next level of instilling love of liberty, justice, and democracy. You can't do this by having them read books written by authors like Zinn. To see why civics is chosen over love of country, you can go to, and there's a Web site where civiced.org, and you see the distortions there that come in with a civics curriculum over an Americanism curriculum. LB399 gives an impression that its purpose is to better Nebraska, but this bill is covertly undermining the way of the life of Nebraskans, that Nebraskans fought and died for. You see this in what is deleted from the law in line 27 and 28. Removed are the words "love of liberty, justice, democracy, and America will be established in the hearts and minds of the youth of the state." This bill needs to be sent back and rewritten with a love for America in mind, and not just leave it as it is. So I would urge voting no for LB399.

GROENE: Any questions? So your opposition is you, you like the present language of the statute?

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ROBERT KLOTZ: It goes a little deeper than that. For example, the-- it's been talked about the Constitution and a lot of the proponents mentioned how important that is. Under civics, it's sort of like this quasi-animal where it could mean anything from doing good to your neighbor and going out and selling cans to help charity or something to, you know, some of the other things of learning something. The Constitution is really something that is only a few pages long, but has led this nation for two, like 250 years or so. And so you have, for example, you can have the students regurgitate things like the Legislative, the Executive, and Judicial Branches are the three main branches. Well, that's good pabulum. But you have to go farther than that. You have to say, well, why were they put in there? What were they thinking? So that they can go to the next step and say, is our country operating under a quasi-totalitarian methodology? And you can't get there unless you get through these other two steps. And so it's important that we put them in there. And the only way you can do that is, well, Americanism sounds closer to that than civics.

GROENE: Thank you, sir. Any other questions?

DONNA ROLLER: Good afternoon. I'm Donna Roller, D-o-n-n-a R-o-l-l-e-r. This was my testimony, but I felt that I was going to use my time for some comments based on some proponent testimony. The comment-- first of all, I would like to read one of the most successful school systems in the world is Finland. The teachers are respected. High talent is attracted into teaching and it is considered to be one of the most important professions. We're failing right then and there. We defund education, we attack public schools, and here we sit talking about LB399. And the comment that was made about the important, importance of teaching American history as important to American civics and democracy has been repeated often in our testimony. Has anyone looked into the history that is being taught? Is it inclusive? Is it accurate to Native American history or to the efforts and the results of slavery and racism? Are we cherry picking what events we teach, and is it an honest representation of this country? I think before we re-- decide what are civic duties and what exercises we are demanding of our children, we need to look and be honest with ourselves. There was a reference to socialism as bad. How can democratic socialism be unaccessible-- unacceptable? This nation was founded on public education and added social safety nets that brought us out of the Depression. Our public roads and our bridges are public. Are those not socialist programs that benefit all citizens? Someone testified against multiculturalism as bad, that we should be assimilating all

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people. Did we do that unsuccessfully with Native Americans? We all have a heritage and that we honor. We are all immigrants. Am I thoroughly assimilated when I still uphold the culture and beliefs of my heritage? But this is especially disrespectful to Native Americans. I've already mentioned that. I also would like to bring up the attempt by this Legislature to pass a bill calling for a constitutional convention almost every year. Why are we here testifying in favor of a bill for an allegiance to our Constitution, of which this republic was founded on, when at the same time this Legislature has a bill supporting a constitutional convention that can result in an entire rewrite to where our current Constitution is unrecognizable? Yes, we want to denounce fascism and communism and dictatorship. I ask, what news source are we listening today? We are a broken nation right now. Our leadership is failing us. And can we get on the same page and acknowledge our differences and recognize critical facts, that our democracy is threatened? I feel it is threatened. Are we accurate in our factual interpretation of daily current events and upholding the freedom of the press, protected by this Constitution, in our democracy being threatened by hate speech and Nazis, fascists and KKK walking in the streets? Are we recognizing these events and thinking that LB399 will fix all this? Voting is important to a democratic America. Why are we not passing voter rights amendments? Is it not important to our civic rights? Every year this Legislature introduces voter ID, which is a proven effective voter suppression tactic. If we support democracy and American civic education, does this bill not demand that the state educate the students the importance of voting? Does this Legislature support bills that will support protecting our voting rights and guaranteed safe and secure for all Nebraskans citizens? I will skip on, I'm running out of time. Let us make history accurate and representative of all people. I would hope this bill is not an attempt to indoctrinate our youth to not challenge and debate, and to not hold our students to bind allegiance to authority. Democracy and civic education is also a process of debate and messy compromise, and holding our government accountable to following the Constitution with checks and balances by our branches of government. I am not satisfied with the proponent testimony today, and I would encourage a more critical debate and look at what we hope to accomplish by LB399.

GROENE: Thank you. Any questions? Thank you. Next testifier. Could I ask how many more testifiers there are by raising your hand? Two, three.

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JACK MOLES: Good afternoon, Senator Groene and members of the committee. My name is Jack Moles, that's J-a-c-k M-o-l-e-s. I'm the executive director for the Nebraska Rural Community Schools Association, also referred to as NRCSA. NRCSA is an organization of 199 member public school districts and educational service units representing the interests of over 77,000 rural public school students. On behalf of NRCSA, I would like to voice our opposition to LB399. But first I'd like to say that I believe that the central philosophies of the bill, such a respect for our dem-- our democratic way of life, understanding of our constitutional republic, the rights and responsibilities as citizens of our government, and respect for the American flag are honorable goals. And we do admire Senator Slama for stressing the importance of those concepts. I don't want you to be confused on that. However, NRCSA does oppose LB399 because of the assessment mechanism that is included in the bill. The most input I've received from NRCSA members is in reference to the mandated assessment. As an old American history and government teacher, and I mean really old now, I like to think that my students would have done well on that test. And I wish I really would have administered that to my own students, but that would have been a local choice. NRCSA does believe that schools have been saturated with, with testing requirements. And I have taken to heart Senator Groene's comments that it could be used as simply as something as easy as just a quiz. But at this time, NRCSA does believe that, as we continue to add more testing requirements on our, in our schools, we're, we're losing valuable instructional time for our students, and we'd like to protect that instructional time. In closing, I'd like to repeat that NRCSA does commend Senator Slama for being a proponent of the philosophies in the bill. And some of you have also signed on, and I commend you for the same thing. NRCSA is a very willing partner in future discussions on this issue. Thank you.

GROENE: Any questions? Senator Linehan.

LINEHAN: Thank you, Mr. Moles, for being here. I appreciate it very much.

JACK MOLES: Thank you.

LINEHAN: NRCSA was probably against the assessments when we brought them forth before on English and math and science, would that have been their position then too?

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JACK MOLES: Schools don't like mandated assessments, yes.

LINEHAN: OK.

JACK MOLES: That's a pretty fair assessment.

LINEHAN: Thank you. Then just one other thing, and if you, this is kind of out of the blue. So if you could get back to me, you don't need to have an answer right now. But the testifier before you said that our nation was founded on public education, which I understand why she might say that because it's been in op eds in papers. I don't know where that comes from. I mean, I'm not a great history major, but our Constitution and Declaration of Independence, and public education as we know it today didn't come until quite a while after--

JACK MOLES: It came a little bit later, yes.

LINEHAN: Yeah, it came a little bit later. So I just don't, I don't know where that kind of spring from, but it needs to be-- it's not good when we hear that from public educate-- from educators period.

JACK MOLES: Yeah.

LINEHAN: OK, thank you.

GROENE: I have a question. Your membership is aware that this is not an assessment of the school.

JACK MOLES: Yes, sir.

GROENE: Of the teacher, of the student. It is not an assessment. This is an opportunity for the kids to take the test and report it to their parents.

JACK MOLES: The thing that, that our members, the ones that have responded to me have said, that it's just another test though that they are required to give. That would take away from, you know, instructional time.

GROENE: The ones that replied to you weren't the three I met with today that we were talking about TEEOSA, and I asked them about that and they said they're fine with it.

JACK MOLES: OK.

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GROENE: In fact, everyone I've talked to said they're fine with it.

JACK MOLES: And there are some that it would say the same thing. Yes.

GROENE: I would say more. But anyway, thank you. Thank you, Jack.

JACK MOLES: Thank you.

GROENE: I understand you're just the messenger. Thank you.

JACK MOLES: Thank you.

COLBY COASH: Good afternoon, members of the Education Committee. Colby Coash, C-o-a-s-h, with the Nebraska Association of School Boards. Wanted the citizens to go first, so happy to briefly relay our comments. First of all, within LB399, our members have no problem with the modernization of some of the language in the act. Many of these additions are already part of current American history, social studies, social studies curriculums. School board members across the state are meeting the current law, the current statutes, and there's been some renewed interest in it, especially over the last couple of years. The bills have come in front of this committee, bringing that to the attention of school board members that they really ought to be taking a hard look at their requirements under the current law. And they feel that this, they already have a very transparent process. School board members are appointing three members as the law requires. They are reviewing textbooks and they are reviewing curriculum. In fact, as a result of some of the conversations around this issue, are putting it out more publicly to their parents and their citizens. But as a matter of record, all, all of the schools' curriculum and all the textbooks they use are a matter of public record, and many, many schools are using technology to put everything out there for review of the public and, and the parents especially. The meetings of public, that school boards hold are open and people do come, and they can come and they testify. And they do talk about things like what is being taught in schools. And so we feel that the current law is adequate to give, give the public an opportunity to, to weigh in on these issues. And that the extra meetings may be unnecessary because everything is done, follows the Open Meetings Act. Everything is out there in the public. With regard to the testing, I won't add to any other comments that the department or Mr. Moles talked about. School boards are used to working with NDE. I believe that's an elected body that can, is best-suited to determine these types of things. And we would continue

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to work with this committee and NDE in that regard. I'll conclude with that.

GROENE: Questions? When this bill came up two years ago, I had a school board member come, and he said, thank you. I got appointed to the Committee on Americanism, I had no idea what that was. I've been on it four years. And I had no idea. And as to the open meetings law, when you have three members and you have an eight-member board. That's not a quorum and there is no open meeting requirement. Senator Slama's bill requires an open meeting and extra meetings for talking to. I guess for that school board member, that would be extra meetings because that school board never had a meeting. So I don't like in education, I don't like in law the word "some." Some are doing it, some are doing it, some are good teachers, some have excellent programs. But the poor kid in a program that isn't excellent suffers. And we do it in math. Would your members-- I'd love to have you take a poll of your members. Would you prefer us do an assessment or would you accept this test and then we go away?

COLBY COASH: I think, I could certainly put that out to our members. They are, our members are used to working with the State Board of Education on, on all of these things. And they're used to hearing from, direction from them, and I think that's where their preference would be. The specific test in here that's, that's listed in LB399, our members would say that that's pretty hard-wired and doesn't give the kind of flexibility that school boards and educators think is necessary.

GROENE: But they understand it isn't an assessment.

COLBY COASH: Yes.

GROENE: They do their own assessments, set up their own assessment. This has nothing to do with that. You do understand that?

COLBY COASH: Understood.

GROENE: Thank you, Colby. A question, your family were immigrants?

COLBY COASH: Yes.

GROENE: I can't find anywhere in the history of my family anybody got on a boat to come here to build a public school. It was a gift of affluent society that we can afford. They came here for freedom and

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then a free choice. They helped build public schools, they didn't come here to do it.

COLBY COASH: Agreed.

GROENE: Thank you.

COLBY COASH: Thank you.

GROENE: Any other questions? Any other testifiers. Sir, are you testifying too? All right, thank you.

JULIE NICHOLS: OK, I came in with one thing and I'm going to hopefully not waste much of your time. But I am really grateful to live in a country where I can come and say what I would like to say.

GROENE: Would you say your name and spell it?

JULIE NICHOLS: Oh, I'm sorry. I should know the drill.

GROENE: It's been a long day.

JULIE NICHOLS: Can you stop the clock? Julie Nichols, J-u-l-i-e N-i-c-h-o-l-s, and I'm here as a person who thinks. I'm really grateful for the Unicameral and our opportunity to have direct interface with our lawmakers. I cherish that, and I'm glad that we still have it. In listening to whoever has been talking, pro or con, I picked up on a few things. One was a veteran saying we need to always remember where we came from. I think that it's been pointed out that there are pieces missing from our curriculum. I'm going to be unpopular and weird and say that I am not sure that this whole law doesn't need to be redrawn from the ground up. And I'm not going to linger on specific examples of language, I'm going to talk about content of history and how we engage students. Focus on the government needs to be a process and a product of discovery and not indoctrination. One of the things that's observable in curriculum is that textbooks take the side of the government and frame things in a certain way so that students go away with a partial knowledge of history and the track of history in how we got to where we are today. I think that we are beginning to realize the exclusion of the more unsavory parts of our history, and beginning to look at as-- someone said, you know, it's a global world. We're a land of immigrants. Sorry you can't find your boat record. I feel like the law itself is no longer relevant to current scholarship. I don't think it's particularly, I mean, you guys can hash out, you know, how the boards

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work and, and what the, what the curriculum or how you control the curriculum. But I don't think that lawmakers should be writing curriculum. I think that there should be input from scholars; teachers; experienced administrators, which we've heard from today, both pro and con. I don't think patriot, patriotism comes from reciting the Pledge of Allegiance or singing songs or paying lip service to abstract ideals. True patriots love our country, despite its bloody history, despite its inhumane activities, and despite the errors of misguided leaders. So from my perspective, it is the activities of the students and the way that we engage the students. So it's more about the methodology than it is, I mean, I hate the assessments. Thank God my son is graduating this year. He was in a class where a history teacher posed to him, or posed to the class a question of whether or not countries should be able to, and specifically the United States, use torture as an interrogation device. They voted at the end of the discussion. It was very lively discussion, because I actually heard about it when he came home. One person out of 20 found it OK to torture people to obtain information. The people spoke. That was a democratic setting. That was an act of democracy. Let them speak. We don't need to tell people what to think or how to think about it. History is a living thing. Government is a living thing, it is fluid. And I believe that democracy and pursuing education and pursuing these goals of patriotism and embracing our country means creating thinkers, not followers. Teach truth, however uncomfortable. This is not the job of government to decide what those truths are, it's the job of the people learning the whole truth. It's our teachers' jobs to balance history, to bring civic responsibility to the classroom as a natural outcome of critical thought, and the knowledge and acceptance of faults and sins and racism and nationalism and sexism, bigotry, all human frailty. And through that self-awareness, develop an even deeper bond to the ideal that we are and will remain one united people.

GROENE: Thank you. Any questions?

JULIE NICHOLS: Probably not.

GROENE: Thank you.

JULIE NICHOLS: Oh, I would also-- I brought just, you know, so you can see what the students experience. I have an eighth grade Iowa basic practice test here.

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GROENE: If you want to pass, have it passed out.

JULIE NICHOLS: And if your page to hold the key, you can all take it and see [INAUDIBLE].

GROENE: Is there any more opponents? You can go sit down, sir. Is there any more opponents? I'll read into the record the letters we received. Dr. Tiffanie-- as opponents: Dr. Tiffanie Welte, director of secondary education, Ralston Public Schools; Amy Miller, legal director of the ACLU; Matthew Blomstedt, Commissioner of Education. We've had that read in the record already. Ann Hunter-Pirtle, executive director of Stand for Schools; Maddie Fennell, Executive Director of Nebraska State Education Association; Sarah Zuckerman of Lincoln; Melina Cohen of Omaha; Rob Bligh of San Antonio, Texas; Rob McEntarffer of Lincoln; Jackie Collett of Omaha; Sydney Butler of Lincoln; Dave Robby [PHONETIC], Raabe, Wisner-Pilger Board of Education; Tim Royers, Nebraska State Council for the Social Studies. And go ahead, sir.

JAMES WOODY: Good afternoon, Chairman Groene, members of the Education Committee. My name is James Woody. For the record, that is J-a-m-e-s W-o-o-d-y. I reside in Senator Pansing Brooks's district. I'm here today simply to provide a dissenting voice. Not every veteran supports LB399; not every boy who is raised in a rural, conservative family, who loves God, loves his family, loves his country supports this bill, because I do not support LB399. I'm here today in the neutral and not opposed because there are aspects of LB399 that I could get behind. I appreciate the gender-inclusive language of the bill and I think that the wording change from Americanism to American civics is a good change. I would also like for the record to reflect a remembrance of the previous aspect of the Americanism bill, LB1069 from the 105th Legislature. I believe that the Education Committee showed great wisdom in holding that bill, seeing as the 105th Legislature had huge issues that they needed to spend their time on. With the impending 2020 Department of Corrections overcrowding state of emergency, with the broken TEEOSA formula that we have, where most of our, many of our state schools receive no state aid, with our broken property tax system which is putting family farms out of business. There was much more important things to talk about, and the Education Committee I think showed wisdom in holding that bill. But I would also like to mention into the record that personally, as a voter, I note that 27 senators, a block pulled LB1069 and brought it before the body in what I personally feel was a waste of time. Although I most certainly

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respect the rights and privileges that every senator has and don't allege that anything underhanded happened regarding LB1069. In closing, I would just like to mention that as in addition to being a proud member, former member, the United States Navy, I am also a proud member of the Cherokee Nation headquartered out at Tahlequah, Oklahoma. And as a Cherokee and as a sailor, I found some of the testimony today regarding multiculturalism to be-- I took exception to the idea that multiculturalism is evil, that it is bad, that we should not be teaching our students to respect and honor their differences as well as their similarities. I consider it to be more ignorant than I do bigoted. I sincerely hope that the Nebraska Department of Education, the teachers and educators in our schools, and our school children, as they work forward towards improving their education in American civics, we might see these ignorant points of view fade from the national civic discourse. I thank you for taking my neutral testimony, and I would answer any questions.

GROENE: Any questions? Thank you, sir.

JAMES WOODY: Thank you, Chairman.

GROENE: Appreciate your patience. Any more neutral? We had one letter, neutral letter from Richard Bayer, President and CEO of Nebraska Bankers Association. Senator Slama, do you want to close?

SLAMA: Yes. I will close quickly.

GROENE: Senator Arch is learning his civics about waiting patiently.

MORFELD: If he waives testimony I'll vote his bill out of committee. Just kidding.

GROENE: Can't waive opening, we'll vote it out. Sorry. Little bit of humor.

SLAMA: So I'll be quick. I just wanted to thank everybody who came out today and testified, and the committee for their time today. It's been a long hearing but a valuable one. I also wanted to thank the veterans in the audience for your service and for coming out today. This is the fourth year that we've discussed this subject. I've brought, I feel, a good, bipartisan bill that has some things that are improvements upon testimony and concerns from the years prior. I'd like to see the best bill that we can bring out of committee onto the floor, and I look forward to working with members of the committee to address any

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remaining concerns that you may have. And thank you again for your time.

GROENE: Thank you, Senator Slama. Any questions?

SLAMA: Thank you.

GROENE: Senator Slama, do you plan on prioritizing this if we get it out of committee?

SLAMA: I can't commit to that yet.

LINEHAN: That's a good answer.

GROENE: What's that?

MORFELD: That's a good answer.

GROENE: That ends the testimony on LB399.

LINEHAN: Passed her first test.

GROENE: What's that?

LINEHAN: Said she passed her first test.

GROENE: We're going to go to LB256, Senator Arch. Sorry about the scheduling.

ARCH: That's all right. OK, thank you for the opportunity. Good afternoon, Senator Groene, members of the Education Committee. For the record, my name is John arch, J-o-h-n A-r-c-h, I represent the 14th District in Sarpy County. And I'm here today to introduce LB256. It is a very simple piece of legislation, it authorizes a community college board of governors to allow its members to participate in any hospitalization, medical, surgical, accident, sickness, or term life insurance coverage offered to employees of such community college. Participation in an insurance plan requires a board member to pay both the employer and the employee portion of the premium. Extending this option costs the taxpayers nothing. It is much like the option we have a state senators to participate in the insurance plans offered to state employees. We have that choice, but it is at our own expense. When this bill was brought to me, I was frankly surprised it wasn't already in statute. University of Nebraska Board of Regents policy allows both its current and former members to participate in the

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university group insurance plan at their own expense. In 2008, the Legislature passed legislation authorizing the governing boards of school districts, ESUs, and learning communities to allow their members to participate in those organizations' insurance plans at their own expense. So LB256 is modeled off of the 2008 bill. It's not a mandate, it merely authorizes a community college board of governors to allow its members to participate, if it so chooses. Further, it's up to an individual board member to determine if he or she wants to pay the premium to be part of a plan. And we can all agree that it is preferable for people to be insured. It's also true that the larger the pool the more stable and affordable the premiums. It makes sense to allow those who volunteer their time, these are unpaid board positions, to volunteer their time to oversee our community college to have the option to access affordable insurance. So it's a very simple bill, and I would entertain any questions if you have any at this time.

GROENE: Senator Linehan.

LINEHAN: Did you say ESUs and school boards can already do this?

ARCH: That's my understanding, yes.

LINEHAN: Thank you.

ARCH: Yeah, at their own expense. And learning communities. Any other questions?

GROENE: Any other questions? Thank you.

RANDY SCHMAILZL: Randy Schmailzl, R-a-n-d-y S-c-h-m-a-i-l-z-l, president of Metropolitan Community College. I'm here to follow up on Senator Arch's comments with any specific questions you may have, because Metro was the one that brought this forward. We've had a number of board members over the years ask about insurance and, in addition to what the senator said, it's going to be up to our insurance provider. We're with Blue Cross and Blue Shield Educators Health Alliance. If this would pass, they have the choice on whether they ensure our, our board members or not. With that, the board has to pass-- even if this is becomes a law, the board still has to approve it per vote that they would allow board members to participate in in the insurance plans. So it's not a given if it's passed, and that's the same way that educational service units and the learning community is set up. So I would say back in 2008 when this went through, Metro

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certainly wasn't monitoring the Legislature the way it does today in terms of bills. And today if it came up, we would contact the senator that was bringing it forward and ask to see if the community colleges could not be also added to that list. So I'm open for any questions.

GROENE: Sir, do you-- you wouldn't know this. Maybe John does-- but maybe you do. Maybe you did a lot of research. Do you know what participation is by ESU boards and the regents?

RANDY SCHMAILZL: I do not. I do not, I'm sorry. We could probably figure that out though pretty quick by making a few phone calls, if that would help.

GROENE: I would think most of your members on these boards are people with well-established, business people, set. They're set. And they, they don't have health insurance and they and they-- or is it less expensive to go with a group plan than out there as a small business person who as their own?

RANDY SCHMAILZL: The majority of our board members fall into that category. They have health insurance. But we have a few small business owners and business startup people that have resigned their current position and they go out into the open market for insurance. And I think it's a struggle nowadays going into that open market and the uncertainty about what insurance is going to be with high deductibles, catastrophic deductibles. And our insurance is not cheap, by any means, at the college. It's about \$11,000 for single and about \$18,000 for a family through the Educators Health Alliance. That's the pool for all K-12 education, and the community college is part of that. So it's a rather large pool. And dumping one or two more people into the pool is not going to affect.

GROENE: But it is a, it is a benefit.

RANDY SCHMAILZL: It is a benefit that they need to pay for.

GROENE: Yes, but it's a benefit that's less because it's a very healthy pool, pool.

RANDY SCHMAILZL: Yes, that is benefit.

GROENE: Teachers and college professors--

RANDY SCHMAILZL: Absolutely.

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GROENE: --are usually very healthy. I'm on the Retirement Committee, so I understand that there's a lot. So the overall cost is less for each individual. Thank you. That's-- Senator Kolowski.

KOLOWSKI: Thank you, Mr. Chairman. Randy, are all the community colleges looking at this? Is it a Metro thing only or what?

RANDY SCHMAILZL: No, this would be for all the community colleges, and I believe Greg Adams wrote a letter of support for, for this and submitted it.

KOLOWSKI: OK, thanks.

GROENE: Thank you. Any other questions? Any other proponents? That closes the testimony on proponents. Is there any, was there letters?

TREVOR REILLY: There's the one letter from Greg Adams.

GROENE: All right, Greg Adams was a letter in favor. Any opponents? No letters from opponents. Neutral? Do you wish to close?

ARCH: I'll waive close.

GROENE: Thank you.