

Transcript Prepared by Clerk of the Legislature Transcribers Office
Education Committee November 28, 2023
Rough Draft

MURMAN: [RECORDER MALFUNCTION] legislative district. I serve as Chair of this committee. We have our committee members with us today who will introduce themselves, starting with Senator Linehan.

LINEHAN: Good morning. I'm Senator Lou Ann Linehan from Elkhorn, Nebraska.

ALBRECHT: Senator Albrecht from District 17.

WALZ: Senator Lynne Walz from District 15.

MURMAN: To my right is legal counsel, John Duggar. And to my far right is committee clerk, Shelley Schwarz. The committee will hear LR166 today. For those of you who may be joining us for the first time today, interim study resolutions are introduced by senators who believe that the Legislature should investigate certain topics that may be the subject of future legislation. The Education Committee is here today to receive information about these topics. To help facilitate these proceedings and maintain an accurate record, we ask for your assistance with the following procedures. Please mute cell phones and electronic devices. The committee members may be using their cell phones for researching information pertaining to this hearing or to be alerted for another hearing they may need to attend. They also might come and go during the hearing. This is just part of the process. We will begin with the introducing senator's opening statement, followed by testifiers and then the senator's closing remarks. If you intend to testify, please pick up the green sign-in sheet that is on the table at the back of the room. Please fill out the green sign-in sheet before you testify. Please print and complete the form in its entirety. When it is your turn to testify, give the sign-in sheet to the page or to the committee clerk. This will help us make a more accurate public record. If you are not testifying and you wish to record your attendance in the hearing, you may sign the white attendance sheet located on the table at the back of the room. If you testify and have handouts, please make sure you have 12 copies and give them to the page when you-- it would be the committee clerk today-- when you come up to testify and they will be distributed to the committee members. If you do not have enough copies, the pa-- the committee clerk will make sufficient copies for you. Please move to the reserved chairs when you are ready to testify. These are chairs in the first row. Invited testifiers will have about five minutes. I'm not going to be real stickler to it, but try and be respectful of the committee's time-- to make initial remarks to the committee. When you

see the yellow light, come on, that means you have one minute remaining and the red light indicates your time has ended. Questions from the committee may follow. How many are intending to testify today? Could you raise your hand? Yeah. We won't have to-- five would be good, but we won't have to stick right to that. No displays of support or opposition to a bill, vocal or otherwise from the audience are allowed at the public hearing. So I guess we're ready.

WALZ: OK.

MURMAN: Senator Walz. Go ahead.

WALZ: Good morning, Chairman Murman and members of the Education Committee. My name is Lynne Walz, L-y-n-n-e W-a-l-z, and I represent District 15, which is Dodge County and Valley. During session, I introduced LR166 to examine how unfunded mandates from the local, state, or federal level impact our school districts. This is something that I've been hearing about since I was-- since I was elected and it's an issue I've always been interested in. Over the interim, we've been talking-- we've been talking about what people see as some of the biggest issues regarding unfunded mandates. I thought a lot about the conversations that we're going to-- I thought a lot that the conversations were going to revolve around the graduation requirements we passed in recent years, like computer science and financial literacy. But that wasn't the case. While those were discussed, there were also issues brought up regarding the department-- the department's Rule 10 requirements. This was mainly how prescriptive Rule 10 can be at times, for example, requiring 25 periodicals to be brought each year and needing to be displayed in the library. I know that there has been interest by both the Department of Education and the State School Board in addressing some of those issues. I see unfunded mandates in two ways. First, it can cause increases in property taxes when proper funding isn't provided to schools, particularly by the Legislature. The second way is how it affects the teachers' ability to implement new policy without proper resources and most importantly, how that then affects the kids in our classroom on a day-to-day basis. I think it's really important that today we listen to those who deal with unfunded mandates on a daily basis. We're going to be hearing from a school board member, a superintendent and a teacher, and I think they're going to give us really good insight on what is passed down to them. After that, the hearing will be open to the public. I would like to have a full, constructive, and intentional conversation on the various mandates school has-- schools have to deal with and what we could do here to help them. I hope that out of this

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hearing we can come up with some tangible solutions in helping out our schools, the taxpayers, and most importantly, the kids. Thank you. And I'd be happy to answer any questions that you might have.

MURMAN: Are there any questions for Senator Walz at this time? If not, thank you very much. So we're ready for the first testifier. Good morning.

STEVE KOCH: Good morning.

MURMAN: Better wait for our committee clerk. Go ahead.

STEVE KOCH: Hello. My name is Steve Koch, spelled S-t-e-v-e K-o-c-h. I'm a farmer, former cattle feeder from Hershey, a rural community located along Interstate 80 in west-central Nebraska. I'm a graduate of Hershey Public Schools and currently serve on a school board as board president. Besides my 31 years on our local board, I have been active at the state level as I serve as region director on the NASB Board of Directors and legislation committee. During my time on the Hershey School Board, I have seen a steady increase, primarily over the past five years, in continually added unfunded mandates, most having to do with staff trainings and curriculum or courses needed to now graduate from high school. Hershey Public Schools, like many other schools, face strong financial decisions when it comes to all these unfunded mandates. Each requires specific actions or spending without providing the necessary funds putting a significant burden back on our school district budget, budget. Here are a few examples that show how these mandates impact our finances. Mandatory staff training and taking our staff outside the classroom. Using the salary and benefits data based upon the '23-24 school year for classified and certified staff, every hour it takes our entire staff to attend the growing list of required mandated trainings totals just under \$3,900 per hour. While important, those are dollars we now need to pull from some other pot or look to our taxpayers to make up the difference which we do not like doing. As an aside, Hershey left over \$500,000 of authority on the table this fall but I digress. To understand the staff training burden more, \$3,900 per hour means one single eight-hour day of training costs our district \$31,000, not chump change. Don't be confused. The majority of the topics and skills our staff are learning are valuable. The concern here is when you add up all the newly required training days, this has become a significant unfunded expense on our district. None of the above numbers calculate sub, sub costs should any of them take place during the school day. Another example comes from inside the classroom. We are now mandating personal finance

education as a graduation requirement. Again, while undoubtedly a value of students' future financial literacy, it comes at an unfunded cost to a district our size. Implementing this five credit hour requirement costs the district \$13,685 in additional salary and benefits. Broken down, this is the cost of one additional class period in our business teacher's day. While we have always offered finance as an elective, the graduation requirement forced us to now need to offer this during two separate class periods to accommodate students' schedules. These one size fit all-- fits all mandates are not always the best method for Nebraska. Let us give you a farming analogy to explain this statement. Previously in farming, agronomists would recommend fertilizer for an 80-acre plot of ground. More recently, good soil sampling technology takes soil samples, samples every two acres. This knowledge is then translated into a program which changes the amount of fertilizer for each 2-acre area, resulting in more accurate fertilizer usage for the 80 acres instead of the blanket amount of fertilizer that was previously used. Too often, Nebraska education system is quick to go with the blanket approach versus considering each individual, individual district's varied needs. Mandates, while always well-intentioned, may not individually have a-- may not have a negative impact. It is the cumulative effect of legislative added mandates over time that makes the difference. These mandates have two effects. They divert dollars from both the classroom and the property taxpayer. In turn, neither our teachers and their students nor the taxpayers are well served over time. While these mandates have purpose, they are often a one-size-fits-all statute that does not take into account the unique circumstances or needs of individual districts. The Legislature should instead be responsive to the needs of the state, while giving individual districts some discretion and flexibility in how each implement mandates. I was elected to serve our school board from our community because I am from that community. I lived here before my time on the board and I will remain there after. I know what works for Hershey. I would just ask that the Legislature defer us to when discussing and voting on important policies that affect our communities.

MURMAN: Thank you very much. Any questions for Mr. Koch?

ALBRECHT: I do.

MURMAN: Yes.

ALBRECHT: Thank you, Chairman. Thank you for being here today.

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STEVE KOCH: Thank you.

ALBRECHT: You've come a ways to talk about this.

STEVE KOCH: Thank you for your service.

ALBRECHT: Thank you. And for yours. So you're talking about the mandates that the Legislature makes. Correct?

STEVE KOCH: Yes.

ALBRECHT: Do you have any unfunded mandates out of your ESUs? Let's just say a reading program. They decide to change the full reading program for everybody in the state. Do you have to participate?

STEVE KOCH: Ma'am, did you say ESUs?

ALBRECHT: Yes. Does the ESU ask you or your board or your school to change curriculum at a cost?

STEVE KOCH: No, not that I'm aware of.

ALBRECHT: OK. OK. On some of the things that come down from the Department of Education, do they ever have anything that they're passing the funding on to a school?

STEVE KOCH: Passing funding?

ALBRECHT: Yes. Let's say if it's social-emotional learning.

STEVE KOCH: Not that I'm aware of. I believe there's a federal one maybe possibly but not state.

ALBRECHT: OK. Thank you.

MURMAN: Thank you. Any other questions? If not, thank you very much for testifying.

STEVE KOCH: Thank you for giving me the opportunity.

MURMAN: Thank you for coming all the way from Hershey. I know it's quite a drive. Ready for the next testifier.

STEPHANIE KACZOR: Good morning.

MURMAN: Good morning.

STEPHANIE KACZOR: Thank you, members of the Education Committee. I am Stephanie Kaczor, K-a-c-z-o-r. I am 23 years in education. I started as a teacher, coach, and AD, principal, superintendent. My current role last nine years I've been a superintendent of Riverside Public Schools. Numerous memberships and commitment to committees across-- and task force I guess across the state of Nebraska, as today I sit here that give me educational excellence and experience to make education better across the state. I'm currently a member of NCSA and a president of Region 4. I am on UNK's Education Advisory Council, the Nebraska Association of School Administrators as, as Region 4 president, the Nebraska Rural Schools Association and the head of many committees. Currently state committees. I'm on the Nebraska Educator Shortage State Steering Committee on Teacher Shortage, the State of Nebraska School Safety Task Force, a state assessment committee. I've been asked and committed to Commissioner Maher's Superintendent Advisory Council, and I am also on Governor Pillen's Education Workforce. So those are all current roles in education. So I believe with those roles along with 23 years of experience in the setting give a lot of relevance to education and mandates in general over the years of 23 years. A little bit, Governor Pillen approached me early this spring on maybe a workforce to just for insight on education and recommendations moving forward. So I've been actively involved in that. So mandates have been a soft spot of mine that we've had a lot of conversations stem around just in the course of the years, last 20-some years, how that's looked and how it's changed. History of mandate so total, just please keep in mind this is not a teacher, but currently looking at a year's time, there's 23 hours of current mandates in education. Some of that is superintendent, admin, principal or-- that does not include SROs. That's 20 hours separately on their own it takes for an SRO to be trained, 20 hours. This is not included. These are things from para trainings to a lot of them on our core teachers and a lot on our admin that can happen in the course of a year. Keep in mind, a lot of those I know is outside of legislation because of insurance, right? We deal with insurance and insurance mandates a lot of trainings with our staff today. These mandates do impact the revenue, which is important to the state of Nebraska, to have significant impact, actually to maintain a strong education system in the state of Nebraska as the school superintendent is about numbers. Right? So things I put together just looking at a state average just teachers only, not talking about paras and maintenance, anyone else that needs training, just teachers in the state of Nebraska. So when we talk about LR166 and mandates, I always think about I'm not saying a mandate is good or bad. Who's going to say that

suicide training is not important? Of all the research I found, you can't find a timestamp. How is to say one hour prevents a suicide versus if it's 30 minutes or 15? But the importance is training and we get that. So when I-- when I look at things and see a new training for one hour, I just ask them, here's some important facts about what is an hour worth of training in the state of Nebraska for a teacher. This is based on last year's data that was just released through our NEP portal. The daily rate of a teacher, a total package of a state average of a teacher salary from last year was \$58,923. And that is a low estimate because that's your FICA, that's your retirement, only a single health insurance that you figure in. So \$79,233 is a state average for a teacher for their package. So relevant facts with that: In the state of Nebraska last year, we had 23,687 teachers, just teachers. That is actually 275 less than the year before. So every day of training so if you look about taxpayers, look at the state of Nebraska to bring teachers in for one day, which would be 7.5 hours of training, that's what they're contracted to, you're looking right over \$10 million for taxpayer dollars, \$10,144,905 with the state average. So that means each hour of training, looking moving forward for mandates when there is an hour added to a training, one hour of teacher training, it's \$1,352,528 for the state of Nebraska to have every teacher trained for one hour. That's on an average of state salary or a salary of a teacher across the state. So I did my homework and just asked around for our district. And we're the largest Class D schools, training like a suicide training or mental health, concussion, CPR, we train all staff because paras, teachers, everybody's boots on the ground. So I asked other districts, what do they do? A lot of them do train all staff, like transportation. All staff in our district can drive at any given time so then they're required to take the two-hour training. So we have paras that do it. We have teachers that do it. That's a two-hour training. So for Riverside, we're one of the larger Class Ds. When I bring all staff-- so I did some asking, so I have four, five samples from D, C, B and A classes? A lot have added one extra day to teachers' contracts because you can't give teachers training to do outside of the day that they don't want turned in for hours. We can't take less kid days. Let's say a teacher in the state of Nebraska, we average about 185 contracted days. State average is about 177 kid days. So you have the flexibility there. A lot of them have five, six days of the year your teachers are on contract to do trainings. When we say trainings, though, we like those to be focused on district trainings. So I want teachers looking at assessments and data, what data is driving our students' instruction in our building, and local-- and other localized

trainings. What we've come to, there's been a lot of mandates, like I said, insurance, state, federal mandates. We've added a day to contracted days for teachers. So just roughly to keep in mind when schools are having to add a day for all staff, Riverside, it costs us \$18,685 every day I have my-- just staff in my building. Wayne is a Class C school, larger, they're, \$40,500 a day and they've added a contracted day to their staff just to do trainings. Bennington is at \$158,824. They're a Class B school so that's for them to add a day to bring staff in. Kearney Public Schools is a Class A. They're at \$329,000 a day to bring all staff in. And looking at Millard Public Schools, right over \$600,000, \$636,000 for them to add an all-staff day to do training. So with the mandates, I mean, ultimately, at the end of the day, no one's going to say a training is not important, but it's flexibility at a local level to say we did the training. It's not necessarily an hour. I think about a suicide training for an hour. If we had one in our district, we're going to spend way more than an hour a year on that kind of training. Other years, maybe recap every 30 minutes or 15 minutes, just the flexibility local to move forward versus time stamps. So ultimately, we want to keep kids in the classroom. Want to teach teachers in the classroom. And that's the ultimate goal when people signed up for teaching was teaching kids. So that is my testimony on mandates. Any questions I can answer? Maybe.

MURMAN: Any questions for the superintendent? Senator Linehan.

LINEHAN: Thank you, Chairman. I don't know. I don't want to mispronounce your name. How do you?

STEPHANIE KACZOR: Kaczor. It gets butchered all the time. Kaczor.

LINEHAN: OK. Thank you very much for being here. That was a lot of data, of which I didn't catch all of it, but. You said the average teacher salary is \$58,938 but that doesn't include the package. So the average real cost for teachers average \$79,233.

STEPHANIE KACZOR: Great question. Yep. So last year's data--

LINEHAN: OK.

STEPHANIE KACZOR: --average salary for a teacher is \$58,923 in the state of Nebraska. To figure out total package because we have to do a certain percentage for FICA retirement, we just did as an average. When you look at the state, most do the \$1,050 deductible with-- plus

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their dental benefit. That added another \$20,310. So total package of a teacher in the state of Nebraska average is \$79,233.

LINEHAN: OK. So very close to \$80,000.

STEPHANIE KACZOR: Yes.

LINEHAN: Right? OK. And then here's, here's the question. So you're saying the training that's been mandated is appropriate, but it shouldn't be on a time stamp. Is that basically your theory or your?

STEPHANIE KACZOR: Yeah, I mean, like a lot of-- a lot of trainings we have do have time stamps and some don't. So for us to understand how does one have a time stamp and one don't. So just flexibility like moving forward as districts like we're not going to say suicide prevention is not important and we're all hitting it. But how do you put a time stamp on that? Like that one's an hour, but then transportation's two hours. Seizure training is an hour, which a CPR one is about 30 minutes. And then every other year we have to go through training for some of our staff, which is a whole day training now for CPR. So it just--

LINEHAN: Do we have a list that what is federal mandates, what is state mandates?

STEPHANIE KACZOR: So we did so--

LINEHAN: What is state school board mandates?

STEPHANIE KACZOR: Yeah.

LINEHAN: Because since this is the Legislature, the only ones we can affect are the Legislature.

STEPHANIE KACZOR: Legislation.

LINEHAN: Well, we might have some influence over Department of Ed. But do you have a list of which ones?

STEPHANIE KACZOR: I do. And we're working on pulling that together, working for NCSA and RCSA associations. We've started our own. I'm on Governor Pillen's education workforce because wanting to know, drill now, what can we impact? Right? Like, we know insurance makes us do that, but you guys have no power on that. So working on pulling that

list together, yes. What is like Rule 91? What is Rule 10 that we ultimately could have an influence on?

LINEHAN: But we don't have it today.

STEPHANIE KACZOR: No.

LINEHAN: OK. And then I think you said-- you-- CPR I think it was, you train all staff even though that's not mandated.

STEPHANIE KACZOR: We used to. We don't now, about half of us, because we have multiple buildings and coaches. Coaches are mandatory. And then we do other staff that we try to keep in the building through the day or some that take evening duties make them be CPR certified.

LINEHAN: So you choose to do it even though it's not mandated.

STEPHANIE KACZOR: On CPR, yes.

LINEHAN: Are there others you choose to do even though it's not mandated?

STEPHANIE KACZOR: I think it was a great question before you had on ESUs. I mean, there's trainings all the time, right? Districts choose that would be a local control. You talked about reading. If I'm going to put thousands of dollars into a reading curriculum, obviously I'm going to be looking for training and resources for my teachers so some of that is local control. What are your priorities in your district, right?

LINEHAN: OK. All right. Thank you very much for being here. It's very helpful.

MURMAN: Any other questions? Senator Conrad.

CONRAD: Hi, Good morning. Thank you for being here. Your information was super helpful. I was also wondering if you had a sense from the data and statistics that you shared, which were very insightful, as to how that might compare to your overall budget through all revenue streams generally?

STEPHANIE KACZOR: You know, generally speaking, I would say in the state of Nebraska, work with most "supes," your 80 to 80 5 to 88% of your budgets are personnel people.

CONRAD: Right. Exactly. So what's the annual budget for your school?

STEPHANIE KACZOR: Our budget's right at \$7 million.

CONRAD: \$7 million. And so a day of training at your school, I'm sorry, I wrote-- I scratched down the day of training for all the teachers statewide was \$18,000 or something like that or \$18,000 to have everybody in the--

STEPHANIE KACZOR: For my Riverside district If I would have all staff in the building for a day would be \$18,600.

CONRAD: \$18,000.

STEPHANIE KACZOR: Um-hum.

CONRAD: OK. And about how many training days do you have at your district now roughly?

STEPHANIE KACZOR: Two years ago, we added one contracted day to our teachers. We couldn't take less kid days because we're at the minimum to meet Rule 10--

CONRAD: OK.

STEPHANIE KACZOR: --especially when we add in snow days. So we had to add, add a day to our teacher contract just so they had a day to work on various of these trainings. A lot of them like the two-hour one you go through NDE, which ultimately goes through UNK's transportation site. So it's a video, you pay for the source, and they have to log in for two hours and answer questions. Did the same thing for suicide. So a lot of those people find companies to use and then turn it over to teachers and let them work and print certificates where you show that they've logged in and taken it.

CONRAD: Would it be possible, and I can't do the math right off the top of my head because I'm not talented like that, but to put together, like generally speaking, what percentage of your budget you're devoting to training on the overall budget? That might help to provide more context for kind of how this plays out a little bit. And we don't need to do that on the spot. We can follow up later. But, Superintendent, I was also wondering if you, in your experience and leadership roles with a lot of the different groups that, that you outlined, do you see a public policy benefit for some sense of minimum

standards or uniformity for training requirements, for example, across the state?

STEPHANIE KACZOR: It's a great question. You know, Rule 10 now, I believe it comes out in October or early November, basically in our portal which you get a sheet and so it's on in each district. So you check and go through like these are requirements of Rule 10 and it's an honor system, right? Like, I have done this, I have done this, I have done this. That's our job, right? And then if you go through an audit, you're checked and you have to have the data to prove that. Right?

CONRAD: Right.

STEPHANIE KACZOR: I can't remember if that's every five years or how often NDE has that rotation. I can see like the mandates being like a part of that list. Like if these are the ones, that's our job as an administrator to check off. I've done those. It's not necessarily a time. Like I said, if I have a suicide in my school, I'll probably spend hours of suicide training in that year and the next, way more than what would be recommended anyway. But just adding it, maybe it's to the list, the same one that's already for Rule 10 that we have to do. And it's a checklist honor system. And when you're audited, you have to go through it. Then you have to prove you've done it, either off sign-in sheets or you've logged in like we have accounts our teachers log in to prove professional development so in a way it'd be, be a checks and balances, a way to hold people accountable.

CONRAD: OK. And then I was hoping you could help us maybe think through the process for when there is a new training requirement imposed by the Legislature, for example. How does that work in terms of scheduling your training on the local level? Do you look at the current array of trainings that you've offered and say, gosh, maybe we don't need this one that isn't required anymore as we adopt a new one? Or you just add it on top of your existing training, curriculum, and schedule. Can you help us kind of think through that?

STEPHANIE KACZOR: It's a great question. I guess in our district I start the school year with two days now with all staff before kids and we spend a whole day in trainings.

CONRAD: OK.

STEPHANIE KACZOR: I try to give them the other day on data stuff that are getting in their rooms, all the things that teachers crave this time, right? A day is devoted to trainings. That has looked a lot different in almost my 25 years. We start with what is mandated. And, you know, that's like getting our school nurse in, too, on the other things, you look for anaphylactic shock. And do you know-- do people know how to use the EpiPen? Do they know how to use the AD? Those are vital things in our buildings. Those are mandatory trainings in our district that are vital. I look at state mandated, federal mandated, all those are at the top of the list. These are the things you need to have done by blank date. Here's a day to go start knocking those out. That's how a lot of districts are handling the trainings today, is putting those as a priority, putting them on a list and saying, here, you need to do them.

CONRAD: OK.

STEPHANIE KACZOR: And then like some that aren't due on a certain set time, you know, you have-- there's a few of them, like, I tell my staff, you have till Christmas break and a lot of them did them on Thanksgiving, various things like that.

CONRAD: Right. And so are you finding with the current array of mandates from the different levels of government that there's little to no flexibility for other trainings that you would like to implement?

STEPHANIE KACZOR: That was interesting. It made me think when you asked about ESUs. I think today in education our priority, a lot of things have changed on a day-to-day basis--

CONRAD: Yeah.

STEPHANIE KACZOR: --like our teachers are craving like behavior management strategies, helping with kids because there's so many behavior needs. That's a focus of ours right now. And I'm doing anything I can to find training for teachers to support them. So does that take precedence over everything? Absolutely. The state mandated we have no choice. Right? But do I say what the other priorities change? I think absolutely by district. I think in the last couple of years, all of our districts have had a very different change in professional development to support our teachers and our kids. It looks very different.

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CONRAD: Right. OK.

STEPHANIE KACZOR: And our ESUs are a great source of for a lot of us, you know, outside of probably a lot of the Class A, but B, C and D schools rely on most of these trainings are coming from our ESUs--

CONRAD: OK.

STEPHANIE KACZOR: --as a resource for us. They are coming into our district to help the training or we have to send people there because we just can't do it all on our own. And they're the experts, right?

CONRAD: I just have one more. Thank you so much, Chair. And we've spent a lot of time talking about training, which is really insightful to hear how it kind of plays out on the front lines after it emanates through state policy. But when I was preparing for the hearing, I was thinking about what I hear most frequently in regards to unfunded mandates or mandates that impact schools' bottom lines, it's usually in the special education realm that come down from the federal government in particular. And as you well know, the State Legislature made great strides last session to try and remedy the most significant unfunded mandate imposed on schools by providing more resources for special education. I'm guessing those are much, much larger expenses for the district than probably these training pieces. I understand your point. It adds up and every little bit helps, but can you maybe help to widen the lens for the committee on, you know, how that infusion of resources actually does help to address some of the most significant unfunded mandates that exist in a school day and school obligation?

STEPHANIE KACZOR: You know, great question. I just think of, you know, when I first started 20-some years ago, we were about 88, I believe, don't quote me on that, 86, 88% of special education. That's always a year in the rear, right? So 88% reimburse for your SpEd coded, but it takes the next year--

CONRAD: Right.

STEPHANIE KACZOR: --before you see that kickback.

CONRAD: Right, right.

STEPHANIE KACZOR: So over the years, up till this current year, in 20-some years, we were down to 40, 40, 41%, I think, where we currently will without the new bill, we're back up to about 80. It

almost doubled. So you hit on a very hot topic in education. Special education needs of the kids today are growing, not only the numbers, the caseload of kids, but the needs of the kids on those caseloads. Special education is one of the highest shortages, with the-- most positions open right now, still not filled for special education. So has that been huge? Yes. So that helps us. We added a position in our special education department. We provide services for our public and nonpublic in our district.

CONRAD: Right.

STEPHANIE KACZOR: Can't fill it. So then, you know, part of that double-edged sword is we do have some resources now to help with that, but then still can't find a qualified person to take the position to. And I know a lot of districts are fighting that right now too. So the funding source is super helpful. That's not-- interventions for kids are not cheap, right, especially research based?

CONRAD: Right.

STEPHANIE KACZOR: And it's a lot of time and it's a lot of hands-on-the-ground people. So there's a lot of people into special education resources. So the funding was a huge help. And like you said, the populationwise, I think maybe the state population, are we at 14%, maybe district average would be your special education needs students.

CONRAD: Yeah. And your, your comments regarding workforce challenges ring true. We hear about that from everybody frequently in the schools and private sector and state government.

STEPHANIE KACZOR: Yep.

CONRAD: So that makes sense. But I'm also wondering, and perhaps it will take a little bit of time for the funding to kind of kick in and stabilize, but if the Legislature made a decision to pick up the tab for what was a really significant chunk of unfunded mandates that were specifically falling on the schools with state resources, doesn't that provide some fungibility or flexibility otherwise then for you to use your local resources for smaller training requirements or otherwise?

STEPHANIE KACZOR: You know, absolutely. You know, I look at this year like the percentage of budgets that go to special education and then your general education, like I said, 80, I think we're at 84% of our budget is tied to people.

CONRAD: Right.

STEPHANIE KACZOR: And most that's negotiated agreement, right? And then your noncertified staff, all the other people on the ground and their salaries. So, you know, any support in a district today to cover any of those helps. You know, you just offset in another area or, you know, today with our caps so just trying to find ways to save on tax dollars, right? So cut somewhere else or help, you know, it doesn't mean if there's going to be \$20,000 extra I receive in a state aid, that means I go spend \$20,000 on something I don't need--

CONRAD: Right, right.

STEPHANIE KACZOR: --the checks and balances and accountability. But today I think more than ever, every dollar counts, right? Everything is-- every dollar is a big difference. And, you know, our levy alone, \$86,000 is one penny. So every time I go up a penny, I'm asking \$86,000 from my taxpayers.

CONRAD: Thank you so much. Thank you, Mr. Chair.

MURMAN: Any other questions? Senator Albrecht.

ALBRECHT: Thank you, Chairman. And thank you for being here. As a superintendent with the number of years you have, should be able to help us with a lot of questions that we have and concerns. And I appreciate your time. OK. So are there any unfunded mandates that the state has requested of the schools in the past-- let's not talk about the last 5 years, but in the last 10 or 15-- that you have to have training on today that is really not as relevant today as it was 15 years ago or?

STEPHANIE KACZOR: In just training?

ALBRECHT: Just in training.

STEPHANIE KACZOR: I just-- I'm one-- I hate to say something is not important, right, because to every person that is different in your district.

ALBRECHT: Well, that is important to, to different groups of people, whether it's a state senator bringing that concern from a constituent, that was very important to them at the time, but not as relevant today, because I've made the statement before publicly that I'd take away all unfunded mandates if we could raise the educational scores of

our children. It seems like everything that we're trying to mandate is because we're lacking in reading or, you know, the financial. The banks come to us and tell us that a child thinks a card is, is a card with money on it. You know, I mean, we would be doing a disservice to our children. But why would we even have to tell you that you have to mandate something like that, right? But we, we obviously need to do for a lot of reasons.

STEPHANIE KACZOR: Correct.

ALBRECHT: But, but everybody thinks that things are serious. But what is relevant today or what is not relevant that we could take away to save that time? But I'm also-- I'm just going to talk and you could just kind of, you know, help me out here. But I'm going to go back to the Department of Education. Do they put mandates on you and/or the ESUs? Where does the ESU come up with changing up a reading program for the state of Nebraska? Why would that not come from the Legislature? And when the Department of Education decides to do some social-emotional training and starts bringing people in and you have to have days of training for them to listen to certain things, you know, that's taxpayer dollars. But your-- you as a school have to fund that. So how right is that? That's not any better than us giving you an unfunded mandate. They, too, are doing the same thing. Because unless they are paying those teachers themselves, and maybe they have their own-- I don't know how, how they come in and ask for the appropriations for certain projects that they want to do. But I mean, just thinking about the teachers. And, and I do agree when it comes to health of a-- of a child, an EpiPen or a suicide issue or any of those things are important today. Were they ten years ago? I don't think so.

STEPHANIE KACZOR: Correct.

ALBRECHT: So if there's a list out there of unfunded mandates that the Legislature has put on the school systems, I'd like to see that.

STEPHANIE KACZOR: Well, I'll work on that. I have a good start.

ALBRECHT: Good. I think--

STEPHANIE KACZOR: You know one I'm, I'm just going to say it pops to my mind and I am not saying transportation is not important. We have two districts. We have multiple buildings. We're one district, we're two buildings, and we're 20 miles apart. I am shuttling kids, teachers, people all day, every day. Transportation is very important

and the safety of our kids. But to have a state mandate of two hours of training for people that drive that, how do I provide two hours of transportation? Well, I go to the NDE, which goes through UNK's transportation, and there is a video you pay for and it shoots it out to your staff. And it is two hours, so it checks the box. It is horrible in saying it-- it talks about how to drive a bus, how to back up the bus, not applicable to 99% of my people that need transportation training on a ten-passenger van or a car. What happens when you see a tornado? Or how do you do a check before the things that are vital? It's on more like bus driving safety. I mean, that's just one of them that I'm still trying to hound staff. We're coming out on Christmas break trying to get that two hours of transportation done. As far as the ESU part, I'm not an ESU expert at all. We use them a lot. When you say that, I'm trying to think so, I can't think of a thing an ESU mandates. We're a part of ESU 10 so I'm going to speak on behalf of the ESU 10. They have offerings and it's a district choice whether to go, but there is nothing we are required to attend ever at any ESU. I can think of things like-- why am I drawing a blank? There was a mandate a few years back, ESU offered. If you want to bring staff or bring someone out, they'll help you. So we have a staff member coming out because school improvement is-- school-- it's mandated, so you're in a five-year cycle. You have to have training to review data. And how do you go on the template that's used in the cycle? So ESU is sending a person to our district Wednesday morning from nine-- 8:00 to 10:00. That's two hours of training we're getting one on one. So it's not like I had to go to that, but I reached out to them because it's on my plate. I have to have school improvement training. And so they're the expert. I bring them in.

ALBRECHT: So you had to pay two hours to those teachers to sit through that training?

STEPHANIE KACZOR: So on this one that's coming up Wednesday is my admin team for this one. We do quarterly that I have to take-- I have to find subs to bring them in to work on school improvement then you have a sub pay. Absolutely. That's how it works because you can't get them after school, right? They have daycare and timelines and half of them are coa-- I mean, they have a life outside of school. So it happens during the school day now, which means finding subs, which is about impossible which is another whole problem. But so as far as the ESU, I just-- I don't know of anything that's mandated. I've never heard "mandated" from an ESU. They're offerings that you choose to sign up just like we're looking-- we just purchased a new math curriculum. We look to them for help on reviewing curriculums. And

then ultimately they had professional development that we chose to go to. I could have done it on my own, but they were the experts on this curriculum. So I sent staff in and they come out to help my teachers implement math. So that was my choice. I chose that as a priority in my district for professional development, not that I had to, force me to.

ALBRECHT: That's good.

MURMAN: Any other questions?

ALBRECHT: Thank you.

MURMAN: Senator Linehan.

LINEHAN: Thank you, Chairman. I just have one quick one. You said the mandatory days of kids in seats is what?

STEPHANIE KACZOR: So, so don't-- like for my district we're 177. That is the number I need to meet Rule 10 instructional units. So it's your minutes per period times the number of days you're in. An average, I'd say that's really close to a state average to meet Rule 10, roughly how many days kids have to be in the seats.

LINEHAN: OK. Thank you.

STEPHANIE KACZOR: Larger districts would be a little less. For an example, if I was a district that maybe had three English teachers and I can offer multiple sessions of English classes, third period four options and my district would have two, they would ultimately over time probably have a day or two less because of how you figure instructional units than a smaller school that maybe has one English teacher and there's one offering per period, which is pretty typical in a Class D, Class C school.

LINEHAN: OK. Thank you very much.

MURMAN: Any other questions? You mentioned behavioral management training, the challenges you have there. Where do you-- the instructors get their behavioral management training now and do you have any suggestions on how that can be improved?

STEPHANIE KACZOR: How, how long do we have? You know, our, our staff and it's not just us. You know, I'm pretty networked. That's what every teacher wants. It's like, get us help with kids and behaviors,

please. Things have changed. What used to work does not work. A lot of our needs in our K-3, very untypical behaviors we're seeing. So a lot of training and just help. We did a districtwide focus on behavioral-- behavior matrix training. It's a book study, but we went to ESU. There were several districts in our ESU that took part. And then they come back into our district and help implement so it's stages throughout the year. We're starting year two of CHAMPS, so it's just ways and strategies so we are consistent across our buildings on how what happens on the first warning, what's the second, third time so everybody's consistent because it's about consistency and so we're all on the same page. And then what is research based? What is the best thing to do? Our biggest focus now is on our K-2 or 3, just a lot of behaviors and your hands are kind of tied of what to do with those kids now. So how to help our kids, help the staff that are getting kicked, had one it bit yesterday, how to support your staff and those areas and when our hands are ultimately kind of tied.

MURMAN: So do you have a certain amount of time per teacher that's mandated for behavioral training or?

STEPHANIE KACZOR: No.

MURMAN: You mentioned you get some training through the ESUs.

STEPHANIE KACZOR: We do. We do.

MURMAN: And so is that the main source then?

STEPHANIE KACZOR: We do local training as well. Um-hum. Like our elementary we scheduled so their flex times or their break times are at the same time for them to network on things not working. You just find ways to be creative internally for our staff. And then like I said, you know, we look for outside resources that are experts in behavior training with kids and be-- and help in providing the resources we need. Some come out to our district. Other times we have to go to our ESU and sometimes it's not associated with the ESU. I think each difference district on their priorities of what they're looking for.

MURMAN: So it is local control then on behavioral training. There is a lot of local control for local, I guess, don't have the mandates--

STEPHANIE KACZOR: Correct.

MURMAN: --necessarily from the state--

STEPHANIE KACZOR: Correct. And I was trying to think--

MURMAN: --or from the department to--

STEPHANIE KACZOR: I didn't bring my glasses so I apologize.

MURMAN: -- or the State Board of Education or anywhere I guess.

STEPHANIE KACZOR: Um-hum. You know, like through NDE there's behavior-- I think it's called like behavior intervention, like seclusion, restraint. There's various things through NDE that you have to cover topics for training for staff. I don't think there's restricted exact time on that, that just we have training. So then it's up to the local district of what does that look like? How do you choose to chain-- train your staff? And really, honestly, every district looks different of how they choose to handle that.

MURMAN: Sure. Any other questions? Senator Linehan.

LINEHAN: Another one generated by your question. Do you have a preschool? Do you have four-year-olds?

STEPHANIE KACZOR: We do. We have a three- and a four-year-old at both sites. So we have two sessions of three-year-old, one at each campus, and then two sessions of four-year-old, one at each campus.

LINEHAN: So is that helping with the behaviors of the K-3 then?

STEPHANIE KACZOR: Absolutely, without a doubt.

LINEHAN: So it's--

STEPHANIE KACZOR: Early intervention, right? The quicker you can get to them.

LINEHAN: OK. So those, those are not the children that you're having trouble with.

STEPHANIE KACZOR: Has-- yes. I think back to years when I started, like we didn't have preschools, right? And so then you get a child at five and trying to teach them how do you line up, how do you look at each other, how do you, that has changed. Those are all things we work on, starting at age three, right? So it's like you get to that sooner. I think the things I could say even last two, three years is just the more aggressive, physical aggressive of kids today, the lack of social

awareness, how to regulate. Like when I get so mad, why-- what could I do besides kicking the wall, bunch, biting, punching, kicking. But those are the things we are seeing. And that is at a preschool age to our lower elementary. So that's really changed in the last two or three years, those behaviors.

LINEHAN: Do you think that's COVID related?

STEPHANIE KACZOR: I have a lot of theories, COVID, parenting, society today, electronics. We have kids that just can't go a day. I mean, they just are in withdrawals when they come to school because they don't have--

LINEHAN: Stimulation.

STEPHANIE KACZOR: --technology in front of them, the instant gratification, the stimulation, every second. I think that's a huge part. I would say I think that's probably one of the contributing leading parts. And so when they don't have that at school that instant, something in front of their face, screen time, I have to act-- interact with other kids. That's why it's just we're seeing behaviors.

LINEHAN: OK. Thank you very much.

CONRAD: Last one.

MURMAN: Senator Conrad.

CONRAD: Thank you so much. You've done a great job [INAUDIBLE] this morning, but you can tell the committee is so engaged and we're so appreciative of the expertise that, that you bring on these different topics. And, you know, we've already held hearings on some of these issues earlier this interim. I anticipate they'll continue to be hot topics in education and political discourse moving forward. And you've heard a little bit of it bubble up here today. But it's my understanding from the teachers I talked to in our community that they're also struggling with the behavioral issues and how challenging that can be. And I, I know from my mom's experience as a teacher that she had some of those, those really hard days as well. And I know it's, it's kind of an issue de jure maybe to, to beat up on social-emotional learning right now or it's a big political buzzword. But at the heart of social-emotional learning, as I understand it and from what we heard earlier this interim, it's teaching kids and teachers how to de-escalate, how to take a breath, how to think

constructively when there's a tough situation that's happening, tools like that, commonsense tools like that, that it's always been a part of our behavioral management and training. Could you-- could you just help to maybe educate or reeducate the committee a little bit about what social-emotional learning actually is versus what people talk about it in political circles online about?

STEPHANIE KACZOR: I just think, like we said, it stems-- I just think back on my years in education this may be a kid or two in the course of a week that maybe couldn't self-regulate. Meaning when I am upset and I am mad or something's not going my way, you just have to pull them aside and help them talk through it, right?

CONRAD: Right.

STEPHANIE KACZOR: And they usually have the basic foundational skills behind them, just a quick reminder, and then everything moved on. We've lost that somewhere. It's not one or two kids a week. It's in my district of, you know, 275 kids, yesterday alone, we had 3 going at the same time, ultimately bit. I mean, it's-- is that every day? No. Is it pretty common? Yes. I just-- it's the self-regulation, I think. It's not like you throw a curriculum in front of a kid at this age, right, and it's like teaching reading. It's just trying to get kids to look at each other, talk versus action: hitting, punching, kicking, really talking through things of when I get mad, what are my options? Zones of regulation, how to get them calm first because you're going to do nothing when they've hit that escalated stage. Right? So the first part of it is training your staff, how do you de-escalate and get a kid calm back to center before we can ever start talking about what the misbehavior or the action or how we can help. So it's like those trainings like that is all inclusive.

CONRAD: Right.

STEPHANIE KACZOR: But it's just teaching kids how to, we call it just coming back calm, get them back to a calm state in a rational state. And for some kids, that's a couple seconds to a minute. And some kids, that's a half hour. We have some kids, that's an hour or two. And then it's finding someone to sit with that kid, right, and talk about what is the right thing to do, what are better options, and then get them back to the class. But this whole thing I'm talking about, what are the other 18 kids doing? That's the concern, right? So it's having someone else, a para or someone in the room working with the kid that's trained how to de-escalate and handle that situation so the

other 18, 17 can keep learning in the classroom. I think that has been the big change that we've seen in the past few years is like it used to be one kid in your building maybe once a week and you pulled him out and life went on for everybody else. Right? And that's different now.

CONRAD: Yeah, no, that, that makes sense. Thank you. And that matches the experience that I've observed in our schools in Lincoln, where I've seen class assemblies come together and they learn about deep breathing and how to express their feelings and be respectful.

STEPHANIE KACZOR: Absolutely.

CONRAD: And it seems to work as well as any other strategy that I've heard about or seen in that classroom kind of environment. And I think anybody can relate who has lived through toddler tantrums or even older kids' tantrums as parents or as grandparents, how stressful those situations can be. And so to think about, you know, our teachers having to do all of the teaching, all of the training, all of the testing, all of the things that they have to do every day; and there's less and less teachers and more exigent needs amongst kids and families. You know, in terms of the alternatives, I mean, I just-- I don't understand where, where else we would go per se. I mean, you know, we have a longstanding policy against corporal punishment in our schools, which is sound. And so without those de-escalation tools that are available, I think that would be a real disservice to our classrooms and, and our kids on the front lines and our teachers. But thanks so much for helping us walk through.

STEPHANIE KACZOR: And like you said, that, you know, I just-- even for your teachers, like, they were trained to teach reading, writing, math, arithmetic.

CONRAD: Yep.

STEPHANIE KACZOR: Right? And it's just that is so different today, the different things they have to be trained on to handle because that's the behaviors they're handling--

CONRAD: Right.

STEPHANIE KACZOR: --while there's 17 other kids in the room. It's not like as a parent, when your kid has that meltdown, you can focus on your kid, right, and trying to get them through the meltdown. But as a teacher, that kid and then what are you doing with the rest?

CONRAD: [INAUDIBLE]

STEPHANIE KACZOR: So that's the, the challenging part.

CONRAD: Thank you so much.

MURMAN: Any other questions? I've got one. On, especially on the younger kids but on all kids, and I'm talking about, you know, pre-K through second or all kids. If there is a certain or certain children that are really out of control and you need to consult with the parent or parents or the responsible party for those children, what is the method that you use and does it work very well? Is it successful or how is it successful?

STEPHANIE KACZOR: For K-2? Well, K-2 looks different now, right?

MURMAN: Right.

STEPHANIE KACZOR: Not being able to expel kids, which is always that would be like, I just hate that word. That's a last resort for any age group of kids. Why would you ever want to expel a kid? We're here to help kids, right?

MURMAN: Right.

STEPHANIE KACZOR: I just think today when the kids become a harm to themselves and others, that's a major concern no matter the age group, because that's not fair to the other kids and the learning that's being disrupted in the classroom to all other kids. And I feel like there is a point when some kids need removed from a room when they are a harm to themselves and others, and they are a major disruption to that classroom because it's not fair to all other kids. And that's to me, I don't care what age you are, if you're a kindergarten or if you're a senior or to our 21 program. And then so where do those kids go and who looks after them? That is very hard right now that we're struggling with because you don't have people or the place. But I still tell teachers, you know, everyone has a right to the best education. And when they're a massive disruption in a classroom and you've been through the steps that we've been trained with CHAMPS training and what is work, strike one, strike two, strike three, where do we go now so the other kids can continue to learn and that has to happen. So for K-2 now that, depending on what it is, even if it's kicking, punching, hitting, biting, it's not going home. It's who do they go with? A lot of times it is me as a superintendent. Yesterday morning, that's where I spent my morning; yesterday afternoon in a

different building. My principals, that's a good portion of their day now is kids and then trying to reteach what they missed but talk through and like we said on the social-emotional side, like what were the skills? How could you handle this better? What does this need to look like to get them to calm down? That's a process. And then we try to keep the other kids in the classroom learning.

MURMAN: Is there more of a challenge of getting the parent or parents to, to come in and consult about, you know, what-- when there's-- when the student is very disruptive, like you're saying, or, or even worse, a danger to others in the classroom?

STEPHANIE KACZOR: Think that's a such a depends. For the most part, I think over the years in 20--some years, would I say it's changed? Yes. I look in the last five, six years just how like priorities in our building have changed as far as trainings and what our teachers need and behaviors. That has changed. Would I say the parent roles? I think since cov-- I feel like people are busy, our parents are busier. It's like, well, we went down for a year or so and kind of like lived in seclusion. Now it's like join everything. Parents are super busy, so I wouldn't say it's harder to get a hold of them, but maybe more actively engaged in our buildings I would say is different. Yes, absolutely. So I don't want to say like we have bad parents. No. Parents are usually pretty accessible today with technology in their hand 24/7, right? But actively engaged in the building, that has changed a lot. A lot different. And I don't know what you can attribute that to. I just think our lifestyles are very different. People have their kids in everything today, right? So that makes a difference.

MURMAN: Would it be helpful if you could, like you said, you want to do what's best for the student and all of the students. Would it be helpful if you could suspend the student, at least, you know, for a half a day or a day, whatever it takes to get the parents more involved? Would that be helpful in some situations?

STEPHANIE KACZOR: You know, I'm just one that is like a last resort and our district knows that. Like, you never want to send a kid out to go home because a lot of our kids, we don't know what home is, right? They by themselves? Do they have the parent there? Are they just on video games? Did they go hunting for the day? Yes, a lot of them did. Or went to town and drove around. I mean, it can be any case scenario. We do our best to try to keep them in the building. But I do feel regardless of age, kindergarten, too, if they're a harm to themselves

and others, I just feel there is times that as a last resort in the building may not be the best place and it might be with a parent at home. That's hard to say on a case by case, but there are times like K-2 if I had massive disruption, can clean a room out, throw chairs and tables and hard to manage, attacking another student, yes, I have in a K-2. And should they be in the building with that mass construction and I was trying to keep a finger on, probably wasn't even the best place for them. No. But at this point, they're there and it's trying to find people to de-escalate. And where are we going to put them and what are we going to do with them versus go home?

MURMAN: Is it-- would it be a way of making the parents maybe more aware or, you know--

STEPHANIE KACZOR: Responsible?

MURMAN: --get the parents' attention more if you could do a suspension?

STEPHANIE KACZOR: You know, yes, we have every parent's situation. Right? Like there was times we would play sick. I was that kid because I got to go home. But there was somebody around. It wasn't you went home. There was no TV. You did chores or you sat in bed. I mean, I think that's different. So I think by sending a kid home, does that have to get a parent's attention? Yes, it does, because some-- most of them, if they can't drive, they had to come get them and someone is there with them supervising. Right? And ultimately, it's a touch point because when the kid gets sent home, there's conversations we are having. And what does it look like for you to come back and these are things we need. But like I said, we are a district, too, that's not your first, second, third or fourth option, that you just want to kick kids out of school. Right? But there are times I think in certain situations it has to happen for the safety and the learning of all other kids in the building and staff.

MURMAN: OK. Thank you. I've just got one more question. It's about cell phones. I know we're talking about mandates now, but I know some states are looking at mandating no cell phones in the classroom and maybe some have actually passed that. I'm not sure. But so far in Nebraska, I think we've left it totally up to local districts.

STEPHANIE KACZOR: Right.

MURMAN: Do you have any suggestions on the--

STEPHANIE KACZOR: That is a hot topic.

MURMAN: --use of cell phones or how do you handle that--

STEPHANIE KACZOR: That is a hot topic.

MURMAN: --in your district?

STEPHANIE KACZOR: Uh-huh. We did a lot of changing and just in the last year. We are now-- and I get we have kids that get on the bus 45 minutes. We have some kids that drive 40 minutes just to get in the building. And I know parents as a safety net, right? Or my kid's sick. They need to contact them. Well, kids got sick a hundred years ago when you called the school office. But they are-- we have pocket folders, so this is what we're trying to work through that has been the most helpful for us. I know a lot of districts in our area are doing the same thing. A kid walks into a class, you put it in the pocket folder, you have a number and it sits there and you don't touch it till you walk out of class to the next one. So does that mean they get it in the two-minute passing? Yes, they do until there's problems and there's a process. Strike one, you don't have it. Strike two, the phone's gone for the week. There's consequences. One of our buildings, it's now taken away during lunch because kids can't sit and have a conversation and all they want to do is play games. We're like, no, you're going to sit. So we're working through that, kind of what we call that social-emotional teaching kids how to sit and have a meal and talk versus be on your phone. Now that we changed that, the last five minutes of it, they can have their phone. So I think it's constant ever changing depending on your district. That's a middle school. High school, we're pockets. They get them at lunch. Right now we don't feel like they're abusing and they've had it during pass periods. Could that change? Yes. So I think it is very much district to district. I've seen-- I think there was a school in western Nebraska that went to no phone policy, tried that and I don't think it stuck. I mean, caught a lot of controversy. Right? And people ultimately want to pull kids from your school. So it's just we always say there's going to be new things all day, every day. It's teaching people how to use it correctly versus like you're not having it, how to use it correctly. And that's what we focus on. So when you get it, how do you use it correctly? And when you don't have it, what should a conversation look like and how, social skills? So that's our focus and our district is teaching them to use it correctly.

MURMAN: Any other questions? If not, could you remind us where Riverside is? And thank you for being here.

STEPHANIE KACZOR: So, yes. I'm north-central Nebraska. So it's like an hour north of Grand Island. We're a consolidated district of ten years now, consolidated ten years ago. We're four counties, four towns, two campuses. So landmass pretty big. Yep.

MURMAN: Well, thank you for coming this far also.

STEPHANIE KACZOR: You bet. Thank you.

ALBRECHT: Thank you.

STEPHANIE KACZOR: And I'll work on mandates for just legislative that I've started. I just didn't have that draft. I'll share it.

TIM ROYERS: OK. Good morning, members of the Education Committee. For the record, my name is Tim, T-i-m, Royers, R-o-y-e-r-s, and I'm the president of the Millard Education Association. I'm incredibly grateful for the opportunity to speak today about the questions outlined in LR166. And I'm also glad about the stuff that was brought up earlier because I'm going to address some other things that have kind of come up in questioning but hasn't necessarily come up in testimony yet because this is a massive topic. I think every-- if we got ten people in the room to testify, we'd all have ten different things that we're going to be discussing. I've chosen to try and highlight just a couple examples of things that I think fit the intent of this LR. And I want to start with my example of an impact of state and federal mandates. And I'm going to focus on a federal mandate. One of the biggest challenges that we're facing right now is the growth in the number of students receiving 504 services. Now, special ed and IEPs come out of the Individuals with Disabilities Act. That's not anything new to this committee. However, 504 plans come from a completely different federal law. They come from Section 504 of the Rehabilitation Act of 1973. There are a lot of similarities between IEPs and 504s. They provide us guidance on additional services that a student might need or accommodations they might need. The reason a student might get a 504 plan would be generally they have some unique needs, but those unique needs don't necessarily qualify them for an IEP. So 504s have a lower threshold for needing support essentially. How it defines-- 504 plans are defined as any student that has a, quote, physical or mental impairment that substantially limits one or more of the major life activities or major bodily functions, end

quote. And they have said that academics qualifies as a major life activity. So you have a lot of different reasons why you might be on a 504 plan. A student with type 1 diabetes, for example, might be on a 504 plan. A student on the autism spectrum might have a plan. It could be a kid that was recently diagnosed with anxiety. It's also used for temporary situations. If I have a kid who broke a leg, they might get a 504 plan to stipulate any kind of physical accommodations they might need until the cast comes off. So essentially, these plans are light versions of an IEP to simplify it. In my district, I have to sign it just like I would an IEP to acknowledge receipt. I have to attend meetings with parents, you know, to go over the plan and monitor the plan. And I am obligated to uphold the accommodations that are listed in the document, just like I would an IEP. The problem is, unlike an IEP, 504s come with no funding. In fact, we cannot use federal funding. We cannot use federal special education funding to provide 504 services. However, if we fail to provide 504 services, we could potentially lose our federal funding. So as a result, we have no additional dollars to deal with the growing number of students on 504s. This has created incredible pressure, mainly on our counselors, because we have tasked our counselors with managing and developing these plans. The challenge is they're already doing their job as counselors and they don't have a special education background in most cases. So they're being asked to put together accommodations, and that's not really their area of professional expertise. And I want to be very clear, I'm not bringing this up because we don't want 504 plans. 504 plans are great. It's very useful information for me to know how I can best meet the needs of my students and make sure that they have the best chance for success in my classroom. The problem with 504s is we don't get any additional federal or state dollars to provide these services, and these services are becoming a growing burden on some of our most overworked staff. So that's the first piece I want you to consider on this. The second example I want to highlight is an impact of changes in revenue sources for school districts. Volatility in revenue streams definitely hinders our ability to plan long term. The most profound negative change that I have lived through in my career was the decision nearly a decade ago to eliminate several incentive components from TEEOSA. So prior to that change, school districts could potentially get additional state dollars if they met certain criteria. So, for example, if your K-2 class sizes were below a certain amount, you would get additional funding. If you had educators with advanced degrees, you would get additional funding. And those incentive pieces helped influence local decisions because, unlike my 504 example, there was actually funding attached to this.

And I can speak to this directly, right? Because in my classroom, I've had students earn literally hundreds of college credit hours in history. But as a high school teacher, I have to meet the exact same accreditation requirements as if I worked in the history department at UNO or Metro or UNL. So I had to get my master's in history to offer that, that college credit opportunity. So that means I'm a more expensive employee because I possess an advanced degree. But with those incentive dollars, that helped districts expand opportunities like the ones in my classroom. And then when the Legislature adjusted TEEOSA and eliminated those provisions, it cost my district alone more than \$10 million in state funding. And as a result, we eliminated dozens of teaching positions through attrition, our K-2 class sizes went up, and we delayed the rollout of additional programs for years. So the final piece that I want to say, because part of what was in your LR, Senator Walz, was also what recommendations? My biggest recommendation would be this. Please do not place an added requirement on our schools without also providing us the funding to complete that obligation. Again, I think we've been consistent. We all value what has been expected of us. The challenge is finding the ways to pay for it. But in addition, the reason I bring up the 504 piece is because I would ask that you also consider our federal obligations, which some of you brought up in earlier questioning. And consider expanding the work that was done in the most recent session when you provided those additional dollars for special education because I would specifically ask that you consider providing similar support so we can adequately serve our students that need 504 services. And again, these are just two examples. I would love to answer any questions that you might have. And again, I want to sincerely appreciate you taking the time to explore this topic today. Thank you very much.

MURMAN: Thank you. Any questions for Mr. Royers? Thank you.

TIM ROYERS: Yup.

MURMAN: Thank you very much. Is there anyone else that would like to testify on LR166? Well, last call. If not, that will end our hearing on LR166. Well, no. Sorry.

WALZ: No.

MURMAN: You're welcome to close, Senator Walz. We haven't had many LRs this session so out of practice.

WALZ: No, it's okay. First of all, I just want to thank the committee members. It went really well and I'm glad it didn't go that long. I thought we got a lot of good information. And thank you so much to everybody who came to testify today. During the hearing, we heard a lot about mandates that come from local, state, and federal level, levels and how the success of those are tied-- directly tied to the amount of time and resources that are provided for schools. It sounds to me like, you know, the things that we have mandated schools to do, for the most part, schools have learned how to make do. And I don't think that that should be the status quo. I think it's our responsibility to listen and to examine these mandates and the funding that's needed to make sure that these mandates are properly implemented. There are some various ways, I think, that we could address, as we heard, funding mandates for schools. I'm sure a simple answer would be just to stop passing mandates at the legislative level, level. But I doubt that's going to be the case. During the discussions that we had over the interim, I thought it was very interesting that we talked about a way or there could be a way for us to rethink how the fiscal notes of policy or mandates that are legislated could show the actual need of the schools. We do that in so many other areas. We do that with transportation; we do that with DHHS; we do that with many, many other agencies. And I think that would be something that we should probably look at how we can do that with education as well. So I'd love to further this education-- this discussion and really dig in to how we can better support our schools and provide proper resources to them. I don't want mandates and requirements to be another box to check, but really it should be an opportunity to better provide education to kids in our state. With that, I'm done now.

MURMAN: Any questions for Senator Walz? I have one. In a rural district or most nonequalized district, an unfunded mandate would, would fall disproportionately on a-- on the property taxpayers. Correct? Because the nonequalized district--

WALZ: Right.

MURMAN: --would have to make up that difference with property taxes.

WALZ: Yeah.

MURMAN: OK. Thank you very much. Something we didn't mention. I thought that's important. Any other questions?

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WALZ: Thank you.

MURMAN: Thank you very much. With that, we will close the hearing on LR1 66. Thank you very much for attending.