

Transcript Prepared by Clerk of the Legislature Transcribers Office

Education Committee January 30, 2024

Rough Draft

MURMAN: Welcome to the Education Committee. I'm Senator Dave Murman from Glenvil. I represent 8 counties along the southern border, the middle part of the state, and I serve as Chair of the committee. The committee will take up the bills in the order posted. This public hearing today is your opportunity to be part of the legislative process and to express your position on the proposed legislation before us. If you are planning to testify today, please fill out one of the green testifier sheets that are on the table in the back of the room. Be sure to print clearly and fill it out completely. When it is your turn to come forward to testify, give the testifier sheet to the page or to the committee clerk. If you would like to have your position known but not testify at the front desk, there is a white sheet next to the green sheets where you can state your name and position for the permanent record. If you do not wish to testify but would like to indicate your position on a bill, there is also a white sign-in sheet in the back of the table-- in the back on the table. These sheets will be included as an exhibit in the official hearing record. When you come up to testify, please speak clearly into the microphone. Tell us your name and spell your first and last name to ensure we get an accurate record. We will begin each bill hearing today with the introducer's opening statement, followed by proponents of the bill, then opponents, and finally by anyone speaking in the neutral capacity. We will finish with a closing statement by the introducer if they wish to give one. We will be using a 3-minute light system for all testifiers. When you begin your testimony, the light on the table will be green. When the yellow light comes on, you have one minute remaining. And the red light indicates you need to wrap up your final thought and stop. Questions from the committee may follow. Also committee members may come and go during the hearing. This has nothing to do with the importance of the bills being heard. It is just part of the process as senators may have bills to introduce in other committees. A few final items to facilitate today's hearing. If you have handouts or copies of your testimony, please bring up at least 12 copies and give them to the page. Please silence or turn off your cell phones. Verbal outbursts or applause are not permitted in the hearing room. Such behavior may be cause for you to be asked to leave the hearing. Finally, committee procedures for all committees states that written position comments on a bill to be included in the record must be submitted by 8 a.m. the day of the hearing. The only acceptable method of submission is via the Legislature's website at nebraskalegislature.gov. You may submit a written letter for the record or testify in person at the hearing, not both. Written position

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letters will be included in the official hearing record, but only those testifying in person before the committee will be included on the committee statement. I will now have the committee members with us today introduce themselves, starting on my right.

SANDERS: Good afternoon, Rita Sanders, District 45, which is the Bellevue/Offutt community.

LINEHAN: Good afternoon. Lou Ann Linehan, District 39.

ALBRECHT: Senator Joni Albrecht, District 17.

WALZ: Lynne Walz, District 15, which is Dodge County and Valley.

WAYNE: Justin, Justin Wayne, District 13, which is north Omaha and northeast Douglas County.

MEYER: Fred Meyer, District 41.

MURMAN: Also assisting the committee today to my right is our legal counsel, John Duggar. And to my far right is our committee clerk, Shelley Schwarz. Our pages for the committee today are, I'll let you stand up and introduce yourselves.

ISABEL: I'm Isabel and I'm a junior political science student at UNL.

SHRIYA: And I'm Shriya and I'm also a junior studying political science at UNL.

MURMAN: Thank you for your help. With that, we will begin today's hearing with LB1263 and Senator Wishart.

WISHART: Well, good afternoon, Chairman Murman and members of the Education Committee. My name is Anna Wishartm A-n-n-a W-i-s-h-a-r-t, and I represent the 27th District in west Lincoln and southwestern Lancaster County. I'm here today to introduce LB1263, a bill that would fund a scholarship program for Nebraskans in trade programs across the state. LB1263 appropriates \$1 million one time to start this program, and students could be eligible for a \$2,500 scholarship. Students could use scholarship funds to assist them with the costs of their tuition, supplies, and tools for the program that they're enrolled in. Colleagues, I brought this bill because Nebraska is facing a workforce shortage as well as a housing shortage. A recent study done by the Department of Labor found that construction and manufacturing are some of the industries facing the highest hiring

difficulty. These are high-paying, secure jobs; and I think it is vital to our communities that we encourage people to join these fields. Along with the workforce shortage, Nebraska is seeing a shortage in available housing, and we are feeling that intensely here in Lincoln as I'm sure many are experiencing across the state. The 2022 Statewide Housing Needs Assessment completed by NIFA and the Department of Economic Development dives deep into the housing needs statewide. But one of the figures stood out to me. In the years from 2005 to 2019, Nebraska realized a total statewide growth in population of 182,687 people, and only 100,211 new housing units were permitted. I believe this discrepancy in housing availability is intrinsically connected to the shortages we're seeing across the workforce, especially in the skilled trades. My goal with LB1263 is to attempt to address both of these areas that our entire state is currently facing shortages in. There are going to be others here to testify here from organized labor, from the housing industry, and agricultural industry. And I think you've gotten some letters in support as well from, from different industries that support this bill. And they're going to be able to speak specifically to the challenges and the opportunities that a bill like this could, could help in terms of solving some of those challenges. I will be bringing an amendment. I, in talking with some of the stakeholders that are going to be coming after me, there's some additional definition work that I need to do in terms of the definition of an apprenticeship program that I'll be working on in terms of an amendment, as well as making sure that it's \$1 million. And if you look, there's a-- I believe in the fiscal note it shows a over 4,000-person need. And so I want to make sure as a pilot we're really targeting these dollars to go to where the highest need, and to the programs that are the most successful in, in terms of bringing individuals into the trades. And so I'll be working with those stakeholders and having some meetings and addressing any of those concerns they have and ideas they have to make this bill a better bill. With that, I'm happy to take any questions and I will stay here for closing.

MURMAN: Thank you, Senator Wishart. Any questions for Senator Wishart? If not-- oh, Senator Linehan.

LINEHAN: Thank you, Chair Murman. Could you-- could somebody-- I guess maybe this is a question. I don't know who to. It seems like over the last few years we've put a lot of money into scholarships and internships. I mean, we did ARPA money. Some of it-- some of it went straight to community colleges. There was no reporting required. It

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seems to me if we're going to keep kind of dribbling money out, we ought to have some overall view of what's going on.

WISHART: Yeah. I-- look, I'm, I'm happy to follow up with you on sort of the different, from my Appropriations perspective, some of the programs we've invested in. This one, I mimicked it off of a nursing incentive program that we utilized ARPA funds for to try to attract and retain more nurses. And it goes directly to the individual as a scholarship. And so we've seen some benefit from that nursing program, and that's why I thought this would be an opportunity for a trades program.

LINEHAN: Do we have a lot of scholarship programs run through the Department of Economic Development?

WISHART: We have some. I think the community colleges are going to talk to maybe a transition there in terms of who houses these programs. But we do have some programs through them.

LINEHAN: All right. Thank you very much for being here.

MURMAN: Any other questions at this time? If not, thank you very much.

WISHART: OK.

MURMAN: We'll ask for the first proponent for LB1263. Good afternoon.

JOEL MICHAELIS: Good afternoon. My name is Joel Michaelis, J-o-e-l M-i-c-h-a-e-l-i-s. I am the vice president of instruction at Southeast Community College here in Lincoln and indeed throughout 15 counties here in southeast Nebraska. I am here today to-- on, on behalf of the Southeast Community College and the other 5 community colleges in the state to offer our support for LB1263, which creates a new scholarship program for students enrolled in a trade program. One of the key challenges that we have in Nebraska is the skills workforce gap in high-demand areas, including health sciences, information technology, welding, construction, transportation, logistics, and other industry sectors. SCC alone produces approximately 7,000 graduates every 5 years in career and technical programs, with approximately 90% of those graduates staying in Nebraska. And having taken a look at the statistics at the other community colleges, I know that their graduates, it's roughly the same that about 90% stay in Nebraska. In other words, an investment in students that go to-- go to community colleges and end up graduating, it's a good, good investment for Nebraska because they stay here. Our colleges are working to directly

address the existing and growing skills gap by expanding our capacity to produce a skilled workforce. In fact, one of SCC's strategic initiatives is the intentional expansion of the pipeline of students choosing to pursue a technical career in various high-demand industries that we-- where we are experiencing the skills gap. SCC has more than 2,500 high school students enrolled in its career academies throughout its 15-county service area. These programs offer junior and seniors in high school, and starting in the fall we're going down to sophomores as well, but we offer these students opportunities to earn college credit in more than 15 career and technical pathways, including some of the ones that I-- that I mentioned before and construction as Senator Wishart said. The college also has various scholarship initiatives such as the Learn to Dream Scholarship, Scott Pathway program, and many others. LB1263 expands upon, at all of our colleges, our existing scholarship programs by offering \$2,500 and tuition and expense reimbursement for students enrolled in an eligible trade program. Community colleges in Nebraska offer their full support for LB1263 and, and its intent to directly address the skills workforce gap in Nebraska by increasing the pipeline of career and technical students. I will also add that I was very happy to hear the senator say that, when she mentioned supplies and expenses, that she included tools in that. Tools in some cases, in some of these areas, tools can actually be more expensive for the student than our tuition. Tuition in Nebraska is very reasonable, but sometimes the tools, it's not that they're not reasonable, but they can be-- they can be very expensive. So we're very happy that, that the scholarship calls for that as well. And then also as the senator mentioned, we are-- we will be encouraging them to shift from economic development from DED to the Commission on Postsecondary Education, which has a lot of experience in facilitating and administrating-- administering scholarship programs such as these.

MURMAN: Thank you very much. Any questions for Mr. Michaelis? I have one. Is your number of students that attend your college on the increase? And if so, how much?

JOEL MICHAELIS: We, we are on the increase. We increased, well, I think everybody in the state-- I can't speak for the other colleges so much. I, I do know that Metro and SCC are up quite a bit this past fall and spring. I believe the others are up. I heard one of the presidents, the president at Northeast the other day say something around a lot of colleges are up around 1.5 to 2%. We were up nearly-- SCC, we were up nearly 4% in the fall. And our census date is not until Friday and so don't, don't quote me, Senator, but, I believe

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we're going to be up for spring to spring, I believe we're going to be up in the double digits over 10% this spring.

MURMAN: Great. Did those increases include these high-need areas?

JOEL MICHAELIS: In fact, that's exactly where the increases were--

MURMAN: Great.

JOEL MICHAELIS: --were in-- were in the, the both the light technical and the heavy technical. But I will tell you over the past five years, we've seen, like, at our Milford campus, we've seen over 50% increase in enrollment over the last 5 years at Milford. It's, it's created very exciting challenges and opportunities when you have that kind of growth.

MURMAN: OK. Any other questions? If, if not, thank you very much.

JOEL MICHAELIS: Thank you.

MURMAN: Next proponent. Good afternoon.

RON KAMINSKI: Excuse me. Thank you, Chairman and members of the Education Committee. My name is Ron Kaminski, last name's K-a-m-i-n-s-k-i. My address is 5626 Sorensen Parkway, Omaha, Nebraska, 68152. I am here today in support of LB1263. One of my many hats I wear is president of the Nebraska Building and Construction Trades Council. We are a nonprofit organization that represents 20 individual organizations that have apprenticeship programs, registered apprenticeship programs, not only with the state of Nebraska, with the Department of Labor. Our goal is to find individuals that are interested in the construction field, whether it's being a laborer, whether it's being an electrician, whether it's being a welder, all across the board, every aspect of construction, is to find those individuals, get them into one of our registered apprenticeship programs, train them, no college debt. Right? When they get done with that program, we then place them into a career, a job, a career, starting at roughly \$60,000 a year. Right? The big problem we see, and the reason why we're such big supporters of this, although there may be a little tweaking we can do to address some of the issues, like ensuring that these funds are going to students that are completing or are successful and complete that program. But one of the biggest problems we see right now is the initial time period for training. Some programs take 2 weeks or 80 hours of initial training. They go through that training and then they're placed with an employer. Right?

And they start earning while they're actually going to classes in the evening. So it's right off the bat they're getting paid a fair wage, they're educating themselves, and then they also have healthcare benefits not only for themselves, but for all their dependents. So it takes them off the rolls of needing assistance from the state of Nebraska. It's a win-win-win situation. These type of scholarships and initial help can be-- can be the deciding factor of either they're going to do it or they're not going to do it because that initial 2 weeks of training is unpaid. Right? OK. So once they get past that point, they're out there making an income. They're providing tax dollars to our local economy. They're helping local business. And they usually end up living here in Nebraska during that whole time period and through their whole career. And like I said, I want to repeat this one more time. These aren't minimum wage jobs. They're not \$10 an hour jobs. They're not \$15 an hour job. They're not \$20 an hour jobs. They start at \$30 an hour and only move up from there. So I am very supportive of this. I talked with Senator Wishart. There's a couple things we'd like to kind of discuss to make sure there are-- this is going to successful programs and students. And I am here to answer any questions. And I apologize if I rattled off real quick there, but I know you guys are busy.

MURMAN: Thank you, Mr. Kaminski. Any questions? If not, thank you very much.

RON KAMINSKI: Thank you so much. Have a great day, guys.

MURMAN: Other proponents. Good afternoon.

SHANNON HARNER: Good afternoon. There's some handouts coming around. Chairman Murman and senators of the committee, my name is Shannon, S-h-a-n-n-o-n, Harner, H-a-r-n-e-r, and I'm the executive director of the Nebraska Investment Finance Authority, otherwise known as NIFA. I'm pleased to testify on behalf of both NIFA and the Nebraska Strategic Housing Council's Workforce Pillars, Pillar 4, in favor of LB1263, which would provide \$1 million to the Department of Economic Development to create trade-focused scholarships, reimbursing tuition, supplies, or other expenses related to trade education programs. I'm here to advocate because every single student who chooses to go into the trades in our state is meaningful. A recent study by Stanley Black & Decker, the Makers Index in 2022, found that while 85% of high school students see value in skilled trades as a career, only 16% were likely to consider such a career, despite trade school graduates enjoying a net worth of more than \$140,000 more than their 4-year

university, college or peers after just 5 years. The same study identified a projected 650,000 person construction job open in the U.S., with up to 10 million jobs unfulfilled worldwide. One of the hurdles in Nebraska, as you've heard, is the average price tag of going to a community college, which in Nebraska is about \$15,000 to \$17,000 per year, although with aid that can bring the cost down to \$8,000 to \$10,000 annually. This additional support would simply blunt the financial pain while helping students fund tuition and fill out that tool belt that will serve them far into the career in the-- in the trades. One of the key items identified in the Statewide Housing Needs Assessment, which is in front of you, was a shortfall in the construction trades workforce, which was previously mentioned by Senator Wishart. Over many years, the focus on encouraging supporting new entrants into skilled trades has waned. And this bill, along with many other current proactive efforts, including NIFA's Teaching Nebraska Trades Program, which is a partnership with builders of the future, and 3 rural community colleges, are focusing on the important work of raising interest in and availability of trades education. The trades workforce and the lack thereof has directly impacted both price and availability of housing. The Statewide Housing Needs Assessment establishes the negative correlation between the number of households per construction worker and the amount of new construction created in a geographic location. In your handouts, you'll see a sheet with a map of Nebraska that is divided into different rural urban continuum codes, or RUCC. As you can see, it looks a bit like a patchwork quilt, and you'll also find a page with data regarding construction workers per household. Nationwide, there's an average of 16.99 households per construction worker. Nebraska has fared better than average as a whole, with 13.88, almost 14 workers per household. However, there's a huge disparity in the distribution of where those workers are within the areas of the state. And the rural urban continuum code number 7, which is the dark orange color on your map, we see a high of 27 construction workers per household, as in RUCC 2, which is the Omaha metro area, it's just above 12. As you may expect, a dearth of available trade workers correlates to a lack of housing inventory, and this is felt more keenly in remote rural communities. It also correlates to increased cost of housing because scarce resources can command high prices. While a scholarship isn't a quick fix to available workforce or cost of housing, the more people who enter the trades, the better our overall situation will become. And passing this bill is equivalent of planting a tree today to build shade tomorrow. In conclusion, I encourage this committee to invest in our youth, incentivize needed skilled trade careers, and ultimately positively

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impact the cost and availability of housing in our state. I'm happy to answer any questions.

MURMAN: Thank you. Any questions for Shannon? If not, thank you for testifying. Other proponents for LB1263? Any other proponents for LB1263? Any opponents for LB1263? Anyone in a neutral position for LB1263? Good afternoon.

BENJAMIN BURAS: Hello. Benjamin, B-e-n-j-a-m-i-n, Buras, B-u-r-a-s. It seems to me like, I mean, if the goal is to increase housing and create more construction workers, I mean, at least in Lincoln, there should probably be a crackdown on slumlords like Arrow Capital, who just gobble up all this property and then they purposely evict people or try to evict people. And then they just redo the apartment to try to get more rents from the next tenant. And I know my last apartment, I rented that in October 2020, and I was paying \$475 a month. And then it started getting cockroaches. It was ground level, so they sent a guy out every month. So you got a guy coming into your apartment every month spraying pesticides on the floor. And then, yeah, last year during the heat, the air conditioner broke. It was 70 degrees outside and 78 in my apartment, you know, with the-- with the air conditioner on. I felt the vents and it was blowing hot air. And so I, you know, I called their maintenance and they sent 3 guys out and they're like, oh, yeah, we fixed it and they didn't actually fix it. So also last year there was a lifeguard shortage. I thought, oh, this is great. I'm going to be a shoo-in for this. I'm a state champion, an All-American. So, but unfortunately, because of April Kovar in the Lincoln's human resources department, I was not accepted to be a lifeguard. Yeah. I mean, if, if there really is a worker shortage, then all these human resource people need to actually hire people instead of just looking for reasons to deny someone's application. I studied visual communication and computer science at Truman State University. Another job I had applied for was a computer science job at UNL which would have paid at least \$75,000 a year. And through checking the, I was denied the job and then-- so I never really figured out who got it. The application was still, still open after I was denied. So I think that's-- those are things that could be addressed as well. That's why I'm testifying in the neutral.

MURMAN: OK. Thank you. Any questions for Benjamin? If not, thank you very much for testifying. Any other neutral testifiers? If not, Senator Wishart, you're welcome-- Senator Wishart waives closing. So that'll close the hearing on LB1263. We did have 8 proponents

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electronically, 0 opponent and 0 neutral. And we will open the hearing on LB878, Senator Holdcroft's bill. Welcome, Senator Holdcroft.

HOLDCROFT: Thank you. Good afternoon, Chairman Murman and members of the Education Committee. For the record, my name is Senator Rick Holdcroft, spelled R-i-c-k H-o-l-d-c-r-o-f-t, and I represent Legislative District 36, which includes western and southern Sarpy County. Today I am here to introduce LB878. LB878 is-- simply proposes that bond issue elections for schools and educational service units take place only during statewide general elections. When I ran for the Legislature, like many of you, I knocked on thousands of doors in my district. The constituents I talked to repeatedly told me stories of how property taxes were rising significantly. Part of my platform as I ran for the Legislature was a commitment to work hard to find solutions to help lower the property tax burden facing Nebraskans. Issues of bonding and levy authority impact property tax bills. In 2023, several school districts in Nebraska relied upon special mail-in elections. Two of those have patrons in my district, Papillion La Vista School District and Millard School District. The Millard levy override passed with 34.5% voter turnout, 34.5. The Papillion La Vista bond passed with 33 voter turnout, percent voter turnout. Comparatively, there were-- there was a 53% voter turnout in Sarpy County for the November 2022 general election. I believe it's important that there is as much voter input as possible when it comes to proposed ballot questions impacting our tax bills. That's why I'm bringing the legislation. LB878 proposes that schools and educational service units seeking voter approval for the issuance of bonds and exceeding levy limits only do so in conjunction with the statewide general election. Chairman Murman and members of the Education Committee, thank you for your consideration of LB878. I will be glad to answer any questions you might have. Thank you.

MURMAN: Thank you, Senator Holdcroft. Any questions for Senator Holdcroft at this time? If not, thank you very much for testifying. Proponents for LB878. And if you plan on testifying for this bill, I'll ask that you try and move up into the front row or 2 so we can go through quickly. We have a lot of bills today. Good afternoon.

NICOLE FOX: Afternoon. Nicole Fox, N-i-c-o-l-e F-o-x, representing the Platte Institute. The Platte Institute supports policies representing both good governance and reduced economic burdens for Nebraskans. LB878 is one such proposal, and I want to say-- thank Senator Holdcroft for introducing it. LB878 is a proposal that reflects 1 of 5 policy solutions to address rising property taxes, proposed in our

2023 policy brief, "Nebraska's Path to the Top 10 - 4 More Years of Tax Reform." Nebraska has the 7th highest property tax rates and school bonding and levy overrides are contributing factors. School bond taxes-- I apologize, that's a typo in there-- for the state of Nebraska for fiscal year 2022-2023 totaled over \$207 million. The mail-in special ballot measures listed in the table that I've presented to you in your handout, they all passed. Statewide, and they passed, with 33, 35% voter turnout. Statewide, the 2022 general election turnout was 54.9%. In December of 2023, Bennington Public Schools approved an \$119 million mail-in special ballot measure for the first quarter of 2024. And that was after a November 2022 \$150 [SIC] ballot measure failed to pass 2 to 1. So why focus on voter turnout? Special elections generally take place in the shadows of the news cycle. And because of this, both the media and the general public tend to overlook these elections. General elections are more desirable because we want a broader spectrum of representation, as well as for voters to be well informed on each side of an issue so they can make well-informed decisions. The cost of all elections are ultimately passed on to the taxpayer. Regardless of the number of voters, there are fixed costs associated with elections. Per discussions with Douglas, Sarpy and Lancaster County Election Commissioners, a November general election typically costs about \$1.25 to \$1.50 per voter. Special elections introduce added cost drivers, primarily those related to staffing needs. These added costs can triple and even quadruple that of a general election. The LPS bond issue in 2020 resulted in a cost of \$4.93 per voter. Finding the added staff needed for a special election is difficult; and because there is often a shortage of workers, overtime pay is necessary. Regular staff often require overtime pay, and that is because state statutes require election offices to be open beyond regular hours to allow voters to register. In 2023, our neighbor, Iowa, passed a broader version of what LB878 is proposing. It requires that all political subdivisions hold their bonding elections during November general elections only, ensuring more voices are heard when the issue of local debt is in question. It's time for Nebraska to follow Iowa's lead. And on behalf of the Platte Institute, I ask the committee to advance LB878 out of committee.

MURMAN: Thank you. Any questions for Nicole Fox? If not, thank you for testifying. Other proponents for LB878? Other proponents? Opponents for LB878. Good afternoon.

KYLE FISHER: Trying to adjust the seat.

MURMAN: It sits a little low.

KYLE FISHER: Good afternoon, Senator Murman, members of the Education Committee. My name is Kyle Fisher, K-y-l-e F-i-s-h-e-r. I'm in my 14th year as a school board member for Springfield Platteview Community Schools. I happen to be a constituent of Senator Holdcroft. I'm here on today on behalf of Springfield Platteview, as well as the Nebraska Association of School Boards' opinion. This bill removes control from the elected board to conduct their local business in a timely manner that is flexible and cost effective. The choice to ask voters to weigh in on a bond issue is the result of months of open deliberation at board meetings, community meetings and other avenues of community input. Potentially delaying until the general election would delay a project that has been researched, communicated and vetted. These delays cost more money. A district may be forced to delay the bond and construction for a year, thus raising the cost of the project or attempt to initiate the bond a year before the plans are in place and not have the complete cost impact. Neither of these steps toward-- take a step toward the solution. These are both negative impacts on the project. We had-- we had heard that mail-in ballots had been a success. It's an opinion that we have-- we have heard and share. It seems-- this could be because it goes to every voter in the district, as well as potentially being focused on one subject, not the complete, perhaps 42 votes that you have to place on a regular ballot. I have to admit, we have not used this tool in our past, but with current developments in our area, housing construction as well as the future growth, we need this flexibility. As others have stated, limiting a bond election to only November or May, it will be difficult to schedule work in a way that can maximize summer construction site season. Cost increases will be inevitable as construction schedules, competitive bids and timelines would be negatively impacted. We show our residents and taxpayers that their funds are being used diligently and efficiently. If one believes in local control, perhaps you should not favor this proposal. Local control is conducted by electing local residents to serve on the board they are voted to. We are chosen to conduct the business needed on behalf of our community. We stand accountable to our constituents for the decisions we make. We appreciate Senator Holdcroft's intent on getting more public input, which could result in less spending. However, this solution has only the potential to add to district cost through its limitations and thus increasing the taxes needed. Thank you again for this opportunity and I ask that LB878 not advance. Thank you.

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

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WAYNE: I have one.

MURMAN: Yes. Senator Wayne.

WAYNE: Can you cite an example of how waiting-- an example of something that you can't plan for every 2 years because it allows for emergencies? So I'm just trying to figure out what [INAUDIBLE] is.

KYLE FISHER: Our district is yet being-- undergoing other internal, excuse me, development of infrastructure of power-- of power, sewer, water. Most of our district currently is on septic tanks and wells, you know, the subdivisions that we have. There are subdivisions currently being built that is within our district that it's up to the developer on when they do their materials and we have to-- we comply with what their schedule is. We're not excited to put-- have a subdivision come about and have to rent trailers for our students and such, whether it's for one year or any. The trailers, we feel, lower the value, lower the impressions that we can give in their education.

WAYNE: So are you at your max levy right now?

KYLE FISHER: No.

WAYNE: And where are you at on your building fund?

KYLE FISHER: We, we, we do have the building fund in place.

WAYNE: So knowing that you have the building fund and you're not at your max and you you know that there's--

KYLE FISHER: Well, I think that our, our levy is at its max due to our revenue. We have the, the revenue lid is what impacts our levy.

WAYNE: OK.

KYLE FISHER: We're the-- we're the opposite of most other districts.

WAYNE: And we have a lot of hearings today. I'm not--

KYLE FISHER: OK.

WAYNE: Thank you. I'm just not quite understanding.

MURMAN: Any other questions from Mr. Fisher? I have one. How much time usually goes by between the passing of a bond and the planning and construction?

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KYLE FISHER: When a bond is passed, I believe it is about 18 to 24 months construction.

MURMAN: OK. Thank you. Any other questions? If not, thank you. Oh, no. Senator Walz.

WALZ: I just-- I just want to clarify. Thank you, Chairman Murman. I just want to clarify. It's 18 to 24 months to construct or 18 to 24 months after the bond is passed.

KYLE FISHER: It's about-- I would say it's 18-- 12 to 18 months for the actual construction.

WALZ: To start.

KYLE FISHER: Depending on the size, whether-- it's, it's different whether it's a grade school or a high school. The size has an impact on that.

WALZ: OK. So it could be 3 years or-- OK.

KYLE FISHER: Yeah. When the bond is passed, then you have-- you have plans in place to-- whether change, to adjust to what was passed or if, if accepted, go with your plans at that point.

WALZ: All right. Thank you.

MURMAN: Any other questions? If not, thank you for testifying. Other opponents for LB878?

JACK MOLES: Good afternoon, Senator Murman and members of the Education Committee. My name is Jack Moles. That's J-a-c-k M-o-l-e-s. I'm the executive director of the Nebraska Rural Community Schools Association, also known as NRCSA. Today, I'm also speaking also on behalf of the Greater Nebraska Schools Association, GNSA, and would like to testify in opposition to LB878. Tying school elections to bond elections or for bond elections to the statewide primary or general elections can cause timeline issues that would cause difficult-- or the districts difficulties. A couple examples, if a school would have a failed bond election, the board of education might go back to its patrons to receive more input. That's very common thing, to get more input and to redefine the project. Under LB878, they would need to possibly wait up to a year and a half to run an amended bond election. In the meantime, cost for materials for the project would likely go up, thus causing the price of the project to rise dramatically. The

timing of the-- of a bond issue or election is often suggested by the district's financial advisors based on when other projects might be opened or beginning or ending, I'm sorry, beginning or ending, or the projected prices of materials to be used in a project. This often could save the district's taxpayers money in a successful bond election. It is true that having-- that only having elections coinciding with the statewide primary or general election could save money for the districts just on the cost of the election itself. However, removing the, the board of education's opportunity to consider all factors with cost hinders its ability to make sound financial decisions for the district. So-- and looking at our rural districts, it's already very difficult to pass a bond issue in a-- in a rural district. So NRCSA and GNSA would, would recommend that you not advance this bill.

MURMAN: Thank you. Any questions for Mr. Moles? I have one. You mentioned that when a bond issue passes, sometimes you have to go back to the voters to further-- make it more clear what exactly what needs to be--

JACK MOLES: Actually, I think I said when it fails.

MURMAN: Oh, OK.

JACK MOLES: So they'll go back for another election. They may have to wait a year and a half, depend on when they had the first election.

MURMAN: OK, that makes sense. Any other questions? Thank you very much.

JACK MOLES: Thank you.

MURMAN: Any other opponents for LB878? Anyone in the neutral capacity for LB878? If not, we would close the hearing on LB878. And we had 5 proponents electronically, 7 opponents, and 0 in the neutral position. Actually, we don't close it. You're welcome to close.

HOLDCROFT: I'm going to be very brief. I know you got a lot of bills coming up here. But let me just emphasize, it's not-- it's not our intention to take away local control from the school boards. We just want them to do a little bit better planning and looking towards the future. And, you know, we talked about failed bond issues. I think this will also incentivize the, the school boards to, you know, make sure they understand and advertise to their constituents about what they're trying to do in this bond issue, and maybe make adjustments to

it based on the input from the taxpayer. But ultimately, as you know, the taxpayers are not happy with the current property tax issues. And this gives them more of an, a say in their taxes. Thank you very much.

MURMAN: Thank you. Any questions for Senator Holdcroft on close? If not, thank you very much. And that will close our hearing for LB878. And we will open the hearing on LB1386. Senator Hansen. Just in time. We opened the hearing for LB1386.

WALZ: Thanks.

HANSEN: Good afternoon, Chairman Murman and members of the Education Committee. My name is Ben Hansen. That's B-e-n H-a-n-s-e-n, and I represent the 16th Legislative District. It is my honor today to bring LB1386 to you for your consideration. This legislation contains 2 important and fundamental principles. The first principle is this: Parents are the primary educators of their children, not the government. As legislators, one of our goals should be to assist families in the role as the primary educator of their child. Our job isn't to replace or displace parents. I also feel we should reduce barriers that hinder parents being able to choose a school that is best for their children. We need less focus on systems and more focus on students and their unique and individualized needs. The second principle is this: Parents who send their students to nonpublic schools deserve tax fairness and tax equity. It is an injustice for families to pay twice to educate their child, first through their property taxes to fund their local public schools, and then a second time to fund their child's education at a nonpublic school. So what does LB1386 do? I believe they gave you a handout that kind of gives you a synopsis of the bill. And how does it empower parents and provide tax fairness? LB1386 creates educational savings accounts for students who are enrolled in an approved or accredited private, parochial, or denominational school. Each eligible student receives an educational savings account with \$1,500 deposited annually by the state, beginning with the '25-26 school year. These funds can be used by families for the following 4 educational purposes: tuition and fees; textbooks; school supplies; fees or payments for educational therapies, including tutoring or cognitive skills training; and (4) any other academic or learning materials approved by the State Board of Education. The educational savings accounts would be administered by the State Treasurer. Parents would apply to the State Treasurer for their account. The State Treasurer would then make these accounts available for viewing and use by parents. The State Treasurer would have the obligation of monitoring these accounts, investigating

suspicious activity, and conducting random audits. The State Treasurer would also be obligated to report any acts of fraud or theft to the Nebraska State Patrol for further investigation. With the passage of last year's historic school choice legislation, Nebraska became the second to last state in the nation to enact a school choice law. LB1386 seeks to build on that momentum and work to catch up the rest of the country by expanding educational opportunities for their children. As well last year, we passed historic investments into public school funding through the Education Future Fund. We provided \$1,500 of foundation aid to every student in public schools around our state. As Governor Pillen noted at his back to school news conference in July, our students are our future, and every one of them deserves a high-quality education, no matter where they live. I would add to this statement by saying that every student deserves a high-quality education, no matter what school they attend. And extending the \$1,500 of foundation aid to students in nonpublic schools is an important next step in our investment in the future of Nebraska, our kids. LB1386 is a commonsense fiscal investment. Families who attend nonpublic schools already save our state half a billion dollars per year. Additionally, the \$1,500 of foundation for nonpublic schools students provides families the help they need to make the move from a public to a nonpublic school. We can only expect even more cost savings to the state. Additionally, as we continue to make Nebraska a competitive state, we need to pay attention to what other states are doing on the school choice front. Education is a major factor for parents when they decide where to live. If Nebraska fails to have competitive school choice policies, we are placing ourselves at an economic disadvantage. Robust school choice policies are one way to make sure families looking to move to Nebraska find our state attractive, and families questioning whether to move to another state are convinced that the good life is the right place to continue raising their family. You're going to hear from some incredible testifiers who will share how school choice programs either transformed their lives or could transform their lives of their children. Whether it is a family that needs a tuition assistance, assistance to finally have the financial resources to get to a nonpublic school, or whether it is a family that needs some additional financial resources for special education instruction, my hope is that these stories will motivate you in the same way they have motivated to, to advocate and support families seeking the best educational opportunities for their children. When all is said and done, a child only has one shot at their K-12 education. It's our job as government officials to make sure families have opportunities to get the right

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educational fit they feel is right for them. Kids, not systems, should always be our number one priority. Thank you for your attention and I would welcome any questions.

MURMAN: Thank you, Senator Hansen. Any questions for Senator Hansen at this time? Senator Conrad.

CONRAD: Thank you so much, Chair Muman. I know that we have a really busy day today so just a quick question. Are you going to stick around to close or is this our one chance to?

HANSEN: No, I'm going to close.

CONRAD: OK. Very good. Then I'll hold my question. Thank you so much.

HANSEN: As long as it's not hard, we're fine.

MURMAN: Any other questions?

CONRAD: I make no promises.

MURMAN: If not, thank you very much.

HANSEN: Thank you.

MURMAN: Proponents for LB1386. And I'll ask if you're going to testify for LB1386, try and move up to the front row or 2 so we can move through quickly. Good afternoon.

HERA VARMAH: Hello. Good afternoon. Good afternoon, Chairman Murman, sorry, members of the committee. My name is Hera Varmah, and as you can tell, I'm not used to this cold. I'm from the great state of Florida. But as Senator Hansen had stated in his opening statement that we're paying attention.

MURMAN: Excuse me. Could you spell your name, please?

HERA VARMAH: Oh, yes. Hera Varmah, H-e-r-a , last name Varmah, V-a-r-m-a-h.

MURMAN: Thank you.

HERA VARMAH: As Senator Hansen said in his opening statement about paying attention to other states, I want to bring the perspective-- thank you-- I want to bring the perspective of a state like mine, growing up in the state of Florida and having access to a quality

education. I'm one of 12 children born to 2 immigrant parents from Jamaica and Liberia, West Africa. And growing up, my parents always said that a quality education matched with a strong values is the way to break out of poverty. That was always something in our household that we took-- we took to heart. And me and my siblings knew that if we strive really hard, that we could make it. The only thing is that my brother shot off like rockets getting straight A's, but I was the fourth child and I struggled in school. I didn't think I was adequate, didn't think I was smart enough. And so that statement made me feel like I was going to be the failure of my family. Fast forward, my parents, my mom knew that since the public schools weren't working for me and weren't challenging my older brothers, she knew that she needed to find another school and she would stop at nothing to give us that. So we used the Florida Tax Credit Scholarship, the one set up for student scholarships, and went to the different private high schools and middle schools in Tampa Bay area. And because of that, now fast forward 10 more years. I graduated college with honors. I graduated my degree in food science technology. My older brother, he's a mechanical engineer at a firm in Clearwater, Florida. My other, my second oldest is a-- in medical school. The third oldest is a chemical engineer at GE HealthCare, and myself working at the American Federation for Children, fighting to give every child the opportunity to school choice options that I had. School choice shouldn't be a privilege, and that's what I thought it was when I was growing up, looking at other states that didn't have school choice options. I felt that I would be in a lab coat right now. I graduated food science, like I told you, I'd be in a lab coat somewhere. But I decided that I was going to fight for school choice options in all states because of the opportunities that I had, the opportunity, the American dream that I was able to live out. And that's what every child deserves. Every child deserves the right education, the teachers that-- the one-on-one attention if they need that. And that's what bills like this do. Bills give children the chance at a right education. And that's what I'm here to tell you today, is that I would not be sitting in front of you today at the age of 24, having traveled around the country and testifying on behalf of my story, on behalf of my family if it wasn't for the school choice options in my state. Because, because my state gave me the opportunity at the right education, I was able to sit in front of you today. And so I know that if you guys give the children a chance, and that's what school choice is, a chance at an opportunity, that they will be the ones sitting in front of you today-- sitting in front of you 10 years from now, talking about how much school choice

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and how much their education helped them in their lives. So thank you so much for hearing me today and I welcome any questions.

MURMAN: Thank you very much. Any questions? If not, congratulations for how well your family's done and thank you for your testimony.

HERA VARMAH: Thank you.

MURMAN: Any other proponents for LB1386? Good afternoon.

JENNIFER DEROCHE: Good afternoon. Good afternoon, Chairman Murman and the members of the Education Committee. My name is Jennifer Deroche, J-e-n-n-i-f-e-r D-e-r-o-c-h-e. And I would like to express my appreciation for your time today as I share my story and how LB1386 could have helped my son Noah and can for the future. Noah is kind and energetic 10-year-old boy who loves Harry Potter, Legos and asking questions about everything, which I'm sure you can imagine can bring up some pretty interesting conversations from Mom and Dad. He has been receiving services in some form since he was 2 years old. When we moved to Nebraska in 2021, the transition was very difficult for him. He began exhibiting behaviors that we had never seen from him before. His school principal and her wonderful team helped guide us through those transitions and did the best that they could with providing accommodations and interventions to try and keep him within the classrooms. However, even with accommodations and therapy, he would have meltdowns and outbursts multiple times throughout the day and would not be able to recover. So we were approached with a choice. We would have to transition him to another school, or we could have someone sit with him every day to guide him when he became overwhelmed or overstimulated. The thought of transitioning him again was terrifying, since we had the, the extreme behaviors and difficulty when we first moved; so we felt that was not in his best interest. And we chose to move forward with a full-time para. Unfortunately, that was not something that his Catholic school could afford to provide. Therefore, my husband and I paid for someone to be with him every day. Fast forward to today and there are still struggles in cognitive skills, struggles in attention, comprehension, processing information, perceptions, and social cues. Noah works very hard with his therapists and teachers, but although less, there is still a need for the para's help for test taking, completing assignments and taking him for a break whenever he gets overwhelmed. His school has become an extension to our family and providing the support and encouraging him to thrive. My husband and I both have learning disabilities and understand-- and the understanding now compared to back then is quite different. More

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programs and resources are in place to help students like Noah become successful, active children. Please help to provide opportunities such as funding families and their educational choices to assist Noah and so many others that want to flourish in their education while also growing in their faith. Thank you and I'll take any questions if you have any.

MURMAN: Thank you very much. Any questions for Jennifer? Yes, Senator Walz.

WALZ: Thank you, Chairman Murman. Thanks for coming today. We really appreciate it. I'm just curious. Is, is your son on an IEP?

JENNIFER DEROCHE: He is now. But when we first transitioned, he was not.

WALZ: OK. And then the other question I have, was it a recommendation of the, the team, the IEP team, to have somebody come in, a para for him?

JENNIFER DEROCHE: Not the IEP team. That was the-- a conversation between his principals and his teachers that were, you know, having him throughout the day, where they were not being able to calm him down and just provide the actual extra one-on-one support between, like, transitioning between a math activity to a spelling activity or if there's something that he just didn't get right, trying to kind of help him maneuver through that, he was not able to do that on his own.

WALZ: Yeah.

JENNIFER DEROCHE: He was going through the, the tiered process in, in-- to try to figure out if he would apply or, or be able-- eligible for the IEP services. But during that time, a lot of this was going on.

WALZ: OK. All right. Thank you so much. I appreciate that.

JENNIFER DEROCHE: Sure.

WALZ: Thanks.

MURMAN: Any other questions? I have one. You can name the state you came from or you don't have to, but I'm just wondering would you-- do you think you would have had similar services in the state where you moved from?

JENNIFER DEROCHE: So we moved, we've moved a little bit. We initially started services in Louisiana, and so he was on speech as well as some behavioral services, and those transferred into Iowa. Unfortunately, after kindergarten, he was removed from the IEP that he was on. We had him retested, but at that time did not seem to have the, the eligibility for that there. But I do feel that having the, the assistance would be a-- would have had a big benefit on being able to progress him a little further.

MURMAN: OK. Thank you. Any other questions? If not, thank you for testifying. Other proponents for LB1386.

LAURA EBKE: Chairman Murman, members of the committee, my name is Laura Ebke, L-a-u-r-a E-b-k-e, and I represent the Platte Institute today. I'm pinch-hitting for Nicole Fox, who prepared this testimony so be kind. Thank you for the opportunity to testify in support of LB1386. One year ago, Nebraska was the only state in the country without education choice options, no tax credit scholarship program, no charter schools, nor education savings accounts for families. Nebraska now has a tax credit scholarship program, and I'm looking forward. It's time to look at broadening the options Nebraska families have when it comes to ensuring their children receive a quality education that meets their needs. Interest in education choice has increased significantly because the challenges families faced during the COVID pandemic. The COVID pandemic underscored the need for families to have the necessary assistance to their-- to provide their children with an education that meets their individual learning needs, regardless of income or area of residence. While we respect that not all Nebraskans will agree on, on the need for additional education choice policies, the, the reality is that many families do, do care about having these options. Nebraska public K-12 schools are a foundation of our education system. For most families, they will continue to be the main choice, but they could not be the only choice-- they should not be the only choice. Some families may feel a different path may better fit their needs and the needs of their children. LB1386 would establish an educational savings account for the-- for each student enrolled in kindergarten through 12th grade at an approved or accredited private, denominational or parochial school for use on qualified educational expenses. To date, at least 13 other states have adopted educational savings accounts, including Iowa. Looking at our neighboring-- neighbor to the east, specifically after announcing their program after legislation passed in 2023 authorizing 14,000 accounts, Iowa saw over 29,000 families make application for this educational tool. Many confuse vouchers with educational savings

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accounts. School vouchers allow parents to make-- to use public funds to pay private, private school tuition. A state agency issues a check, which is endorsed by a parent and, and turned over to a private school. Or the check can be issued directly, directly to a school under the parents' names. With education savings accounts, parents can use school-- student funds for many different expenses including, but not limited to, a private school tuition. As a result, the savings accounts provide parents with even more educational choice than vouchers. The Platte Institute supports LB1386, and we urge this committee to advance the proposal out of committee.

MURMAN: Thank you. Any questions for Laura Ebke? If not, thank you for your testimony. Other proponents for LB1386.

SCOTT THOMAS: Good afternoon, Senators. My name is Scott Thomas, S-c-o-t-t T-h-o-m-a-s. I'm with Village in Progress Nebraska. And we do 1948 UDHR casework in the state of Nebraska. And it's all free of charge should anybody need anything looked into. And I testify in support of LB1386, in accordance with the 1948 UDHR Article 18 and Article 26, respectively, for the right to freedom of religion and right to education. Any questions for the senators?

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

SCOTT THOMAS: Thank you so much.

MURMAN: If not, thank you for testifying. Other proponents for LB1386?

HEATHER SCHMIDT: Good afternoon. My name is Heather Schmidt, H-e-a-t-h-e-r S-c-h-m-i-d-t. I am a proponent of LB1386. We are a working class family, members of the scarce trade workforce. We love our city and our community. Costs and taxes are rising and wages are not keeping up. We are sending our youngest of 3 children to private school. We know it will lead to a better educational outcome for her. She needs something different than her siblings did, who love their public schools. I'm happy to elaborate if you have any questions, but I know you have a lot to get through today, so I won't right now. The cost of this is our responsibility. We can't write it off. We can't save for it in a tax-exempt account. We need some support and a little faith from you in our ability to make the best decisions for our children. Thank you. And I am open for questions.

MURMAN: Any questions for Heather Schmidt? If not, thank you very much for testifying.

HEATHER SCHMIDT: All right. Thank you.

MURMAN: Other proponents for LB1386. Good afternoon.

FRANCISCO SOLIS: Good afternoon. My name is Francisco Solis and spelled F-r-a-n-c-i-s-c-o S-o-l-i-s. I am from Fremont, live there with my wife Dominga [PHONETIC], and 2 daughters, Martina and Daisy [PHONETIC]. In junior high, I was immigrated to the United States from Guatemala. I moved to Schuyler where I attended school. I did not speak Spanish or English. I only speak my native language. Guatemala dialect, K'iche'. The school was difficult, but I learned Spanish and English. I received good education, participated in activities, and graduated high school. Two years ago, my family moved to Fremont from Dakota City. When we moved, Dominga, who is also an immigrant from Guatemala, I wanted to choose a good school for our kids. We did not think that the local public school would be the best school for them. Instead, we tried to option enroll at the Cedar Bluff Public School. We toured the school and liked it. The, the school officials told us that they look forward to seeing our daughters in the fall. When we sent all the option enrollment paperwork, we told-- we told the school that Martina had an IEP, moderate hearing issue. That's when everything changed for us. The Cedar Bluff principal sent us an email. Told us that Martina will not be accepted because of her IEP. My family was disappointed, and it was not fair for Martina was being rejected because of an IEP. Martina was a good student, with good grades and good behavior, no-- with no behavior issue. When Martina former school counselor sent information to Cedar Bluff, he said it was a very strong advocate for herself and her hearing issue. Was also-- I was personally upset. I felt like my family was being treated poorly because we couldn't speak very good English [INAUDIBLE]. We also wanted to send our daughter to Arborshop [SIC] Bergan's in Fremont. But unfortunately, we couldn't afford to go on into that private school. I am here today because this legislation will help my family. It will-- could help-- we could use the \$1,500 to afford Arborshop Bergan, which we knew will be good school for our kids. As an immigrant, Dominga and I want our kids to have better life than us. We want them to go to college and get good jobs and raise a happy family. My foster dad passed away almost 10 years ago. He was an immigrant from Mexico and only went to school till 6th grade. But he worked hard to give me the best opportunity that he could give me. And I want to be like him, you know. I want to be like him, to give my kids the best that I can give to them. Thank you for listening and for my story. Please support Senator Hansen. That's all I got.

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MURMAN: Thank you. Any questions for Francisco? Yes, Senator Walz.

WALZ: I just have a quick question. Can you say your last name again?

FRANCISCO SOLIS: Solis, S-o-l-i-s.

WALZ: Thank you.

MURMAN: Thank you. Thank you for advocating for your family. Any other proponents?

RALPH TATE: Good afternoon, Chairman Murman, Sen-- Senators on the committee. My name is Ralph Tate, R-a-l-p-h T-a-t-e. First of all, I want to appreciate Senator Hansen and the committee to recognize that parents have the constitutional right to determine the appropriate educational path for their children-- I think that's important-- when 60% of my property tax is directed to public education. I also think it's appropriate that parents send their children to private, parochial or nondenominational schools be afforded the same tax relief as public schools. I would make a suggestion, though, that I think the \$1,500 is inadequate. When we recognize that a-- the cost of a public education student on an annual basis is somewhere in the neighborhood of \$14,000, \$1,500 sounds cheap. My suggestion that you would consider, perhaps, is the same level of funding that Senator Erdman-- Erdman's bill, LB939, which offers half the adjusted average per pupil cost for tax relief might be a consideration. The other thing I think that's important to understand is perhaps none of this would be an issue or certainly not as significant an issue if we didn't also recognize what the academic performance is in today's public schools. If you take a look at the standard school-- standard, excuse me, standard test scores for English language arts and math, you'll find that for each and every grade between 3rd and 8th grade, anywhere from a third to a half of our students do not meet the academic standards. That's important-- a third to a half. And if we take a look at the minority students, black students, anywhere from a half to three quarters of the students do not meet academic standards. I mean, that is not an academic bar that is terribly high. I would also like to make a suggested addition to consider. Of the 476,000 students in Nebraska, the parents of the 13,700 students who are homeschooled should also be considered the same kind of tax relief. They're taxpayers too. As a matter of fact, I'm a taxpayer and I haven't had a student in school for the last 13 years. So anyway, we recognize that 80% of all the learning that we gain in life is actually gained by age 5. So we need to recognize the key role that parents play in the

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education of their children. However, we recognize that currently Nebraska law prohibits the academic achievement testing of exempt students. Not sure why. There must be a motivation for that. But there's no way then to compare the performance of a homeschool student or an exempt student with a public or privately educated student. Typically, the studies have shown that exempt students typically score 15 to 25% above public school students on standardized academic achievement tests. And for black students, the results actually show 23 to 42% higher. 78% of the peer reviewed studies of academic achievement show exempt students performed statistically significantly higher than those in institutional schools. And when, when you take a look at the nonacademic parts, 87% of the peer reviewed studies on social, emotional, and psychological development show exempt students performing statistically significantly higher than those in institutional schools. I think that perhaps says it all and I've run out of time, so perhaps I can answer any questions.

MURMAN: Thank you. Any questions for Mr. Tate? If not, thank you for your testimony.

RALPH TATE: Thank you.

MURMAN: Any other proponents for LB1386? Good afternoon.

MARTINA ALONZO GOMEZ: Sorry, I'm kind of nervous [INAUDIBLE]. Is this loud enough?

MURMAN: Could you speak up a little bit?

MARTINA ALONZO GOMEZ: Is this good enough?

MURMAN: Louder if you can.

MARTINA ALONZO GOMEZ: OK. Is this good? I don't know.

MURMAN: Just as loud as you can. These microphones don't, don't, don't magnify.

MARTINA ALONZO GOMEZ: OK. Hi. My name is Martina Alonzo Gomez. My name is spelled M-a-r-t-i-n-a A-l-o-n-z-o G-o-m-e-z. I am a 10th grader at Fremont High School. I am an honor student and participate in school activities. I also have an IEP for moderate hearing loss. When my family moved to Fremont, my parents wanted us to have the best education that they could give us. So we searched around and found Cedar Bluffs School. I wanted to attend Cedar Bluff because it was a

small town, less students, and the teachers would have more time to work with each student. But unfortunately, Cedar Bluff turned me down because of my IEP. My parents and I were very upset. While I have a hearing issue, I've always been able to manage it well. We decided to look into Archbishop Bergan in Fremont. My family and I thought that it would be a great school, especially a school where I can grow more in my faith and have a better educational experience. But sadly, my family cannot attend-- cannot afford the expense. So we had no choice but decided to attend Fremont High School. At first I felt scared, but over time I grew and I'm comfortable with the school. Now I'm trying to be the best student I can be, and I can-- and I've achieved many things in my high school career due to my parents pushing me every day to be the best person I can be, and to have a better education than what they had. I am an honor student with a bright future ahead, all thanks to my parents. If my parents could afford Archbishop Bergan High School, I believe I could have been a better student and my parents would have been-- have-- would've been happier because they would-- they could have chosen the best school for me. I'm here today because this legislation could help my fam-- help my family to get me and my sister into Archbishop Bergan. With the \$1,500, it could help other families with the same situation that we had. There are a lot of families who cannot afford private school. But this legislation can help but-- can help these families to send their kids to private school with less struggles and better education. I feel that families like mine, who are working very hard to live the American Dream, should have more opportunities to choose a school. They know what's best for their children. Thank you for taking the time to hear my story. I hope you will support Senator Hansen's legislation and help more student-- more students like me.

MURMAN: Thank you. Any questions for Martina? If not very-- thank you for testifying. We could hear you very well. Thank you. Any other proponents?

CHELSEI GULIZIA: Good afternoon, Senators. My name is Chelsi Gulizia. It's spelled C-h-e-l-s-i G-u-l-i-z-i-a. Sorry, I'm really nervous. I've never done this before. I am the assistant principal of Sacred Heart School in Omaha, Nebraska, where I've been fortunate enough to work for the last 7 years. And I have spent my entire professional career as an educator in the Catholic school system. However, I am the product of a public school system, and I proudly send my own children to an amazing public school in the small community of Auburn, Nebraska. I share this with you because I feel it creates a unique perspective where I can happily sit on both sides of this fence and

fully support public school systems, as well as educational opportunities and educational choice for others. I believe it's safe to say that as a parent we all want what is best for our children in all aspects of life. We want our kids to grow into successful adults who can be contributing members of our communities. And that all starts with quality educational opportunities. Unfortunately, we have pushed our students and families into a one-sized-fits-all educational system that simply doesn't fit all. I wholeheartedly believe that our public education systems are vital, but also fully understand it's not always the best fit for all of our students. As an educator, like all parents, I want what is best for my children and in this case, I would be referring to my students. My unique experience in the Cues School System provides me with a firsthand witness to the power that a simple change in educational opportunity can have in changing the trajectory of a student's educational success. I could share with you guys countless examples of students who have transferred out of the public school setting and into our small private schools: students who come to us with extensive IEPs; behavioral plans; academic and emotional challenges of being multiple grade levels behind their peers; students who have been on the verge of expulsion and come to us with countless obstacles that absolutely thrive within our school systems, not because their public systems were failing them, but simply because it wasn't the right fit for them. The mission of Catholic schools has always been to serve both the faith community and society by educating young people, primarily the poor and the underserved, to provide the most vulnerable members of our communities with the best educational opportunities. It is no secret that financial circumstances often keep many families from applying for public school or private schools, excuse me. And providing \$1,500 in educational savings accounts, you can help open the door for many students to find their path to success. I listened to Governor Pillen speak this last August, and will paraphrase some of his words that have stuck with me since. How can anyone who is deeply passionate about providing students with the best educational experience to meet their needs be against a bill that supports exactly that? This isn't a battle of private versus public schools. It's about what is best for kids. It is about meeting the needs of all children. And I know I'm out of time. I have one last sentence to share, if that's OK.

MURMAN: Go ahead.

CHELSEI GULIZIA: This bill, again, is one way to put our kids first. I believe parents know their children best, and they should have the freedom to advocate for the best education that will fit the needs of

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their students. As a parent and educator, I fully support the creation of educational savings accounts and I hope that you will too. I'm open for any questions.

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

CHELSEI GULIZIA: Thank you so much.

MICHAEL JENSEN: Good afternoon, Senators. My name is Michael Jensen, M-i-c-h-a-e-l J-e-n-s-e-n, and I'm the principal of Sacred Heart School, located on 22nd and Binney Street in Omaha, Nebraska. We are a Catholic school with 137 students, in which only 6 of them are Catholic. We serve a population that is 100% free and reduced lunch and are a member of the Cues School System. We work tirelessly every day to ensure that our students are receiving an equitable and holistic educational opportunity. Our teachers have proven positive results that come with the cost to educate of \$12,200 per student annually. However, the overwhelming majority of Sacred Heart parents can only contribute approximately 5% towards the cost to educate one student. This leaves a large gap in funding that we must secure each year for our students to access our successful blueprint in education. In addition to the following resources: a licensed mental health therapist; a full-time counselor; a full-time student support specialist from Boys Town; a director of academic intervention to ensure no student falls through the cracks; director of student and family support services to ensure student that families are receiving the wraparound services that are necessary for personal growth; a middle school navigator who helps prepare, track and support our students through both private and public high schools; 1-to-1 blended learning technology resources; and a commitment to using the best practices that are governed by a board of highly respected educators from our community. I also want to mention 3 amazing resources that call Sacred Heart home, home that don't come with-- that don't come with a price tag. Our 3 OPS special instruction teachers. They are so important to our student success. They provide our students with special instruction, speech and language pathology, Title I services. They are amazing educators. We are grateful and honored that OPS shares their teaching talent with our students. They, too, are part of the blueprint at Sacred Heart. You see, we do it together, private and public school teachers working under the same roof to make sure kids get what they need. Some people may say that the above resources are a luxury. I would argue that they are necessary. Some may wonder what would we do with \$1,500 in educational savings account at Sacred

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Heart? And it's simple. Ensure that the resources that I already mentioned remain part of our educational process. These are expensive resources that-- to, to provide on a shoestring budget. The cost to maintain competitive salaries are at all-time high. Textbook loan resources must be prioritized for our greatest need, even if it's not the greatest resource. There are so many unknowns that our fundraisers have to navigate each year to secure our budget. However, one thing that we do know is that our prekindergarten and kindergarten classrooms are already full for next year, and we haven't advertised at all. Our community members want what Sacred Heart has to offer. You are welcome to visit our school. I think you will see our students are a wise investment when our family-- when we offer families the funding they need to make educational choices for their children because everyone comes out ahead.

MURMAN: Thank you. Any questions for Mr. Jensen? Yes, Senator Walz.

WALZ: I just have a quick question. I'm sorry. I was trying to look at a text and listen to you at the same time. So can you tell me how many kids are in your school again?

MICHAEL JENSEN: 137.

WALZ: 137 and 6

MICHAEL JENSEN: 6 are Catholic.

WALZ: Wow. OK. Thank you.

MICHAEL JENSEN: You're welcome.

MURMAN: Any other questions? If not, thank you for testifying. Other proponents? Any other proponents for LB1386? Opponents for LB1386.

BENJAMIN BURAS: Once again, Benjamin, B-e-n-j-a-m-i-n, Buras, B-u-r-a-s. It seems like if these private school or denominational, parochial, whatever that means, if they're so successful, why can't the, the, the current faculty of these private schools that can-- couldn't they just call up their successful alumni and get them to donate money to the schools? Because I know that's how they did it at Nebraska Wesleyan University. So, yeah, I mean, I've heard people comment on that we have freedom of religion. I really don't think that's true. I think it's just separation of church and state, because I would challenge anybody to convert to Islam and then see how people would react to you. Yeah, I mean, I don't see why. Nebraska's got very

good public schools. So if this is an issue of like an IEP issue, why, why don't they just expand the IEP programs at the public schools instead of, you know, just giving tax dollars to these private schools and who knows where it's going to go. So that's, that's why I'm against this. I mean, that's, that's what we had to do at Nebraska Wesleyan. We would phone bank and call alumni, try to-- try to get them to make donations to, to the school. So that-- that's, that's why I'm against this.

MURMAN: Thank you. Any questions for Michael [SIC]? If not, thank you for testifying. Other opponents.

TIM ROYERS: Good afternoon, members of the Education Committee. For the record, my name is Tim, T-i-m, Royers, R-o-y-e-r-s. I'm the president of the Millard Education Association, and I am here today speaking on behalf of the Nebraska State Education Association in opposition to LB1386. LB1386 is the latest in a long line of bills that attempt to siphon off public resources for private gain and in this case, does so in a way that flagrantly violates the Nebraska Constitution. LB1386 allocates General Fund dollars for private school tuition. Nebraska Constitution, Article VII, Section 11 clearly states that, quote, appropriation of public funds shall not be made to any school or institution of learning not owned or exclusively controlled by the state or political subdivision thereof. It's irrelevant that this money could be used for other-- for, for other things that qualify under the bill. And it's irrelevant that there's multiple hands that change through. Courts have consistently ruled that programs like this are an appropriation to private schools, which our Constitution forbids. Furthermore, the Nebraska Constitution bars any school that receives public dollars from the state from having any religious test qualifications for students or staff at that school. This would render a large number of private schools ineligible to receive fund--funds, excuse me, from these accounts. Additionally, LB1386 will be ripe for abuse. Arizona's Education Savings Accounts program, for example, has seen fraudulent misuse of millions of dollars. In one fiscal year alone, an audit revealed that more than \$700,000 of funds were improperly spent on things like toys and family vacations. Not only that, parents bought items that were legally permissible, but then returned them and secured their refunds in the form of gift cards. So that way they were free to use the gift card dollars for whatever purchases they wanted. Since the last time this committee attempted to implement a school choice scheme, even more data has come in to indicate the failure of programs like this. In Iowa, for example, a program Governor Pillemer touted last year, only

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12.7% of students that utilized the ESA program in Iowa had ever attended a public school. And what happened in Iowa in response to the influx of these public dollars into private schools? Tuition rates skyrocketed, and in some locations, the tuition rates increased by as much as 50%. ESAs simply subsidize families who are already of means and line the pockets of private school administrators. The fact of the matter is this: Education savings accounts do not improve academic outcomes. The more recent and the larger the school choice program, the greater the failure to deliver results. We should be learning from the mistakes coming out of other states and avoid these schemes, and instead find ways to strengthen and improve our public schools that serve all kids. And finally, I would remind this committee that over 100,000 voters from every single county sent a very clear message to the Legislature this past summer that they do not want to see public dollars going to private schools. Please respect the will of the people, heed the warnings of nearby states, and say no to LB1386. Thank you.

MURMAN: Thank you. Any questions for-- yes, Senator Linehan.

LINEHAN: Thank you, Chairman. Thank you for being here, Mr. Royers. In your paragraph, let me see, 1, 2, 3, 4, fifth paragraph, last line, subsidize families who already have means. OK, line the pockets of private school administrators.

TIM ROYERS: Um-hum.

LINEHAN: Do you know a lot of rich private school administrators?

TIM ROYERS: I'm referring to the people who own and operate the private schools, not necessarily like the principals themselves.

LINEHAN: You mean like the Catholic Church?

TIM ROYERS: If you want to fill in the blank with that, sure.

LINEHAN: Was that what you're saying? I mean, here-- here's what you [INAUDIBLE].

TIM ROYERS: The dioceses in Iowa are the ones increasing tuition by up to 20 to 30% so, yeah.

LINEHAN: What you say here is line the pockets of private school administrators.

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TIM ROYERS: Yes. The contention is this does not help families that are in need. It allows private schools to gain more money.

LINEHAN: But that's not what you're saying. I'm trying to figure out what private school administrator--

TIM ROYERS: I'm attempting to clarify. If, if the response to the creation of educators savings accounts in Iowa was to increase tuition by double digit percentages, how else would you describe that?

LINEHAN: OK. Thank you.

MURMAN: Any other questions for Mr. Royers? I have one. If, if, you said it would allow private schools to obtain more money, well, if the private schools use that money for education, wouldn't that be a good thing?

TIM ROYERS: Not if they're expan-- the whole premise, generally, as I understand it from proponents of school choice, is to provide, as we heard from some testifiers today, the idea is to expand access to families who might not have had access to those schools prior. But as Iowa proves, nearly 90% of the recipients were already attending private schools. So if the vast majority of the families receiving these dollars already attend those private schools and those private schools are significantly increasing their tuition, then my answer to your question is no, because it means that they're not expanding educational outcomes. They're simply expanding how much revenue they're generating off of those families.

MURMAN: Thank you. Any other questions?

WAYNE: You're making a critical assumption there, aren't you? You're assuming that every student would stay there, but for the dollars, maybe that's the reason why these dollars are supplementing is because those families couldn't afford it and now they're [INAUDIBLE] now they're supplementing. You're making-- just a yes or no question, you're making an assumption.

TIM ROYERS: I'm not making an assumption. I'm citing fact from the state of Iowa this year, sir.

WAYNE: There's an assumption in that fact.

TIM ROYERS: Given the response to raise tuition, I would say no.

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WAYNE: OK. So the people who are taking scholarships, because tuition is going up, you're saying it's to line the pockets, rather than saying maybe those people would leave because they couldn't afford the higher tuition.

TIM ROYERS: Given that the historical tuition rate increases within those private schools prior to the passage of ES-- of the educational savings accounts was nowhere near the increases they experienced in the year that they did have an educational savings account, I don't believe I'm making an assumption. I think there's a direct correlation between the passage of ESAs and an increase in tuition that does not correlate to increase in expenses.

WAYNE: And you're going to stand by that post-COVID, because COVID is seeing a huge influx of people leaving public schools, me included.

TIM ROYERS: Given that the bill passed in 2023, I would say yes.

WAYNE: So again, parents may be looking for options to go somewhere because of what they experienced.

TIM ROYERS: You can make that your assertion, Senator. I would disagree.

WAYNE: OK. OK. All right. I'm done with that.

MURMAN: Any other questions? I have another one.

TIM ROYERS: Sure.

MURMAN: I think you said, 90% of the students in-- that received the funding in Iowa already attended private schools.

TIM ROYERS: Yeah, to be specific and it's listed in that paragraph that Senator Linehan cited, and this is coming from the Iowa Department of Education, only 12.7% of recipients had ever attended a public school. So that's not even factor-- so if you only looked at the percentage of the students that even attended public school the year prior, that percentage would be even lower.

MURMAN: So, if, if the funding helped even 10% or a percentage of 10% of the students that could go to a private school, a school that would maybe better serve their needs, wouldn't that be a good thing?

TIM ROYERS: I think your question highlights, Senator Murman, maybe where you and I have a philosophical difference on solutions like this. I, I think while that hypothetical certainly is true, it comes at a greater cost to those who do attend public schools, which represents the vast majority of the kids in that state, in the state of Iowa. So while yes, that certainly might be true for that low percentage, the funding tradeoff and the harm it's causing to public schools means that you have more students who are harmed by this than the limited number of families who stand to benefit.

MURMAN: I'll just ask one more question. If the public schools are educating less, less students because some of them are going to a private school, wouldn't that be less expensive for public schools?

TIM ROYERS: That's a-- I'm very glad you asked that question, because I think, again, this is something that's come up often. And it came up last year in the discussion of LB753. Let's, let's say a thousand kids leave Millard Public Schools, which is the district that I'm in. Right? Sounds like a lot. If you break it down by building and by grade level, you're talking about maybe 5-ish kids. It's not enough to remove a teacher. Right? So your fixed costs remain the same. You still have the same number of teachers, same number of classrooms, generally the same number of expenses. But now Millard Public Schools has lost millions of dollars in funding. So yes, you're right. In principle, there could potentially be a reduction in the number of students attending public schools. However, and again, this is not just my opinion. I'm actually quoting the fiscal note for LB753 last year. The Legislative Fiscal Office said there were-- there will not be a sufficient number of students within concentrated schools or classrooms to justify a reduced expense, that regardless of the cost of bills like this, it will be a net harm to public school funding.

MURMAN: OK. I assume that Millard can be more efficient with their buildings and their classes. I'll leave it go with that. Senator Linehan.

TIM ROYERS: I would-- I would challenge that assertion, Senator Murman. I would love to have you come to Millard Public Schools, and I can talk about the great work we're doing.

LINEHAN: Let's go to the fiscal note.

TIM ROYERS: Yeah.

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LINEHAN: Doesn't the fiscal note also say that the bill would save? You're talking about losing money.

TIM ROYERS: Right.

LINEHAN: Why would they lose money? Because we would save 12-- I think it was \$12.5 million, right? If 5,000 kids left public schools--

TIM ROYERS: Right.

LINEHAN: --there would be a \$12.5 million savings.

TIM ROYERS: Right. But what the fiscal note--

LINEHAN: Oh, 12, is that right? This is a 12.5 million savings.

TIM ROYERS: Sorry. I just want to clarify because I mentioned a fiscal note from like which bill are you talking about?

LINEHAN: LB753.

TIM ROYERS: Sure. It-- that fiscal note says there would be no drop in expense on the part of schools.

LINEHAN: Did it say it would save the state \$12.5 million?

TIM ROYERS: I don't-- that's irrelevant if it means that the school expenses aren't dropping--

LINEHAN: It is-- I think it's relevant. Did it say--

TIM ROYERS: Well, actually, Senator Linehan, it is relevant because what that means if there's a-- if there's a savings to the state, but no, no drop in expenses on the part of our public schools, that means we're sending public schools less money with no reduction in expense.

LINEHAN: So it does say it would say the state \$12.5 million. Now--

TIM ROYERS: At the harm of 90% of families that attend public schools.

LINEHAN: --did the public schools lose or gain more state funding last year?

TIM ROYERS: I believe I'm quoting Governor Pillen when he said he wanted 97% of the Education Future Fund money to go to property tax relief.

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LINEHAN: Did the public schools gain or lose state funding last year? Did we go from 40% special ed--

TIM ROYERS: Yeah, we did, and it was wonderful.

LINEHAN: [INAUDIBLE] to what? To 80%, right?

TIM ROYERS: And that was great.

LINEHAN: And did we give \$1,500, \$1,500 for every student in public school in the same breath?

TIM ROYERS: Depending on the impact of TEEOSA for equalized districts, maybe.

LINEHAN: No. We will have numbers tomorrow to prove that. So we, we were spending \$1 billion plus several other little buckets on education funding. We increased it \$327 million last year.

TIM ROYERS: Right.

LINEHAN: Would you agree with that?

TIM ROYERS: Yeah.

LINEHAN: So then why? I'm just going to stop there. OK.

MURMAN: Any other-- oh, sorry.

LINEHAN: We have 327 for public schools and you're complaining about 25 million?

TIM ROYERS: I think the fact that these bills are being introduced in this session, given what happened last session, would be indicative that the Governor's comments last year that we need to get to the point where we are spending hundreds of millions of dollars in state money on private education was true, and that's bad.

LINEHAN: Well, I missed that quote.

TIM ROYERS: It was in the transcript. I'd be happy to send it to you.

LINEHAN: I would appreciate that. Thank you.

TIM ROYERS: OK.

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MURMAN: Any other questions for Mr. Royers?

WAYNE: I got a really dumb question--

MURMAN: Senator Wayne.

WAYNE: --because I really do want to know. Do you? Do you think we should spend public dollars at the college level on private colleges?

TIM ROYERS: I think we've inherited the postsecondary institution that we have.

WAYNE: That's not what I asked you. Let's not do that. Let's answer the question.

TIM ROYERS: I mean--

WAYNE: Do you think we should spend public, your words, public dollars--

TIM ROYERS: Yeah.

WAYNE: --at the college level on private institutions?

TIM ROYERS: I think so, because that's the institutions that we have, yeah.

WAYNE: Do you think we should spend private-- public dollars on private institutions birth through five?

TIM ROYERS: I think we're starting to get into whether we're satisfying the constitutional obligation laid out for education.

WAYNE: I'm asking you a question. If you don't want to answer, just say you don't want to answer.

TIM ROYERS: I'm happy to answer.

WAYNE: OK. Do you believe we should spend public dollars 0-5 on private institutions?

TIM ROYERS: I think that we should expand access, and if that includes looking at private institutions, sure. But the key rider I think, Senator Wayne, on that is they need to be held accountable to the same standards. And they also make sure that they welcome all kids.

WAYNE: I agree with you on that. So, so you're OK with 0-5. You're okay with college. Somewhere K-12 is so special we can't do that. Let me finish though. So if we can do it 0-5 and we can do it post K-- post 12, my, my question to you fundamentally is why is K-12 so different?

TIM ROYERS: The reason it's different is because thankfully, we had the wherewithal to recognize, dating back to the 17th century, that the community has the best interest to make sure that all kids, regardless of background, regardless of family status, are taken care of collectively by the community through its public education. Unfortunately, unfortunately, we did not have the wherewithal to extend that belief to other-- to the other age levels that you exist. So when I say we have to deal with the system that we're dealt with, that's what I mean by that.

WAYNE: No, but we're trying to change the system because it's not working for everybody and you're against that. I understand that, But, but you're OK with 0-5 and you're OK with college or post, post 12. So, so you're not OK with K-12, but you still haven't answered why is K-12 so special? You're, you're not answering that question. Why is it so special? And zero-- and you, you've acknowledged 0 to 5--

TIM ROYERS: Right.

WAYNE: --is the most critical years.

TIM ROYERS: It is.

WAYNE: But we allow private institutions to do that with public dollars.

TIM ROYERS: I guess my answer to that, Senator Wayne--

WAYNE: No, it's a yes or no question. Do we allow that?

TIM ROYERS: It's not a-- it's not a yes or no question.

WAYNE: No. Do we allow that, yes or no? It's not do we allow and explain.

TIM ROYERS: I think we're-- I think we're doing a disservice to our communities if we try and boil down critical questions on how we educate our youth to yes or no questions.

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WAYNE: No, I'm starting with some basic facts. We do allow that now, right?

TIM ROYERS: We-- would you--

WAYNE: Do we allow that now?

TIM ROYERS: Would you permit me to answer the question?

WAYNE: Go ahead.

TIM ROYERS: OK. There have been attempts to expand public institutions to cover those age levels. Senator Kolowski introduced an amendment that covered that.

WAYNE: I'm supporting that. We're not saying that I'm asking, does it happen now?

TIM ROYERS: I guess what I'm saying, Senator Wayne, and this is where you and I are going to disagree, is I'm saying we're, we're dealing with the hand that we're dealt in an ideal world. Right? We handle those early years and those later years the same way we handle K-12.

WAYNE: This is where you lose credibility because you can't answer the question of yes, we do. But I disagree with-- that's-- just do we do it now?

TIM ROYERS: I think I've been pretty emphatic that I've said--

WAYNE: OK.

TIM ROYERS: --yes, but I wish we didn't.

WAYNE: All right. So you said the number one thing is about holding them accountable.

TIM ROYERS: Yeah.

WAYNE: Are all private schools held accountable by our State Board of Education?

TIM ROYERS: It depends if they're accredited or if they're approved. But my answer would be certainly not to the same extent of our public schools.

WAYNE: You said it depends if they're accredited or approved.

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TIM ROYERS: Right.

WAYNE: Right. So who makes that determination?

TIM ROYERS: The school.

WAYNE: No no. Who makes that determination? Let's try again.

TIM ROYERS: The school requests to be either accredited or approved.

WAYNE: No. Who makes a determination of whether to approve-- make them approved or accredited?

TIM ROYERS: I mean, the school determines the mode in which they want to be accepted. I guess what you're trying to get me to say is the State Board of Education or Department of Education.

WAYNE: Right. They oversee everything, right? So if they wanted to change--

TIM ROYERS: Sure.

WAYNE: --the accredit-- they wanted to change the approved standard to equal the accreditation standard, can't they do that by a vote of the board?

TIM ROYERS: I think the fact that all of you who support this are bird walking onto these very interesting subjects that are somewhat germane kind of proves my point, if I can be honest with you.

WAYNE: OK. Bird walking is a great word. I'm asking you a question.

TIM ROYERS: Right.

WAYNE: Does the State Board make those requirements of who's approved and who's accredited?

TIM ROYERS: Right. But I guess my question is I'm not on the State Board so why--

WAYNE: Because you said right. Because, because there's this fallacy. You said you would-- you would be OK with it if they're [INAUDIBLE] same standards.

TIM ROYERS: No, actually, Senator Wayne, I think your question actually proves what I'm trying to say. I'm saying I have to assess

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the world as is. And as is, private schools who are simply approved do not-- are not held to the same standards as public schools. Therefore, I do not want to see public dollars go to them because they do not welcome all children. They don't hold to the same standards. Yeah, if that bill was introduced, I'd be-- I would love to have that conversation.

WAYNE: No, what I'm saying is it doesn't need to be a bill. The State Board can do it now. It's under their jurisdiction. Right?

TIM ROYERS: Then hey, let's you and I go and have a conversation with the State Board of Education.

WAYNE: I'm with you.

TIM ROYERS: Yeah.

WAYNE: That's all I'm saying. But don't, don't give the fallacies that, that, that they're out here and they're not being regulated when our public people we elect on the State Board actually regulate private schools.

TIM ROYERS: Sure. And I guess what I would say, Senator Wayne, is I-- I've, I've talked to numerous public school administrators, public school, school board members, teachers. They've all said the same thing. If you level the playing field to have us all play, play by the same rules, game on.

WAYNE: And what I'm saying is that's not the Legislature. We have in our Constitution, that's the State Board of Education [INAUDIBLE].

TIM ROYERS: Sure. But I guess I'm testifying on a bill that would violate the Constitution by sending public dollars to private schools, and I'm in opposition to that.

WAYNE: Thank you.

MURMAN: Any other questions for Mr. Royers? If not, thank you for testifying.

TIM ROYERS: Committee, always a pleasure. Thank you for your time.

MURMAN: Other opponents? Good afternoon.

CONNIE KNOCHE: Good afternoon. Good afternoon, Chairman Murman and members of the Education Committee. My name is Connie Knoche, C-o-n-n-i-e K-n-o-c-h-e, and I'm the education policy director of OpenSky Policy Institute. We're testifying in opposition to LB1386 because we're concerned about where the funds will come from and whether it will be sustainable in the long run, as the state takes on paying for both private and public education. LB1386 creates the Nebraska Student Savings Account Support Fund. Money is transferred into the fund in an amount equal to \$1,500 per student in K-12 in an approved, accredited, private, denominational, parochial school for the prior year. When you use 2022-23 data, the total amount transferred would have been \$55 million using 36,656 students enrolled in nonpublic schools multiplied by the \$1,500 per student. The State Treasurer deposits money into each student's account that apply for the student savings account, so not every student may not apply for the account. But if you're looking at a fiscal impact, we're estimating that it would be \$55 million to fund that on an annual basis, which could grow over time. The bill doesn't provide a dedicated source of funding for the program, meaning that it will require General Fund dollars that are being increasingly stretched in our existing obligations, including our public schools. The ESA program proposed would revert tax dollars back to the state and then on to largely unregulated private entities that run private schools. Taxpayers don't see how this money is used or what kind of education is provided for the money. In addition, the proposal may be unconstitutional as was referenced earlier. Further, private schools are not required to provide the same services as public schools such as free lunch, transportation, or special education services. We believe diverting money from our underfunded public schools in favor of private schools will undermine our public education goals, gamble with tax dollars, and undermine our state Constitution's prohibition on state funds going to private schools. As such, we would encourage you not to advance LB1386.

MURMAN: Thank you. Any questions? Senator Linehan.

LINEHAN: Thank you, Chairman Murman. I do have to give you all credit for sticking with your lines. They're very good. Did you just say that our schools are underfunded?

CONNIE KNOCHE: Yes.

LINEHAN: How much money would it take to fully fund our schools?

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CONNIE KNOCHE: We'd need to have a study done to find out how our programs is working. The TEEOSA formula--

LINEHAN: Haven't you been doing-- studying? I think if I read your OpenSky's information, you've been there for 10 years studying school finance. How many-- you've been doing that for 10 years?

CONNIE KNOCHE: Well, the TEEOSA formula that's in place now is 30 years old. And we haven't done a-- I don't know how.

LINEHAN: But have you been studying school finance for 10 years?

CONNIE KNOCHE: I've been around school finance for a while.

LINEHAN: But you don't know how much it would take to fully fund schools?

CONNIE KNOCHE: No. It depends on what you want the student outcomes to be when you're funding schools, what you want them to learn and what it would cost to deliver.

LINEHAN: Don't we already have goals for what we want them to learn?

CONNIE KNOCHE: There are standards that the depart-- that the State Board of Education--

LINEHAN: Are we doing a good job of meeting those standards?

CONNIE KNOCHE: I believe so, although I've read that reading is, is something that they need to work on.

LINEHAN: You and other testifiers and I'm sure coming behind and I will-- because I do not want to be here until midnight-- you keep saying it's unconstitutional. There-- would you please provide the committee with the court cases you're talking about when any of this is unconstitutional if the money goes to the parent because the Supreme Court has ruled 3 times that it's not-- U.S. Supreme Court.

CONNIE KNOCHE: OK. We can look into doing that for you.

LINEHAN: Because-- OK, let me see if I'm-- OK. That's it.

MURMAN: Any other questions? I have one. So we're going to pay or give students \$1,500, and some of them will go to private schools. And it costs about \$13,000 per student to educate kids in Nebraska. Isn't

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there a lot of leeway in there that public schools should actually save money by some of the students going to a private school?

CONNIE KNOCHE: I believe the \$1,500 in this proposal goes to only the private-- the students going to private schools. There, there is the assumption that there would be a cost savings, but just because 5 or 10 kids leave the school doesn't change the cost of heating the building, running the buses, you know, paying the staff. It wouldn't make a substantial impact on the cost to the school. There's a-- they're like fixed costs that they would have to.

MURMAN: I would agree with you on many small schools, but on a larger school they should be able to more efficiently use their teachers and their facilities to accommodate a certain number of students leaving.

CONNIE KNOCHE: I believe, though, that the-- for the larger schools, their, their student teacher ratios are much higher than they would be in a smaller school. So it would just mean that maybe this school would have 21 students per teacher as opposed to 25 or 26 students per teacher if that were the case.

MURMAN: And that would be a better student/teacher ratio.

CONNIE KNOCHE: 21?

MURMAN: Yes.

CONNIE KNOCHE: Yeah, I think that would be better, but I'm not a educator.

MURMAN: Thank you. Any other questions? Thank you very much.

CONNIE KNOCHE: Thank you.

MURMAN: Any other opponents for LB1386? Any other opponents? Good afternoon.

DUNIXI GUERECA: Good afternoon, members of the Education Committee. Thank you, Chair Murman. My name is Dunixi Guereca, D-u-n-i-x-i G-u-e-r-e-c-a. I am the executive director of Stand for Schools, a nonprofit dedicated to advancing public education in Nebraska. Stand for Schools opposes LB1386, which establishes an ESA or education savings account program in Nebraska. First, we oppose LB1386 because it is poor policy. LB1386 allows any student in kindergarten through 12th grade enrolled in an approved or accredited private,

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denominational, or parochial school in Nebraska to receive \$1,500 for certain qualified expenses. The bill does not attempt to target that money to the students least able to pay for these expenses or students that most need academic or behavioral support. The bill does not restrict these expenses to students newly enrolled in private schools. And most importantly, this bill does not provide any protection against discrimination to families who may want to use their ESA for tuitions but cannot because of private schools' creed, practices, admissions policies, or curriculum. And for the sake of brevity and the committee's time, I'll cut it off there.

MURMAN: OK. Thank you. Any questions? Yes, Senator Linehan.

LINEHAN: Thank you, Chairman Murman. OK. Did you say that you're a registered lobbyist or are you not a registered lobbyist?

DUNIXI GUERECA: Yes, ma'am.

LINEHAN: OK. I think registered lobbyists are supposed to say that but.

DUNIXI GUERECA: Oh, I'll double-check.

LINEHAN: Thank you.

MURMAN: Thank you. Any other questions? Thank you for testifying.

DUNIXI GUERECA: Thank you.

MURMAN: Any other opponents for LB1386. Good afternoon.

GARRET SWANSON: Hi. My name is Garret Swanson. I'm here on behalf of the Holland Children's Movement, a nonpartisan, not-for-profit organization that strives to fulfill its vision for Nebraska to become a beacon of economic security and opportunity for our children and families, in opposition to LB1386. And I am a registered lobbyist. I've heard a lot of great testimony. [LAUGHTER] Just had to clarify.

LINEHAN: You get an A for listening.

GARRET SWANSON: Yes. Thank you. There's been a lot of great testimony. I want to keep my argument on the side of the public mandate. Our sister nonprofit, the Holland Children's Institute, conducts a sophisticated, nonpartisan poll published at least once a year on the nonprofit's website. In every poll, a question is asked to Nebraskans

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that tests their opinion on giving public money to private schools. In the 2023 poll conducted in February, Nebraskans were asked if they favored strongly, favored not strongly, opposed not strongly, opposed strongly, or didn't know their opinion on giving tax dollars to private schools. And actually, if you flip the sheet over, I gave you the results are actually there. The 2023 poll found that 34% of Nebraskans favored subsidizing private schools with taxpayer dollars, with 23% favoring strongly. In comparison, 64% of Nebraskans opposed subsidizing private schools with taxpayer dollars, and 49% of Nebraskans opposed strongly. In the 2022 poll conducted in October of that year, 32% of Nebraskans favored using taxpayer dollars to subsidize private schools, with 20% favoring strongly. Again, this is compared to 67% of Nebraskans in opposition, with 54% strongly opposed. Simply put, Senators, there's no public mandate in Nebraska to give taxpayer money to private schools. In November, the public will be voting on whether to repeal LB753 from last year's session. The result of this ballot initiative should inform the Legislature on if there's any public mandate to give public dollars to private schools. Passing LB1386 now takes away the ability of voters in Nebraska to have their say and could trigger another ballot initiative. The Movement urges the senators here not to vote LB1386 out of committee. Thank you. And again, you can see the whole questions on the back side and the whole polls are also on our website.

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

LINEHAN: Spell his name.

GARRET SWANSON: Oh, yes, spell my name. I got caught up. G-a-r-r-e-t S-w-a-n-s-o-n.

MURMAN: Thank you. Any questions for Mr. Swanson? Senator Linehan.

LINEHAN: Thank you, Mr. Swanson. Have you ever seen any of the polls-- that I've seen many of them-- one of the question is, do you think parents should have a choice in educating their children?

GARRET SWANSON: I have seen a few of them. I can't tell you the results off the top of my head right now. I do want to try to stay nonpartisan in how we poll. And someone can try to argue here that this is a push poll or if it's not.

LINEHAN: Is this the one you did? Is this the one OpenSky had?

GARRET SWANSON: No, this is just Holland Children's Institute.

LINEHAN: OK. All right.

GARRET SWANSON: We do a yearly poll.

LINEHAN: OK. All right. Thanks for being here. Appreciate it.

GARRET SWANSON: Thank you.

MURMAN: Any other questions for Mr. Swanson? If not, thank you for testifying.

GARRET SWANSON: Thank you.

MURMAN: Any other opponents for LB1386? Any opponents? Any neutral testifiers for LB1386? If not, welcome Senator Hansen to come up and close. And see, electronically we had 8 proponents, 23 opponents and 0 neutral.

HANSEN: Thank you, Chairman. I am not a registered lobbyist. Get that out of the way before everyone yells at me. I like-- I'm always interested on who comes to testify for or against a bill. That tells you the merit of a bill. The ones in opposition were NSEA, OpenSky, Stand for Schools lobbyists. The people who came and testified took time out of their day to come testify for this were parents, kids, even educators in administration to come testify in favor of this bill. So when we say this is about kids, not systems, that's exactly what we're talking about. We heard that there were 100,000 people who signed a petition, were not in favor of school choice. One thing we don't mention is how many people did not sign that. What if there's 200,000 people who didn't sign it? We don't know those numbers. I had some questions about where the money's going to come from. If you look at the fiscal note, they have it coming out of General Fund. So [INAUDIBLE] us. I don't know how much in depth-- I think the fiscal on these look pretty good, but that's pretty much where we're looking at getting the money from. I'm always up to some other creative solutions on where we can get some of this money from that may not be such a burden on the taxpayer. You know, lottery funds. I know Senator Lowe has a great bill out there to start taxing skill games. You know-- so I'm always open to kind of looking at other-- any other kind of way or creative solutions we can do to kind of help out with that as well. There was another question. See if I have it here. I wrote it down. Sorry. I know you guys are tired of sitting here. There's a question about Iowa passing their ESA that the first testifier, Mr. Royers,

had, but first, it's important to put Catholic school budgets in perspective. Specifically, dioceses and parishes are frequently subsidizing their schools, which I'm sure is a challenge to parents substantially. How much longer can we expect them to do that? Moreover, to get a better sense of who may or may not be overcharging, isn't it fair to compare the price of private school tuition to the district per pupil? Next, it's interesting to look at Arizona, where they have a bit more experience with ESAs than Iowa. And what we found out is that Arizona private schools increased tuition less than public schools raised taxpayer costs amid ESA expansion, and increase in private school tuition rates was near zero after accounting for inflation rates, even amid ESA expansion. So, you know, I think we kind of have conflicting, you know, narratives about ESAs and their effect on the states. So without delving in too much more on that, I'll do my best to answer any questions you might have.

MURMAN: Any questions? Yes, Senator Linehan.

LINEHAN: I'm asking this mostly-- thank you, Chairman Murman-- mostly because it makes sure it gets in the record. I did understand two of the testifiers today, a parent and a child, that they were turned away from a public school because they had an IEP, which was about some loss of hearing, not total loss, and clearly--.

HANSEN: Moderate loss of hearing.

LINEHAN: Moderate. So they couldn't-- they were turned down by a public school.

HANSEN: Yes.

LINEHAN: Thank you.

MURMAN: Any other questions for Senator Hansen? Yes, Senator Conrad.

CONRAD: Thank you so much, Chair Murman. And thank you, Senator Hansen. We were kind of talking amongst ourselves, and I think about how the nuts and bolts of the financing for this program work, and I think everybody's kind of trying to sort through the fiscal note and figure that out. And if you could just-- and I know it's a bit complex, and we have a really busy day today, but if you could help us understand how the idea that you have put forward in LB1386, how that is different or perhaps works with existing educational savings accounts plan that we're all familiar with, 529s, that we have had for a while in Nebraska. I think from our private conversations, you

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indicated that this was maybe separate and distinct or in addition to those 529 plans. Could you just help maybe walk us through the nuts and bolts of the financing?.

HANSEN: Best I can.

CONRAD: Yes.

HANSEN: With the assumption in the fiscal note is they were saying about-- they would assume about 80% of students would apply for this, and that's where the fiscal note came from, in private schools. And it-- they pretty much have it straightforward about where the funds would be coming from and who has control of them, the State Treasurer and also the General Funds that this is, from my understanding, separate and distinct from what--

CONRAD: OK.

HANSEN: -- a 529. Yeah.

CONRAD: OK. And then, I just had two quick points for the record. And because I think it maybe got confused or glossed over amid the passion in relation to this measure, which is not a bad thing, that people hold that on both sides. But I do just want to clarify that the signatures that voters put on an initiative or referendum does not equate to support. It equates to a request for a vote on something. And so I just wanted to, to be clear about that all the way around. I also know that it's fun to dunk on lobbyists and we all do that from time to time, but that is a protected First Amendment activity where people have a right to associate, to organize, and petition their government. And so we can put a lens on how we assess the credibility of that testimony, of course, as policy makers. But, I do just want to put that up just to--

HANSEN: Yep.

CONRAD: --be clear.

HANSEN: And I want to make sure that I'm not contradicting any of their testimony.

CONRAD: Sure.

HANSEN: And, you know, their philosophy of school choice or what they came and testified, it's more of a comparative analysis of who came to

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testify for it, who came testify against it. And sometimes that's, you know, indicative of the bill itself.

CONRAD: Very good. Thank you. Thank you.

MURMAN: Any other questions for Senator Hansen? If not, thank you very much. That'll close the hearing on--

HANSEN: Thank you.

MURMAN: LB1386.

ALBRECHT: Hello. Hello, everybody out. If you have to leave, goodbye, goodbye, goodbye. Let's get started. We're going to open-- Senator Merman, you'll be able to open up now on LB1306. Thank you.

ALBRECHT: Thank you, Vice Chair Albrecht, and members of the Education Committee. My name's Dave Murman. I represent District 38. Today, on behalf of the committee, I'm introducing LB1306, which deals with the Professional Practices Commission. To explain the need for this bill, I'll first go into the context of how the Professional Practice-- Practices Commission currently works. Currently, when a teacher has an alleged violation of the Standards of Professional Ethics and Practices, a panel of 12 educators appointed by the Governor and a hearing officer meet quarterly for a hearing. That commission then makes a recommendation to the Commissioner of Education regarding the status of that teacher's certificate. The final decision is still the Commissioner of Education's. The commission just makes that recommendation. The problem with this system is that there is a huge backlog of teachers whose certificates have come under complaint, but are told to wait longer and longer. While some testifiers behind me will be able to go better into detail on exactly how large the backlog is and how long it takes for a hearing to happen, I have heard from PPC members that it can take nearly up to a year for the hearing to happen. During this time, the teacher is still in the classroom. If that teacher did something deeply inappropriate, letting them stay in the classroom for almost a year and continue to teach is just plain unsafe. On the other hand, if a teacher didn't do anything wrong, we don't want them to have to wait for months and months not knowing the future of their career. Under LB1306, a teacher whose certificate has a complaint still has a hearing, but just with a hearing officer and not the full panel of teachers. The commissioner still gets the final say. By making this change, we're going to be able to greatly reduce the hearing backlog and give our teachers, our educators, the right to

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a speedy trial. For technical questions about the Practices Commission, there are some testifiers behind me that are probably better qualified to answer, but I'm happy to answer any questions at this time.

ALBRECHT: Thank you, Chair Murman. Any questions from the committee? Seeing none, you'll wait on the side here. Any proponents, any proponents, please come to the front so that we know how many are going to be speaking. Proponents? First proponent? Welcome.

BRIAN MAHER: Good afternoon. My name is Brian Maher, B-r-i-a-n M-a-h-e-r, and I'm honored to address you today as the Commissioner of Education. I'm pleased to join the State Board of Education as a proponent of LB1306, and we appreciate the Education Committee bringing this bill forward. In my seven months as commissioner, I've been able to observe processes at the agency and begin to identify ways to become more efficient at the Department of Education. One such way is through the elimination of the Professional Practices Commission. As a former member and chairperson of the Professional Practices Commission, I know that the Professional Practices Commission has served an important purpose in making recommendations to the State Board of Education, who's actually the ultimate decider on certification issues. By eliminating the Professional Practices Commission, or maybe more appropriately, by enacting this bill, we would reduce the time for final determination by the State Board in contested cases of unethical conduct by a teacher or administrator. Secondly, this bill would replace the Professional Practices Commission with a hearing officer. In other words, this step in the process would not be lost. And finally, this bill will return unused funds of the Nebraska Professional Practices Commission, which today is \$819,000, to the Certification Fund at the Nebraska Department of Education, allowing NDE to reduce fees paid by individuals for a teaching or administrative certificate. I want to thank you for your consideration on this bill, and I will stand by for any questions.

ALBRECHT: Thank you for your testimony. Do we have any questions? Seeing none, thank you very much. Do we have any other proponents wishing to speak? Hello.

JONATHAN HUNZEKER: Good afternoon. My name is Jonathan Hunzeker, J-o-n-a-t-h-a-n H-u-n-z-e-k-e-r. I'm an attorney at Norby and Welding. I'm here today representing the Nebraska State Education Association, who's a proponent of LB1306. I'm also here to let you know that in addition to the NSEA, the Nebraska Council of School Administrators is

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also a proponent of LB1306. I'm really here today to provide you all my thoughts as a practicing attorney who has represented teachers in proceedings before the Professional Practices Commission, I'll call them the PPC, for a number of years. The original principal obviously was so that educators and administrators would be judged by a group of their peers. And while that is a laudable idea, it unfortunately no longer works in practice. And in our view, there are really two issues that exist in the current structure that, that the change from, from LB1306 can fix. Those two issues are time and decreased deference to the PPC's recommendation. So first and foremost is the issue of time. That is what I view as the problem. And in my experience, the teachers that I represent wait, at a minimum, many, many months, often four to five at a minimum. Most of them wait close to a year, sometimes more, before their matter is heard before the PPC. And as was mentioned while waiting, it's nearly impossible for them to get a teaching job while the complaint hangs over their head. The old saying, justice delayed is justice denied, in my view, applies here. When serious allegations are made against the teacher, it's in the best interest of everyone to have the hearing as soon as possible. That way, if the allegations are unfounded, that teacher can get back to work sooner, keeping good teachers in the classroom. If the allegations against the teacher are founded, then the teacher is kept out of the classroom in a much more prompt way. The bill, in our view, will achieve timely hearings and swift resolutions for teachers. It'll relieve the bottleneck at the PPC level of that timing issue. The second issue is the issue of decreased deference over time to the PPC's recommendation. As was mentioned by Senator Murman, the PPC's decisions, actually-- or their recommendations actually go before the State Board who makes the ultimate decision, it's not the commissioner, but the State Board. And over time, we have seen a decreased deference, where it used to be that the PPC's recommendation might be more frequently honored by the State Board, whereas now it is not, or at least not as much. I shouldn't say it's not, but, but we've seen a decreased amount of deference. That creates an issue for me as a lawyer to counsel my client who, who might otherwise believe that the PPC's recommendation, the recommendation of their peers might, might be honored by the State Board. And the State Board, I want to tell you all this, the State Board should have the right to review the record, which is really the purpose of these hearings, is to create a record. The State Board should absolutely have the right to make their, their own independent decision. And, and in our view, placing a hearing officer in this role will achieve the goal of creating the record which is necessary for the State Board, while, while relieving

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this issue of that we've seen over time of, of a decreased amount of deference. And that's why I'm here today as a proponent of LB1306. I'd be open to your questions.

ALBRECHT: Thank you for your testimony. Any questions in committee? Seeing none, thank you.

JONATHAN HUNZEKER: Thank you.

ALBRECHT: Any other proponents wishing to speak? Proponents?

BRIAN HOF: My name is Brian Hof, B-r-i-a-n. Last name is Hof, H-o-f as in Frank. I'm currently the superintendent of schools at Red Cloud. I'm also a current commissioner on the PPC. What you're getting right now is kind of what I've written up, but after hearing the testimony, I'm going to change it up a little bit. I-- from looking at the testimony, I'll give you a little bit-- the backlog idea of that it's the PPC is the issue. And I'm not saying it is or it is not. I believe that there hasn't been any information gathered by-- we've never been approached, asked what the issue is. Nobody in the PPC has been-- the first we knew about it is we got a phone call saying that there's a bill coming in to do away with the commission. Nobody involved us. Nobody asked us, is there a way to speed it up? Is there a problem here? The dollars and cents side, a teacher pays \$2.60 a year for their license to the PPC. That's the equivalent of what we get out of their license. Now, as far as the \$800,000 in our account, we don't want it. We don't care. We just want enough to exist. And at the end of the year, if there's extra, let the Department of Ed have it. We don't care. Every member on the PPC is a volunteer. Me personally, I was appointed by Governor Ricketts and reappointed by Governor Pillen. I get paid \$0. The reason I'm on the commission is because I believe that we're making the profession a better profession. We're making sure that somebody along the way is not getting mistreated, they get to heard for what they're doing. That includes parents. Parents come in and testify. Kids come in and testify. The administrators come in and testify. We do a lot of work with a lot of people as they go through to be able to be heard. As far as the backlog, I'll give you some examples of what we're sitting at. We have a meeting Thursday. If you have any of your staff, come on. Send them on over and they can watch what we do. But an example, complaint filed with the Department of Ed on 3/24/23, received by the PPC, 10/3/23, seven months later. Another example. 4/18/23, received on 10/31/23. This one, filed 7/27/22, just received the complaint, 11/20/23. So it's not necessarily the PPC that is the issue. I encourage you to read what I

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sent, you know, put in front of you. I know you guys are in a hurry and I don't want to waste your time, but I think that there's a better way to make this streamlined. I think there's a lot of things that could make it faster and better. Maybe an option for a teacher to choose a hearing officer or to choose a jury of their peers. But I think that that's doing a disservice to our teachers and saying that our profession is less than others, like accountants, where they get a jury of their peers when there's a complaint. Teachers should be held to the same level as other professionals, and have the opportunity to be heard by folks that are doing the job that they're out in. You know, lawyers get it, accountants get it, others get the opportunity to be heard by a jury of their peers. It costs-- we're all volunteers. Doesn't cost anything for us. We're not in it for the money. We're in it to make the profession a better profession. And if you have any questions, I'm happy to answer now.

ALBRECHT: Thank you for your time. Questions from the committee? I just have a couple quick ones.

BRIAN HOF: Please.

ALBRECHT: How many people are in waiting? How many teachers do you think are waiting?

BRIAN HOF: You know, in all honesty, we don't know how many are sitting at the Department of Education.

ALBRECHT: So the department tells you--

BRIAN HOF: Sitting for us waiting-- correct. They fi-- when they-- the petition is filed with the PPC, then we get them. We have worked through their attorney. We have to wait 20--21 days after it's filed for the accused to have time to talk to their lawyer or do whatever, talk to the association, whatever it is--

ALBRECHT: How often do you meet?

BRIAN HOF: Currently we meet four times a year, but we're open to meeting as often as necessary.

ALBRECHT: OK. And do, do these teachers, when you give them some time to think about things and stuff, do they have to have an attorney to--

BRIAN HOF: They don't have to, no, we've had many people that come in and represent themselves. Many times the complaint is filed with the

Department of Education, and something's worked out with the legal team at the Department of Ed, and it never makes it to the Professional Practice Commission. Usually, I mean-- It, it really-- Every case is totally different. I know that if you asked the teachers if they would rather be heard by one individual, that, according to statute, has to be a lawyer to be a hearing officer, or they'd rather at least get their say to where they felt like somebody listened to them by a jury of their peers, they'd say a jury of their peers.

ALBRECHT: OK. Thank you. Any other questions? Seeing none, thank you for your time.

BRIAN HOF: Thank you.

ALBRECHT: Any other proponents? Hi.

JUDI ROACH: Hi. Good afternoon. My name is Judi Roach, J-u-d-I R-o-a-c-h. Thanks for the opportunity to testify in front of you. I am a teacher for Superior Public Schools, and I'm a current commissioner on the Professional Practices Commission. I would like to share some additional information with you about what the commission does. We hold quasi-judicial hearings concerning alleged violations of professional pra-- ethics and practices. We make recommendations to the State Board regarding the disciplinary action concerning the alleged violations, and we provide outreach services to colleges and universities across the state, as well as schools, school districts and ESU's. Additionally, it's important to know the following. All 50 states have an agency like the Nebraska Professional Practices Commission. Some are separate agencies, like Nebraska. Examples in neighboring states are Iowa. There's an Iowa Board of Educational Examiners. Kansas has a Kansas Professional Practices Commission. South Dakota has two separate commissions, one for teachers and one for administrators. Wyoming has a Professional Pract-- or Teaching Standards Board. Each case the commission hears is evaluated on the basis of testimony and documents of evidence we receive prior to the hearings. What has been learned during my time on the Commission is that not every case is cut and dried because of the documents given prior to the hearing. This is why expertise and experience from every level of education is a must when evaluating a teacher's situation. We have a good understanding of the processes, policies and procedures in schools. This knowledge and firsthand experience in the field is invaluable for making recommendations on the cases we hear. Educators who hold a professional teaching license deserve the due diligence of a hearing reviewed by professionals in their field. Eliminating the

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Professional Practices Commission will not solve the backlog issue. Further, the elimination of the commission is not going to create a time or cost savings. We have outreach services that include presentations to pre-service teachers at colleges and universities, and to current educators regarding ethical and professional teaching practices. The commission produced case study videos which are used by colleges and universities in Nebraska and throughout the country. Further, the Pennsylvania Professional Standards and Practice Commission use these videos as part of their ethics toolkit. Eliminating the Professional Practices Commission with-- would cease this important outreach services for educators in our state and beyond. Finally, I will end with this. There have been 150 commissioners over the 57 years of existence of the Commission. We literally have no idea how many teachers have been saved from making ethical mistakes by simply having the benefit of having past and current commissioners taking detailed information back to their districts. These are incalculable benefits with far reaching impact. If the commission is eliminated, it will be a cost opportunity of prevention and lost opportunities to increase safety for students which is very critical-- a very critical difference between the PPC and the plan that is being proposed. Thank you for the opportunity to testify and I would be happy to answer any questions you might have.

ALBRECHT: Okay. Thank you very much for your testimony. Would you say you're a proponent or an opponent?

JUDI ROACH: I am an opponent. Sorry.

ALBRECHT: That's OK.

JUDI ROACH: I'm against.

ALBRECHT: OK. Because we're still on proponents. But we'll skip to an opponent.

JUDI ROACH: We're on opponents.

ALBRECHT: Are we all done with--

JUDI ROACH: Yeah.

ALBRECHT: I'm sorry. My fault.

JUDI ROACH: That's OK.

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ALBRECHT: Sorry.

JUDI ROACH: It's all right.

ALBRECHT: We'll go ahead and list her as an opponent. OK. We're just getting started here. All right. Any questions? Seeing none, Thank you for--

JUDI ROACH: Thank you.

ALBRECHT: --testimony. The next opponent. Good afternoon.

TOM SEIB: Afternoon. Thank you very much. Thank you for the opportunity to testify. My name is Tom Seib, T-o-m S-e-i-b, and I'm a retired administrator and teacher from Lincoln Pius X here in Lincoln. And I'm also a current commissioner on the Professional Practices Commission. I'd like to give you a brief statement regarding the human side of the work that this commission does. Over my five year tenure on the commission, I value not only the work the commissioners put into each of the cases we hear, but also the value it provides to educators in this state. If I was not on the commission anymore, and an accusation was ever brought against me, this is the organization and this is the system that I would want hearing my case. Many of the alleged violations in cases we hear are committed by good and decent people who use poor judgment, real honestly. Teachers are human beings and they make mistakes. Should a mistake be career ending? In some cases, I believe the answer is no. They deserve the right to be heard and sometimes be given a second chance. That is why we have this judicial-like process for enforcing standards of professionalism. And in the case of this commission, it's by educators, for educators, a layer of due process that comes with being a professional. This is what the Professional Practice Commission ensures, and that is what we see and hear at our hearings. One of the newest members of our commission shared with me that she has observed how the commissioners use their knowledge, their expertise, and also their hearts to give educator-- give educators due process. I share her belief that this will not continue if the proposed new plan to use a hearing officer who has no education and classroom experience from which to draw from moves forward. I really do believe that. There are other cases where an educator followed the correct course of action and policy, or were not given due process at the school or district level that they should have received. Because of the Commission's work and what we learn during the hearings from evidence and testimony, this commission can offer the correct action warranted in each situation. I want to leave

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you with this, a thank you note that I received from a respondent whose case was brought before the commission. She said, thank you so much for listening to me at my hearing. I'm truly grateful for the outcome. Continue making a difference in the lives of Nebraska educators and students. Thanks. That Nebraska teacher was not treated fairly by their district, and only the Professional Practices Commission can offer our educators the opportunity to be heard and receive the due process they deserve. Thank you very much for your consideration in this matter.

ALBRECHT: Thank you for your testimony

TOM SEIB: Questions?

ALBRECHT: Senator Linehan?

LINEHAN: Thank you, Senator Albrecht. I'm sorry, because I know we're all tired and want to move on, but give me some ideas of what these teachers are being accused of if they end up in front of you? Or I don't know. Was it giving out bad grades or--

TOM SEIB: It's a great question, yeah. There's a variety of things that we deal with. A great majority of them are abrogation of contracts, which means, you know, if you're becoming a teacher, you sign a contract. That contract runs from a certain time to a certain date.

LINEHAN: Right.

TOM SEIB: And a lot of them are simply things like abrogation of contract, where the teacher finds another job, or leaves the state, maybe their spouse gets a new job and they leave and they abrogate their contract. And that's a lot what we deal with. Those are fairly simple to deal with. A lot of what we deal with isn't so simple. Sexual issues, dealings where, where, teachers will have sexual contact with students, that kind of things. That's very serious business and that's, that's difficult things to deal with. Sometimes it's just a simple matter of some of the things that go on in a school that would be normal things where teachers, maybe do things like, alcohol, alcohol issues. We see a lot of that kind of stuff. You'll see a wide variety of things like that, that, that where teachers go above and beyond what they should be doing in the classroom or outside the classroom in their community. Does that help a little bit? Does that make some sense?

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LINEHAN: Yes. Basically, anytime a teacher's, no matter what it comes to you.

TOM SEIB: Yes. And violates their contract in any way, shape or form.

LINEHAN: That's very helpful. Thank you.

ALBRECHT: Any other questions? Senator Walz?

WALZ: Thank you. Thanks for coming today.

TOM SEIB: You bet.

WALZ: I just have a-- I mean, obviously we always want to try to run as efficiently as we possibly can. Can you give us an idea of what expenses are incurred for a year with this commission?

TOM SEIB: As an individual or as the commission itself?

WALZ: As a commission.

TOM SEIB: As a commission? I'm not really real familiar with that, but I think that about the only other things that, that I'm aware of that are, the legal, the legal people we have, we have a, we have a lawyer that advises us. I know that's one of them. And, also, you know, from our perspective as commissioners, we just get-- some of the commissioners live out in western Nebraska and so forth, and they get mileage to get there and things like that. Other than that, as, as you heard earlier from Brian, we don't get anything at all other than that, but other than mileage and stuff like that, nothing. But we do have a, a clerk and we also have a lawyer advises us, does a lot of the paperwork for us and stuff like that. That's it. That's all.

WALZ: And how many, can you-- How many people are on the commission? I'm sorry.

TOM SEIB: Well, the, the, the-- By state mandate it's supposed to be twelve. I've been on it for five years, and we've never had more than eight or nine most of the time. As they go out, it takes quite a while for the Governor to appoint somebody new. So we usually get anywhere from eight to ten.

WALZ: OK. All right. All right. Thanks.

TOM SEIB: You bet. You bet.

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ALBRECHT: Any other questions? I have a quick question.

TOM SEIB: Yes.

ALBRECHT: So some of these are some serious accusations. Do teachers ever have to take a leave of absence until you actually get to your-- to the stage where you get to hear it.

TOM SEIB: Absolutely. And that's up to each district, each school district, to do that on their own. We are doing with whether they keep their teaching certificate or not, not whether they are still in the classroom.

ALBRECHT: OK, so, if this was something so egregious as a sexual assault--

TOM SEIB: Yes.

ALBRECHT: They still come to you even if it's a criminal act.

TOM SEIB: Correct. Our job is to remove that-- is to decide--

ALBRECHT: You're there just for their contract.

TOM SEIB: --whether to remove their teaching certificate--

ALBRECHT: And their certificate.

TOM SEIB: --either permanently, to revoke it permanently, or revoke it for one year, two years, five years, ten years, things like that. If we revoke it permanently, they will never teach again.

ALBRECHT: Right.

TOM SEIB: If we revoke it for one year, two years, five years, they will have to come back to the commission at the end of that time and meet with, meet before the commission again. And usually they'll have to present a lot of evidence telling why should we give you your certificate back after that two year period or whatever it is?

ALBRECHT: Is, is the attorney with the Department of Education that helps you folks that are on the commission? Is if somebody from the department?

TOM SEIB: Yes. And then there's also-- yeah, there is a there is a--

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ALBRECHT: Outside counsel.

TOM SEIB: --Department of Education attorney. And then we have our own attorney who is hired.

ALBRECHT: OK. Very good.

TOM SEIB: Just for the commission.

ALBRECHT: Very good. Thank you. No other questions? Thank you for being here.

TOM SEIB: You bet. Thank you very much.

ALBRECHT: Any other opponents wishing to speak? Any other opponents? Seeing none, anyone in a neutral capacity? Come on up.

LOAN EBY: I have some booklets for you guys.

ALBRECHT: OK. Thank you.

LOAN EBY: I had to reduce my, my comments because I thought I had five minutes, so.

ALBRECHT: Yeah.

LOAN EBY: OK. Hello.

ALBRECHT: It's a long day. Sorry.

LOAN EBY: My name is Loan Eby and my first name is spelled-- can you hear me OK?

ALBRECHT: Yes.

LOAN EBY: My first name is spelled L-o-a-n, and my last name is spelled E-b-y. I'm speaking about LB1306 with a neutral stance. LB1306 is redundant because rule 28 and rule 29 of the Nebraska Administrative Code outlines how the NDE receives, investigates, and prosecutes complaints against Nebraska certificate holders under rule 27. The complaint process seems to be working as intended. By increasing awareness of the process and starting at the local level, it will further protect students and the public interest. I liken the certificate holder complaint process to civil court proceedings. The complaint is filed at the local level. The case is investigated at the school district level. Once a decision is made, the complainant has

the option to appeal to the Nebraska Department of Education. I would like to share examples of possible rule 27 violations that can be filed under the current system. Example number one. On July 3rd, 2023, it was reported Avery Rhodes, a 36 year old former assistant wrestling coach with Papillion La Vista Schools, is charged with four felonies and a child sexual assault investigation. Mr. Rhodes trial is scheduled for April 2024. Mr. Rhodes holds an active certificate with no disciplinary action on file. Example number two. March 29th, 2023 Ad-- Accuracy in Media ran a story, quote, Nebraska superintendent: we would break the law if principles of CRT are banned, said Doctor Lucas, superintendent of West Side Community Schools. The Westside Community Schools Board of Education is aware of this video. According to the district website, on June 13th, 2023, the Board of Education increased the superintendent's base salary and extended his contract. Example number three. Around March, 2022, Equity Nerd gave an initial presentation to Bennington students, who promptly complained to the administration. Thus, the planned training for students-- Oh the t-- the initial training was for teachers, strike that. Thus, the planned training for students and additional training sessions with students were canceled. According to some staff, the training included introduct-- introduction to personal pronouns. From a public records request, Bennington Public Schools paid Equity Nerd \$3,500 for the training using the activity fund. Matthew Bloomincamp [PHONETIC], Christopher Castle [PHONETIC] and Terrence Hawk [PHONETIC] are listed at the-- on the Activity Fund signature cards. All three hold active certificates with no disciplinary action. In closing, when complaints are addressed at the local school board level, the investigation process may occur more promptly. There's no statute of limitations on filing a complaint for the alleged rule 27 violations--

ALBRECHT: I have to ask you to kind of wrap it up.

LOAN EBY: Oh, yeah, this is my-- at the state and local level. I welcome any questions that you may have. And thank you for the opportunity to speak.

ALBRECHT: Thank you. Do we have any questions?

WALZ: I have a question.

ALBRECHT: Yes. Senator Walz.

WALZ: Thank you for coming today.

LOAN EBY: Yes.

WALZ: I'm just-- I'm trying to figure out how your testimony relates to the--

LOAN EBY: OK. So--

WALZ: --issue that we're talking about.

LOAN EBY: So, the packet that I gave you has-- I included examples of possible rule 27 violations. So rule 27 is the standards that the tea-- Nebraska certificate holder, must follow. OK. So it's the ethical standards. And then rule 28 is the investigation process that the Nebraska Department of Education follows, as well as the commissioner. And then rule 29, which is included in this packet, walks-- is the rules that the State Board of Education follows with petitions when they hear, when they, when they hear cases to determine what to do with these certificate holders' certificate. So what I'm saying is that people don't know at the local level about 27, 28 and 29. And the school boards, when you file a complaint against a certificate holder, the first thing during the process is they-- the the NDE or the commissioner asked, have you tried to handle the complaint at the local level? Because they give you an opportunity to do that, and your case is dismissed, dismissed without prejudice. And then, and then you can go from there. So so that's why-- what I'm saying is, by eliminating the PPC, it's, it's not going to-- it's, it's it's redundant because of the fact that the commissioner has discretion to, to have the investigation of the complaint. And then the commissioner also has the discretion to forward the, the complaint to the PPC. So it's a process thing and awareness thing is what I'm trying to say.

WALZ: So are you an opponent or proponent?

LOAN EBY: I'm a-- I'm neutral. That's what--

WALZ: Oh.

LOAN EBY: Yeah.

WALZ: Oh.

LOAN EBY: Yeah I, I'm sorry, I, I'm, I'm, I'm taking a neutral stance. So.

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ALBRECHT: Any other questions? Thank you, Senator Walz. Senator Linehan.

LINEHAN: Thank you. I don't understand this book.

LOAN EBY: OK. So this book, what I'm trying to-- what I have outlined examples.

LINEHAN: So this is just you. You did this.

LOAN EBY: Yes. This is my these are--

LINEHAN: I mean you get some-- your entries here--

LOAN EBY: Uh huh.

LINEHAN: Those are-- you just came up with those.

LOAN EBY: No, these are actual public records, examples of certificate holders that have possibly violated rule 27, that at the local level, someone cani--

LINEHAN: In whose judgment have they possibly violated?

LOAN EBY: When you look at rule 27-- so if you go on page, if you go on page eight, this is from the Nebraska Department of Education, rule 27. This is, this is what certificate holders need to follow. It's basically their code of conduct. Does that make sense?

LINEHAN: Okay, I'm asking who decided that these might possibly be-- Did you decide that?

LOAN EBY: Yeah, I listed those. Yeah.

LINEHAN: Those-- because there's no public record that says this.

LOAN EBY: No there is. Yeah. So so, for example, Doctor Lucas--

LINEHAN: I can-- I know there's public record that these things happened.

LOAN EBY: Correct.

LINEHAN: But was there a complaint filed?

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LOAN EBY: No, that's what I'm trying to say is that these-- this the scenarios could--

LINEHAN: The districts didn't have a complaint.

LOAN EBY: No. But what I'm saying is that the process needs to be handled at the local level first, and then you can-- because even if you can-- So, so, for example, let's hypothetically, if someone filed a complaint against Mr. Avery Rhodes. OK? If they went directly to the, the NDE, the commissioner, he-- and I don't know, maybe there is a complaint. I'm not sure. OK? The incident happened, and I think it was June of 2023 or July. OK? He still is holding a valid teaching certificate so he could be hired as a substitute teacher at Westside Community Schools. He-- his trial is in April for four counts of four felony counts. Yeah. So so that's what I'm saying is that, that-- And the gentleman, over here, the process needs to be handled at the local level if we want to protect our students and the public interest, because, again, he is going on trial for four felony counts. But if you look up his certificate, it's valid. He can be hired as a teacher. So that's what I'm saying is if we increase awareness about rules 27, 28 and 29 at the local level, we, we would protect our students as well as the public interest.

ALBRECHT: OK, any other questions?

LOAN EBY: Thank you so much.

ALBRECHT: Thank you for being here. Do we have anyone else in neutral? Seeing none, Senator Murman, you're welcome to close. How many letters and--- Okay. Just real quick. On LB1306, we had zero proponents, one opponent, and two letters of neutral, on LB1306.

MURMAN: Okay, well, thank you for your time. This bill was actually brought to-- Well, I don't know if the bill was, but the idea and the particulars were brought to me by the department, and the problem, as we heard from both sides and I've heard from both sides of actual testifiers, is, is the amount of time it takes to investigate and and find out if a teacher should, or a educator should be still teaching or shouldn't. And that's the goal of the bill. Maybe, you know, need some changes, but I would think it'd be really tough to get, as we heard, there's twelve on the commission and usually only six or eight through there. I think it would be tough to get that many, educators together. And I think the hearings are here in Lincoln at one time to do it. So possibly a smaller board, a smaller commission might be the

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answer. But, I think we can all agree that timeliness is important in these investigations. With that, I'll take any questions you might have.

ALBRECHT: Any questions from the-- Well, I have a couple of quick ones.

MURMAN: Yes

ALBRECHT: So if-- you were saying in the beginning it was the Commissioner of Education that would make these decisions, but it's not. It's the State Board of Education?

MURMAN: Well, yes, we've heard testimony it's the State Board of Education. I assume that's correct.

ALBRECHT: So.

MURMAN: Yeah. Of course, the commissioner is hired by the board, but--

ALBRECHT: So those--

MURMAN: I think the we've heard testimony that the State Board of Education determines.

ALBRECHT: And how often did-- would they meet on these decisions?

MURMAN: I don't think they have a regular meeting time, but, you know, I'm not sure about that.

ALBRECHT: I have a few questions, but we'll take care of that later. OK. No other questions? We'll close LB1306. Thank you.

MURMAN: Thank you. We will now open the hearing on LB1259. And welcome to the hot seat, Senator Meyer.

MEYER: Thank you, Chair Murman. It is a little warm right here. And members of the Education Committee, I am Senator Fred Meyer and F-r-e-d M-e-y-e-r are and I represent District 41. And today I'm introducing LB1259. The purpose of LB1259 is to create incentives for good teachers to stay at underperforming schools. LB1259 first gives a bonus of \$5,000 if a teacher contracts to teach for a year at a needs to improve school in a Class 5 school district as defined by the Department of Education. And I'm going to further, further that explanation a little bit. There are currently 40, let me say that

ano-- another way, four zero schools in that Class 5 OPS school. So to say that those needs improvement schools need some incentives for teachers to stay there and work is an understatement. The Classroom Improvement Program consists of two bonuses, the classroom performance bonus, and the student achievement bonus. The classroom performance bonus rewards teachers for having overall academic performance growth in their class in state or national assessments between the fall and spring semesters compared to the national or state average. It is divided into four levels of performance, advanced, which is a \$2,500 award for average class scores 1.2 to 1.3 times, times the national average; exceptional, a \$5,000 award for average class scores 1.4 to 1.59 times the national average; distinguished, a \$7,500 award for 1.6 to 1.79 times the national average; and extraordinary, a \$10,000 reward for one times-- 1.8 times the national average scores. The student achievement bonus awards teachers for facilitating the advancement of individual students in the state or national assessments between the-- between the fall and spring semesters, based on the students individual improvement. This is separated into four quartiles. If a student advances from the fourth to the third, second or first, the teacher receives a \$1,000 bonus. If a student advances from the third to the second or first, the teacher receives the \$500 bonus. If a student advances from the second quarter quartile to the first, the teacher receives a \$250 bonus. The bill aims to reward good teachers and retain them in the most needy schools by rewarding their good work. There's a similar program in South Carolina. Currently, there are 28 participating schools in and around Charleston, with plans to expand the program to two other school districts in the state. More importantly, compared to other initiatives, it's very affordable. LB1259 is one way to solve the issue of low teacher retention, especially at schools that are less advantaged, which have a harder time retaining quality teachers. It important-- it is important to note that the implementation of the classroom Improvement program is the only Class 5 school district is OPS. The purpose of this test is the effectiveness of the program. If it is successful, then this program could be expanded. This is a-- the intent is as a pilot program to help those schools that, that really, really need help. All of the different quartiles and the improvements are certainly up for discussion by the committee. If I were going to narrow, narrow the scope somewhat and make the bill less expensive, I would probably target third grade reading teachers, because the third grade reading at 90 or 100% proficiency at that level is critical to the lifelong learning of that student. If they can do that by the third grade, it's a huge boost to their overall success in high

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school, or the rest of the rest of their school years. It improves their self-confidence and, and carries over into every one of the subject matters available. So, like I said, it's completely flexible to be changed by the board or by the committee if they like, but it's putting something out there to help those schools that need improvement. So with that, I'll take questions, or we can listen to other testifiers. Anything? Nothing.

LINEHAN: You're going to close.

MURMAN: Oh, sorry. That's Senator Linehan.

LINEHAN: Senator Meyer, will you be here to close?

MEYER: Pardon?

LINEHAN: Will you be here to close? Wrap up?

MEYER: Yes, I will.

LINEHAN: OK. We'll save our questions.

MEYER: I'm not going anywhere.

LINEHAN: Thank you very much.

MURMAN: Proponents LB1259.

LINEHAN: Opponents?

MURMAN: Proponents.

SPENCER HEAD: Chairman Murman, members of the Education Committee. My name is Spencer Head, S-p-e-n-c-e-r H-e-a-d. I'm here in capacity as the President of the Board of Education for the Omaha Public Schools. We're Nebraska's largest school district, serving over 52,000 students and their families. We're also one of the largest employers in the state. And as the commi-- committee is well aware, we and our fellow school districts are facing a severe shortage of teachers and other school staff. Our teacher shortage arises despite the fact that the Omaha Public Schools has the highest starting teacher salary of any school district in the state. As we hope has become evident through our testimony last year and this year, we continue to be supportive of legislative initiatives that recognize the compelling state interests to provide additional support to individuals who want to teach,

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specifically teach those with the highest de-- sorry, teach those with the highest needs. So that is why we are here testifying in support of LB1259 today. The concept of the state providing resources to teachers, specifically in need support to improve schools is definitely something that we can get behind. LB1259 provides essentially three types of awards: a classroom grant for all who apply, a class performance bonus, and a student performance bonus. We recognize that the central role of the classroom tea-- or the-- sorry, the central role that the classroom teacher plays in the educational progress of the student. We also note that in addition to classroom teachers, there are many who contribute significantly to the educational progress of each student who we believe should benefit from being included in legislation, such as special education teachers, music teachers, art teachers, paras, and others. Based on our prelim-- preliminary review of LB1259, approximately 1,533 regular education classroom teachers would have been eligible to apply for the classroom grant during the 2022-2023 school year had LB1259 been in effect. That would have resulted in the cost of \$7.665 million for the classroom grant. We have been unable to calculate the cost of the classroom performance bonus, primarily because existing test-- testing does not provide fall to spring classroom growth percentage calculations. Moving on, since the yellow light is on, we have, calculated the student advancement bonus based on the English language arts area alone, at approximately 2,021, students improved by more than one applicable percentile, the total cost of implementing LB1259 for this school year would be approximately \$11.165 million for the Omaha Public Schools. We share these numbers specifically to point out that the \$5 million allocated under the bill is severely lacking what the, what the bill would actually cost. With that, I see the yellow light is on, so I will go ahead and stop and take any questions that the committee may have.

MURMAN: Thank you. Any questions for Mr. Head? Senator Linehan?

LINEHAN: Thank you, Chairman Murman. You don't do the MAP test? Or you do it but it's not public?

SPENCER HEAD: We-- yes we do. All of our students take the MAP test.

LINEHAN: So then you do test them in the spring and then--

SPENCER HEAD: Absolutely.

LINEHAN: Christmas and in.

SPENCER HEAD: Yep. Yes yes, yes. So the--

LINEHAN: But they're not official results. We don't make it public.

SPENCER HEAD: So they-- currently we're not provided. I think the, the bill will-- how it looks at is a fall to spring growth. And we see spring to fall. But a metric that we're provided isn't fall to spring, is my understanding.

LINEHAN: OK.

SPENCER HEAD: So.

LINEHAN: All right thank you very much for being here, we appreciate it.

SPENCER HEAD: Absolutely Senator.

MURMAN: Any other questions? Yes, Senator Albrecht.

ALBRECHT: Great. Thank you. Thank you, Chairman Murman. How many, teachers are you down right now?

SPENCER HEAD: In, in the district total, I don't have that number off the top of my head. I'll absolutely get it for you though, Senator.

LINEHAN: OK. And, do you do exit interviews to find out why they're leaving?

SPENCER HEAD: Absolutely, yes.

LINEHAN: And what would you say the top three?

SPENCER HEAD: There's a, there's a number of different reasons why teachers are leaving. Some are leaving the profession altogether. Some are moving out of the state. Some are going to, you know, in the Omaha metro area, we have ten, eleven school districts all within a driving distance of each other. And so, you know, while we pay the most, that's not always the, the single biggest decision maker in where someone works. You know, a lot of times, you'll be moving within the community, your spouse will get transferred, things like that. But we have a lot-- we always do exit interviews with staff when they leave, and there's various different responses.

ALBRECHT: Thank you.

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MURMAN: Any other questions? Senator Wayne?

WAYNE: How much money do you-- what do you have right now in your cash reserves?

SPENCER HEAD: In our cash reserve? I don't know off the top of my head, Senator. I know budget this year was-- had it end of the year at 20%. I don't know what that number is off the top of my head, Senator.

WAYNE: 20%. \$700 million. We could figure that out, roughly. Can you do this now without state law?

SPENCER HEAD: So, obviously we have the ability to, you know, negotiate with, with our bargaining partners. I know one of the things that our bargaining partners are going to be testifying here in a little bit, so you could ask them for their thoughts as well. You know, we, we have the ability to look at like this, this bill specifically has, you know, classroom performance bonuses. In my time on the board that hasn't come up specifically. I know Cathy [PHONETIC] with the OEA and I were speaking the other day about potentially doing, you know, paying teachers more for, for work at needs impro-- or needs support to improve schools, which is essentially what we're supporting in this bill. Looking at the cost of it specifically, just shy of \$12 million a year to the district, when we're under a 3% growth cap and other factors is fairly significant. But it's absolutely something that the board has the ability to look at.

WAYNE: Is there any conversations around overrides? We're not in a closed session, don't tell me that. But I'm just saying, like, you know, every district around OPS is doing overrides. Why is OPS not? Thinking about that-- I'm just wondering if cash is the issue, which I don't necessarily know when you're sitting on 20% of \$700 million, but.

SPENCER HEAD: Yeah, you know, you don't want to blow that rainy day fund all at, all at once. You don't want to tax taxpayers too-- more than you, more than you absolutely need to. I think we, as we put our budget together, we calculate what, what our needs are going to be to meet our, our district's needs. And then, you know, figure out what the resources are and backfill it. We don't, we don't say, OK, we want the levy to be a certain amount, and we're going to hit that, we're going to hit that number, and put together a budget that hits that specific number.

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WAYNE: So with the shortfall of about \$5 million, \$6 million, could we add an amendment saying the school district will match?

SPENCER HEAD: I-- as the, as, as the, the Legislature, you guys can amend it however you want.

WAYNE: No, but would it change your position from support to opposition, I'm assuming it wouldn't.

SPENCER HEAD: We, we haven't had that conversation. I'm not sure I could commit us to it.

WAYNE: Thank you.

SPENCER HEAD: Yeah. Thank you, Senator.

MURMAN: Senator Conrad?

CONRAD: Thank you so much, Chair Murman. Thank you so much. Good to see you, Mr. Head. I'm intrigued by the concept that Senator Meyer has brought forward here today, because I think we all want the same thing. We want to see our students improve. We want to provide, positive incentive, additional compensation to hardworking teachers who are serving some of the most vulnerable kids. So I think those are laudable goals, but I'm trying to kind of tick through some of the equities and some of the technical issues in, in the measure as well. Do you have performance standards tied to student test scores in your, in your superintendent contract?

SPENCER HEAD: You know, that is a good question. It's actually not something I looked at specifically--

CONRAD: That's OK.

SPENCER HEAD: --before coming down here. So I'll, I'll get an answer to that for you, but--

CONRAD: OK.

SPENCER HEAD: --not off the top of my head.

CONRAD: Very good, because I, I just would want to kind of think through the equities in that regard.

SPENCER HEAD: Yeah. So we, we have metrics in the contract, and our, our superintendent evaluation that we perform every year, measures

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performance based on, you know, meeting metrics specific to our strategic plan.

CONRAD: Sure.

SPENCER HEAD: But actually within the contract, I'd have to, I have to go back and verify.

CONRAD: OK.

SPENCER HEAD: I'm not sure off the top of my head.

CONRAD: That's helpful. The other question I had was, you know, just trying to get an understanding or assessment that, you know, different classes look really differently for a lot of different reasons. But based on the composition of kids in any given year, there could be a lot of kids in a classroom that might otherwise qualify for an incentive payment like this that have special needs, as evidenced by their IEP or otherwise. So I'm just trying-- Can you help me think through or understand, perhaps, how, how that's taken into account? So whether or not we're perhaps penalizing teachers whose students may not see the same sort of growth in, in terms of their standardized testing assessments.

SPENCER HEAD: Yeah.And--

CONRAD: I'm not asking that very clearly.

SPENCER HEAD: Yeah. No, I know--

CONRAD: You know where I'm headed.

SPENCER HEAD: I absolutely understand what you're asking though, Senator. And so one of, one of the things that we, we wanted to make sure to get across that we're supporting is just the concept of the state giving additional resources to teachers specifically in those need support to improve schools. We, we have some questions about the metrics of how, you know, some of the performance bonuses would be given out that we'd love to work with Senator Meyer on to kind of further clarify and understand. You know, for example, our, our reading of this is it would only apply to, say, the elementary levels, but not middle and high school. My, my wife specifically is a speech pathologist. And so, you know, speech paths, special ed, you know, paras, individuals like that, that help her out around the classroom but aren't quote, unquote, you know, core classroom teachers, whether

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or not they would qualify. You know, is a, is a students' growth due to what they learn in the classroom or because a speech path taught them how to communicate, right?

CONRAD: Right.

SPENCER HEAD: You know, what impact does that individual have? And so those are things that we would like to clarify.

CONRAD: OK.

SPENCER HEAD: But we-- it's more about just supporting the concept of the, the state giving the additional resources to teachers in the, in the schools with the most need.

CONRAD: OK. Thank you so much. Thank you.

MURMAN: Any other questions for Mr. Head? If not, thank you for testifying.

SPENCER HEAD: Thank you.

MURMAN: Other proponents for LB1259. Proponents. Any opponents for LB1259.

KATHY POEHLING: Good evening. My name is Kathy Poehling, and it's spelled K-a-t-h-y P-o-e-h-l-i-n-g. And I'm speaking as the president of the Omaha Education Association. And I'm also representing the Nebraska State Education Association. I'm here today to speak in opposition of LB1259. I want to start by saying that I've been a classroom teacher for the last 11 years. During that time, I worked with many students who came from a variety of backgrounds. Overall, my students went up a great deal from one year to the next on their test scores. They didn't go up because I got paid more. They went up because I believed in them and I empowered them to believe in themselves. However, there were some students that I could not reach no matter what I tried. Either they didn't care about the test, or they couldn't comprehend the test because they were just learning to speak English. As we know, most teachers don't teach because they make good money. They teach because they believe in their students and want to make a difference in their lives. This bill implies that teachers are only in it for the money, and need to be bribed in order to do a better job. We already work hard for every one of our students, and we're constantly researching new ways of teaching for the betterment of our students. The teaching profession is where our hearts are, and

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performance pay does not improve what, what, what we are already doing. In my fifth grade classroom, I wasn't the only teacher who worked with my students. I had special ed teachers in my classroom, specialists like music, art, technology, librarians who contributed to the success of my students. They oftentimes contacted me to see what I would be teaching so that they could enhance what I was teaching in my classroom and match it with what they were learning in their specials. So my question for you would be who would get this bonus? Is it the classroom teacher, the special ed teacher, any of the other teachers, the paras, everyone who works with them on a daily basis? The job of teaching is challenging right now, and we do have a major shortage. But this bill will push teachers out of those needs improvement schools. We want to keep them in those schools. So instead, let's look at paying teachers what they should be paid, paying paras what they should be paid. Let's enhance them to go to those schools. Let's give them a pay bonus for just going and working with a more difficult population of students, instead of punishing them if their students don't perform well. I've been a foster parent also, and know that sometimes kids come to school with trauma. They might be homeless, they could be worrying about where their next meal is going to come from. So to take a test one day, one day of the year and say that they are successful or not is not the way to measure our performance. I'm sorry I ran out of time, but I gave you my entire speech. I'll be happy to answer any questions.

MURMAN: OK. Any questions for Ms. Poehling? Senator Linehan.

LINEHAN: Thank you Senator Murman. So you're saying you OK if they get bonus or a stipend, extra pay, a state grant if they're in a tough school, which would have to be defined tightly. But you're OK with that part. It's just the testing part, you don't like.

KATHY POEHLING: Yes.

LINEHAN: OK. Thank you very much for being here.

MURMAN: Any other questions?

KATHY POEHLING: Oh.

MURMAN: Senator Walz.

KATHY POEHLING: Sorry. No. I'm pretty good.

WALZ: What was the question that you asked? You were saying that--

LINEHAN: She thinks I tricked you.

CONRAD: [INAUDIBLE] the school, the school classification, not the test score.

WALZ: Explain that.

KATHY POEHLING: So if --.

WALZ: Please.

KATHY POEHLING: Let's encourage teachers to move to needs improvement schools so we could enhance their pay because we know they're they're doing a whole lot more if they're in a needs improvement school. They're going to more meetings, more professional development. The expectations for their job is a lot higher. They have to include a lot more in lesson plans. There's a lot more they have to do. And so let's look at paying them and encouraging them to go to those more difficult students, to those more difficult schools, instead of basing it on a test score.

WALZ: All right, got it. Can I say something?

MURMAN: Sure, Senator Walz.

WALZ: This is exactly the reason why we have hearings. You did a great job giving us your perspective and background in the classroom and so much appreciate that, so.

KATHY POEHLING: Thank you.

WALZ: . Thanks.

MURMAN: Any other questions? If not, thank you very much. Next proponent [SIC] for LB1259.

LEE PEREZ: Good afternoon. My name is Lee Perez. Spelled L-e-e P-e-r-e-z. I'm the 2022 Nebraska Teacher of the year, and I'm an English as a second language teacher in Omaha, Nebraska. I've been an ESL teacher for 16 years in a very diverse urban school district. Members of this committee, I come before you today in opposition of LB1259, as I firmly believe this legislation would hurt our teachers and students that we serve in Nebraska public schools. While a merit based pay system tied to standardized testing may look and sound good on paper, in reality it can do harm, and educational research around

the country proves this. One way merit based pay is harmful is that it is an invalid way to truly measure how all students can learn. Standardized testing is one micro way in which teachers can gauge what a student has truly mastered in their content. Howard Gardner's theories of multiple intelligences is evidence that teachers should seek all avenues when truly assessing what students can learn, and not just focus on standardized testing. Merit based pay only implies that one standardized test assessment can truly measure what a child can learn and understand. This, however, is a false statistic, as Gardner's multiple theories intelligences proved through valid research that differentiation of instruction must occur in classrooms daily. This bill would discourage the theory of multiple intelligences and differentiation of instruction in all Nebraska classrooms. Hence, the quality of instruction in these classrooms would instead shift from student focused instruction to economic incentive focus instruction. While testing scores are important, I do not believe that merit based pay will magically increase test scores across the state. Testing scores should be used as data to drive the quality of instruction and not drive the economic incentive of instruction. Hence, the overall goal of testing data should solely be for student growth and development, and not a merit based pay system on monetary gains. Another way that LB1259 is detrimental to Nebraska students comes from my own personal teaching experience as an educator. Currently, I teach English language learners, ELLs, and I have students from all over the country that speak a multitude of languages. Nebraska's ELL populations make up 7% of the state's student population demographics. With war, famine, terrorism, political instability, natural disasters, and other world conflicts, the increase of immigrant, migrant and refugee populations will only increase in Nebraska over the next couple of decades. Since ELLs are in every Nebraska classroom and are taught in all curriculum disciplines, their test scores will factor into school improvement plans. LB1259 is not best practices because ELLs are faced with the dual responsibility of learning the content while also acquiring a second language. Linguistic research states that it can take ELLs anywhere from 7 to 10 years to learn, master and apply a new language. Therefore, using a merit based pay system is not only culturally and linguistically inequitable to ELLs, but it also tasks our amazing Nebraska Public Schools teachers with the difficult pressures of making sure these students reach proficiency in the content. A merit based system would imply that all Nebraska teachers of ELLs can control one prominent factor, and that is time. It takes time to master a language, and a merit based system would only add extra

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stress and pressure to teachers, but also to the students' task in trying to achieve proficiency in English, which is a cognitively challenging task. My insert-- my concern is that these incredible teachers would be unfairly labeled as underperforming teachers when-- because of this system-- And I ran out of time, but I'm happy to answer any questions.

MURMAN: Thank you. Any questions for Mr. Perez? Please.

WALZ: Because I can't keep my mouth shut when we have good teachers in the chair. So I just want to say thank you for everything that you do and your perspective.

LEE PEREZ: Thank you.

WALZ: I think it's important for you to hear that. Thank you.

MURMAN: Senator Linehan.

LEE PEREZ: Thank you, Senator Walz.

LINEHAN: Thank you. Chairman Murman, I'm going to turn the question a little on its head. Thank you very much for what you do. Congratulations on Teacher of the Year.

LEE PEREZ: I appreciate it.

LINEHAN: And I appreciate you being here. Do you think it's fair now the way we do testing where we do this-- whatever we call the state tests.

LEE PEREZ: There's several.

LINEHAN: NeSA. NeSA. The one-- the spring one. The one they use--

LEE PEREZ: To add some context, my-- the reason I bring a specific expertise and that is English language learners, and--

LINEHAN: Well that's-- I'm going to get you, you're going to like this question, actually.

LEE PEREZ: OK.

LINEHAN: Here we are. So we do a test, statewide test, that helps to go into these ratings like great, excellent, good, needs improvement, right?

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LEE PEREZ: Yes.

LINEHAN: Do you think it's fair that that test doesn't seem to take into account where those kids started? Like your students, several English language learners somehow are compared to-- I'll pick on my district. Everybody likes to kick them around. Elkhorn.

LEE PEREZ: No, it's not fair. Let me give you an example.

LINEHAN: Thank you.

LEE PEREZ: I receive-- Again, I've been teaching for 16 years. I taught for 12 years in a dual language program. I've been an ESL teacher for five years. I have my masters and I'm internationally certified in TESOL, which stands for Teaching English to Speakers of Other Languages. So I'm an expert in this field, and what I will say is the problem with this merit pay system is, first of all, my subgroup of ELLs are the most tested out of any group. They take a fall and spring MAP, and reading, writing, and I believe it's science now. They also take the English Language Proficiency Assessment for the 21st Century summative test, which is in the areas of reading, writing and speaking. I'm teaching high school now. Many of the students are doing pre ACT, ACT, and what I will say is, no, it's not fair. Because again, there's two reasons why it's not fair. Again, that assumes that teachers control one important factor, and that is time. And again, I am learning a second language right now, and I can tell you I'm in my third year of learning Spanish, and it is still incredibly difficult. The biggest barrier is that a lot of these students come to this country and they are labeled as SLIFE, and that stands for students with limited, interrupted formal education. So, for example, I'm seeing a lot of SLIFE students from Guatemala, Honduras and even Ecuador with the overtake of the drug cartels and the transition of government. And I have students that come to me that speak no English, no English. And in addition to that, I have students that are illiterate and cannot read in their L1, which is their native language. So in a merit pay system, let's say you're at a needs improvement. It, it-- please, if I may because this, this is important.

LINEHAN: I don't want everybody else mad at me.

LEE PEREZ: Because this is-- no, you're gonna like what I have to say.

LINEHAN: OK, good.

LEE PEREZ: So. Let's say, hypothetically, at a needs improved school where you have ELLs, you have a teacher that comes in that's a first year teacher, a veteran teacher of a decade, 25 years. And you have four students that kind of come in from Ecuador, and they are illiterate in their L1, they can't write in their L1. On a merit based system, that would imply that those teachers would somehow magically be able to get those students to proficiency. Now, again, I've been doing this for a long time, and I will say I've recently, in the last three weeks, have gotten six students from Ecuador, and I'm anticipating more. And we start out with ELPA21 testing next week. And I can assure you, if I was tied to a merit based system, I am a good teacher, but I'm not that good. There is no way I would be able to get those kids to a certain benchmark to where it would enable me to achieve any type of bonus or economic incentive.

MURMAN: Senator Linehan.

LINEHAN: Would you agree-- which I think the woman who was before you was hanging up, to that if you go to those schools where you're [INAUDIBLE].

LEE PEREZ: Yes. I will say the issue is not the issue of pay. And I will say, I commend this-- here's the thing. My mom always taught me to always-- I have a good mother. She raised six of us, six boys, by the way, she's going to heaven. So, she always taught me to always try to look at a positive, even if you are critical of something in your life. And I do applaud this committee on trying to, you know, like, show their appreciation for Nebraska teachers economically by pay. But I do not think that-- the issue is the testing, not necessarily the pay.

LINEHAN: You're OK if they make-- if they got a grant from the state because they're in a needs improvement school.

LEE PEREZ: Yes. Absolutely. Yes. Absolutely. But again testing-- I mean let me give you some personal testing of my own. Like when I was growing up, I took the ACT, and I'm not going to-- I'm going to plead the fifth on what I got. It wasn't a very good score. But again, that was one standardized assessment. I went on to college and had a 3.98 GPA in my undergraduate degree, and I just graduated with my master's in TESOL with a 4.0. So what I'm trying to say is just because a test is administered, that does not mean that can absolutely 100% gauge what a student can learn and master in a classroom. And I'm here specifically to speak on a subgroup that not a whole lot of people

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want to talk about, which is ELLs. So that's what I do. So again, thank you. And thanks for the laughs too, so.

MURMAN: Any other questions? If not, thank you for your testimony.

LEE PEREZ: Thank you for your time. Good to see you.

MURMAN: Any other proponents [SIC] of LB1259? Any opponents for LB1259? Oh, neutrals. Sorry. Any neutral testifiers LB1259? Senator Meyer, you're welcome to close. And while he's coming up, electronically, we had zero proponents, two opponents and zero neutral.

MEYER: Well, I am certainly glad that my proposal was so widely accepted and excitedly accepted. This is an attempt to get quality teachers to, to teach in the needs to improve schools. We talked about this 25 years ago with Commissioner Doug Christensen when I was on the State Board of Education. Here we are 25 years later, talking about the same things. Are we going to be here five years from now, those same schools are still going to be in the needs improvement category. I haven't heard anything this afternoon from the opponents to change that. A Teacher of the Year? High quality, no doubt about it. But what are you going to do to motivate teachers that want to go down there and make a difference in those classrooms? There's got to be something involved that we can do to motivate those to do that. So this is an attempt. If you want to do more than one metric, I'm open to, Senator Linehan is open to anything that the committee would want to do to change that. But I guess I think we need to do something. What that something is, is up to the committee. But, yes.

LINEHAN: He's going to tell me.

MURMAN: Yes, Senator Linehan.

LINEHAN: I'd go home with half a win. That's what I think you've got.

MEYER: I'll do half a win.

LINEHAN: Because what I heard from everybody is they're fine with paying teachers more if they're tough schools, which I think that's the first time I've heard that since I've been here. So that's a good idea.

MEYER: Yeah, it, it's, it's a fact of life. Teaching in every position in OPS is not the same. Just to think it is, is, I'm sorry, it's--

that's, that's contrary to fact. So somehow we have to get teachers who will go down and do-- in teaching reading, I mentioned in the third grade, teaching reading to third graders and have them all proficient at the end of that third grade is hard work, there's no doubt about it. But after some things that have been in the news, especially the last couple weeks, about reading scores across Nebraska and, and the methods that they're going to be using to teach those, I think it brings into spotlight some work that needs to be done. So thank you for your time. And, we'll go forward from here. Thank you.

MURMAN: Any other questions? None, thank you very much, Senator Meyer. And, that will end the hearing on LB1259, and we'll open the hearing on LB1081. Senator Conrad.

CONRAD: Good afternoon, Chair Murman, members of the committee. My name is Danielle Conrad. It's D-a-n-i-e-l-l-e, Conrad, C-o-n-r-a-d. I'm here today, representing North Lincoln's fighting 46th Legislative District to introduce LB1081. I know that we have a jam packed agenda today, and we're already getting late, into the afternoon, into the early evening. So let me try and keep it brief. With you all know, it's a challenge for me, so I'm really hoping that I, I can rise this challenge I set for myself. I, I brought forward this bill because I had an opportunity to visit with some former educators over the interim period who were sharing their experiences with me about why they left the classroom. And one of the big drivers for these really talented, passionate educators that I met was that their class sizes were too unwieldy. And no matter how much time, how much heart, how much training they poured into their job every day, they just simply couldn't manage the amount of kids that they had in their classrooms. And so rather than getting up every day and being excited to pursue their passion and dream, they got up every day and felt like they were set up to fail. And it just, it just became too much. And so I started looking at how some of our sister states kind of go about understanding or addressing this. And I found that the vast majority of our sister states actually have some sort of class size cap or ratio in place. And those take all different kinds of forms. But just to try and provide some support and some guidance to our schools to help ensure that we have more manageable classes, which helps everybody succeed, the kids, the teachers. The more attention, obviously, that you have in the classroom, the better performance you're going to see on the standardized tests, and set them up for success, not only in school, but for life as well. So LB1081 is, I think, a really important place to start a conversation. I don't think that this is probably ready to move or go flying out of the committee

this year. So I would ask, the committee to perhaps work with me over the interim to tee up something for future years to figure out how to accomplish our goals. But there are a host of definitions here. There are a host of mathematical ratios, which, by the way, I'm not particularly adept at math. That's why I went to law school. But that, that really helped to kind of flesh out how this might work in practice. But I've received a lot of feedback from other educational leaders and professionals who have concerns about if this measure were to go as written, it might cause logistical headaches for them. They're also, they have also advised me on potential unintended consequences where we may see less co-teaching happening for students with different kinds of needs, which of course would not be my goal. But-- So, I want to take tho-- that feedback really, really seriously. And so I pledged to work with those stakeholders and this committee to figure out if we can agree that one part of the solution to helping make improvements in education moving forward is getting class sizes a bit more manageable. We need to, I think, perhaps stay at the drawing board to figure out exactly how to do that. It might not be, as written in LB1081 as it stands today, but that's just a little bit of an overview about why I brought the measure, kind of how different sister states handle it. And, and I do hope that we, we can address this because I, I-- it was really heartbreaking to hear from those teachers that really, really wanted to, to make a positive difference and were so overwhelmed in the classroom and just felt like they didn't have enough support from the state or from their local school district in order to make a positive difference. So with that, happy to answer questions and I'll be here for close as well.

MURMAN: Thank you. Any questions for Senator Conrad? OK, thank you.

CONRAD: As brief as I could.

MURMAN: Pretty good. Proponents for LB1081.

HEATHER SCHMIDT: Hello again. My name is Heather Schmidt, S-c-h-m-i-d-t. I am a proponent of LB1081. The priority should always be putting and keeping adults in classrooms directly supporting students before anything else. It's better for education, safety, student and teacher well-being. Class size is one of the first factors we parents consider when looking at schools, so thank you for starting this conversation.

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

HEATHER SCHMIDT: Good night.

MURMAN: Other proponents.

SPIKE EICKHOLT: Good e-- Good evening, Chair Murman and members of the committee. My name is Spike Eickholt, S-p-i-k-e. Last name is spelled E-i-c-k-h-o-l-t. I'm appearing as a registered lobbyist on behalf of Education Rights Counsel. Education Rights Council is a statewide nonprofit that advocates for systemic change to remove legal barriers, barriers to educational equity. We want to thank Senator Conrad for introducing the bill and starting the conversation. And we are in support of LB1081. If you look at the bill, it does provide for a student teacher ratio, particularly for children with special needs, special education needs. I know that Senator Conrad passed out a, a letter from a former teacher in the public school system, a special ed teacher, as well as a letter from Lauren Micek Vargas, who's the chief operating officer of the ERC, Educational Rights Counsel. And in Miss Vargas' testimony, she mentioned that student teacher ratio for children with special needs shows a couple of things. If there's an appropriate student teacher ratio, you have less discipline situations for those special needs children. You'll have higher success rates, not only for children, but you have lower sort of burnout rates for the teachers involved. And I think you read a testimonial from the teachers, both that were submitted online, because there were a number of them, as well as what Senator Conrad handed out. You'll see what happens, it's just sort of-- I don't know if it's a snowball effect, you'll have more special ed teachers leave the profession, have fewer to draw from. Those that remain have higher needs and higher burdens on them. And it's really unfortunate. And we saw some of that over the interim when this committee had a hearing with respect to what was going on in the Omaha school districts. I know there is likely going to be opposition testimony. And I talked to some of the lobbyists and some of the others who represent some of the opposition, and I don't think the opposition is necessarily opposed to a-- an appropriate student teacher ratio. I think it might just be opposed to the mandate itself that the bill proposes. But I did hand out a survey from other states, and there's a number of different surveys out there, but this is easy to read. And this is a comparison of pre-- of state kindergarten through third grade policies in other states. Other states do have mandates. And really, if you look at the ratio mandates what's proposed in LB1081 is probably more modest than some of the states already have on their books, whether it's in statute or regulations. I thank, again, Senator Conrad for introducing the bill, and I'll answer any questions if anyone has any.

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MURMAN: Thank you. Any questions for Mr. Eickholt? Senator Linehan.

LINEHAN: Thank you, Chair Murman I don't think-- I'd be amazed if you have the answer, but I'm just going to-- because somebody behind you might-- It's curious to me that when you look on the website of schools and you say children to teacher ratio, it's frequently like, I don't know if I've ever seen it over 20 to 1. It's more like 17 to 1 or 15 to 1, some cases 12 to 1. So what happens, the teachers-- they're not in the classroom? That's oh, I just don't understand why a school can say we've got 15 teachers-- excuse me, 15 students to each teacher.

SPIKE EICKHOLT: Right.

LINEHAN: But then some teacher has got 23 kids in a room.

SPIKE EICKHOLT: I think it's the way that the school counts it. And I did talk to Ms. Vargas about this actually before today, because I was wondering if that would come up. I think that some school districts count the number of employees who are teacher certified in that number, not necessarily the number of people in the classrooms per student. And that is one explanation, because I was not really-- I mean, without this bill, we don't really have any sort of uniform way of measuring that. It's really the sort of self-serving self describing among the different districts.

LINEHAN: Okay. Thank you very much. And thank you for this, it's very helpful.

MURMAN: Thank you. Any other questions for Mr. Eickholt?

SPIKE EICKHOLT: Thank you.

MURMAN: Other proponents for LB1081. Any other proponents? Any opponents for LB1081.

ELIZABETH ERICSON: Good afternoon, Chairman Murman and esteemed members of the Education Committee. My name is Elizabeth, E-l-i-z-a-b-e-t-h Ericson, E-r-i-c-s-o-n, and I'm a member of the executive board of Nebraska Association of Special Education Supervisors and the Director of Learning at York Public Schools. I stand before you with 19 years of experience in special education administration, as well as the perspective of a parent to a young adult who received special education services from infancy through her high school graduation. Today, on behalf of NASES and York Public

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Schools, we stand in opposition to LB1081, particularly its approach to addressing staff to student ratios for special education students. While we do understand the bill's intent, we strongly believe that local control is vital in finding effective solutions. It seems that a one size fits all approach, as outlined, may not suit the unique challenges faced by each Nebraska district, and could create barriers not intended by the supporters of the bill. Nebraska students with disabilities are diverse, and their learning needs vary greatly from classroom to classroom. Fixed staffing ratios risk assuming a uniform learning style for students with disabilities, hindering IEP teams ability, or individualized educational plan team's ability to provide tailored support. Federal and state law guidelines-- they guarantee a student with disabilities individualized programming as defined by local IEP teams. An additional concern is the bill's implication that students with disabilities may only receive special education services in co-taught or special education only settings. This raises concerns about the flexibility of IEP teams to determine the most individualized and appropriate location for supplementary aides and services. We also worry about potential interference with providing a free, appropriate public education and the principle of the least restrictive environment. Fixed staffing ratios may limit a district's ability to allocate resources based on individual student needs, compromising the ability to provide an inclusive educational experience. Districts may be forced to centralize some high needs programming, making inclusion with general education peers even more difficult. Considering the vary-- varying levels of support required for students with disabilities, a flexible and local approach is crucial. Student, students progress at different rates and their needs change over time. Fixed staffing ratios may hinder our ability to adjust support based on the unique progress and needs of each student, potentially impeding their educational journey. In closing, I urge the Committee to reconsider the implications of L.B. 1081. We advocate for local control, flexibility, and a nuanced understanding of the diverse needs of students with disabilities. Thank you for your time and I would be glad to address any questions.

MURMAN: Thank you. Any questions for Ms. Ericson? Senator Linehan.

LINEHAN: Thank you, Chairman Murman. I just think-- are you a teacher now?

ELIZABETH ERICSON: I'm. I'm a director of special education. I'm Director of Learning.

LINEHAN: So, you're in administration.

ELIZABETH ERICSON: Yes.

LINEHAN: OK, all right. Thank you much.

MURMAN: Any-- Any other questions? I have one. Wouldn't there be quite a difference between a student, like in a wheelchair, couldn't talk, couldn't walk, those kinds of disabilities. And then another student maybe just has a slight hearing disability?

ELIZABETH ERICSON: Yeah, absolutely. So, just saying the special education ratio as is, there's such a varying level of needs. And really that, that individualized team coming together is so important to make sure that, that absolutely, some classrooms need to have additional staffing and, and the team ensures that, while others that may be like 30 minutes once a week with a hearing-impaired teacher.

MURMAN: Thank you. Any other questions? Thank you very much.

ELIZABETH ERICSON: Thank you.

MURMAN: And the other opponents for LB1081?

JACK MOLES: Good afternoon. Senator Murman and members of the education Committee. My name is Jack Moles. That's J-a-c-k M-o-l-e-s. I am the executive director of the Nebraska Rural Community Schools Association. I'd like to start off by saying we do think that what Senator Conrad is trying to do here is laudable. The intention, I think, is, is well-founded. There are some concerns, though, with, with it. First of all, districts are already struggling to fill teaching positions, in particular in special education. Earlier this fall, this committee had a hearing on special ed staffing, especially in the Omaha Public School system. And I did testify in that hearing. And what I talked to you about is the problem of hiring, or finding qualified people in to teach special education in the rural schools. I did a survey of our districts, and a little over 100 responded. So about half of our public schools that are members of NRCSA. And what I found out was there were 72 special education openings, openings this year, with a total of 79 applications. Several of the districts didn't receive an application from somebody that was, was qualified. So, so, that is one of the biggest problems, just simply that there's not the teachers out there to, to pull this off. The other thing is considers the cost that many districts would have to take on. In visiting with a superintendent of a smaller Class C District recently, we were talking

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about the bill, and he said that he and his principal sit down and penciled this out, and they thought they would have to hire three special education teachers in a school of my guess is about 350 students. They would have to hire three more at a cost of, if they're newer teachers, about \$180,000 total. And, I asked him, I said, so would you have to bring on new paras, more paras too? And he said, well, first of all, if you could find them. But he said, we haven't penciled that out yet. So very easily this could be over \$200,000 for that smaller district. This would be a similar story in many other districts across the state. And it had come at a time when there are people on the state level saying that schools are not showing proper proper restraint in their budgets. We do like-- in closing, we do believe the intent of LB1081 is honorable. In practicality, though, it'd be extremely difficult to pull off.

MURMAN: Thank you. Any questions for Mr. Moles? Senator Linehan.

LINEHAN: Thank you, Chairman Murman. Those numbers that you just said that would cost the school don't take into account the state is now picking up 80% of special ed.

JACK MOLES: Correct. Correct.

LINEHAN: So it wouldn't cost-- this wouldn't cost them \$180,000.

JACK MOLES: Well on the front end, it would. But then it'd be 20% of that. They would still be--

LINEHAN: Right.

JACK MOLES: --more.

LINEHAN: But the state would cover 80% of it.

JACK MOLES: Absolutely.

LINEHAN: OK.

JACK MOLES: Yep.

LINEHAN: Thank you.

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

JACK MOLES: Thank you.

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MURMAN: Any other opponents to LB1081?

SPENCER HEAD: Chairman MURman and members of the Education Committee, Spencer Head. S-p-e-n-c-e-r H-e-a-d. Great to see you again. Still president of the board for the Omaha Public Schools. Here to testify in opposition to LB1081. Given Senator Conrad's opening and her, her statement that she wishes to, to work further on this bill, I'll be, I'll be brief, because I know you have a lot of bills left, left to cover today. We'd just like to start by saying we appreciate Senator Conrad's idea. We agree that smaller student, student teacher class ratios are absolutely something that are preferred in education. And it's something that we do our best to, to meet. So 76% of our elementary classrooms have less than, or fewer than 24 students, 53% of our middle school classes have fewer than 24 students, and 61% of our high school classes. Specifically looking at this bill, it would require us to hire roughly 200 new elementary teachers and 7 to 800 new secondary teachers with a total, estimated budget impact of \$81 million, assuming we could hire a thousand new teachers. So that is the main reason for our opposition. Obviously, given Senator Conrad's, you know, statement that she'd like to work further on the concept, we just ask that we be included in those conversations. And I, you know, take any, any questions from the committee, but we look forward to, to working with the committee and Senator Conrad on the issue.

MURMAN: Thank you. Does anyone have questions for Mr. Head? Senator Linehan.

LINEHAN: What is OPS's-- so-- OK. Do you have a focus on youngsters? Because as many say, I believe, I think others, if you can get kids going in the right direction by the time they leave third grade. Does OPS have a specific focus on those grades, fewer numbers of kids in K, first, second, third grade. Do you have a--Is your strategic plan focused on that accomplishment?

SPENCER HEAD: So the strategic plan, not, not specifically, but we, we obviously try as best we can to keep class sizes low specifically, or lower specifically, at the, at the younger elementary grades. So, you know, you'll see class sizes in the elementary grades are significantly smaller than they are in middle and high school.

LINEHAN: Right. But I'm talking about the difference between kindergarten and fifth grade--

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SPENCER HEAD: --and say first, second, third. Don-- It-- A lot of it depends on the, on the building and how many students are in the building. So we've, we have--

LINEHAN: So you don't, you don't.

SPENCER HEAD: Yeah. So right now we have 65 elementary schools. And obviously each, each student is guaranteed placement at their home school. So it, it--.

LINEHAN: It's not a strategic plan.

SPENCER HEAD: --depends on how many students-- it depends on how many, how many students--

LINEHAN: There's not a strategic plan at the school top level on how to go about how many kids in the classroom and how we get third graders to read.

SPENCER HEAD: There--

LINEHAN: I thought you had one, actually, I thought Logan did put one in place. I'm sorry.

SPENCER HEAD: Are--

LINEHAN: Maybe I'm just confused.

SPENCER HEAD: Are we talking about a strategic plan to keep class sizes smaller, or getting kids, getting kids to read?

LINEHAN: I think you I was under the impression it was the same thing.

SPENCER HEAD: So it-- class-- having small class sizes absolutely helps. And we, we absolutely focus on keeping class sizes as small as we can, specifically at the elementary level. But a lot of that depends on, you know, what school we're talking about and how many students are in any grade, any given year. But yes, we'll, we'll move teachers around within schools or between schools to, to facilitate keeping those class sizes as small as we can. Absolutely.

LINEHAN: Thank you.

SPENCER HEAD: So, thank you, Senator.

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MURMAN: Any other questions for Mr. Head? If not, thank you for testifying.

SPENCER HEAD: Yep. Thank you.

MURMAN: Any other opponents for LB1081? Any neutral testifiers for LB1081. If not, Senator Conrad, you're welcome to come up to close. And while she's coming up, we have electronically three proponents, five opponents, and zero neutral.

CONRAD: Thank you so much, Chair Murman, thank you, members of the committee, for your kind consideration. Good questions. I absolutely intend to keep my word and will work with all stakeholders to improve this measure moving forward. I particularly want to thank Omaha Public Schools, Lincoln Public Schools, and the School Board Association for reaching out and sharing ideas and concerns prior to the hearing. That's always appreciated, so that we can have a more constructive hearing together. And I just wanted to respond to a question that you asked, Chair Murman. Specifically, if you, you look at the bill as written, it does take into account those different needs of different students in different classrooms to try and wrap more support around teachers that have, perhaps, more challenging students there. So I did just want to follow up on, on that, as well. And then I guess to Mr. Moles' point and Mr. Head's point, I think they kind of proved the point about why this bill is, perhaps, necessary to continue the conversation on. Not only do I think we have perhaps a more complete picture in regards to the fiscal impact after taking into account last year's historic funding increases. But it also goes to show, and I appreciate we are absolutely in a teacher shortage, but some schools know that their classes are too big and they're not hiring enough teachers to get the best outcomes. And that sets us all up for failure. So I pledged to work with them and others to, to figure out the right way to move this forward. But I'll, I'll just leave you with two personal examples. I represent one of the most diverse urban districts in the state, and I'm very proud to do that. But I come from rural Seward County and went to country school for kindergarten through sixth grade, which was very, very small with combined classes. But I really think that that, in addition to caring, talented, wonderful teachers and parents who pushed us, that kind of small class size and individual attention definitely set me on a trajectory to be successful in life. And I want the same for other kids all across Nebraska. When I look at our fantastic neighborhood school here in North Lincoln that my kids attend for elementary, they had class sizes that hovered around 15 kids per class in the early grades in

elementary, and they were able to get a lot of individualized attention through Lincoln Public Schools. And it made a huge difference in getting them a good start in their academic careers. So, again, I'd like to figure out, however we can put our heads together to make sure we have the right metrics and the right resources so that teachers can stay in the workforce and that kids have a chance to succeed. So thank you so much.

MURMAN: Thank you. Any questions for Senator Conrad?

CONRAD: Great. Thanks.

MURMAN: If not, Thank you very much.

CONRAD: Not quite to the seventh inning stretch, but--

MURMAN: That'll close hearing on LB1081. And right now we're going to take a ten minute break. And hurry back.

[BREAK]

MURMAN: Welcome back to the Education Committee. We'll continue with, the open for LB1230. Senator Wayne.

WAYNE: Thank you. Chairman Murman and the Edu-- Education Committee. My name is Justin Wayne, J-u-s-t-i-n W-a-y-n-e, and I represent Legislative District 13, which is North Omaha and kind of north and northwest and northeast, now that I'm out to 120th and State. Let me start with my conflicts, because I always got to do that in this committee. I represent OPS's union on security. I also have potential litigation with Westside and OPS that hasn't actually no bearing on this at all. But, for some reason, I have to make sure I do that. Nevertheless, this bill is real simple. For those who have come in with my class, you heard me talk about this issue for the last seven years. I try to, in my seven years, try to just go with TEEOSA in general. I introduced multiple TEEOSA bills and multiple funding bills. And I still have one bill that before this committee that will be a multiple TEEOSA bill. But this is just one thing that, has always not set well with me. And for my time last year, being on the education committee, I've learned about another school district that is in a similar situation as the one in Omaha. So this bill just basically says, if you are talking about transfer students, option enrollment, within a city limit, they should be treated the same. And it's really simple. If a kid who goes-- lives on 36th and Ames across the street from Omaha North decides that, no, I'm not going to go to

North. I might go to Westside. From a state's perspective, and this is not a issue with Westside or OPS, this is a state issue, I believe that we need to be correct. We treat that kid differently. Even though within the city, nothing is really different, and that's why I limit it to cities. I don't want to-- if a kid's going between a town and a town, I don't know what the small communities, town, and towns look like, but I know within cities there's not a whole lot of difference for that kid. That kid's still in poverty, that kid's still with dealing with whatever issues. A kid may not be in poverty, that kid may not be dealing with issues, but they're still in the same city. So a kid at 36th and Ames that goes to Omaha North is worth roughly about 500-- \$5,000. I can get you the exact number here, because I just got it from the state's level. If that kid goes to Westside somehow mysteriously under option enrollment, that kid turns into \$11,300. Now, for a parent, this doesn't matter. Again, this is not about Westside, OPS, Grand Island, Grand Island Northwest. This is about how the state are treating people inside of cities. And I think it's just fundamentally wrong. And what you'll hear in a whole bunch of testimony today is that they'll lose revenue. Well, that tells us two things. Either we're underfunding the school where that kid's coming from, or we're over funding where that kid's going. Those are the only two answers we have here. So either we're not funding enough to where that kids at, and we treat that kid the same. But mysteriously, if he crosses 72nd and goes into Westside, we treat that kid differently. From a state, we should not be doing that. We shouldn't be picking winners and losers and treating kids different inside of a city. Again, I limit it to city because I don't know the aspects of a kid going from Maxwell to another small town. I don't know that, I'm not trying to pretend I know that. But I know that kid going to North, or that kid going to South, and that kid going to Westside, that kid is still arriving with the same issues or the same benefits. And so from a state's perspective, we should treat that kid the same when it comes to funding. I'll answer any questions.

MURMAN: Thank you. Any questions for Senator Wayne at this time? If not, thank you for the open.

WAYNE: Thank you.

MURMAN: And we'll ask for proponents for LB1230? Any proponents for LB1230? Any opponents for LB1230?

HAFSA MOHAMMED: Good afternoon or I guess I should say good evening, Education Committee members. My name is Hafsa Mohammed. It's H-a-f-s-a

M-o-h-a-m-m-e-d, and I'm a senior at Westside High School. I'm an option enrollment student, as I chose to option into Westside in 2021 from Omaha Public Schools. I'll admit that transferring over to Westside was a decision that I was hesitant about because I'd heard many negative things about District 66. However, with me standing here today, it is needless to say that I don't regret that decision at all. I wouldn't be the person I am today, wouldn't be proudly standing in front of you today on behalf of my school if I hadn't gone to Westside. And I know that there are many more students like me who decided that Westside is the place to be. There are many factors that go into making a decision to option enroll into another school, including the classes offered, fine arts, athletics, and even something as simple as a change in environment. School is a big part of everyone's lives and each person has a right to not only a good education, but also the right to be in a place that unlocks their true potential. A place that allows for character growth, allows for the development of good, lifelong relationships. A place that sparks a journey into the real world. For me, that has been Westside. Each school is unique and has many things to offer. Westside, for example, takes pride in its unique scheduling system, specialized academic programs, variety of AP courses, and several other resources, something that many families consider upon enrolling. As a school, we have come a long way, especially in terms of our school's diversity. More than a third of our student body is made up of option enrollment students. And as a student, I'd really hate to see that diverse community go, not only because we've worked so hard to build it, but because our district wouldn't be the same without those students. In terms of location, there are many teachers at Westside who reside outside of our district boundaries. Their kids attend Westside as well. They chose to enroll in the same district as their parents to make things easier, but if that opportunity is taken away from them, it creates another level of inconvenience for our staff. Speaking on behalf of other students that have option enrolled at Westside, I implore that you deeply consider the impact and inconveniences this bill will have on us and others. The education that I received at Westside is unmatched compared to other districts. After I graduate, the future students will be at a loss of the opportunities and resources our schools will offer if this bill is passed. Please do not advance LB1230. If it is passed, school districts like Westside and others will no longer have the ability to take in option students without severe financial and academic consequences. It will be extremely challenging for school districts like Westside to make optional enrollment sustainable without the accompanying revenue.

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Board President Beth Morrissette will soon offer a testimony that speaks to the negative financial impact this bill would have on my district. We would not be able to continue to offer programming like we currently do and that would be detrimental to many aspiring students. Thank you and I'm open to any questions.

MURMAN: Thank you. Any questions for Hafsa Mohammed? If not--

WALZ: I have--

MURMAN: --oh, Senator Walz.

WALZ: --I just have one quick-- well, I have to ask you one question because you've been waiting all day. Can you tell us what your future plans are?

HAFSA MOHAMMED: So I just had my [INAUDIBLE] interview a, a couple weeks ago. It was an [INAUDIBLE] interview. And then I have an interview to Washington University in St. Louis this coming-- this Friday, actually. And so I ED2ed to WashU and that decision will come in the next couple weeks. So just hoping for the best to this. I don't know. Wish me luck, so.

WALZ: Great. Thanks for being here.

HAFSA MOHAMMED: Of course.

WALZ: Appreciate it.

HAFSA MOHAMMED: Thank you.

MURMAN: Thank you. Any other opponents to LB1230?

BETH MORRISSETTE: Hi. Chairman Murman, Education Committee members, thank you. My name is Beth Morrissette, B-e-t-h M-o-r-r-i-s-s-e-t-t-e. Like Mississippi, but with different letters. I am in my ninth year as a board member of the Westside Community Schools. This year I am serving as the president of our Board of Education. My son graduated from Westside and is in his third year at the University of Nebraska-Lincoln on a Regent scholarship studying mechanical engineering and is in the Air Force ROTC. His roommate, one of his best friends from Westside, optioned in during elementary school, along with his brother, who has tremendous health needs. Westside is in the heart of Omaha and our pre-K through 12th grade student enrollment this year is just around 6,200 students. 36% of our

enrollment is made up of net option students, and about 38% of our students qualify for free or reduced school meals. The demographics of our option-in students are very similar to those of our resident students. 37% of resident students and 39% of option students qualify for free and reduced meals, and 15% of our stu-- resident students and 14% of our option students qualify for special education services. We have 550 teachers and a very supportive community and a proud tradition of excellence. Our general fund budget is \$90 million. In the 2018-2019 school year, our general fund levy was \$1.20 due to the voter approved levy override, and our total fund levy was \$1.38. Through 5 straight years of levy reductions, today's general fund levy is 87 cents and our total fund levy is \$1.14. This year, 2023-2024, total tax request calls for less property tax dollars from our patrons than the prior year. We applaud the current net option policy and funding structure that has been supported by the Legislature and those who came before you. You have allowed students like Hafsa to have many choices on where to attend school. We have made it financially feasible for districts like ours to take on the added responsibility of providing a quality education to students outside of our boundaries and without additional property tax revenue to our property owners. As we understand Senator Wayne's bill, we would lose an estimated \$19 million in option enrollment funding. In order to regain those lost funds while maintaining our current level of student staffing and services, we would be forced to massively increase our levy by a whopping 33 cents, which is the opposite of what you and the Governor have asked of school districts. And we still would fall short by almost \$4 million. We feel that net option funding is imperative to keep and we urge you to vote no on LB1230. Districts like Westside that take on an option enrollment students assume the risk of educational needs and don't receive any property tax revenue from option-in families. Most of our students option in at kindergarten and elementary grades before specialized learning needs are identified and which are often expensive. Robust option enrollment programming, like we offer, also requires bussing expenses that can help by offset-- help be offset by net option funding. We have over 800 students that ride 43 various buses. You can see the rest in my testimony in your little handout. So I'd be happy to take questions. Thank you very much.

MURMAN: Thank you. Any questions for Miss Morrissette? Senator Linehan.

LINEHAN: Thank you, Senator Murman. Thank you for being here.

BETH MORRISSETTE: Good to see you, Senator.

LINEHAN: So your \$1.14, that's the 87-- how do you get to \$1.14?

BETH MORRISSETTE: Oh, with our bond and special funding-- our special building projects.

LINEHAN: Special building project. OK. So I-- how-- do you support school choice?

BETH MORRISSETTE: Do I support school choice? I support the opportunity that option funding gives the students in the Omaha metro area to choose what school works for them that is public education provided. And I also-- also student-- families that can choose a variety of other things, but my interest is, is how do we help support public education?

LINEHAN: So you're-- I think if I recall, most of the Westside School Board was against opportunity scholarship.

BETH MORRISSETTE: I, I don't know the answer to that. I did not take a poll of my colleagues.

LINEHAN: What was your position?

BETH MORRISSETTE: I haven't taken a public position on it.

LINEHAN: OK. You do realize while this is-- I mean, I-- my-- I had kids at Westside.

BETH MORRISSETTE: Yes, [INAUDIBLE].

LINEHAN: I understand. But this has-- is there-- there's something wrong here. There's some-- I don't know how to fix it, because we're so now it's part of our system. But to Senator Wayne's point, the one-- a student in his district is in an Omaha school that were \$6,000, but they came over to Westside worth \$11,500.

BETH MORRISSETTE: Yeah, you know, when I was listening to Senator Wayne, one of the things I thought about as I, I thought, because I thought-- I'm, I'm always curious about all the different perspectives, and it oftentimes comes back to local control and what the Board of Education have been able to make decisions around based off of what the expectations of TEEOSA or other things have been done. So, for example, TEEOSA years ago gave extra dollars to school

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districts that had a student-- teachers with master's level, and then that was removed. But Westside, we really worked hard to, to maximize that. The, the option enrollment has been there for a long time and we've been able to figure out what do we need to do to help best support the families and kids in the Omaha area that can leverage us to meet their needs. And so we also have then made different funding decisions about our size of buildings and the classes that we offer too because of that.

LINEHAN: You, you actually have over the last, I don't know, half dozen years, maybe more, you've actually built buildings for option students, right? Your plan--

BETH MORRISSETTE: Not-- no, not-- I wouldn't say that. We-- that we've had--

LINEHAN: You could keep all those grade schools open if you didn't have option students?

BETH MORRISSETTE: Well, we would have to consider what all of our options would be if we were to lose 15-- \$19 million.

LINEHAN: But you built how many new elementary schools? I don't know, the Oakdale.

BETH MORRISSETTE: Well, but they're not brand-- they're not new. Like, we didn't create the capacity, we have had the capacity. We upgraded the facilities to be better for the students and the teachers.

LINEHAN: Right, but you upgraded them with the thought process you would have option students to fill them.

BETH MORRISSETTE: We upgraded them with the needs of the capacity of our district and what we were receiving in teaching in our community.

LINEHAN: You didn't count the option kids when you were building those elementary schools?

BETH MORRISSETTE: We counted the kids that were enrolled at Westside.

LINEHAN: So you did count the option students?

BETH MORRISSETTE: They are part of the kids that go to Westside.

LINEHAN: OK. Thank you.

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BETH MORRISSETTE: Yeah.

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

BETH MORRISSETTE: Great. Thank you. Have a good evening.

MURMAN: Any other opponents for LB1230? Any neutral testifiers for LB1230? If not, Senator Wayne, you're welcome to close. And while he's coming up, we had electronically zero proponents, 10 opponents, and zero neutral.

WAYNE: Thank you, Chairman Murman. So it's no secret I was on the OPS School Board, and the reason I didn't want to get on the Education Committee, because I didn't want to be pigeonholed, and I didn't want to have this hearing right here and that's why I did it in my last year. We literally had a bill today to improve OPS, to take their lowest performing schools and give them extra money. This is the glaring example of how we're not funding either OPS or over funding Westside. Either OPS deserves \$11,000 per student or Westside doesn't. They're taking the exact same kids. So if they're afraid that they're going to have to cut programming, well, then this committee should not look down on OPS because they're not getting the same funding. They can't even have the damn programming because they don't have the same money. That's just the facts. 39% of their option enrollment students are free and reduced lunch. OPS has more. The state gives them less per student. What they're saying is and all my bill is doing, and now this is why I didn't want to do this because now this probably will be a priority bill. What they're truly saying is, don't treat us like OPS. We're better than that. We deserve more money. And that's why I don't like getting into these education issues because it truly shows the hypocrisy of what we're doing down here. All my bill does, it said to treat them the same. Give them the same amount of money that you're giving OPS. No, no, they'll lose programming. But we have condemned OPS, including me, over the last 7 years that I've been down here and we're not funding them the same as Westside at \$11,000 per student. If we don't really recognize the fundamental problem with that, then we're all missing the boat. We're going to spend \$11 million-- I'm, I'm in favor of giving teachers money to, to do things, but we wouldn't have to do that if you fund them the same. And for Westside to walk in here and say don't treat us like OPS, that sends the wrong message to my community. \$19 million, they will have to cut programming. Now you know why OPS doesn't even have the programming. So let's stop bashing OPS and let's figure out how to make Westside

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the exact same dollar amount that we do OPS. It's that simple to me.
Thank you.

MURMAN: Any questions? Senator Walz.

WALZ: So we kind of had a little side conversation before you got up.
My question is, why not turn it around and say OPS should have \$12,000
per student as opposed to taking away from Westside? Why not turn it
around?

WAYNE: I would adamantly support that bill. That would get 19 votes on
the floor.

WALZ: I think that--

WAYNE: I'm just-- I'm just being honest. Right?

WALZ: [INAUDIBLE]

WAYNE: I know. I, I don't disagree.

WALZ: I felt taking Westside down to \$5,000-- you're saying that right
now the \$5,000 or \$6,000 per student doesn't allow you to do the
programming. That's not gonna fix it.

WAYNE: No, that's not what I'm saying.

WALZ: You're still not going to be to do the--

WAYNE: That's not what I'm saying.

WALZ: --programming if you take Westside down to \$6,000 and you're
still at \$6,000, that's not getting you anywhere. I guess is my
thought.

WAYNE: I'm, I'm not disagreeing with that. But what I'm saying is
there's hypocrisy in our formula, and we're going to tackle it this
year on every education bill on the floor because there will be an
amendment. I will get straight up and down votes every bill on here.
I'm OK if you want to give OPS more, we won't get the votes for it. So
then, then Westside and Grand Island West should be treated the same
as every other school district within their city.

WALZ: I just-- OK. And we can have a conversation. There other things
we can do.

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WAYNE: No, no, we can. I mean, again, I'm OK with it.

WALZ: Poverty allowance, there's a lot of things that we can do to get that to the point--

WAYNE: That's the complexity of our TEEOSA formula and why it's so-- but, but the reality is TEEOSA will never work for Westside because their, their equalization aid, it'll never work because their resources are too-- are too high. They have one of the, the richest districts in, in Omaha, right? So it won't get there, but at-- but from a state's perspective, we sit here somewhat bash, somewhat be critical, somewhat be hard. No, we are damn hard on OPS. But literally you can start at one side of OPS, drive through Westside and end back up at OPS. And we treat them fundamentally differently and we're holding them to the same standard. So I'm saying let's hold Westside to the same standard at Westside-- that OPS is and they're saying they don't want to be like OPS.

WALZ: Or vice versa.

WAYNE: You find-- you find me 30 votes for that, I'll, I'll-- happy to support it. I'm just know that's not the reality when it comes to Omaha Public Schools. So maybe we can shine a light on the fact that we should treat everybody like OPS Schools.

MURMAN: Any other questions for Senator Wayne? If not, thank you very much.

WAYNE: Thank you.

MURMAN: And that will close the hearing on LB1230.

ALBRECHT: OK, we'll start. Senator Murman will be introducing LB1329.

MURMAN: Good evening, Vice Chair Albrecht, members of Education Committee. My name is Senator Dave Murman, D-a-v-e M-u-r-m-a-n, representing District 38. Today, I'm introducing LB1329, a bill related to the Career Scholarship Act. To provide some context, career scholarships were created in 2020 as a way to curb the brain drain in Nebraska with the goal of getting successful students to go to a Nebraska school and be connected with an internship before graduation. The scholarships are intended to specify-- specifically attract critical jobs that we need more of in this state that will reward those graduates with a job that provides a good salary right here in Nebraska. About half of the scholarships that have gone out have gone

to engineering, around a fifth have went to computer science, and around a fifth have went to healthcare programs. These are jobs that our economy needs, and in many cases we've been struggling with a shortage in these roles. A 2023 article in the Journal Star wrote that the scholarship was both an effective recruiting tool to keep top Nebraska students close to home, and students who received the scholarship are more likely to finish their degree. One student who was trying to decide between UNK and Northwest Missouri State to study speech language pathology said it definitely played a big factor in choosing a college. It was important to me not to be drowning in debt. I'm sure many of the testifiers represented-- representing various school systems behind me will be able to support that conclusion and probably provide some good data on it. Despite the quality of the program, there are still some flaws that this bill is hoping to fix. I've done a good bit of work here meeting with the community college system, the state college system, and the Council of Independent Colleges to make sure everything in here they're on board with. They all-- they all want this program to succeed so there's just a few modifications that I'll go into. Firstly, the original bill did not account for students who may have earned a credential through dual enrollment while still in high school. As early college or dual enrollment programs become more common, we want to make sure the scholarship includes them, especially when we consider the goal of this scholarship is to attract high-performing students and students who are taking dual credit in high school are likely going to often be in that category. The original bill also had some challenges with the original reporting dates, so this modifies those dates to be better in line with the census data. I believe the testifiers behind me can better explain why this change would be more manageable for them. The bill also shifts the administration from the Department of Economic Development to the Coordinating Council for Postsecondary Education. The community colleges and independent colleges have expressed that they feel the CCPE would be better involved in this process and is a more logical fit. This bill would allow for scholarship eligibility to consider a high school GPA of 3.0 or higher. Finally, I want-- I'll point to a quick amendment we have which adds in ROTC as an eligible program of study. This was a recommendation that came to us later on when we considered the fact that both our U.S. military and Nebraska National Guard are going through a pretty substantial recruiting shortage. Adding in an extra incentive that our colleges can offer to encourage ROTC students would be a good addition. To conclude, the Career Scholarship Act set up a great program and LB1329 seeks to strengthen it. Some of the technical questions about how the program

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is administered might be better answered by some of the testifiers behind me. But with that, I'm happy to answer any questions that any of you might have. And I do have the amendment here if you want to pass it around to everybody that includes ROTC.

ALBRECHT: Thank you, Senator Murman. Do we have any questions from the committee? Seeing none, we'll take the first proponent. First proponent.

PAUL TURMAN: Good evening, Senator Albrecht, members of the Education Committee. My name is Paul Turman. That's spelled P-a-u-l T-u-r-m-a-n. I'm the chancellor of the Nebraska State College System. I'm here to provide input and ask that you support this piece of legislation to provide some clarity around some of the, the challenges that we see with the reporting and other elements of the career scholarship program. I think, ultimately, when this program was put forward there-- the goal really was fourfold: ensure that more students are enrolled in degree programs that meet the H3 components that we all are aspiring for, for our workforce, to help with retention and persistence of those students, ensure that we graduate them from our institutions, and then lastly, that they hopefully are placed within the state of Nebraska once they have graduated and gone and work in with our business communities. The reporting components, essentially, have expanded greatly beyond that. And so what we've tried to do in consultation with the university system, with the community colleges, with the independent colleges, is try to streamline so that all sectors' reporting requirements align with each other, not only so that we can make sure that we're answering those four important-- or questions related to those outcomes, which we believe that it-- that it does, but we also have a very extensive reporting system, the Nebraska Statewide Workforce and Educational Reporting System, NSWERS. Senator Linehan, you had, had the opportunity to see that. When we streamline all the reporting requirements across all sectors, it allows Matt Hastings and his team to help us provide the reports, but also dive a little bit deeper into seeing the overall outcomes of this program. And so as we've worked together, and then working with Senator Murman, I think these reporting changes really do still allow you to make sure that those outcomes are being achieved. The program certainly is continuing to work. We have two of those outcomes that we have data on. We're seeing about a 6%, at least, in the state college system and 6% increase in the number of students that are enrolled in the, the high-need programs that we have the authority to give scholarships to. Senator Murman mentioned the ones that I think align more with the university system, but half of our scholarship

recipients are in teacher education in the state college system. The second one is we're seeing about a 15% increase in retention, comparing students in those programs who are not receiving the scholarship versus those that are. And so when we get a year down the road and we can do graduate production, but then also placement into the state of Nebraska, we believe that those same numbers will start to come true. And we'll be able to report that to you in December each year. The last one, and I'm happy to answer kind of more detailed questions you might have about ROTC, but right now, students in the state of Nebraska as a result of the cadet command's decision that they made last Sept-- last spring, no student in Nebraska west of Lincoln has the opportunity to be in a ROTC program. And so we're working with General Strong as well as a number of, of other representatives to make sure that that program still has capacity out at Chadron to get it reaffirmed. And we feel that the commitment from the state to allow Chadron to use career scholarships to leverage Minuteman scholarships may help benefit that. But I'm happy to answer any questions that the committee might have today.

ALBRECHT: Thank you for your testimony. Appreciate it. Senator Linehan.

LINEHAN: Thank you, Senator Albrecht. Why did they do away with ROTC in Chadron? I didn't catch the reason.

PAUL TURMAN: Yeah. So ROTC at Chadron is actually a host program with South Dakota School of Mines.

LINEHAN: Oh.

PAUL TURMAN: Has to produce a certain number of commissioned officers, and it needs to have at least three per year. They have fallen below that threshold. And right now, according to Army command, their push is to support programs that are more on the east and west portion of our country. We're trying to find ways to get it brought back. South Dakota School of Mines is still wanting to continue to support that program. And even the, the National Guard is willing to commit two FTEs to make sure that we're able to sustain it. And we're looking for the other capacity through the state to make it happen. But we've been notified that they're no longer interested in supporting, we have to submit a reauthorization.

LINEHAN: Who is the they?

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PAUL TURMAN: U.S. Army Command-- Cadet Command in Kentucky.

LINEHAN: OK.

PAUL TURMAN: Yeah.

LINEHAN: Thank you.

ALBRECHT: Very good. Thank you. Any other questions of the committee? Seeing none, thanks for being here.

PAUL TURMAN: Thank you.

ALBRECHT: Next proponent. Hello.

GREG DART: Hello, Senator Albrecht. Senator Albrecht and the Education Committee, my name is Greg Dart, G-r-e-g D-a-r-t, and I'm the president of Western Nebraska Community College. And thank you for the opportunity to be here in front of you representing all 6 public community colleges today. Thank you, Senator Murman, for introducing these changes to the Nebraska Career Scholarship Act. The-- this Career Scholarship Act is an investment in meeting not only that brain drain, but then also highly skilled development on the community college level. These changes at the community college level increase both the efficiency and impact of the scholarship program without any additional cost. The changes in the reporting requirements more closely align to federal reporting requirements, reducing unnecessary costs and creating a new data set that shows the same or similar outcomes in those calendar changes as well. Additionally, changing the oversight reporting and eligibility from the Department of Economic Development to the Coordinating Commission for Postsecondary Education will allow us to be more flexible in meeting workforce needs and align with other reporting requirements that we already are, are under. The flexibility of the funding will allow us to be more nimble in meeting the needs of students who are seeking the more highly skilled training areas that are in high demand. The increase in the per student fiscal allowance would help meet students with costly tools and equipment that are necessary for program completion, especially in those highly skilled areas. In addition, further clarification of dual credit awards and the continuation criteria allows us to keep students here within Nebraska for higher education programs and allow students applying for limited seats in certain high-demand programs, such as nursing, to retain scholarship support if not admitted, admitted upon their first attempt. So this bill is just a great example of how a

senator working with community colleges, state colleges, independent colleges, and the university system can, can in this case honorable Senator, Senator Murman create efficiency and impact on student and workforce. So thank you so much and I'd welcome any questions.

ALBRECHT: Thank you for your testimony. Any questions from the committee? Seeing none,--

GREG DART: Thank you.

ALBRECHT: --thanks for being here today. Next proponent. Hello.

TOM OCHSNER: Vice Chair Albrecht and distinguished members of the Education Committee, good evening. My name is Tom Ochsner. It's T-o-m O-c-h-s-n-e-r, and I'm the director of scholarships and financial aid at Nebraska Wesleyan University. My comments today also reflect the support of the Council of Independent Nebraska Colleges, which is an an organization comprised of all 13 independent postsecondary institutions in the state. LB1329 is recommending a change regarding the administration of the Nebraska Career Scholarship to be administered by the Coordinating Commission for Postsecondary Education. The 13 independent postsecondary institutions support this move and believe it will be a positive change for students in the higher education institutions. CCPE has a clear understanding regarding the cycle of the academic calendar and financial aid processing. I am confident in their ability to add this scholarship program under their administration. The Coordinating Commission has established professional relationships with the financial aid offices, and have a proven track record of distributing applications and funds in a timely manner. The private institutions currently work with the Coordinating Commission, and the Commission is responsible for administering the Nebraska Opportunity Grant and Access College Early Grant that are disbursed to the community colleges and independent institutions. Also included in this legislation is the addition of allowing students to qualify for these funds based on their high school GPA being a 3.0 or higher up on a 4.0 scale. There is increasing trend of higher education institutions not requiring the ACT or SAT scores for entrance into college. It is critical that we allow higher education institutions to identify and award scholarships to those students who the institutions have identified as academically on target to achieve their educational goals. Allowing for an alternative GPA to qualify for these funds will result, result in more opportunities for students to receive scholarship funds that will make a difference in their pursuit of a degree. Nebraska Wesleyan has seen

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positive outcomes from the Nebraska career scholarships, even though private institutions have only been included in the Nebraska Career Scholarship Program, beginning with the 2021-22 academic year. Nebraska Wesleyan University has graduated 2 students in healthcare-related fields that received support from this program, and we have 14 more nurses that will enter the health career field in the next 2 years that are receiving support. We have many more nurses that will graduate from our program during this time, and if more funding were available, we would be able to provide additional support towards their educational costs, hopefully reducing their student loan debt or out-of-pocket costs. For these reasons, Nebraska Wesleyan University and the Council of Independent Nebraska Colleges are enthusiastically in support of LB1329 and respectfully request the Education Committee advance this bill. Thank you for your consideration and I'm open to any questions you might have.

ALBRECHT: Thank you for your testimony. Do we have any questions of the committee? Seeing none, thank you for being here. Next proponent. Seeing none, any opponents to the bill? Seeing none, anyone in neutral?

MIKE BAUMGARTNER: Good evening, Chairwoman Albrecht, members of the committee. I will be very brief. We are happy to take this on if that is the decision of the Education Committee. We have the people who can do it and just believe we can administer it without any trouble.

ALBRECHT: OK. Could you spell your name, please?

MIKE BAUMGARTNER: I'm sorry. M-i-k-e-- see, I was trying to be so brief that I skipped it-- M-i-k-e B-a-u-m-g-a-r-t-n-e-r. I'm the executive director of the Coordinating Commission for Postsecondary Education.

ALBRECHT: Got it. Thank you very much. Any questions? Comments? Thank you for being here. Anyone else in the neutral position? Seeing-- what? OK, seeing none, Senator Murman. We had-- what number is this? LB1329. We had 1 letter in support and zero in the neutral or the opposition.

MURMAN: Oh, I don't have anything to add in closing. I'll just be available for any questions if anybody has any.

ALBRECHT: Does anybody have any questions for Senator Murman? What? Yes.

LINEHAN: Who's doing these scholarships now? Is this-- who's doing it?

MURMAN: The Department of Economic Development.

LINEHAN: OK. So you're moving-- all right.

ALBRECHT: Thank you, Senator Linehan. Seeing no others, LB1329 will be closed and we will open up if you'd like on LB1328.

MURMAN: Yes. Good evening again, Vice Chairman Albrecht, members of Education Committee. My name is Dave Murman, D-a-v-e M-u-r-m-a-n, representing District 38. Today, I'm introducing LB1328, a bill related to modifying the classification of school districts. Before I get into the details of this bill, I'll try to provide some basic context of our current school classification system. And also I will pass out the proposed change in classification. There were 5 classes, the first involving only K-8 districts, and Class 2 involving fewer than 1,000 inhabitants-- inhabitants, but both were legally dissolved. Today, we have 3 classes left. Class 3, which is anything between 1 and 500,000 inhabitants; Class 4, which is greater than 100,000 inhabitants in primary cities, which only includes Lincoln Public Schools; and Class 5, which is greater than 200,000 inhabitants in metropolitan cities, which only includes Omaha Public Schools. Essentially, we have a classification for Omaha, a classification for Lincoln, and a classification that lumps in every single other district in the state. In goal, a classification system could be a useful tool to decide what rules and regulations best fit the size of a district. The Legislature and Department of Education regularly make laws that say a school needs to have this specific type of training for their staff or this type of class needs to be offered, but these mandates are harder to carry out depending on the size of a district. The greater the size of a district, the more of an economy of scale a district might have. But our current system tells us that we should be applying rules to a district like Thedford, which has total population of 522. The same way we should be applying rules to Norfolk, a district which is population of over 30,000. It's just not logical to tell a district that it-- that is about 2% of the size of the other district all of your staff need to complete this training program. If we're better equipped to be able to classify schools, we can better equip-- we will be better equipped to make rules that fit each district's needs, rather than a nearly one-size-fits-all approach. LB1328 does just that. Rather than saying every district that isn't Omaha or Lincoln is a Class 3 school, we redefine Class 1 as any district which inhabitants under 1,500; Class 2 is any district

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between 1,500 and 5,000; and Class 3 is between 5,000 to 200,000 inhabitants. This bill isn't seeking to dramatically change how anything works, but just to make a system that makes a little more sense in Nebraska. With that, I'm happy to answer any questions.

ALBRECHT: Thank you, Senator Murman. Any questions from the committee? Seeing none, we'll just open it up for proponents. Do we have any proponents for LB1328? Seeing none, any opponents? Really? [LAUGHTER] Anyone in the neutral position? Just kidding.

SANDERS: Wow, why are they all still here?

LINEHAN: I don't care. [LAUGHTER]

ALBRECHT: Senator Murman, you're wel-- here to close and [INAUDIBLE]--

MURMAN: Well, that's a little bit of a welcome surprise. [LAUGHTER]

ALBRECHT: You only had 2 opponents in the letters, everybody else was--

SANDERS: So why are they still here?

MURMAN: Yeah, just want to add this doesn't have anything to do with consolidating districts or anything like that. It's just changing the classification for the reasons that I, I voiced and--

ALBRECHT: OK.

MURMAN: --nothing about consolidation.

ALBRECHT: Senator Linehan has a question.

LINEHAN: So if you did this-- I mean, I kind of maybe feel-- know where you're driving the train here. You could say that schools above, whatever, the bigger ones, they can have-- do it inside the system. But these other schools, smaller, could use their ESUs. It that what-- would that be a reason kind of like--

MURMAN: Well, that'd be a possibility. Yes. You know, different size districts have different needs and address those needs in different ways, of course.

LINEHAN: OK. Thank you.

ALBRECHT: Senator Wayne.

WAYNE: Just briefly. My only suggestion is that Omaha, Lincoln, and Millard, and maybe "Papio," but Omaha, Lincoln, and Millard be in one class. I mean, Millard is a part of the urban schools and so is Lincoln when they travel. Let's treat them all the same. If they want to claim to be urban, then let's just claim to be urban.

MURMAN: I'll sure take that into consideration. I'm open. I just, you know, tried to divide the, the districts and, you know, the way they fit together well and maybe that might be an improvement.

ALBRECHT: OK. Thank you, Senator Wayne. Any other questions? Seeing none, thank you. And we'll move on to LB-- we'll close LB1328 and move to LB1331.

MURMAN: Good evening again, Vice Chairman Albrecht, members of the Education Committee. My name is still Dave Murman, representing-- or I spell it D-a-v-e M-u-r-m-a-n, represent still District 38. Today, I'm introducing LB1331, the bill to change provisions related to truancy, attendance, and various programs administered by the State Department of Education, but what is generally is a cleanup bill brought by the department meant to modernize, clarify, and clean up language in the existing law. I'll try to briefly explain the changes, although I expect a couple of the testifiers behind me will be-- will be better able to provide context. The main purpose of this legislation is to allow for better practices of taking attendance. When the attendance laws were written, teachers were of course taking this by hand. But now schools commonly have a digital system for this process. School districts, as a result, now have better ways to record and report this data to the Department of Education so this is generally the point of the legislation. The bill also eliminates some outdated language, clarifies the minimum requirements for other statutes for the issuing of alternative certificates, adds language to match the federal language, clarifies the definition of a high-ability learner, and ensures the Commissioner of Education receives a report of districts' behavioral awareness training reports. The goal of this bill isn't to create some large legislative change, but more so to clean up the language of the already existing truancy laws and other provisions to provide a bit more clarity on some older statutes. With that, I'm happy to answer any questions, but there's testifiers behind me from the department that are going to be able to do a much better job answering.

ALBRECHT: Thank you, Senator Murman. Any questions at this time? Seeing none--

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WAYNE: I just-- Murman, I just want you to know that--

ALBRECHT: Hold on. Senator Wayne.

WAYNE: I know you had a hearing on this, but I probably will be filing a rereference motion. And you have penalties in here that are criminal class--

ALBRECHT: Misdemeanor.

WAYNE: --misdemeanors and truancy. Senator Conrad's bill was in my committee last year, so I'm not sure how this is here, but just putting that on the record because I'm probably going to make an issue of it. Thank you.

MURMAN: OK.

ALBRECHT: Thank you.

MURMAN: So noted.

ALBRECHT: OK. So we'll-- shall we-- yes, go ahead. Senator Conrad.

CONRAD: Thank you so much, Vice Chair Albrecht. Thank you, Sen-- Chair Murman, for bringing this forward. And I guess to, to Senator Wayne's point-- I think Senator Dungan has a carryover bill in Education related to truancy. I have a carryover measure in Judiciary related to truancy. And, and I'm glad that you brought this forward, even though the criminal penalties component we usually move it towards Judiciary. I think you're maybe trying to look at the administrative side of, of kind of how we track that here. So we definitely can and should sort through the referencing question. But I think it also probably helps to lift up an opportunity for collaboration amongst Judiciary and amongst Education to finally address truancy reform. It has languished far too long in this body. Our statutes are clunky and outdated and just really don't reflect what's happening, I think, in society any longer. And we heard horror stories last week about overzealous county attorneys and how they were interacting with homeschool parents and utilizing the kind of umbrella of truancy to enforce those prosecutions. The data and the studies I've seen show that, you know, we're hauling families into court when people are missing school because of religious reasons or sports reasons or medical reasons. And that's, that's just not, to me, the point of these truancy laws. So in addition to the referencing question, maybe this would be a cool thing for Education and Judiciary to put our heads together on and, and

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finally get some movement on it. So I just-- I, I wanted to, to thank you for bringing it and see if maybe we could plant a seed there.

MURMAN: Thank you. Yeah, I think the goal here is to address more of the administrative side of it--

CONRAD: OK.

MURMAN: --like you said but, yeah, we, we have several bills that-- and that's a good thing to address--

CONRAD: Yeah.

MURMAN: --truancy.

ALBRECHT: So we'll continue with the hearing and then if you rereference it--

WAYNE: No, we're figure it out-- we're figure it out.

ALBRECHT: OK, so. We'll take the first proponent on LB1331.

BRIAN HALSTEAD: Good evening, Senator Albrecht, members of the Education Committee. I'm still Brian Halstead, B-r-i-a-n H-a-l-s-t-e-a-d. I'm with the Department of Education. Thank Senator Murman for introducing it. The bill is intended to do exactly what Senator Murman said. There is nothing in this bill that's sacred to the Department of Education. It was our attempt to try to help you identify some-- very specifically because it's been mentioned, it is amending the set of statutes in 79-201 through 79-210 that speak to attendance and enrollment. It is moving-- in 7-- you'll find in the bill on page 10-- right now, Section 79-210 says any person violating all of those previous sections is guilty of a Class III misdemeanor. Which means if school district officials aren't doing what those statutes say, it takes the county attorney to prosecute the school official for not doing that work. And getting back to Senator Linehan last week asking me about look into this school district and what they're doing. The department has no role in this. What we're doing or proposing is the penalty that is there in 210 gets moved forward up to the very section of statute that talks about the duty of parents to enroll the child in school and then once enrolled cause the child to attend, except for the very specific ones the Legislature [INAUDIBLE]. That should be-- we were only intend-- that's where maybe there's still a need for the criminal justice system. So we're not trying to create a new criminal law, we're just narrowing it. The rest of those

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provisions, the State Board may promulgate rules and regs. So we may be able to tell a school district, you don't do that. You don't turn the kids over to the county attorney if you haven't done everything that 79-209 says you're supposed to do. That's all we're trying to do there. So I'm glad Senator Wayne caught that because it is in the bill. I'd be happy to answer any other provisions in here. As I said, this is our attempt. We know staff from the Education Committee asked us to gather stuff because last session they knew there was going to be some stuff. That's all that's here. But I'll answer any questions any of you might have on the bill.

ALBRECHT: Thank you, Mr. Halstead. Any questions? Senator Linehan.

LINEHAN: I'm just going to-- I know-- on page 23, starting on line 17-- I mean, what are we taking out here? What are we changing?

BRIAN HALSTEAD: 23, line 17. It appears that's duplicative of other lang-- well, wait, first of all, yeah, we believe that's duplicate of other language that's in the very same section. I think it, it got doubled-up.

LINEHAN: OK.

BRIAN HALSTEAD: That-- so from when we looked at all of the changes you made to lottery, it got missed that it was in there twice. And I think there's another place in the bill--

LINEHAN: Can you just-- but not today, Brian,--

BRIAN HALSTEAD: Yeah.

LINEHAN: --but can you come back to us and say where it is, so?

BRIAN HALSTEAD: Sure, in that regard, in, in there. There's an outright repeal at the very end of this of repealing 79-11,160. You'll actually find the same stuff in 79-3605. So, again, we're-- if-- we're not trying to take something out of law, it's just duplicative of as we were working through implementing that, so.

LINEHAN: OK. Thank you.

ALBRECHT: Thank you, Senator Linehan. Senator Conrad.

CONRAD: Sorry. Thank you so much, Vice Chair Albrecht. Thanks, Brian. Since you have a great deal of, of technical knowledge, I wanted to

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put this out here to you since Senator Murman mentioned it in his opening, that this perhaps updates the laws to take into account new technologies that schools might be using to track attendance or, or otherwise, which, of course, technology is rapidly evolving in all areas of our lives. So I appreciate and understand that. But my question is-- and I started this conversation with our local school district in Lincoln, and I know other states are grappling with this as well, are you aware of any sort of discussions happening at the State Board of Education level in regards to student privacy and mass surveillance on these tools that track our kids through our-- through our hallways? Because I'm pretty worried about that. Any time you got Big Tech and Big Government together, that can spell disaster pretty quickly from a civil rights and civil liberties perspective. So it's probably way bigger of a question than in regards to this technical bill, and I think we can work together on an interim study to look at some of those things, but, but I am worried about that.

BRIAN HALSTEAD: What I can share with you, there are members of the State Board that always expressed concern to staff at the department about the security of data that's personally identified for students. So it's, it's on their topic.

CONRAD: OK, maybe the time is right.

BRIAN HALSTEAD: It's always a focus of whenever we're planning on doing anything that's going to deal with individual student data to ensure that it's protected, to ensure there's no disclosure and all of that so it gets there.

CONRAD: OK. Well, maybe the time is right then so, so thanks for, for sharing that back. Thank you.

ALBRECHT: Thanks for your comments.

CONRAD: Yeah.

ALBRECHT: Thanks. That's good. Anyone else have any concerns? Thank you for coming.

BRIAN HALSTEAD: Thank you.

ALBRECHT: All right. Any other opponents? Was I on opponents? Proponents still?

SANDERS: Proponents.

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ALBRECHT: Sorry, still proponents [INAUDIBLE]. Any other proponents? Any opponents? Seeing no opponents, anyone in a neutral capacity? Seeing none--

SANDERS: No opponents. No neutral.

ALBRECHT: No opponents. No neutral. So our letters on LB331 [SIC], 1 letter in support, 1 in opposition, and 1 in neutral.

MURMAN: Well, again, I don't have anything to add. I'll just make myself available--

CONRAD: OK.

MURMAN: --for any questions.

ALBRECHT: Very good. Any questions left for Senator Murman? Seeing none, thank you very much.

MURMAN: Thank you.

ALBRECHT: We will close LB1331 and move to LB1005 with Senator Walz.

WALZ: Bringing it home. I know it's, like, I'm not sure if this is good. I should have started actually. It's at the end of the day and Justin's like-- making me nervous.

WAYNE: I've got long hearings the rest of the week. I don't-- Mondays and Tuesdays are my short hearings.

WALZ: Senator Wayne, I mean. Good evening, Chair 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 made up of Dodge County and Valley. Today, I'm introducing LB1005, which is a necessary change that we need to make to statute. As a committee last year, we took additional steps to address the teacher workforce shortage and a piece of that was taken from a bill I introduced, LB519. We decided to move forward a portion of that bill to provide a forgivable-- a forgivable loan for student teachers. This is a vital step that is needed because oftentimes student teachers are full time and not being paid for this important experience. The committee decided to set aside \$500,000 annually from the Attracting Excellence to Teaching Program to carry out this program. Last session, we also shifted this program to the Coordinating Commission for Postsecondary Education. Over the interim, as the Coordinating Commission was reviewing what we had passed they

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determined that as the statute is written they're not able to execute the program. LB1005 is the exact program that we intended to pass last session. This just provides the framework for the Commission to carry it out for us. This is an absolutely necessary piece of legislation that needs to pass, otherwise it will continue to be a half a million dollars set aside for a program that does not exist. And we do not want that to happen. I would be happy to answer any questions, though Dr. Baumgartner from the Coordinating Commission is here to help us out with any questions.

MURMAN: Thank you. Any questions for Senator Walz at this time? If not, thank you very much. Proponents for LB1005?

JENNI BENSON: Hello. Good evening. My name is Jenni Benson, J-e-n-n-i B-e-n-s-o-n, and I am currently the president of the Nebraska State Education Association. I also want to say I'm a mom and a grandma of 12. I also am a special ed teacher for almost 40 years, and never in my life did I dream growing up in Sutherland, Nebraska that I would also say I'm a registered lobbyist. So with all that being said, I appreciate this bill. I-- NSEA supports LB105 [SIC] and we agree that student teaching should be paid. It is paid in many districts. It is not paid in a lot of districts as well. My daughter just finished her student teaching in December. I am happy to report, as a 34-year-old nontraditional student, that she has already gotten a contract in Lincoln for next year to teach preschool. However, it was a tough 9 weeks without any pay. She works at a daycare in the evenings and has kids, little kids, and it was-- it's tough to do a full-time job as a student teacher and then try to hold down another job and do a good job. So any kind of assistance that we can give-- Chadron State College is a perfect example of a year-long internship with master teacher and they sub during the year as well. So they make money subbing to help them with that. So anything we can do to help with the-- with the student loans would be great. It-- this bill doesn't actually provide the payment, but it helps with the loan forgiveness. And thank you for your consideration for this important bill, LB1005. Thanks.

MURMAN: Thank you. Any questions for Jenni Benson?

JENNI BENSON: Thank you.

MURMAN: If not, thank you. Other proponents?

MIKE BAUMGARTNER: Good evening, Chairman Murman, members of the Education Committee. My name is Mike Baumgartner, M-i-k-e B-a-u-m-g-a-r-t-n-e-r. I have instructions here to spell that out so I won't mess it up for you the second time. I'm the executive director of the Coordinating Commission for Postsecondary Education, and I'm here today to testify in support of LB1005. As Senator Walz mentioned, LB1005 is intended to fix a provision in LB705 last year that created a new program of grants and loans without further specifying how that should be done. And talking to Senator Walz and understanding the intent of the committee last year, we have fleshed out the program of student teacher for forgivable loans to piggyback it onto the Attracting Excellence to Teaching Program. And that will make the application and, and administration easier for all the parties for the-- for the students, for the institutions, and for us going forward. I'd be happy to answer any questions.

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

WAYNE: I have a real short one.

MURMAN: Senator Wayne.

WAYNE: Does a-- does a student have to teach in a public school?

MIKE BAUMGARTNER: No.

WAYNE: Oh, interesting. OK. Thank you.

MURMAN: Any other questions for Mr. Baumgartner? If not, thank you very much for testifying. Other proponents for LB1005?

JANE ERDENBERGER: Members of the committee I'm really excited, having sat back there all day, to finally get my say, and I'm going to read the whole thing regardless. Chairman Murman and members of the Education Committee, my name is Jane Erdenberger. That's J-a-n-e E-r-d-e-n-b-e-r-g-e-r. I've been spelling it for 70 years now. Can you tell? It's got-- and I'm here today on behalf of the Board of Education of the Omaha Public Schools and in my capacity as Chair of its legislative committee. The Omaha Public Schools is Nebraska's largest school district, serving over 52,000 students and their families. We are the third largest employer in the state. As this committee is well aware, like many of our fellow school districts, the Omaha Public Schools district is facing a shortage of teachers and other school staff. Our teacher shortage exists despite the fact that the Omaha Public Schools has the highest starting teacher salary of

any school district in the state. In case there's any teacher applicants out there, I thought you should know that. We support policies that would provide additional resources and encouragement to individuals who want to become teachers, as well as to those who are currently teaching. That is why we are here testifying in support of LB1005, which would allow student teachers to apply for an additional loan under the Excellence in Teaching Act to support themselves during the student teaching semester. Student teachers are a vital recruitment resource for our district, and the Omaha Public Schools district has made it a priority to support student teachers. To that end, 2 years ago, we were the first school district in the state to provide our student teachers with a stipend during their time with our district. This has resulted in a significant increase in student teachers wishing to work for OPS. Any additional support the Legislature can provide these students during their student teaching semester would encourage even more students to pursue teaching. For these reasons, we are pleased to support LB1005. Thank you very much, Senator Walz, for your work on this important issue. And thank you to the committee for your time today. I'm happy to answer any questions.

MURMAN: Thank you. Any questions for Ms. Jane Erdenberger?

ALBRECHT: Just because she sat here all this time, I have a question.

JANE ERDENBERGER: Thank you. I sure appreciate that one.

ALBRECHT: OK, so you said that 2 years ago you were able to give them a stipend. How was that, through the--

JANE ERDENBERGER: What-- to be honest, what we did at the time was we used some of our COVID money, but we knew when we did it that we were committing to a lifetime of student teacher payments. So we, we did-- we are now paying it out of our budget. But initially it was with the funds that were made available in COVID. We also at the same time pay a small stipend to the supervisory teacher who is responsible for the student teachers.

ALBRECHT: Very good. Thank you.

MURMAN: Thank you. Any other questions?

JANE ERDENBERGER: Thank you.

MURMAN: Thanks a lot for sticking around.

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JANE ERDENBERGER: Oh, I'll be back one more time.

MURMAN: Any other proponents for LB1005?

TREVA HAUGAARD: Good evening, Chair Murman and members of the Education Committee. My name is Treva Haugaard, T-r-e-v-a H-a-u-g-a-a-r-d. I am the executive director of the Council of Independent Nebraska Colleges, also known as CINC. The Council of Independent Nebraska Colleges is supportive of LB1005 and appreciate Senator Walz for introducing this bill that, if passed, would allow education majors to receive a forgivable loan pursuant to the Attracting Excellence to Teaching Program during the semester that they are student teaching. LB1005 provides critical funding for Nebraska students that are seeking to become teachers in the state of Nebraska. Nebraska has a significant shortage of teachers. According, according to the '23-24 Department of Education teacher vacancy survey, there were approximately 900 teacher positions unfilled with fully qualified personnel. CINC member schools award more than 30% of education degrees in Nebraska. Students who attend our member institutions utilize the loan forgiveness program under the Excellence in Teaching Act. Since the exception of the Excellence in Teaching Act over 15 years ago, more than 14 million has been awarded to eligible students. These education-specific programs provide a financial source of support that is important to students in Nebraska. The Council of Independent Nebraska Colleges supports LB1005 and asks you to please advance this bill.

MURMAN: Thank you. Any questions for Treva Haugaard?

TREVA HAUGAARD: Thank you.

MURMAN: Senator Linehan.

LINEHAN: Wait, wait, wait.

TREVA HAUGAARD: I'm so quick. All right. I'm up.

LINEHAN: Almost-- thank you, Senator Murman. Is the Excellence in Teaching Act, that's a federal program, right, or is that our program?

TREVA HAUGAARD: That is our program and is part of-- and Mike Baumgartner can answer this more--

LINEHAN: OK.

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TREVA HAUGAARD: --but they are in the same category.

LINEHAN: OK. All right. Thank you very much. I'm sorry.

MURMAN: Any other proponents for LB1005? Any opponents for LB1005? Any neutral testifiers for LB1005? Senator Walz, you're welcome to close. She waives closing. And let's see, we, we had 5 proponents, zero opponents, zero neutral for LB1005 and we will close the hearing on LB1005 and open the hearing on LB1160.

WALZ: Good afternoon-- good evening, 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 Legislative District 15, which is made up of Dodge County and Valley. Today, I'm introducing LB1160, which the idea actually came from Doane University. LB1160 would change the amount awarded for forgivable loans under the Attracting Excellence to Teaching Program. Currently, students who graduate high school with a 3.0 GPA agree to complete a teacher education program and commits to teaching in an accredited approved school who are eligible for a forgivable loan of \$3,000 per year for 5 years. Although the loans are available for 5 years, most students do not declare their education major until their sophomore or junior year. This can leave students with only a few years of eligibility under the loan program, meaning they are not receiving the large portion of the loans they should be eligible for. LB1160 would increase the loan amount from \$3,000 to \$6,000. The bill would also reduce the amount of years that student would be eligible to apply for the loan from 5 years-- from 5 years to 3 years. Increasing the amount awarded while decreasing the year students could apply aims to better fulfill the intent of the program. By also making this change, it would be a bigger impact to the individual teachers while paying their way through college. I think it's an important-- I think it's important to note that we must appropriate additional funds for the Attracting Excellence to Teaching Program with this change, then this change will most likely reduce the amount-- reduce the amount of students that receive the loans. This change would help new educators enter the workforce and start their careers without large debts hanging over their heads. Thank you for your consideration of LB1160 and I'll be happy to answer any questions that you have.

MURMAN: Any questions for Senator Walz at this time? If not, thank you very much.

WALZ: Thank you.

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MURMAN: Any proponents for LB1160?

JENNI BENSON: Hi.

MURMAN: Hi.

JENNI BENSON: I'm Jenni Benson, J-e-n-n-i B-e-n-s-o-n, and I am the president of the Nebraska State Education Association. I represent 25,000 NSEA members in support of LB1160. We thank Senator Walz for introducing this bill, and we thank you all for being here for all these hours. We appreciate it very much. We continue to have a staffing crisis in Nebraska. There are shortage of teachers in the state as people have said before. To address the crisis in part is to incentivize young people to enter the teaching profession. To speed up the flow of new teachers, we need to provide even greater incentives within our state's current loan forgiveness program for students being trained in our teachers' colleges. I won't read the rest of my testimony. You have a copy there, and I appreciate you considering LB1160 to help us recruit more new teachers so that we can meet the needs of our students across Nebraska. Thank you.

MURMAN: Thank you. Any questions for Jenni Benson? Senator Linehan.

LINEHAN: Thank you, Chairman Murman. And I'm-- I-- this is just undergrad programs, right?

JENNI BENSON: Yes.

LINEHAN: OK. Thank you very much. I thought that was the case.

JENNI BENSON: Yeah, it was just undergrad before.

LINEHAN: OK. Thank you very much.

JENNI BENSON: Yep. You bet.

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

JENNI BENSON: Thank you. You all have a lovely evening.

MURMAN: Other proponents for LB1160?

LUIS SOTELO: Good evening, Chairperson Murman and members of the Education Committee. My name is Luis Sotelo, L-u-i-s S-o-t-e-l-o, and I oversee government relations at Doane University. I'm deeply grateful for each one of you on this committee because your

intentionality and hard work are helping our state attract and retain teachers in the classroom. And we know the work is unfinished. That's why I'm testifying today in support of LB1160 on behalf of Doane University and the Council of Independent Nebraska Colleges. More importantly, I sit in front of you today because I'm a former middle and high school teacher, and my life's mission is to ensure all students have access to a quality education. This is only possible when our students have outstanding educators at the front of the classroom. We can characterize LB1160 as a technical bill that modernizes the Attracting Excellence to Teaching Program, or AETP, which was passed by the Legislature nearly 20 years ago. The AETP's legislative objective was and is now to attract and retain students and graduates as teachers in schools across the state of Nebraska by offering each student \$3,000 loans per academic year for up to 5 years. Those loans can be gradually forgiven with employment as a teacher in Nebraska after graduation. But let's briefly discuss why the AETP is in dire need of an update to serve our aspiring teachers, which LB1160 accomplishes. Even though the original AETP outlines that an undergraduate college student may receive the forgivable loan for up to 5 years, applying for the forgivable loan requires that the student successfully declare an education major. The obstacle here is that, generally, college students seeking to become teachers must fulfill prerequisite coursework and successfully pass the Praxis test before officially declaring an education major. These steps are usually not completed until the end of their second year in college. As a result, the financial aid administrators are often not able to award the AETP as intended by this body to first- and second-year students. The funds can go unclaimed. Therefore, the students who are predominantly receiving the AETP loans now are in their third and fourth years, limiting their total forgivable loans to a total of \$6,000 each if the students graduate in 4 years. However, the original intent of this legislation was to provide upcoming teachers with at least \$12,000 in forgivable loans. LB1160 modernizes the AETP with some simple commonsense updates to account for the context I just described. It primarily makes 2 changes: it narrows the years of eligibility from 5 to 3 years and (2) raises the yearly award--awarded amount from \$3,000 to \$6,000. These 2 changes also increase the financial incentive for students to choose to become teachers because getting that degree may now become more financially viable. This is important because we know that students today are much more price sensitive when choosing their majors. Access to these forgivable loans, as some research suggests, improves the probability that students may become teachers and stay in the classroom. I want to

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thank Senator Walz for championing this legislation. And on behalf of the Doane University and the Council of Independent Colleges-- Independent Nebraska Colleges, we recognize the important work of this committee in providing a quality education for all students across Nebraska. While our students are the future of Nebraska and our nation, our investment in them now is what prepares them to lead stronger communities tomorrow. Thank you. I'll be happy to answer any questions.

MURMAN: Thank you. Any questions for Mr. Sotelo? Senator Linehan.

LINEHAN: Thank you, Chairman Murman. Is it-- is there a requirement for them to teach for, like, 1 year, 2 years?

LUIS SOTELO: Correct. Yes. There is a requirement, it is-- it's graduated. And, and those teachers that teach in high-need areas and shortage areas may get their loans forgiven at a-- at a, a quicker rate than others.

LINEHAN: So how long do you-- if I take this program, how many years do I have to teach in Nebraska?

LUIS SOTELO: I want to say-- without looking at the, the exact details of the, the graduated, I think you can get \$3,000 for every year that you are-- that you're in the teaching profession.

LINEHAN: OK. Thank you.

MURMAN: Any other questions for Mr. Sotelo? Thank you for testifying.

LUIS SOTELO: Thank you.

MURMAN: Other proponents for LB1160?

JANE ERDENBERGER: Me again. Chairman Murman and members of the Education Committee, my name is still Jane Erdenberger, J-a-n-e E-r-d-e-n-b-e-r-g-e-r, and I'm here today on behalf of the Board of Education of the Omaha Public Schools and in my capacity as Chair of our legislative committee. I will skip the rest of that paragraph, because all of that bragging, I can-- you can just read it. We support policies that would provide additional resources and encouragement to individuals who want to become teachers, as well as to those who are currently teaching. That's why we are here testifying in support of LB1160, which would increase loan amounts to eligible students under the Attracting Excellence to Teachers Fund [SIC]. Increasing the loan

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amount will provide additional support for individuals as cost of living increase and will provide an additional incentive for students. Point of personal privilege, I actually taught for 16 years, as Senator Wayne knows, up at Omaha North High School. I left a career as a tax exempt bond lawyer that I had had for 22 years, and then went and taught high school. I was lucky enough to have had a nest egg to get me through my student teaching and my first years of teaching, so I really appreciate a bill that helps people that weren't as lucky as I to be able to coast through with their accumulated salaries. To a point that was raised earlier, LB1160 also provides additional incentives for teachers to teach in schools that provide free meals to all students under the Community Eligibility Program [SIC], as well as for teaching in schools with 40% poverty students. These additional incentives would be beneficial to us as we recruit new teachers under this program. For these reasons, we're pleased to support LB1160. And thank you again to Senator Walz for your work on this important issue. And thank you to the committee for your time today-- hours today. I'm happy to answer any questions.

MURMAN: Thank you. Any questions for Jane Erdenberger?

JANE ERDENBERGER: We're good?

SANDERS: Yeah. Thank you.

JANE ERDENBERGER: Thank you.

MURMAN: If not, thank you.

JANE ERDENBERGER: Have a good night.

MURMAN: Any other proponents for LB1160? Any other proponents? Any opponents for LB1160? Any neutral testifiers for LB1160? If not, Senator Walz waives closing and electronically we had 6 proponents, zero opponents, zero neutral. And that will close the hearing on LB1160 and we'll open the hearing on LB1377. Still Senator Walz.

WALZ: Thank you. I, I do want to say thank you to the people who came to testify on the last 2 bills, because they sat here a long time and waited. So I really appreciate the fact that they stuck around and, and testified. Good evening, Chairman Murman and members of the Education Committee. My name is still Lynne Walz, L-y-n-n-e W-a-l-z, representing Legislative District 15. Today, I'm introducing LB1377 on behalf of the Governor, who worked with a group of administrators over the summer to review unfunded mandates. And as you remember, we also

had an interim study on that. So with this bill-- actually the Governor and we had a superintendent from Kearney who wanted to be here to testify on the bill, but it being-- running so late they were not able to make their schedules work. So we're going to have a second hearing, a continuation on this bill for those 2 so they can come in as well as NASB so they are able to formally testify. If there is anybody here that wants to testify, though, I do want to just continue if they've waited here all day. So quickly, as you recall, we held an interim study last year over LR166, which was to review unfunded mandates placed on schools. One of the topics that was brought up was the length of time required for specific trainings that are passed by the Legislature. The group of administrators who had also been working on this reviewed these issues and LB1377 is a result of that. This bill does several things, but primarily, primarily allows school boards to set their training of school-- of school employees on several statutorily required trainings, including behavioral, behavioral awareness, classroom management, dating violence, etcetera. Additionally, I have submitted and passed around an amendment to this bill that removes Section 5 which had changes regarding school resource officers and administrator training regarding school-based law enforcement. After submitting this bill, my office had discussions with some parties involved in the initial, initial passage of these safety trainings. So I find that it's appropriate to maintain the 20-hour requirement currently in place, especially as our committee and the body as a whole work toward just making sure that our schools are safe. With that, I would be happy to answer any questions, although-- oh, with that, I'd be happy to answer any questions.

MURMAN: Any questions for Senator Walz? Senator Conrad.

CONRAD: Thank you so much, Chair Murman. And, Senator Walz, I, I know it is an arduous schedule and you've got the unfortunate placement to be 13 out of 13 after a, a long night. I'm not quite sure I caught or was understanding the process issue that you raised about resetting this measure for public hearing? I'm just not familiar with that as part of our practice.

WALZ: I wasn't either to be honest with you.

CONRAD: OK.

WALZ: So--

CONRAD: Here's to lifelong learning.

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WALZ: Yeah. I wasn't--

CONRAD: OK.

WALZ: --I wasn't aware of this process either, but we went to speak--
we talked with Speaker Arch--

CONRAD: Yes.

WALZ: --about possibly rescheduling this whole hearing. And they said
we are going to continue with this hearing because of people who--

CONRAD: Yes.

WALZ: --may have come to testify. But we can-- we can have a second
hearing or a continuance hearing just to let other people come in and
testify who weren't able to get here this time.

CONRAD: Oh, OK. Well, I am definitely looking forward to learning more
about that option. And I know you always do your homework and always--

WALZ: I hope we don't want to use it very often.

CONRAD: --and I know you always play by the rules, which I really
appreciate. I'm just not familiar with this practice and guess I need
to dust off my rule book and figure out how this might work, but, you
know, I know it can be challenging for anybody who wants to testify on
a bill, whether they have other obligations or transportation issues
or what have you. But the 7-day notice is the 7-day notice and I'm
just trying to kind of think through this from a process perspective.
But I'm sure your bill is fantastic and we can get into the merits
thereof later. Apparently, we'll have more time.

WALZ: Hopefully, it won't take very long.

CONRAD: OK.

WALZ: Yeah, it was-- it was, you know,--

CONRAD: All right.

WALZ: --it was just a question I had and that was the answer, so.

CONRAD: OK.

WALZ: And I was unaware of that as well.

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MURMAN: We're an accommodating committee.

WALZ: You are an accommodating committee. Thank you.

LINEHAN: Speak for yourself. [LAUGHTER]

SANDERS: Let's not do this again.

MEYER: Now we're committed.

MURMAN: Any other questions?

LINEHAN: Well, let's have Exec.

WALZ: Are we Execing tonight?

LINEHAN: Let's go into Exec real quick before we--

MURMAN: We'll do a short one. We got good attendance.

WAYNE: Let's finish the hearing. I don't know if anybody's here.

MURMAN: Yeah.

WALZ: Right.

LINEHAN: OK. We don't have to go into Exec, let's just have a discussion.

MURMAN: Well, we'll have to wait until people leave.

WAYNE: Well, not on the record, though.

LINEHAN: No, we need to turn the mikes off.

WAYNE: No, well, well, let's-- we got public [INAUDIBLE]. You, you testifying, aren't you?

CONRAD: I don't know.

_____: [INAUDIBLE] neutral.

WAYNE: Yeah. I mean, let, let him get his 3 minutes.

LINEHAN: OK.

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WAYNE: OK, go through the whole thing, proponents, opponents, and [INAUDIBLE].

MURMAN: Well, we did that. Did, did we go through it?

WAYNE: No, that was the last bill.

JOHN DUGGAR: That was the last bill.

MURMAN: OK.

CONRAD: Everybody's a little tired.

MURMAN: So want to have proponents for LB1377?

WALZ: I think we have to--

MURMAN: Yep.

WALZ: --just go through it.

MURMAN: OK.

WALZ: I don't think anybody's going to.

MURMAN: I thought you were closing, but I guess it's open now.

WALZ: Do you want-- do you want to do it now or later?

WAYNE: We're--

_____ : [INAUDIBLE]

SANDERS: Are we--

WAYNE: [INAUDIBLE] Are you here to testify on the bill? Then testify. Well, I'm not sure, but then testify. We're here.

MURMAN: She's just [INAUDIBLE].

WALZ: No, you can.

SANDERS: He waited all day.

WAYNE: Yeah.

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MURMAN: Yeah, let's go ahead. Any proponents for LB1377? Sorry, I was thinking she closed.

WAYNE: No, that was earlier. I, I thought of that earlier. Don't worry about it. We're [INAUDIBLE] this.

COLBY COASH: Thanks, Senator Murman,--

MURMAN: Go ahead. Yep.

COLBY COASH: --members of the Education Committee. My name is Colby Coach. I represent and I'm the registered lobbyist for the Nebraska Association of School Boards. We are in support of LB1377. Early on when Senator Walz started to work on the issue of, of unfunded mandates or mandates, in particular, I was able to provide and I provided to this committee kind of list that started back in the '80s and just kept going and going and going and going that has been added to over the years. And one of the common themes in that list is the training. And when you add up all the required training, all the hours that are very specific in statute, it can get pretty-- it got pretty long. And what Senator Walz did is, is she worked with some stakeholders. We were-- we gave her some input about the idea that, you know, if districts had more discretion they could tailor training to meet the needs of their students in a little bit more meaningful way. And so we appreciate it. That's the intent of LB1377 and that's why we're here to support it.

MURMAN: OK. Any questions for Mr. Coash? If not, thank you.

LINEHAN: Just because-- I don't know if you turn separate--

MURMAN: Senator Linehan.

LINEHAN: Are you here just for the State School Board Association or are you here for other people?

COLBY COASH: I'm here today just representing the School Board Association.

LINEHAN: OK. Thank you.

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

COLBY COASH: Thank you.

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MURMAN: Other proponents for LB1377? Any proponents? Any opponents for LB1377? Any neutral testifiers for LB1377?

BENJAMIN BURAS: Once again, Benjamin, B-e-n-j-a-m-i-n, Buras, B-u-r-a-s. I just heard Senator Walz talk about school resource officers and I think I'm on board with Senator Brewer's plan to maybe arm, like, a janitor at a school instead of a, a uniformed officer. Because I know-- I mean-- I know the whole goal of peace officers is to incarcerate as many people as possible whether or not there was a warrant or probable cause. And Nebraska surpassed Alabama as the most overcrowded jail and prison industry state in the entire country. So, I mean, it's-- we're beyond crisis right now. There, there are people dying in, in jail and before they even see a judge, so. I know-- I know when I went to Millard West, I, I was a sophomore in high school when the Columbine High School massacre happened and after that they, they implemented a school resource officer. But, you know, that's just some, some guy with a badge and, and he has no clue what-- what's going on, really. Like-- so I don't know if, if this pertains to school resource officers, I would suggest we go with Senator Brewer's plan of, of having, like a, just a janitor because they've got keys. They know the building better than anyone else. They've got keys to, to the entire building. But I don't think a school research-- resource officer should-- resource officer should be a uniformed officer because-- especially in minority areas. Everyone knows peace officers are not your friends, so. They're, they're-- they're there-- they're getting paid to put people in jail or prison. And in Chicago they call it the school-to-prison pipeline. So I guess that's, that's why I'm testifying in the neutral.

MURMAN: Thank you. Any questions for Mr. Buras? If not, thank you for testifying.

BENJAMIN BURAS: All right. Thank you.

CONRAD: Thank you.

MURMAN: Any other neutral testifiers? If not, Senator Walz, you're welcome to close and she waives closing.

CONRAD: We made it.

MURMAN: That will close the hearing on LB1377 and close the hearing for today. Should we Exec?