

Transcript Prepared by Clerk of the Legislature Transcribers Office
Education Committee February 20, 2024

MURMAN: Well, good afternoon. Welcome to the Education Committee. I'm Senator Dave Murman, 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 the green testifier sheets that are on the table at the back of the room. Be sure to print clearly and fill out-- fill them 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 yellow sheet next to the green sheets where you can state your name and position for the permanent 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 three-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 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 11 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, but not both. Written opposition 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. Please note that due to the similar topics-- is that true? I don't think this is right. OK. When it is your turn, you will-- OK. Let's continue today's hearing by having the committee members introduce themselves, starting at my right.

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

ALBRECHT: Hi. Joni Albrecht, District 17: northeast Nebraska.

MEYER: Fred Meyer, District 41: central Nebraska.

MURMAN: Also assisting the committee today is, to my right, our legal counsel, John Duggar; and to my far right is our committee clerk, Shelley Schwarz. Our pages for the committee today are-- and I'll let them introduce themselves and tell us what they're studying.

ISABEL KOLB: I'm Isabel. I'm a political science major at UNL.

SHRIYA RAGHUVANSHI: I'm Shriya, and I'm also a political science major at UNL.

MURMAN: Thank you for helping us out today. With that, we'll begin today's hearing with LB1371. Senator Vargas.

VARGAS: Good afternoon, Chairperson Murman and members of the Education Committee. My name is Tony Vargas, T-o-n-y V-a-r-g-a-s. I represent District 7, which includes the communities of downtown and south Omaha. I'm here to present to you LB1371. This bill calls for media literacy education at every grade of our K-12 public school curriculum, a three-credit high school course in media literacy required for graduation, and for each school district to provide an annual media literacy progress report to its school board. The bill defines media literacy as: the research process and how information is created and produced; critical thinking and using information resources; research methods, including the difference between primary and secondary resources; the difference between facts, points of view, and opinions; accessing peer-reviewed print and digital library resources; the economic, legal, and social issues surrounding the use of information; and the ethical production of information. Media literacy is essentially the application of critical thinking to media, with an understanding of how media systems deliver information and how the messages and the devices affect our behavior, our choices, and health and impact our families, communities, governments, and economy. It's important to recognize that many Nebraska teachers, counselors, librarians are already doing incredible work to educate our kids about many of these issues, and we are incredibly grateful for that. When our English language standards were updated in 2021 and the social studies standards in 2019, however, we could not yet fully appreciate the effect that increased exposure to media would have on our young people in just

the last few years. Up to 95% of youth ages 13 to 17 report using a social media platform. The share of teens who say they are online almost constantly has roughly doubled since 2015, from 24% to 46% today. 55% of students report that they are not even moderately confident in their ability to recognize false information online. 55% of students say that. When asked about the impact of social media on their body image, 46% of teens reported that it makes them feel worse. And children and adolescents who spend more than three hours a day online face twice the risk of mental health problems, including depression and anxiety. We must equip our young people with media literacy skills to gain more control over how they're influenced by their experiences with media. A greater awareness of the economic incentives behind the production of such content and frequent opportunities to analyze its purpose could go an incredibly long way to making young people feel less alone. They can learn to be more critical of the messages that they are receiving and less critical of themselves and each other. Just a few years ago, we could not have foreseen the onset of new technologies like AI, artificial intelligence, being used to create content that will even more effectively captivate, mislead, and manipulate viewers of all ages. As our media culture is shifting very quickly, it's important that we continue to keep up and give this problem the attention it deserves. I can share a promising case study with you. Stanford University conducted a study at Nebraska's own Lincoln Public Schools in 2022 that examined the effect that focused media literacy education can have on students. LPS high school social studies teachers were taught six lessons to improve students' ability to make quick but accurate judgments on internet sources. The results showed that students who received this instruction, quote, grew significantly in their ability to judge the credibility of digital content. These findings inform efforts-- young people to make wise decisions about the information that darts across their screens, end quote. The U.S. Surgeon General is now recommending that policymakers, such as ourselves, support the evaluation of digital and middle-- media literacy curricula in schools and within our academic standards. As such, I ask for your support of LB1371, which would ensure that various components of media literacy education would be revisited frequently, interwoven throughout subjects in our curriculum, that a class devoted to media literacy would be required in high school-- three-credit class-- one, and that each school board would be provided an annual report evaluating their progress on students' comprehensive media literacy. 15 states are considering legislation this session that would similarly strengthen media literacy requirements. I'm happy to answer any questions about the bill, but there are some expert testifiers

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behind me who can provide additional information to you as well. Again, I want to thank this committee. As a former educator, as a former teacher, as a parent, there's a lot of ways that we can go about addressing media literacy. And there's extremes, some as far as saying that you can't be on social media platforms, to doing-- on the other extremes, which is doing nothing and just continuing to say people are going to figure it out for themselves. We want an educated electorate. We want an educated and informed citizenry. The way that happens is making sure that we are updating our curriculum. It's not the first time that this Education Committee has done so. And I think this is a pragmatic way of moving forward to make sure that students have the tools they need to be able to adequately determine what is and is not factual, evidence based. And appreciate you.

MURMAN: Thank you. Any questions for Senator Vargas right now? If not, thank you very much. And we'll ask for the first proponent of LB1371.

ROSEMARY SMITH: I'm Rosemary Smith, R-o-s-e-m-a-r-y S-m-i-t-h. I manage the nonprofit Getting Better Foundation, based in Montana, with a global footprint. Getting Better is dedicated to building trust through the support of media literacy. We produced the award-winning Trust Me documentary along with K-12 collegiate and parental curriculums written by the News Literacy Project. Trust Me brings awareness to people's need for media literacy to foster resilience, lessen polarization, and preserve democracy. The goal is not telling people what to think, but to think. Media literacy empowers students and people in general with the skills to think critically and for themselves. It teaches them how to consume and evaluate information, to ask critical questions, avoid online manipulation, and to navigate within our complex and ever-changing media landscape. Media literacy additionally instructs people to construct accurate media, themselves becoming citizen journalists. Homeland Security calls this becoming "upstanders," not bystanders, to be "response-abled" instead of reactive members of society. It means using media for solutions, not manipulation, conflict, and war. The problem: in addition to violence, domestic terrorism, and global complex-- con-- global conflict stemming from mis- and disinformation, there's too many young people suffering from anxiety, depression, and suicidology, as well as substance abuse. Pew Research charts adolescent mental health disorder increases alongside the advent of social media and smart devices. It looks like a hockey stick, right? One following right after the other. Chronic overconsumption of media since the advent of the internet stimulates addiction to dopamine, like how our brains respond to other

conventional drugs and alcohol. Search engine recommendations feed on this deficit, increasing the likelihood people will encounter more radical and extreme forms of anything: violence, sexuality, other kinds of media content. To give kids their best shot to their potential, we need to teach them how to communicate. Media literacy education integrated into every subject and for every student-- rural as well as urban-- is one of the best solutions to the deep dilemmas facing our nation. To close: these days, trust is our highest currency. The level of trust we win or lose is proportionate to the quality of our communication. Coincidentally, when people are empowered with media literacy, they learn to trust one another more. Connection happens. It's not easy to hurt one another when we know another person. Differences are set aside to work together on solving the bigger problems our world is facing. They have become the best versions of themselves, inspiring others to follow toward peaceful resolution and collaboration. Thank you for the opportunity to testify today, Senators. I also have experience as a parent helping teenagers navigate media addiction, suicidology, and mental health treatment and can speak to that experience if the committee would like to hear more about it.

MURMAN: Thank you. Any questions for Ms. Smith? I have one. I attended some conferences during the interim, and the-- some of the speakers there were very, I guess, famous media inventors. And-- I don't remember names. But they in general, I think, advised their kids or actually only gave their kids flip phones. They wouldn't give them, you know, smartphones to-- so they could be on social media. What do you think of that?

ROSEMARY SMITH: Yes. They're-- they-- that is a, a common knowledge that they don't want their own children to, to be manipulated like the way they are manipulating others. Once we find out that we are being manipulated, we don't like that. And we will take steps to, to-- you know. But, but we need that, that recognition. Otherwise, we don't typically take steps, right? It's an addiction. Anna Lembke is a psychologist from Stanford who is based in the, the-- Silicon Valley. And we think, well, what do those people need, you know, mental health for? They're rich. She's treating addictions. She says it's just like the-- heroin, sugar-- dopamine is-- doesn't matter what substance we feed it. And in this case, it's, it's this abundance of media since the advent of these devices. We smart people have figured out how to discern media with the advent of the printing press. We learned again with radio. Oh, it's so fast. We learned again with television. But the speed of this internet-- it's a wonderful tool. It's-- one of our advisory board members likens it to

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giving the keys to a car to your 16-year-old without teaching him or her how to navigate the rules of the road. That's what media literacy does. It empowers them with the how so that they can communicate, collaborate, and fix these bigger problems that we gave them to solve.

MURMAN: Thank you. Any other questions for Ms. Smith? If not, thank you for--

ROSEMARY SMITH: Thank you.

MURMAN: --coming here to testify.

ROSEMARY SMITH: Thank you.

MURMAN: Other proponents for LB1371? Good afternoon.

HEIDI UHING: Hello, Chairman Murman and other members of the Education Committee. My name is Heidi Uhing, H-e-i-d-i U-h-i-n-g. I am the public policy director for Civic Nebraska. And I'm also here in support of Senator Vargas's LB1371. Given the proliferation of exposure to online content throughout the average person's day, the spread of misinformation and disinformation poses a significant threat to our society. False narratives and propaganda can easily sway public opinion, sow division, and undermine trust in reputable sources of information. Media literacy education provides students with the skills to recognize these tactics, identify credible sources, and differentiate between reliable information and falsehoods. In doing so, we not only safeguard our democracy but also foster a more informed and engaged citizenry. Media literacy is not merely about consuming media but also about creating it. In an age where anyone with an internet connection can be a content creator, it is essential for students to understand the ethical responsibilities and implications of their online presence. By teaching them to critically evaluate media messages and consider their impact, we empower them to use their platforms responsibly and ethically, promoting positive discourse and constructive dialogue. If young people are to grow to become an informed citizenry capable of making good decisions for themselves, their families, and their communities, they must be able to determine fact from fiction. They need to have an understanding of how and why they might be manipulated or misled. So this bill is about ensuring that the focus on media literacy in schools matches the challenges ahead of us and that young people are learning critical thinking skills and having them reinforced to the degree that they can recognize the increasingly more sophisticated

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tools like artificial intelligence being used by bad actors, marketers, and foreign governments. By weaving media literacy throughout the K-12 curriculum, we empower students to question what they see and make informed decisions about the content they consume. The need for media literacy transcends partisan divides. Regardless of political affiliation, we can all agree on the importance of preserving the integrity of our democratic institutions and ensuring that our citizens are equipped to navigate the complexities of the digital age. So I urge you to consider the critical role that media literacy education plays in safeguarding our democracy. By implementing comprehensive media literacy programs in our schools, we can empower our citizens to become active participants in our democracy and fortify the foundations of our society and ensure that the promise of democracy endures for future generations. So I provided another handout. That's a really great news article that-- if you go to the URL at the top of the page, you can actually watch a nice video about it. That summarizes the Stanford study conducted in Lincoln Public Schools in 2022 that was quite a success. That's the kind of programming that we would hope to see statewide by this legislation.

MURMAN: Thank you. Any questions for Ms. Uhing? If not, thank you for testifying. Any other proponents for LB1371? Any opponents for LB1371? Any neutral testifiers for LB1371? Are you opponent or neutral?

COLBY COASH: Opponent.

MURMAN: Opponent.

COLBY COASH: Yeah. Thank you. Good afternoon, Senator Murman, members of the Education Committee. My name is Colby Coash with the School Board Association. C-o-l-b-y C-o-a-s-h. And we are here today in opposition today. But it's, it's not about the importance of what you've heard today in making sure that youth get media literacy understanding, training, the value of that-- we believe that this is a good thing. Our opposition is consistent with our opposition with other graduation statutory changes, in that we believe that a graduation requirement on this issue is a little bit misplaced. We have several requirements for graduation that are now currently in statute-- most put in in the last couple years-- while other graduation requirements are currently in Rule 10. In Rule 10, as part of their current graduation standards, is an English language arts requirement, of which media literacy is a part of. And so we just believe that it would be better to defer to the regulatory agency as

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far as graduation requirements, along with adoption of local school boards, to make that harmonized a little bit better. And for that reason, we would-- or-- we wanted to be in opposition. Based on some of our experience of what has happened in the last couple years with financial literacy, computer science, those kinds of things, when it's worked through the rules and regs process of N-- NDE, it seems to be more-- go more smoothly on the schools' end, and so we'd encourage you to let that process work through.

MURMAN: Thank you. Any questions for Mr. Coash? So you do believe that the curriculum that is in, in place today does adequately address media literacy?

COLBY COASH: So there's currently Eng-- ELA, or English language arts, standards put in place by the Department of Education. As part of those standards, media literacy is, is part of that. They're-- not graduation standards. There's also graduation standards, which include ELA, but there is media literacy as part of current standards. What this bill does is it moves those standards into a graduation requirement, and we believe it's better left as part of the, the curriculum standards.

MURMAN: So every graduating senior does have some knowledge of media literacy through the E-- ELA, I think you said.

COLBY COASH: Graduation-- or-- ELA is part of the graduation standards. So you can't get through high school without taking English language arts. As part of English language arts, media literacy is part of that. Now, if every-- does every student get a full course in media literacy? I can't speak to that, but I can speak to the fact that media literacy is part of the ELA standards, which are currently a graduation requirement.

MURMAN: OK. Thank you. Any other questions? If not, thanks for your testimony. Other-- any other opponents for LB1371?

CHARLES RIEDESEL: Chairman Senator Murman and members of the Education Committee. I'm Charles Riedesel, C-h-a-r-l-e-s R-i-e-d-e-s-e-l. Professor emeritus and longtime chief undergraduate advisor for computer science and engineering at UNL. I'm now a board member for Beatrice Public Schools. While I strongly support the cause of the Media Literacy Act, I have concerns about its implementation. I, along with the STANCE-- that's Schools Taking Action for Nebraska Children's Education-- organization, am opposed to LB1371 as currently written. I will say that for the survival of

our civil society and American democracy, it is imperative that our students become well-versed in the research process and production of information and its counterparts of misinformation and disinformation. Media literacy concerns the ability to discern facts from fiction, the motivations of information generators and publishers to identify and employ trustworthy sources, perceive the powerful influence of the 24-hour news cycle and social media algorithms, and to comprehend the sociological and psychological characteristics of human nature, particularly in times of fear, anger, and danger that lead to the breakdown of trust. Much has recently changed in how we gain information about the world. 24-hour news began with CNN in 1980. Now each news channel has its niche with a devoted following while vying for market share. The internet has wrought incredible changes in its very short history. Wikipedia was introduced in 2001, quickly being utilized as though it were a primary source of information. Social media, as it's recognized today, began in 1997 with SixDegrees. Facebook came along in 2004, Twitter in 2006, Instagram in 2010, and Snapchat in 2011. Social media algorithms were first implemented in 2007 by Facebook. The purpose was to hold the attention of viewers, thereby enhancing advertising revenues by building a vast database on each one of us in order to feed us more of what we are already viewing. Consequently, we do not have a shared online experience, and thus we are unable to imagine how others could possibly think and believe what they do with their alternative facts. It is tearing us apart. I recently testified in favor of LB1284, supporting the Computer Science and Technology Act with funding and training following a two-year gap since initial passage. I do not want to see the Media Literacy Act suffer a similar delay. Beyond the problems leading to LB1284, there are po-- considerations of possible local backlash in how media is taught and who is doing the teaching. In truth, many of us, including the prospective librarians and teachers, have already been, quote, infected by the siloing effect of social media. That must be dealt with and considered. Thank you.

MURMAN: Thank you. Any questions for Mr. Riedesel? I have one. Is-- so your concern is mostly that it would be too slow in its implementat-- LB1284 would be too short-- slow in, in implementation?

CHARLES RIEDESEL: Correct. And, and the way it would be implemented-- I'm concerned with not just the fact that-- well, we've got some good curricula out there, but who is going to be able to deliver that curricula? Similar to the problem in computer science, how do we train? How do we prepare? How do we vet? Because it's not just now facts. A lot of this stuff involves opinions and ideas that people

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already have ingrained in them. We can't just take a curriculum and put it out there. It has to be thought through.

MURMAN: And, and those things-- consider the source, I guess, would be one way of saying that--

CHARLES RIEDESEL: Oh, yes. Mm-hmm.

MURMAN: --maybe. That's always been a concern. I guess now maybe it's more of a concern just because how things happened so quickly.

CHARLES RIEDESEL: Certainly.

MURMAN: OK. Thank, thank you. Senator Linehan.

LINEHAN: Thank you, Chairman Murman. I'm confused because I thought-- even one of the fiscal notes says that this is already-- so from the Department of Ed, it says: As proposed, components of the Media Literacy Act are already incorporating Nebraska's English language arts and social studies standards access by all students across all grades. So if it's already in the rule--

CHARLES RIEDESEL: It's, it's not all there. These are aspects of it. It's not fully implemented as a-- as described or as intended yet.

LINEHAN: Well, that's probably why we have a bill in front of us, because it's supposed to be.

CHARLES RIEDESEL: Yeah.

LINEHAN: So why isn't it?

CHARLES RIEDESEL: I've not been part of the curriculum creation and administration of it, so I cannot directly address that.

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

MURMAN: Other questions? I guess I still have a question about, you know-- there's some that believe young people should be shielded or completely off social media until, you know, a certain age-- 16, 18, whatever the age. You don't agree with that then. You think-- at what age should-- I guess the question is, at what age would you recommend that young people be on social media?

CHARLES RIEDESEL: I-- personally, I think it would best be delayed until high school years. And then not just shared among all the peers, but through guidance, preparation so that these students,

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these kids will learn how, how it's used, how it's effective. They need to know about it before they're confronted because it is so powerful and has such an impact.

MURMAN: Definitely.

CHARLES RIEDESEL: However, we don't always have that choice because we in the schools can't say, no. Kids can't have their social media and their smartphones until a certain age, because parents and kids do what they want to do anyway. We have to deal with the reality.

MURMAN: Yes. The only way that the teachers can keep kids off social media is if the parents don't allow them to have smartphones--

CHARLES RIEDESEL: Correct. Correct.

MURMAN: --or a computer to, to get on social media with. Any other questions? If not, thank you for your testimony. Any other opponents for LB1371? Any testifiers in the neutral position for LB1371? If not, Senator Vargas, you're welcome to close. And while he's coming up: electronically, we had 7 proponents, 8 opponents, and 0 neutral for LB1371.

VARGAS: Thank you very much, Chairman Murman and members of the Education Committee. Just a couple things I wanted to make sure to clarify. One, I think Senator Linehan was asking this-- I think you were asking this as well, Senator Murman-- much of the opposition is leave it up to rulemaking or leave it up to the Department of Education or the Board of Education. But as we know in this committee, there's times where we have implemented some standards in law. We've done it with what content we teach sometimes. We've done it with the standards. We've done it with graduation requirements. I don't think it's a hard, fast rule that that is just whether or not it's in the Department of Education or Board of Ed or if it's in our place. There are times where we believe that there's a, a standard that needs to be in place rather than dictating exactly what everybody teaches. And I didn't hear an opposition from the NASB on the content of what we would put into standards. But the question would be, then why isn't this put into standards? Why are we seeing more school boards updating their media, media literacy standards? We often look at these as a mandate rather than elevating to make sure that we are being more competitive, making sure that we are keeping up with the times. There are states that have passed legislation at the state level-- most recently, New Jersey and Delaware. And I said there's many other bills all across the country that are setting a

standard for media literacy, setting a graduation requirement, doing some sort of similarity to this. The reason why I, I brought this bill-- one part is because I was a teacher. The standards that we set are taught by a teacher. The standards themselves don't dictate everything. They're making sure that we have consistency on how we are teaching things. Even in the questions-- and I can-- and I think we've had this conversation, Senator Murman-- like, some people will believe that social media is really dangerous and that we need to do more to curb how much it is available to kids at what age. And some would say that's just a complete choice that is left up to people and we shouldn't interfere ourselves with that. We may not be able to agree on that spectrum, but we should be able to agree that we should at least put a standard in place and a set of content and skill standards and a high school course that says, how do we critically think about what information, disinformation, misinformation, how we are understanding it? That, that, that standard doesn't exist right now. I think what we saw in that LPS study example, it is incredibly stark that we do have gaps. And so for the same rationale, when Senator Linehan was pushing for making sure that kids can read, we accept sometimes that we think that because it's being taught that it's being learned. We should not accept that equivalency here. Just because it's being taught in some way in ELA, in English language arts, doesn't mean that we are up to speed on the kind of media literacy standards we need. And I don't think this is a bill that I would have brought three, four years ago, but in the age of AI and the age of how much more time people are spending on social media and given that it is something that each parent and family decides what they do or do not want to do in terms of managing that with their kids, their, their, their teenagers, or themselves, I think this is incredibly pressing and time-sensitive type of subject that, if not addressed this year, should be addressed in the next few years or next year by this committee. I want to thank you because the most stark data point, at least to me: 55% of students report that they are not even moderately confident in their ability to recognize false information online. That is their own understanding of whether or not they can un-- they can actually assess false information. That should concern us all as parents, as family members, as community members. And I ask you your support for this bill. And I'm happy to work on it with you. And thank you very much.

MURMAN: Thank you. Any questions for Senator Vargas? Senator Albrecht.

ALBRECHT: Thank you. Thank you for bringing the bill. This kind of rolls into my database bill, how I'm concerned about what the

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children are being able to access just because it's on their laptops. And we're not being responsible enough as a state to make certain that we're getting the companies that are cleaning that up before they ever see it. So it's one thing to try to teach a child, but we're talking K-12. We're talking-- all age groups, you know, are subjected to this. But even in the schools today-- I mean, I have 15 grandkids, right? And they talk about, you know, going to school and the television's on, the TV is on. But it's on only one channel all year long. They don't get to hear the other side of the story. So it's hard for them to decide how they feel about something when they only hear one side. OK? So whether it's in the databases that we provide or the laptops or iPads or whatever that you want to call them-- but, but in the bill, I don't see it spelled out, like, what is it that-- and who are we going to allow to be responsible, whether it's at the Department of Education, the ESUs, the schools themselves? I mean, you're talking three hours-- three credit hours, right--

VARGAS: Mm-hmm.

ALBRECHT: --minimum that these children will be sitting through this information. And will it be for K-12? Everybody gets to see it? I mean, that-- those are just my questions in the bill that's here today. And I really appreciate the, the young lady that came from far away to talk about it because, na-- nationwide, it's a problem for our kids. Anybody who has children in school should be considering this bill and many, many others to protect them. So that's where I really do think I would want more specific information on who. You know, just because New Jersey or Delaware does it, what does Nebraska want for our kids? How are we going to protect our children? So this is a good start, just like my data bill's been hanging out for some time. But we've got troubles, and, and parents are starting to stand up and see that. So what do you see and who do you see formulating these rules of how much information they really need, you know? Because some of it sometimes is kind of common sense. We have a lot of students sitting here-- and I, I'm sure that they all have a, you know, comprehension of what's good and bad, you know, but what-- how do you put that-- and I would hope that even in our higher education they give them the ability to think for themselves and to be creative thinkers and to, to decipher what's right and wrong and what's good and bad.

VARGAS: So thank you. And I appreciate your work on this in a similar area. One, this would be-- one component of this would be a high school credit course. So--

ALBRECHT: High school--

VARGAS: Yeah. It would be in high school. You know, the part I think is important is, this is about creating the standard, right? Like, at, at some point, you know, either in rulemaking or in law, somebody created a set of social studies standards and the content strands and the process skills and, and laid out what, what would be taught. And that was created either from the Department of Ed or from teachers and people weighing in on it and content experts, and, and so that's really what I would expect the people doing this work because something that needs to work in terms of a standard would have to work across the entire state. And so I believe that that would be something at the Department of Ed or the Board of Ed and, and teachers and, and, and people that are doing this work, higher education. And so the reason why we didn't dictate it, because I don't believe that what should be taught should be up to me. The, the high level of the standard of what's being taught, saying there's a standard is what we're trying to put into this bill. The standard being designed-- just like as a former science teacher, I was brought in to establish and weigh in on science curriculum standards. But at some point, a lawmaker or lawmakers put in the requirement for certain number of graduation requirements for classes in science and biology and physics and what the content standards were, were driven by the practitioners. At the end of the day, I'm still concerned about the age of disinformation, AI, both sides of the story. I don't-- I-- rather than trying to say one side is right or the other, I want to make sure that--

ALBRECHT: But--

VARGAS: --that students are more equipped with the tools on how to discern them.

ALBRECHT: Sitting on this side of the, the fence, if you will, those health standards that came out-- if it, if you're thinking it's, it's going to be good for everybody across the state-- I mean, that's where I definitely saw local control was what it was all about. And quite frankly, if you came up-- out into the rural areas, they might say, hey, we're OK, you know? Maybe, maybe it's just in the larger schools, you know? That's, that's why taking any of this on-- if your local school boards and your upper management, superintendents, and principals don't get this, they're failing their, their children. OK? But it's hard to legislate it when I might not agree with the people at-- in the Department of Education that put their plan together. Even though they have all the scientific facts and it's the right

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thing to do, it obviously wasn't. So that's where-- yeah, I'd have to probably have more information about what they want to say and do to--

VARGAS: Well, thank you, Senator.

ALBRECHT: But thank you for bringing this. Appreciate it.

MURMAN: Any other questions for Senator Vargas? Senator Linehan.

LINEHAN: Thank you, Chairman Murman. So I'm looking through the letters for the record, and it seems like the librarians are the only ones that support this. I don't know if you've looked at these. We've got this, you know, the standard, we don't want mandates, all those school groups. But it's-- strikes me. The librarians are saying this is really needed. So would you consider maybe doing a interim study with the librarians? Because according to what I'm reading here, every school in Nebraska, if they want to be accredited-- well, public schools or accredited and approved schools-- they have to have a certified librarian at least part time.

VARGAS: Yeah.

LINEHAN: Have you talked to the librarians?

VARGAS: We're happy to work with them. And they, and they did reach out to us in support and also wanting more of a seat at the table. And I would hope that librarians that are doing this work and keeping up with national standards are also having a seat at the table on what the standard looks like. But whether or not we create a standard at the state level is what this bill is. But I'm happy to work with them.

LINEHAN: OK. All right. Thank you very much for bringing this.

MURMAN: Any other questions? Senator Conrad.

CONRAD: Thank you, Chair Murman. Thank you, Senator Vargas, for bringing this. And I apologize. I was introducing a bill in another committee. But, you know, these are issues that I'm deeply concerned about as a parent, and we struggle with these issues at our house on almost a daily basis. And I know a lot of other families do too. When looking at remedies and solutions to try and help our kids navigate a digital world, I know some in our sister states have put kind of hard caps in place on age and access to social media and things like that, which is, in many ways, kind of attractive as a parent to have that

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kind of help. But then also, of course, raises concerns for me as a free speech advocate. And from what I've been able to glean, a lot of those laws have been tangled up in the courts for a while. And so it seems like states are looking to digital citizenship as a remedy that doesn't spark the same sort of legal challenges. Have-- has your research uncovered anything in that regard? And I'm sorry if you covered that in your opening.

VARGAS: So you're asking-- I think you're asking the right questions. And, and, you know, in my-- you know, I want to make sure we are supporting freedom of speech. I understand the, the--

CONRAD: Sure. Right

VARGAS: --you know, the barriers that parents are looking at potentially: the dangers of social media and, and the liabilities, the consequences, the positives. I think the question I really ask myself is: between now and next year, how many school boards are actually updating and creating their own curriculum or policies to make sure that media literacy is updated and included with national standards? And I would hope that they're all listening. I know-- I said this to, to the-- representative Coash here for the NASB. But if they do do something, wonderful. But the question is, in the last five years, how many of them are relying solely on saying, well, we teach English language arts. That's enough. It's clearly not enough. The technology and the exposure, it, it is-- and I-- and I'm somebody that I don't think it's fair to say-- this bill is not going to talk about saying what you can and cannot do. It's about creating the standard. That's-- I really do. I hope all school boards are saying, what are we going to be doing for curriculum right now? Higher education institutions are talking about how they train their teachers differently and what's the standard they're going to put in, and, and they should. I just don't want to be one of the later states to update our curriculum and then our students suffer because of it, because our future-- our future workforce is dependent on whether or not they're able to discern and make these critical thinking decisions in this new day and age, so.

CONRAD: Yeah. And stay safe.

VARGAS: Yes. And stay safe. And stay safe. As parents, I'm, I'm worried about that.

CONRAD: Yeah, I am too. OK. Thanks so much, Senator Vargas. Thank you. Thank you, Chair.

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

VARGAS: Thank you.

MURMAN: And that will close our hearing on LB1371. And we will open our hearing on LB962. Senator Wayne.

WAYNE: Thank you, Chairman Murman and members of the 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 northeast Douglas County. I'm here today to introduce a fantastic bill called LB962, which will transition schools from using a Mercator projection map to the Gall-Peters map, which is a cen-- centritchical-- centripical [SIC]-- I should be able to say that-- equal area projection, projection map, meaning that all spaces between lines of latitude and longitude are equal. That is one of the maps that I've passed out today. So on the first page, you have what we all grew up using as a map of the world. That is the Mercator projection map that dates back to 1596, when a Belgium individual named Gardius [SIC] Mercator designed it for sailing. The idea was that straight lines would be used to help maintain constant bearings. Even though the map dates to 1500s, it didn't become widely used until the 1800s. The map is heavily oriented towards the equator, thus it actually distorts the size of nations farther away. These distortions have for decades led professors, experts-- actually, everyone, including kids-- to not know or understand how this map that's before us today is kind of unusable-- that I believe is unusable for teaching-- class teaching and classroom purposes. This also reflects the fact that since 1940-- and this is kind of important-- the major atlas productions have refrained from using this map as a projection of their work. So in the map in front of you, I'm going to give you some examples. Alaska is roughly the same size as Australia. But let me tell you, Australia is actually 4.5 times larger than Alaska. So we're looking at the black and white copy map. And I'm going to point out some differences of why these maps are not actually accurate. It also shows that Madagascar-- if you don't know where Madagascar is, it's right next to Africa right there-- it is about the same size as Great Britain even though Madagascar is actually twice the size of Great Britain. This also shows the lovely Greenland, which is right up here top, that big centerpiece right there. It actually shows the exact same size or pretty close to the same size as Africa, which, in reality, Africa is 14 times larger than Greenland. So no map is perfect. And even Gall-Peters' map is not perfect, but there will always be an inherent difficulty in projecting a sphere onto a map. But I think

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the Gall-Peters' is way more accurate. So the next one I want to show you is the blue map, which is in front of you, that shows old Russia, Soviet Union, being almost two times as large as Africa, when, in fact, Africa is larger than the Soviet Union and Russia. So we all grew up on these maps. We've all seen them, and they're actually all wrong. And so, you know, when I was thinking about introducing this bill, the first question that came to me is, when is it OK ever-- OK to lie to kids? That's what we're doing every day with these maps. So for starters, the Gall-Peters projection is more than 300 years old and is more of a modern, accurate predictor of where people actually are. That three centuries of sailing and exploration and charting the Earth is why this map is actually given the choice when choosing maps. It was created when Elizabeth I was the queen of England, and that's kind of when it all started, during-- right after the Industrial Revolution. Gall-Peters' map, again, corrects much of the distortion that you read about or see about in the Mercator map that you saw before you. There's no fiscal note. And I just want to point out that when you continue to look at this white copy map and then you look at Nebraska, you know-- Brewer used to always complain about how big his districts were. But when you look at the Mercator, it doesn't seem that big. I mean, it's big for Nebraska, but it really doesn't seem that big. But when you look at the last map and you see how accurately Nebraska is pictured and how much longer it is to little-bitty Douglas County, I actually went up and said, I do apologize, Brewer. I, I was part of the redistricting committee, and we-- it's a lot longer on these maps. And so that's my point. And I understand, from a state's perspective, we don't like to, like, do mandates and those kind of things down to school districts. But I have to ask, shouldn't we be teaching the right maps? Shouldn't we be showing kids where actually here is here? And instead of showing the wrong maps, shouldn't we not have a conversation about Africa is actually bigger than Russia? Shouldn't we have a conversation that when we say Alaska and you think about Alaska, it's actually smaller than Australia? You know, when you think about California and the size of California and how that compares to Mexico-- we should at least have a real conversation in our classrooms about the geography in which we live. It isn't like going to a mall where you walk up and it says you are here and everybody can understand that. When you look at these maps, we are truly giving a false impression of what the world looks like. And I think, at a basic level, we should at least be honest with kids about what the world looks like. There's no fiscal note. This isn't a very complicated bill. And it still gives the freedom for teachers and educators to use other maps, but we are

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saying the basis of a map should be what the world actually looks like. I don't think I'm asking for too much.

MURMAN: Thank you. Any questions for Senator Wayne? I, I have one. Which one of these-- are one of these supposed to be more accurate than the other?

WAYNE: Yeah. So this-- this one that's the cylinder map, or what's kind of projected, that's-- the longer one is the more accurate one. The Mercator is the false one. And you can see when you look at this-- I mean, one would think that Grant to Logan-- I mean, these counties right here are significantly bigger than what they truly are. And, you know-- not to start trouble here, but when you look at some of these maps that are actually projected on this projection, maybe we can actually have a real conversation about counties and where they fit. But when you start off with the wrong map, you can't ever get to the right, right questions to ask.

MURMAN: OK. On the, the long Nebraska map--

WAYNE: Yes.

MURMAN: I'm looking at Clay County-- and that's where I'm from--

WAYNE: Yeah.

MURMAN: --and the other counties beside it are all, I think, 12-- well, 24 miles square.

WAYNE: Correct.

MURMAN: So if you look at the long map, it doesn't look like it's 24 miles square.

WAYNE: It's not-- well, actually they do. They're-- that means-- there's a little bit of rectangle there, but you have to project it over a sphere. That's the issue, is projection over a sphere. So when you look at the other map that is the Mercator, even those aren't perfectly square. They look a little more square. But again, I'm, I'm just giving the facts. And the fact that we're having a conversation is the fact that we grew up on the wrong maps.

MURMAN: OK. Yeah. I was--

WAYNE: Because if you take a square--

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MURMAN: It looks a lot more like a rectangle in the longer one.

WAYNE: Right. But if you take a square and you put it on a circular, it's just naturally going to be a little longer because it's a square.

MURMAN: Yeah.

WAYNE: But that's the accurate map. It could be 24 miles square, but when you put it on a sphere, it's going to be a little longer just by the nature of it. And that's how we should be teaching it because we live on a globe. And again, atlas, which-- everybody saw an atlas map-- they've stopped using the Mercator for most of their production in, in 1940s, so. I don't think it's too much to ask our, our teachers that if we're going to have maps we should have the right maps.

MURMAN: So it's on the sphere, but the, I guess, the long way--

WAYNE: Mm-hmm.

MURMAN: --makes-- it's not as much of a severe-- sphere the long way as it is the wide way.

WAYNE: Correct.

MURMAN: Or maybe it's the opposite.

WAYNE: Correct.

MURMAN: But anyway, that's why it doesn't--

WAYNE: Yes. Because when you go to the equator, it's kind of more of a-- sphere isn't a correct term. But when you look at-- yes. It gets distorted from the equator I guess is the best way to say it. But this is the, the best version of the maps that are the most accurate, and that's what we should be using in our curriculum.

MURMAN: So in the summer when Clay County's on the equator, it's more square.

WAYNE: No. It's hot, but it's not quite there.

MURMAN: No. Any other questions for Senator Wayne? Senator Albrecht.

ALBRECHT: Thank you, Chair Murman. And thanks for bringing the bill. But when we look at these bills and it says "shall" or "may," you're

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telling the schools that, by a certain time-- 2024, 2025-- they shall not show the Mercator projection map in school. A school shall only use the Gall-Peters. So if they're using one or the other, there is going to be a fiscal note to them, right?

WAYNE: No. I mean-- especially with technology, they can pull it up on the, on the internet. What we're saying is you don't have to throw away your Mercator. You can use that. But your primary map should be the one that reflects--

ALBRECHT: OK.

WAYNE: --the actual. So you shall use this--

ALBRECHT: --because you're telling all school districts that they shall adopt a policy--

WAYNE: Correct.

ALBRECHT: --that when they show this on a computer or a big screen or whatever, it has to be the right one.

WAYNE: Yes.

ALBRECHT: And there shouldn't be a cost to any of those schools?

WAYNE: No. Because theoretically, they should be showing the right map already.

ALBRECHT: Well, they should be, but what if they don't? Then they have to get the new map.

WAYNE: Well, then that's what-- exactly. And that's the purpose of this bill, to correct it. We don't want any misinformation when it comes to teaching young kids.

ALBRECHT: Well, I don't want to make them spend any money. [INAUDIBLE] and put a lid on things. So we just need know--

WAYNE: There shouldn't be any fiscal note. Well, there is no fiscal note, so I, I don't know.

ALBRECHT: No, there isn't.

WAYNE: I'll wait to hear what the school boards might say. But it shouldn't cost any money.

ALBRECHT: All right. I'll listen. Thank you.

MURMAN: Any other questions? Senator Conrad.

CONRAD: Thank you so much, Chair Murman. Thank you, Senator Wayne. I'll tell you that this was when I-- when I was reading the one-liners, I was like, what is this bill about? And then I was digging into it, so. I think it's actually very interesting and kind of goes with a broader lens or theme that we should ensure that we're teaching truth.

WAYNE: Correct.

CONRAD: And, and I think it's, it's very interesting in that regard. But Senator Wayne, in addition to, you know, the helpful, tangible examples that you've showed us that-- you know, ones that we're familiar with, that we've utilized, that we were taught kind of basic geograph-- geography on-- versus, you know, what a true geography might look like comparatively-- beyond just kind of the, the spatial considerations, have you had a chance to think through or is there more to it about, you know, what these representations teach us about truth? Like-- you know, for example, if we have an entire continent that appears smaller than some countries even though that's not accurate-- I mean, that goes to questions of resources and scope and scale. I mean, I think there's a lot more baked into the maps themselves, right? Do you want to weigh in on that? Would you like to leave that?

WAYNE: Not really.

CONRAD: OK. Then we'll leave it.

WAYNE: There is a, there is a great West Wing clip on this issue.

CONRAD: Yes, there is. Yes, there is.

WAYNE: But no, I, I do think-- I mean, I'll just be very blunt: when these maps were first designed, many third-world countries were looked down upon. So part of drawing smaller third-world cart-- countries, particularly in Asia and Africa, was, was part of the conversation that happened. That is 100% true and factual. And partly it was because there wasn't a lot of popula-- well, they believed there wasn't a lot of population at the time. So if you look at South America, for example, that is significantly smaller than the actual South America. And that was primarily because those who traveled around South America did not, did not necessarily care about South

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America as it relates to the people and them there. It was more of a navigational tool. So the Mercator map was strictly used for a navigational tool. And I don't think-- I mean, we're not, we're not out navigating in second grade and fourth grade. I think teaching maps accurately is the way we should do it.

CONRAD: Very good. Thank you. Thank you, Senator. Thank you, Chair.

MURMAN: Any other questions? If not, thank you very much. Proponents for LB962.

LINDA VERMooten: Good afternoon, Senator Murman and committee. My name is Dr. Linda Vermooten, L-i-n-d-a V-e-r-m-o-o-t-e-n. First, I would like to thank Senator Wayne for bringing this. As many of you know, I have this wonderful southern accent because I'm from the other side of the world. And I was really excited when I saw this bill because I said, at last, perhaps people will be able to answer the basic geography question when they say, where are you from? The first thing I say is, the largest continent in the world. Most people don't have a clue. They'll answer, Australia. I'm like, no, no. That's just a little island. It's not the largest continent. Because I'm from Africa, and you can fit all of North America, all of Europe and China and part of the Russia into the landmass of Africa. So it's by far and large the largest. So coming back to Senator Conrad's question, that's kind of what I was thinking also. Because if you distort the world view, from that perspective, you think Russia is so big and so powerful. But it's much smaller. And you think Africa is much skinnier and less significant when it's actually the largest continent in the middle of the world because you have zero Greenwich Mean Time and the equator. So they're right in the crosshairs. So I think-- I was really excited when I saw this because I thought, OK. Good. Next generation of children can grow up with a more accurate perspective of what the world really looks like and that Alaska's not quite that size compared to, you know, other countries. So I'm really excited about this [INAUDIBLE]. Let's bring some clarity, let's bring some more accurateness to the teaching of our students in our classroom. Thank you for your time.

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

CONRAD: Thanks, Linda.

MURMAN: Other proponents for LB962? Any opponents for LB962?

CHARLES RIEDESEL: Chairman Senator Murman and members of the Education Committee. I'm Charles Riedesel, C-h-a-r-l-e-s R-i-e-d-e-s-e-l. Professor emeritus and longtime chief undergraduate advisor for computer science and engineering at UNL. I'm now a board member for Beatrice Public Schools, speaking for myself. I'm opposed to LB962, which would prohibit Mercator projection maps, replacing it with Gall-Peters or perhaps AuthaGraph projections. State mandates such as this do not respect Nebraska's philosophy of local control. Instead, trust local school districts with guidance at the NDE to make these decisions. They have invaluable teaching exper-- expertise. My further opposition to LB962 arises from my math background and awareness of visual presentation principles as applied in human-computer interaction, as well as my interest in geography. It is provably impossible to project a globe onto a flat, rectangular surface that preserves all three properties of relative size so that some continents will not appear larger than others, and angle, avoiding distortions of shapes, and distance so the scale of miles is the same everywhere. The Mercator projection displays lines of longitude and latitude rectilinearly so that north, south, east, and west are always vertical and horizontal. And shapes for most countries and continents are fairly accurate so that distances can be measured inside them if you know, if you know the scaling factor. However, sizes differ dramatically, with more polar locations such as Greenland and Antarctica being grossly outsized. The Gall-Peters projection fixes the areas so that the sizes of countries and continents are all correct, even those near the poles, and it maintains north, south, east, west orientation. However, it sacrifices proportions so that the polar areas are stretched in the east-west direction while the equatorial areas are stretched in the north-south direction so that Africa, for example, is shown skinnier than it really is. The AuthaGraphic projection is kind of a compromise, doing a decent job displaying correct areas and shapes while confining the worst distortions to the oceans and Siberia. However, it totally abandons direction so that up is not necessarily north. Continents toward the sides are badly slanted inwards, and using it to trace satellite orbits would yield a weird twisting curve. Maps are used for many purposes. Sometimes one wants to consistently measure distance. At other times, it's consistent directions or having correct shapes or proportions or ability to compare areas. Most projections concentrate on land areas, but sometimes one's interest is with oceans, such as when tracing the voyages of discovery. Please leave it to the teacher to decide which map is most appropriate for their particular purpose. Thank you.

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MURMAN: Thank you. Any questions for Mr. Riedesel? I have one. They're-- I've seen maps where, you know, they're-- the, the top and bottom of the globe--

CHARLES RIEDESEL: Oh, yeah.

MURMAN: --are more, more triangle. I suppose that tries to compensate for--

CHARLES RIEDESEL: Yeah. Some of them do kind of things like that. Like opening up an orange peel.

MURMAN: Yeah.

CHARLES RIEDESEL: And that's called an orange-peel-type projection.

MURMAN: Oh, really?

CHARLES RIEDESEL: Yeah. Mm-hmm. And typically, the tears on those orange peels are in-- on the oceans so it does not break up your landmasses as much. But therein lies the problem. You're going to have difficulty showing maritime routes on that kind of a map. The only true answer is a globe.

MURMAN: I was just going to say that.

CHARLES RIEDESEL: Yeah. It, it, it is the on-- and you want the globe right in front of you, whatever country you're looking at, face on. That's where you get the most accurate results. So you want Nebraska? You talked about Nebraska earlier. And yeah, it can get a little bit distorted because if you take a globe, slice off Nebraska, it's going to be kind of like a little bit of a sphere sitting there. And you can't press it flat without stretching out the edges.

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

CHARLES RIEDESEL: Thank you, sir.

MURMAN: Any other opponents for LB962? Any neutral testifiers for LB962? Senator Wayne, you're welcome to close.

WAYNE: Thank you. And I will, I will venture to say-- and nobody has to really answer this question, but when the individual came up and said, where are you from? The largest continent-- how many people didn't think of Africa? That's the point. We don't teach what we

should be teaching in schools. Now, I understand there's going to be distortion a little bit, but what we do know is that the current Mercator map was produced in the 1500s. We have a lot more technology and a lot more accuracy than we did 1500s sailing around on a ship. And I'm saying at least we should have what we would deem a more accurate map than what we're currently having. So the last thing I'll say is there is not one issue that comes before this body that either the West Wing or Yellowstone has dealt with. And so I would encourage everybody before we make arguments on the floor: watch the series that deals with that issue. Even the inheritance tax was on West Wing. I, I, I reviewed that this morning coming down here for the argument. My, my po-- my point is real simple, and this is all-- in all seriousness. It was when we were flying to Africa and we left out of Switzerland I thought, damn, this is a long flight. And I was like, yeah, it is, it is longer. And I had to think about it. And I was like, oh yeah, I got to reprogram that the maps that I grew up with and that was ingrained in me aren't accurate. And I don't think we should have to reprogram when we're older. We should be teaching accuracy in the beginning. And with that, I'll answer any questions.

MURMAN: Any questions? I've just got a comment. Actually, I thought the same thing when we flew out of the Netherlands [INAUDIBLE] Tanzania. I thought, boy, this seems a lot longer than I thought it was.

WAYNE: I did the same thing.

MURMAN: Now I know why.

WAYNE: That's it.

MURMAN: Any other questions?

WAYNE: Yeah. Consent calendar. All right. That's it.

MURMAN: Thank you very much. And electronically, we had 1 proponent, 4 opponents, and 1 neutral. And that'll close the hearing on LB962. And we will open the hearing on LB1231, also Senator Wayne.

WAYNE: No. This never goes anywhere. I introduce it every year. Hello, Chairman Murman. 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 northeast Douglas County. This is my yearly bill in Education Committee. And one year, I believe that this will catch on. The whole purpose of this is, if we're ever going to get serious about property taxes, that we have to start looking structurally.

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This year, I looked at county jails and county attorneys. County jails estimated \$140 million we can take off the county rolls immediately and put onto our rolls. Where we come up with that revenue I, I will leave that to Chairwoman Linehan to help figure that piece out. But I know how to spend it if we come up with it. And one way we can do property tax relief is-- through the counties, is take it off their burden. The second thing is, is-- and what this bill is about is, really, we have a constitutional duty to fund education. And I do agree with many of my rural senators that we as a state should be doing more to fund rural, rural school districts. So what this is an attempt to do is to make our formula easy, understandable, and transparent. So basically, it says that for each child, \$4,700 and \$50-- \$4,750 by their fall membership. And it's really simple. If a school district is considered sparse-- this is for rural-- we're going to put an extra \$500 in per kid because they're-- they don't have the same property tax base that they would in Omaha or Lincoln. Kids are traveling from farther need-- so they may need extra buses. They may need extra internet and infrastructure during the winter months if kids can't make it to their school because they live 30 or 40 miles away. So we're going to add \$500 to that. At the same time, we're going to do a multiplier for those students who are in free and reduced lunch, at \$1,600 per student. Then if there's any school district that has over 50% poverty, one thing that we've learned over the mass majorities of studies is that there is a critical point where a school becomes heavily free and reduced lunch that they need more resources. So this accounts for that by giving them additional \$800 for each student when that student-- when that school becomes over 50% poverty. So we're not giving it to the district. We're giving it to the school. It has to go to that school. And the last thing is the extra \$1,600 for anybody who is-- any student that has limited English proficiency. So we essentially created five categories to fund every school across the entire state from a state's perspective. And if you look in year '24, '25, '26, that is almost a \$700 million cost. That is a \$700 million cost that can come directly off of the school district's tax rolls. And I would definitely entertain any idea to make them reduce their funds or expenditures or revenues they bring here from taxes by that amount over a number of period of times. How I came up with these numbers is I was literally trying to think about, in a classroom, how many students should be in a classroom? What would it take to fund that teacher, a para, and then some support staff? And the whole por-- purpose of this is to create what I would consider some kind of find-- foundation aid, meaning that every school district is-- we're going to cover their core. But if a school district wants to have a

zoology program or wants to have a criminal justice program, that teacher, that program will be funded by their local school districts. But at a core, we are going to cover the core things that are needed to graduate and make sure each classroom, per classroom, we can fund that teacher and whatever support staff is needed. That's where that number came from. That's how I look at it. And it's, it's really not a complicated formula. It's just-- it's not ever in Revenue. I think one year I had this in Revenue, and we were always looking for other issues. But at the end of the day, if we're going to solve our property tax problem, we got to solve it with funding our schools. The last piece of this bill is classroom limitation size. The one thing I hear the most about from students, parents, and teachers is classroom size. So if we're going to foot the bill to pay for that teacher, we're going to say no more than 20 students can be in a classroom from kindergarten through third grade. If they have more than 20, we're going to add a para. And that para-- a para has to be there if there's 16 to 20 kids. So anything over 16, we're adding an additional resource. 22 students is the cap for fourth through eighth grade. Anything over 18 students, we're adding an additional para. And ninth grade, we're going to cap it at 25 students. And anything over 20 students to 25 students, we're going to add a para. The point is, is I'm trying to shrink our classroom sizes because we know time on task and smaller classrooms is how we close the achievement gap, but also we're going to fund that. So if you think about what I did, I took 20 students, put basically \$5,000 a kid into the room. If there's additional resources, I put additional resources per kid. Our goal is to fund teachers, fund paras. And if they want to have 50 administrators, that's going to come from their local. And we're going to break that down and say, here's what we're funding at your school. Your local school district is funding this much, and here's what they're going to fund. They want-- for a, a elementary of-- a principal and an assistant principal and five janitors, then that's going to come from their local school district fund. We don't think you necessarily need that much. But I'm trying to create a baseline of what we can pay every school or give to every school, reduce our property tax burden, and make sure that our teachers are getting the classroom sizes they deserve and not having 36 with no para in a classroom. So it's pretty simple. I've pretty much done a opening on this now for eight years straight. And I hope we can be a part of a package.

MURMAN: Thank you. Any questions for Senator Wayne right now? Senator Linehan.

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LINEHAN: Thank you, Chairman Murman. So-- I have not studied this, but-- so it says here that it would-- it'd remove our education funding from what is now to \$1.855 billion, but we're at \$1.3-something billion now. So it's another \$500 million-- \$555 million.

WAYNE: Yeah. It says a increase of \$691 million. I'm not sure where they got the increase from. I guess-- you know, I probably didn't go in and eliminate the poverty allowance and all those things. But my whole point is I want to get rid of TEEOSA, and I think it would cost an additional \$300 million-- \$500 million, sorry. But even if that's right, it doesn't change-- and I have the whole formula that I could send out a huge Excel spreadsheet. Every school gets a little bit more. Nobody's actually losing a whole lot of money. And then we also put a safe haven that you're not going to lose money for the first two years anyway if somehow you, you lost enrollment. But yeah, it wouldn't cost that much, but it would significantly reduce property taxes.

LINEHAN: But-- OK. So there's the trick. How would it significantly reduce property taxes?

WAYNE: Well--

LINEHAN: Because you don't take any levy-- levying authority away from the schools.

WAYNE: Yes. I did not add that this year. So I-- it came back to this committee and not to your committee. But previous bills, I would decrease--

LINEHAN: The levy.

WAYNE: --I would-- yeah. I'd require a decrease in their levy. Because then it sends a clearer message to the public that-- here's what the state's funding. So when we decrease, hypothetically, a \$30 million decrease-- I don't know-- in whatever school district, we're funding your teachers and students. All your additional programming's coming from local, and we can require them to put out, like we do with the-- their budget, what's local and what's state and how it's funded. I mean, we, we've done that with-- I think you passed a bill on the [INAUDIBLE]. We can do the same thing. Here's what's state's funding for your school district and here is what the, the locals are funding. The-- this would have a significant more impact on property

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taxes in-- outside of Omaha and Lincoln just by the sheer money that Omaha and Lincoln get, but nevertheless it still impacts them.

MURMAN: Any other questions? Senator Conrad.

CONRAD: Thank you, Chair Murman. Thank you, Senator Wayne, for bringing this forward. You know, two things kind of jump out at me in reviewing this legislation. One-- and we've talked about it a lot and people are well-aware of the impacts, but, you know, it, it strikes me how detrimental term limits are to effectuating big thinking and grand bargains and big innovations in policy, kind of like you're thinking about in regards to, to this measure. And I know that we've talked a lot on this committee about figuring out how to take some existing pots of-- or, resources to try and keep our public schools great and to try and effectuate property tax, and this is obviously a, a big part of, of the puzzle. You know, the, the other thing that strikes me is that the bills that you mentioned this morning that you have pending before Judiciary that go to the heart of the property tax issue as well when it comes to how our decisions to expand mass incarceration are a direct driver to property taxes, whether it's the local jails or the county attorneys or the local law enforcement, which are the biggest budgetary items for a lot of counties that are out there. And then, you know, just finally, I hope that there's a lot of people here today to talk about the ideas in your bill. I'm not sure if there will be or not. It seems like-- this is something that always used to frustrate me when I was on the Appropriations Committee, is that everybody would come over there and say, you know, fund this, fund this, fund this, fund this. But they'd never spend the same energy at the Revenue Committee saying, hold the line here, hold the line here, hold the line here, hold the line here. And-- or maybe now they do, Senator Linehan. But I, I, I think it's important that we get some big thinking across some different committees and with some different stakeholders to figure out a better way to cover some of those local school costs, whether it's the health insurance piece or the personnel pieces, because that's how we're going to, I think, ultimately get a better bang for our buck and, and try and tackle the, the property tax issue on the local level. So I'm glad that you have this out here as a vehicle. And maybe it could somehow be a part of the puzzle in our, our tax deliberations. So that's a lot of disparate thoughts, but the, the big thinking inherent in this bill I think is important.

WAYNE: I'll respond by saying this: to lower our property taxes and our overall taxes, there's only-- there's, there's really only two ways to do it, and nobody wants to have this conversation.

CONRAD: Yeah. Right.

WAYNE: It's to grow Nebraska with people or to artificially inflate one of our taxes. Locally, we have been artificially inflating our property taxes to pay for things. If people look at the EPIC tax-- EPIC tax is a artificial inflation of our sales tax. It actually is projecting that we're going to have triple the amount of people buying things. And the reason why I can say that is if you ask why Iowa across the street is-- has lower property taxes, they also have almost double the number of people. So their sales tax by definition is higher. So I say all that to say the only way you can change it is structurally, and you have to change it structurally but allow for growth of Nebraska. Between jails, whether it's taking over jails or reimbursing jails at 100%, and this bill right here, you got 120, 140 plus-- you got over \$830 million of property tax relief right now that doesn't change how any local government operates except for some smaller school districts-- I mean smaller schools' classroom sizes. And you could actually eliminate that and they'd probably be OK with it. But you actually have close to \$900 billion-- \$900 million right now per year off of two bills without having to change how anybody functions, all right, at the end of the day. Now, we have to find that money. So that's going to be hard with closing exemptions. Or you just artificially in-- increase our sales tax as if we already grew. Or you figure out how to grow. And how you grow is through innovation, through going after federal dollars. We could solve our property tax-- and now I'm just going to rant for a second, Senator Murman-- but we could solve our property tax if we just budgeted \$250,000 to hire one individual to go after federal dollars. I can't count the number of bills that go through here that we spend on that there are federal dollars that we just don't go after. We left the CHIPS Act, which is over \$300 million. We didn't, we didn't even put in a competitive grant because we have nobody in charge in-- we are the-- there are-- we are the only state that does not have one person out in D.C. checking for everything to see what grants can come to Nebraska. We are literally the only state. And if you think of STRATCOM and you think of the amount of things that we could do here-- we are a ag industry, yet we do not have any ag innov-- "innovation" going on here. The people who are designing the software and everything for John Deere, they're in California. They're testing out in Oregon and-- why are they not testing here? Because we refuse to grow. This has nothing to do with social issues. This has nothing to do with conservative or liberal. This is just-- we have to change the way we're doing business and we have to grow Nebraska and we have to figure out how to change structures. And the

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easiest way to change structures is-- what is our true obligations? We pass laws to criminalize people, but yet our counties bear the entire burden of prosecution and housing them until sentence. We have a constitutional duty to fund schools, but yet our local school districts is bearing most of that cost because we won't do it. This isn't complicated to me. We just got to make some tough decisions. And I'm willing to figure out how to do it. And I think this is one easy way of doing it, by treating sparse communities equally as rural with the addition of-- and it, and it makes it clear. If you want a special foreign language program, do it. Just got to be paid for locally.

CONRAD: OK. Well-- and I'm glad that you tied in the class size piece or the ratios too. You know, I had a bill before the committee earlier this year and-- logistically, it might not have been ready for prime time. But since that hearing, I have received so many emails and phone calls from teachers across the state saying, please, please, please keep working on that because that's a big part of the puzzle. Other states have figured out how to do it. We want to stay teaching. We're at our wit's ends because the class sizes are too big, so. I'm glad that you have that in there. And maybe that'd be something that we could look at for an interim study to kind of figure out if there's some additional solutions that, that this committee could focus on in the interim. But with that, I, I appreciate it. Thanks, Senator Murman. Thank you, Senator Wayne.

MURMAN: Thank you. Any other questions? Senator Meyer.

MEYER: I, I know this is little comfort, but when I was on the State Board of Education from 2000 to 2005, we talked about this exact thing with former Commissioner Doug Christensen. We had a basic plan to fund all of the core curriculum and then things like FFA and music that are outside of that would be a local situation. We got no support from the Governor's Office or the Legislature at that time back then nor from the Education Committee Chair, who was this fella from Ashland. I won't say the name, but. They didn't even want to talk to us about it.

WAYNE: Well, don't feel bad--

MEYER: This was all defined. This was all defined.

WAYNE: Don't feel bad. This is my eighth year introducing this bill, so. Hasn't moved a whole lot.

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MURMAN: Senator Linehan.

LINEHAN: Thank you, Chairman Murman. So I'm trying to do the math here. So \$4,750 for every student?

WAYNE: Correct.

LINEHAN: Times 20 students is \$95,000.

WAYNE: Correct.

LINEHAN: Is that right? So \$95,000 should pay for a teacher and a para?

WAYNE: Teacher, para, and, and some supports-- cleaning of the classroom, those kind of things is kind of what I was thinking. That includes benefits. And I was going off a current-- \$65,000 plus benefits puts you around \$80,000. So any supports for a whole year for one classroom shouldn't be more than \$10,000 at that, at that-- my, my thought. Now, if you add in the free and reduced and those, then--

LINEHAN: You get more money.

WAYNE: You get more money. So that support goes up to about \$130,000-ish.

LINEHAN: So the reason your fiscal note is so high is because you guaranteed they wouldn't get any less than they got last year.

WAYNE: Correct.

LINEHAN: So a lot of the schools get more than this-- I shouldn't say a lot-- but many schools, the GNSA schools, the big schools already get this much or more.

WAYNE: Correct.

LINEHAN: So-- this really does-- would go more to the rural non-GNSA, non-big schools.

WAYNE: Correct. And-- but my philosophy has been-- and this committee heard me this year-- I don't think the state should pick winners and losers when it comes to kids. And we should fund all kids the same no matter where they are. And if the local school district needs more support, then that's what they have-- a local authority.

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LINEHAN: OK. Thank you very much.

MURMAN: And I've got-- going to make a comment and, and then some questions. When I was actually campaigning-- it's been at least six years ago now-- a similar idea was brought up by people when I was campaigning. So I appreciate you bringing this and, and-- yeah, I, I appreciate the comments about term limits. I think these big ideas-- you know, it's hard to do when you're only here eight years, and maybe on, on the committee less than that, so. But your comment about we're not innovative in ag in Nebraska, my neighbor-- which is actually my cousin-- when they were harvesting last fall had a driverless tractor with-- out in their field harvesting with them. And I thought, how do they have time to even mess around with something like that? But, but anyway. There is-- have you ever been to Husker Harvest Days in Grand Island?

WAYNE: Yes. Yes.

MURMAN: There's a lot of innovation there.

WAYNE: And what-- I don't mean that we don't innovate. Let me clarify that. I mean we should be lead-- agribusiness, we should be leading the way with the university and the amount of dollars that we-- and research that we do, we, we should be leading the way in, in ag-- agriculture businesses. And the fact that we don't have a-- nevermind. I'll leave it there.

MURMAN: OK. Any other questions? Thank you, Senator Wayne. Proponents for LB1231. Opponents for LB1231. Good afternoon.

KYLE FAIRBAIRN: Senator Murman, members of the Education Committee. My name's Kyle Fairbairn, K-y-l-e F-a-i-r-b-a-i-r-n. I represent Greater Nebraska Schools Associon-- Association, GNSA. My organization represents 25 of the largest school districts in the state. These 25 districts represent over 70% of all the children in state public education and 88% of all the minority children that attend public schools. Come to-- in opposition to LB1231 today, but I would like to thank Senator Wayne for taking an opportunity to look at the current public school funding formula and ways to make it stronger. The problem that, that I see with this and the group sees is, right now, we don't know who the winners and losers are of this bill. I haven't seen any runs on how this actually affects schools. That could be really good or could be really bad. I'm not sure because I haven't seen any, any, any runs or any data from it. The other piece of this legislation that's very troubling is the, the

class size requirements of the bill and the accompanying provisions to lower class grades to require paraprofessionals. This type of school-- this type of program would be very beneficial to children. We all agree with that. But right now, trying to fill all those positions is a big problem. We're having troubles right now hiring stea-- teachers, and all school districts in the state are having tremendous problems hiring paraprofessionals. This would also require that some of those schools that have larger class sizes would automatically have to add classroom space. So they'd have to build-- build new facilities because they couldn't, they couldn't fit them within the current, current guidelines. Again, those are difficult tasks within school districts. Again, we want to thank Senator Wayne. Again, he thinks outside the box. Again, it's, it's great to have these ideas come forward. And again, looking at the data and going through the data would be beneficial for us because we just don't know if there's winners or losers. But the hiring of, of people right now is very, very difficult. I'd be happy to answer any questions.

MURMAN: Any questions for Mr. Fairbairn? Senator Linehan.

LINEHAN: Thank you, Chairman Murman. What is the average class size for K-3 in the GNSA schools now?

KYLE FAIRBAIRN: That really varies, Senator. You'll have some that are mid-20s--

LINEHAN: I'm just talking about GNSA schools.

KYLE FAIRBAIRN: Yeah. And I-- that really varies within GNSA schools, Senator. You'll have some that are running 25, 26 and you'll have others running 18 to 19.

LINEHAN: So are the 25, 26 in your growing districts like Elkhorn and Bennington?

KYLE FAIRBAIRN: Yes, ma'am.

LINEHAN: Because they, they start--

KYLE FAIRBAIRN: They have to. Yeah.

LINEHAN: They start at 20, but by the time the year is up, it's 26.

KYLE FAIRBAIRN: Exactly right. Yeah.

LINEHAN: OK. OK.

KYLE FAIRBAIRN: And some-- a couple of the established schools will run that high too, but more like 23, 24 instead of 25, 26. But yes, the growing districts-- the growing schools are a problem, Senator.

LINEHAN: Which established schools are running 23, 24?

KYLE FAIRBAIRN: Well, I know in Bellevue, we had guidelines at K-1-3 at 22.5, I think. So 23 was not out of, out of the question at all, Senator.

LINEHAN: OK. It's confusing because when you look at the data, it'll say that you've got-- most schools are somewhere-- certified staff-- which you think teachers-- are, like, 15 to 1 or 13 to 1 students. So we have a lot of people who aren't in the classroom that are certified staff, right?

KYLE FAIRBAIRN: Well, what, what varies that some, Senator, is you've got special education classrooms with one or two children in it. And when you throw certified staff into the whole mix, yes, those do drive that down tremendously. So that's a different animal. Because you have a certified teacher--

LINEHAN: You, you, you don't have one-- I'm sorry. I just--

KYLE FAIRBAIRN: OK.

LINEHAN: You don't have one child in a classroom with one special ed teachers. Surely they're, they're-- what's the term-- by law, they have to be, they have to be in the room with other kids.

KYLE FAIRBAIRN: IDA could call for a, a teacher to be alone with a child, Senator.

LINEHAN: But aren't they supposed to be-- I thought the whole idea was they're supposed to be mainstreamed.

KYLE FAIRBAIRN: That's-- but, but that severely disabled child that's in a wheelchair with a feeding tube, that child is not going in a mainstream classroom. That child will be in a classroom by themselves. You'll have a behavior-- you'll have a behavior classroom where they'll have three or four kids in it because those kids are, are, are problems in a classroom. So that's really going to-- that's really going to skew your, your numbers of kids for certified staff, Senator.

LINEHAN: OK. Thank you.

KYLE FAIRBAIRN: Yep.

LINEHAN: That's something we should probably get more information on.

KYLE FAIRBAIRN: OK.

MURMAN: Any other questions? So the, the 25, 26 and-- well, 18 to 26 or whatever numbers, does that include all administrators and all special ed?

KYLE FAIRBAIRN: No. That's just kids in classrooms.

MURMAN: OK. So it doesn't include--

KYLE FAIRBAIRN: That's just kids in classrooms, Senator Murm--

MURMAN: --administration or special ed?

KYLE FAIRBAIRN: No, sir.

MURMAN: OK.

KYLE FAIRBAIRN: It would include special ed. When Senator Linehan's talking about certified staff to students-- and she's correct. It's 15, 16 to 1. But that takes all classrooms into, into consideration, not just your kindergarten classroom or your first-grade classroom at one building.

MURMAN: OK.

KYLE FAIRBAIRN: OK.

MURMAN: It does include special ed.

KYLE FAIRBAIRN: Yes, it does.

MURMAN: It does not include--

KYLE FAIRBAIRN: Yes, sir.

MURMAN: --administration.

KYLE FAIRBAIRN: Yes, sir, Senator.

MURMAN: OK. Thank you. Any other questions? If not, thanks for testifying.

KYLE FAIRBAIRN: Thank you.

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MURMAN: Other opponents for LB1231? Any neutral testifiers for LB1231? If not, Senator Wayne, you're welcome to close. And while he's coming up to close, we had, electronically, 0 proponents, 2 opponents, and 0 neutral.

WAYNE: Thank you, Chairman Murman. And again, we can-- you can write an exclusion for special ed. And, and the sky is not falling. I didn't include a penalty where they lose their TEESOA formula if they don't comply. I mean, they don't comply and they have legitimate reasons of not being able to fund the position or get people to the position, I don't think the state or NDE is going to take their funding away. I'm just saying we got to have some kind of goals and some kind of baseline of what we're doing with education. And again, this is \$700 million that can be taken off of the local rolls, so.

MURMAN: Any questions? If not, thanks for bringing the bill. And that'll close the hearing on LB1231. And we will open the hearing on LB1291. Senator Conrad.

CONRAD: Thank you, Chair Murman. Thank you, members of the committee. My name's Danielle Conrad. It's D-a-n-i-e-l-l-e; Conrad, C-o-n-r-a-d. I'm here today to introduce this important measure, and I am asking the committee to hold this measure for the remainder of the legislative session in light of Governor Pillen's exciting reconsideration of his decision to participa-- have Nebraska participate in the summer EBT program in partnership with USDA and the Department of Education. Want to thank all of the senators who worked really hard to listen to diverse voices across the state who were urging the same reconsideration. And I had originally introduced this measure as another option for the Legislature to look at in regards to summer EBT. That matter has been resolved successfully. I think we can all feel really good about that collaboration, bringing those tax dollars home and getting more food to families in need in Nebraska. With that, I did not ask-- I asked many of the folks who were interested in this measure to not come testify today and to be respectful of the committee's time. But I am happy to answer any questions as well.

MURMAN: Thank you. Any questions for Senator Conrad?

CONRAD: Great.

MURMAN: If not, thank you.

CONRAD: I mean, I will be here, but I'm not going to close.

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MURMAN: Any proponents for LB1291? Any opponents LB1291? Any neutral testifiers for LB1291? Senator Conrad, would you like to close? She waives closing. And electronically, we had 5 proponents, 0 opponents, 0 neutral for LB1291. And we will open the hearing on-- so that'll close the hearing on LB1291. And we'll open the hearing on LB962 [SIC]. Senator Linehan. This is LB862. I think I might have said LB962.

LINEHAN: Thank you. Good afternoon, Chairman Murman and members of the Education Committee. I'm Lou Ann Linehan, L-o-u A-n-n L-i-n-e-h-a-n. And I represent Legislative District 39: Elkhorn and Waterloo in Douglas County. Today, I'm introducing LB862. During the interim, constituents contacted me and told me that they were being charged for bus transportation fees. That's actually not exactly how it happened. I read it our Nextdoor Neighbor, which my family tries to keep me off of. Under current law, families without an IEP-- and I didn't even know this-- that live within four miles of a school they are attending are not entitled to bus transportation. The law also allows school boards to authorize transportation for these families, but the boards can also charge the families for transportation costs. So what I stumbled across on Nextdoor Neighbor were families who were paying and then families who didn't think it was fair they were paying because they'd moved from school districts where they didn't have to pay. And I was shocked that families had to pay for transportation. I attempted to get some data on this issue, but we discovered this information is not reported by the school districts or the Department of Education. So therefore, LB862 aims to basically figure out what's going on. Under LB862, the school districts and the Department of Education would be required to track and report the number of students being transported within four miles of school, the cost charged to the families, any other information the department requires. Thank you. I'm happy to answer any questions.

MURMAN: Any questions for Senator Linehan? If not, thank you. Proponents for LB862. Opponents for LB862. Neutral testifiers for LB862. Senator Linehan, you're welcome to close.

LINEHAN: I just want to know what, what's going on. I think we have an obligation kind of. Is it fair? I mean, some schools, it's free. Some schools-- I don't know how much they're charging. It seems to me that we ought to have some visibility on what's going on, so.

MURMAN: So I have a question. So the bill asked for the schools to report on bussing and how-- the distance, I guess, or if they're further away or less than four miles. I do remember when I was on the

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Sandy Creek School Board, Fairfield-- which is the largest town in the district-- was about 3.5 miles from the school. And if I remember correctly, they said we didn't have to bus the kids from Fairfield because they're, you know, less than four miles. But we did anyway just to be nice.

LINEHAN: Well, I think that's-- that's my point. I mean, it's not-- "nice" is one way, but also fair. Like, is it-- I mean, this inter-- this back-and-forth between people who live in my district about what they were charging and what they were paying, it-- clearly, it is regressive if you have to pay for transportation when in other school districts you don't. Now, maybe it's OK. I don't know. I, I don't know because I couldn't get any information. So all's that bill does is say, tell us what's going on. And then you can all decide next year if there's something that needs to be done about it. Because it's also in the formula transportation. So it's like--

MURMAN: Yeah.

LINEHAN: And then it's not reported what money they're bringing in. It's like--

MURMAN: I happened to live 20 miles from the school, so I thought, boy, it'd be nice to live 3.5 miles from the school, but. So, so I thought they were OK. But any other questions for Senator Linehan?

MEYER: I used to have to walk that far.

MURMAN: Uphill both ways.

LINEHAN: You did not.

MURMAN: Well, thank you very much for bringing the bill. And we had 0 proponents, 0 opponents, 0 neutral. And that will close our hearing on LB862. And we will open the hearing on LB987. Also Senator Linehan.

LINEHAN: Good afternoon, Chairperson Murman and members of the Education Committee. I'm Lou Ann Linehan, L-o-u A-n-n L-i-n-e-h-a-n. I represent Legislative District 39. LB987 is a requirement for state school board to use norm referenced, nationally accepted standardized tests for their academic assessments. Currently, Nebraska uses its own tests for academic assessments outside of ACT. Because of this, our test scores are not comparable to our sister states. It's like comparing apples to oranges in terms of academic performance. Once the national assessment is instituted, school districts will have to

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report their scores to the State Board Department of Education. Lastly, I have AM-- which we're handing out-- AM2552 for the committee's consideration. AM2552 is a correction on the original language of LB987, which was miscommunication with the Bill Drafters. The original language mandates that private schools adopt the same testing instruments intended in this [INAUDIBLE]. Under Rule 10 and 14 for approved and accredited schools, these tests are already required. So private schools already have to take these tests. Consequently, AM2552 strikes the language referring to private schools since they're already conducting the testing that was intended through this bill. Thank you. I'm happy to answer any questions. I don't know-- I guess this happened under No Child Left Behind. I'm not sure when it happened. I remember being-- way back when I was in school, we all took the Iowa standardized tests. And everybody in the country took it and you knew what was going on. And that's when people didn't get on an airplane every other weekend and go someplace. I don't understand why the states are all doing their own thing now. It doesn't make any sense to me. And it, it doesn't because when you get to coll-- when you get ready to go to college, universities, they all are expecting you to take the same test. So why are we not doing that? And plus, the money and the expense and the confusion of making up our own test and then maybe we change the cut scores or we don't change its cut scores. I just think it's all a lot of work that doesn't really end up telling us what we're-- what we want to know.

MURMAN: Thank you. Any questions for Senator Linehan? If not, thank you. Proponents for LB987.

LINDA VERMOOTEN: Good afternoon, Senator Murman, committee. My name is Dr. Linda Vermooten, L-i-n-d-a V-e-r-m-o-o-t-e-n. And I thank Senator Linehan for bringing this because as I've been looking and listening to the Department of Education, that has been my concern, that if we continue to do our own testing, there's nothing to compare it to. So when they do a comparison, we have a misnomer of the results because we don't really know what we're comparing it to. So we know what our state's doing, but there's no way to compare that when the other states are doing something different. One of the challenges that I'm finding as I'm talking to administrators in the schools is the number of tests and evaluations that the students have to fill out, and each time they have to do a test they-- that then is removing an hour of instruction from our students. So I want to support this bill and, and would be happy to help somehow to move it forward that we go back to the standardized tests that has been used across the nation so we truly can have an accurate picture where our

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students are actually and how we are performing in comparison. Thank you for your time.

MURMAN: Thank you. Any questions for Ms. Vermooten? If not, thank you for testifying. Other proponents for LB987? Any opponents for LB987? Any neutral testifiers for LB987?

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 am the president of the Millard Education Association. I'm speaking on behalf of the NSEA in a neutral capacity on LB987. Although I will concede that the nature of our neutral testimony was contingent on what the current status of the bill is reflected-- relative to the amendment that was just shared. I don't have guidance from my organization to change the nature of my testimony, so I'm still going to come in neutral because we had candidly liked the private school component, although I will admit, along with Senator Linehan, I was not aware that rule already governed that. So again, I want to-- I, I want to give that context. And I also want to share too another reason coming in neutral is we share Senator Linehan's frustration with the, with the state center model with-- NSCAS is a four-letter word for a lot of teachers, so that is also certainly true and relevant. But I do want to jump in to some of the concerns that we have with the bill because they're, they're still true post the world of the amendment that Senator Linehan mentioned. First, requiring full testing of four subject areas-- math, reading, writing, and science-- in all K-12 grades would be a significant expansion of standardized testing, particularly on the subject of science. Because the way the science standards are structured, it ramps up more in the middle of elementary school. You really don't see a lot of dedicated science work happening in the early grades. And so-- you know, what I'm going to ask you as members of the committee is, are, are you going to vote yes to have a five-year-old take a standardized test on science? That doesn't sound-- that's not educationally sound based on the feedback that I've heard from my elementary members. Second, we would need clarification on what kind of assessment would be eligible under this bill, especially for our elementary learners; but I would say, as a high school teacher, this is also true as well. We find a lot more value in norm referenced progress monitoring assessments. MAP is what we use in Millard. So it's, it's taken multiple times a year to kind of benchmark where those kids are relative to their peers, relative to where they think they should be growing by the end of the year. Those are the tests that we put a lot of value in. And I'll also say, as a parent, I value getting that information when I do parent-teacher conferences from my own two kids. That kind of

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assessment would be great. But without clarity on what type of assessment would be required-- then again, we could potentially be having six-year-olds sitting down for a once-a-year hike-- high-stake assessment. The final piece has nothing to do with the bill, and it actually is nothing we can resolve at the state level, but I'm asking you to be aware of it. We already do use a national assessment for our high school students, which is the ACT. However, we've had some issues with this. For reporting purposes, only the student's score on the designated state spring junior assessment is the score that we use to see how our kids are doing. So, like, I had a student who was a sophomore and got a 36 on the ACT. That score didn't count for reporting purposes. He was forced to take the ACT again as a junior. And so imagine if you're a high school kid and you've already got an ACT score that makes you NCAA eligible or even Regents Scholarship eligible, that score doesn't count as far as the state is concerned. However, I don't want to paint the Department of Ed as the villain here. They can't count it because the federal government says they can't count it. So I'm asking you: please work with our federal delegation to get this changed because there could be potential for strengths here. But unfortunately, that component of it, we're kind of restricted based on federal reporting guidelines. So thank you for your consideration. I'm happy to answer any questions.

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

TIM ROYERS: Thank you very much.

MURMAN: Other neutral testifiers for LB987? If not, Senator Linehan, you're welcome to close. And while she's closing, we had 2 proponents, 1 opponent, and 1 neutral in the emails.

LINEHAN: First, I want to thank the testifiers. I really appreciate them coming in. Mr. Royers makes some good points. Of course, kindergartners probably should, should not be taking science tests. I agree. I think the MAP testing is-- I've worked with Millard. I think, for many reasons, it's excellent. So I'm not trying to keep them from doing the MAP testing. And if they want to work with us and say which tests they would find to be the right one-- I, I don't think we can-- I don't know how we got around with ACT. You can name a test. So I'd be happy to work with the schools and the committee to improve this to where they would go from neutral to proponents.

MURMAN: Thank you. Any questions for Senator Linehan? Senator Conrad.

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CONRAD: Thank you so much, Chair Murman. And thank you, Senator Linehan, for bringing forward this measure. I'll tell you, this is an area where I think there's a lot of frustration with the frontline teachers, with parents, with students, even with administrators. And I think we all want the same thing, right? We want to get some sort of baseline of understanding about how we're doing so that we can know where to invest resources if we need improvement or we know what to expand and model if it's working kind of thing. And we also know that there's a lot of caveats and issues and problems with standardized tests, and we, we need to be thoughtful and work through those as well. But in an effort to get more data, I think the pendulum has swung far, far too far across the, across the way where our kids and our teachers are testing and testing and testing and testing and testing and they don't have time for innovations, for creative learning, for tailoring lessons to different learning styles. And it's, it's just-- it's amazing to me with two little kids in elementary how much time they spend testing and how much time the teachers spend prepping for tests. I think we need to-- we need to have some information. There's no doubt about that. But we've just-- we've moved way too far with the testing. And we got to figure out how to claw that back a little bit and, and be more thoughtful about it. And I think there's a lot of good ideas in your bill to, to maybe open a conversation, move forward on that, so. Appreciate it.

LINEHAN: Thank you.

MURMAN: Any other questions for Senator Linehan? If not, thank you for bringing the bill.

LINEHAN: Thank you.

MURMAN: And that'll close the hearing on LB987.

ALBRECHT: OK. We'll have LB1271. Senator Murman next.

MURMAN: Good afternoon, Vice Chair Albrecht and members of the Education Committee. My name is Senator Dave Murman, and I represent District 38. To be short, this bill is a shell bill. Because bills can only be introduced in the first ten days of the session, the Speaker asked us as committee Chairs to bring bills that can be amended if a new problem arises. Thank you. And I will take any questions.

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ALBRECHT: Any questions of the committee? Seeing none. Do we have any proponents wishing to speak? Any opponents? Anyone in the neutral? Seeing none. Would you like to close?

MURMAN: I'll waive closing.

ALBRECHT: He waives close on LB1271. OK. Up next, we will have LB1272. Senator Murman. Oops. I'm sorry. I was supposed to tell you real quick about letters. We had 0 pro-- proponents, 1 opponent, and 1 neutral online for LB1271. OK. Next.

MURMAN: OK. Good afternoon, Vice Chair Albrecht and members of the Education Committee. You might have heard this before. My name's Dave Murman. I represent District 38. To be short, the bill is a shell bill. Because bills can only be introduced in the first ten days of the session, the Speaker asked us as committee Chairs to bring bills that can be amended if a new problem arises. Thank you. And I'll stay for closing.

ALBRECHT: Any questions from the committee? Seeing none. Any opp-- proponents? Any opponents? Anyone in neutral? Senator Murman for close.

MURMAN: I'll waive closing.

ALBRECHT: And he waives closing. We had no proponents, opponents, or neutral on LB1272, LB1272. So that'll come to a close. And then we will open on LB1348. Senator Murman.

MURMAN: Good afternoon. You're still Vice Chair Albrecht and I'm still Senator Dave Murman and you're still members of the Education Committee. Today, I'm bringing LB1348, which makes a slight tweak to the TEEOSA formula. Specifically, LB1348 would, as part of establishing comparison groups, comparable district assessed property valuations are considered in the formula. The comparison group shall not include districts more than double or less than half the assessed property valuations of the district. When we think about the goals of establishing the, the array or comparison groups in TEEOSA, the goal of that process is to make sure we are checking that the school is accurately being compared to the schools just larger and just smaller than that school. The bill is not aiming to change that goal, but instead tries to be better in line with it by also considering comparing schools with similar financial situations. Property valuations are a major factor in the funding of schools, so when we think about making comparison groups, we should be considering that

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too, not just the size of the districts. The idea came to me from an administrator who felt by adding this component into the formula, it would give districts a better ability to negotiate with teachers and administrators and compare it to other districts. And I did forget to pass out my open here. So with that, I will take any questions you might have.

ALBRECHT: Do we have any questions of the committee? Seeing none. Do we have any proponents wishing to speak? Any opponents? Welcome.

KYLE FAIRBAIRN: Vice Chair Albrecht, members of the Education Committee. My name's Kyle Fairbairn, K-y-l-e F-a-i-r-b-a-i-r-n. I represent the Greater Nebraska Schools Association, GNSA. Like to come in opposition today to LB1348, but I would like to thank Chairman Murman for looking at ways to make Nebraska's school form-- formula stronger. This bill would create some very differing opinions on whether it would be good or bad for the current needs formula within TEEOSA. By changing the par-- comparison groups within the systems, you could make some real winners and losers within the formula. This idea in its current form would make three schools in the state have no comparables at all, and we would have a number of other school districts that would just have two, two school districts within their comparable group. This could affect the funding formulas moving forward if this, if this would stay in place like this. We have not seen any full data on the program and how it would look to different school districts. But I would be happy to ap-- answer any questions if you have any.

ALBRECHT: Thank you. Any questions from the committee?

WAYNE: I have a question.

ALBRECHT: Senator Wayne. Yes, sir.

WAYNE: Do we currently pick winners and losers?

KYLE FAIRBAIRN: Yes, but not in the way I'm getting at. I guess-- everybody knows where they're at right now, but in a new formula you never know who's going to be a winner or loser in that, Senator.

WAYNE: So at some point, we created a new formula and we created new winners and losers and school districts adapted?

KYLE FAIRBAIRN: They would have to adapt. That's correct.

WAYNE: OK. Thank you.

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ALBRECHT: Thank you, Senator Wayne. Any other questions from the committee? Seeing none. Thank you.

KYLE FAIRBAIRN: Thank you.

ALBRECHT: Do we have any other proponents? Oops. Opponents. Sorry. Opponent. Yep. My fault. Just checking to see if you're paying attention.

CONNIE KNOCHE: Yeah.

ALBRECHT: Good afternoon.

CONNIE KNOCHE: Good afternoon, Vice Chair-- Chairperson Albrecht 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 here in opposition to LB1348 because of the uncertainty it would create for school budgets and the lack of a relationship to student outcomes. LB1348 changes the basic funding calculation in the TEEOSA formula, and this would reduce the size of comparison groups and create more fluctuation in the amount of state aid received by school districts without regard to what the students' needs are. In Nebraska, we don't have a measure of adequacy of funding-- for example, to achieve national average outcomes or the equity of funding-- acknowledging that some school districts are going to need additional dollars to meet those outcomes. We also don't have any estimate of what it would cost our education system to meet these goals. We would encourage the Education Committee to invest time in exploring these measures and bring better data to the debate on education finance to ensure the state is investing wisely and for the long term in a manner that centers on children and their learning needs. We believe a comprehensive study of the needs of school districts to achieve desired student outcomes is the best way to develop a solution to our heavy reliance on property taxes to fund K-12 education. The challenge in education funding has long been part of our, our issue in Nebraska since before TEEOSA was created. The first Finance-- School Finance Review Commission, created in the late 1980s, examined the state's school funding system and our reliance on property taxes to fund K-12 education. In a report issued by the original School, School Finance Review Commission, the commission found two major policy problems in the way Nebraska funded its public school system: that the system was too reliant on property taxes to fund K-12 education and that the system therefore did not ensure equity for taxpayers or equity of education for students. Our K-12 funding formula in Nebraska is

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complex and more than a quarter of a century year old. While tweaks have been made along the way, the level of frustration about the formula from both rural and urban districts signifies that it's time for a new formula. Nebraskans value our public education system. We know that a strong K-12 education system expands economic opportunities for everyone and is foundational to the strength of our economy today and into the future. Fundamentally, to preserve the quality of education Nebraskans expect while also finally addressing the heavy reliance on property taxes in education funding, we need to increase state aid to education. However, figuring out how to raise and distribute these dollars in a manner that is fair to taxpayers but also allows equity and educational opportunity requires a longer term review. Thank you.

ALBRECHT: Thank you very much. Any questions from the committee? Seeing none. Thanks for being here.

CONNIE KNOCHE: Thank you.

ALBRECHT: Any other opponents for LB1348? Seeing none. Any one in neutral? Seeing no one. We had online comments: proponents, 0; opponents, 2; neutral, 0. And Senator Murman, you're welcome to close.

MURMAN: Well, I think as I mentioned in my opening, when I first thought about bringing this bill, I was thinking probably completely about smaller schools, rural schools that have such a tremendous difference in valuation. You know, if the school's mostly irrigated farmland, has a high valuation. If it's mostly pastured grassland, has a lower valuation. And about how unfair it is for, you know, a school with a high valuation compared to the number of students to compare themselves to a low valuation district compared to the number of students and what they pay the teachers and the administration. So I didn't realize it was going to be as complicated as it ended up being. I was thinking the, the larger districts-- I wasn't sure where they felt-- or, or, fell in their arrays. I just assumed that they, because most of them are equalized, that they were pretty close together and their arrays with OPS might be the possible exception. But, you know, after researching it further, I realized this is even more complicated than I thought. So I think one thing it does do is point out the unfairness of valuation in comparing needs between schools. So with that, I'll take any questions you might have.

ALBRECHT: OK. Thank you very much. Any questions from the committee? Seeing none. We'll close LB1348--

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MURMAN: Thank you.

ALBRECHT: --and be done with this.

CONRAD: We don't even know what to do with ourselves.

LINEHAN: Well, I have an idea. Let's talk for a little-- could we--

CONRAD: Yeah.

LINEHAN: Chairman Murman, could we have some discussion?

MURMAN: Good idea.