

Transcript Prepared by Clerk of the Legislature Transcribers Office
Education Committee February 3, 2025
Rough Draft

MURMAN: Well, welcome to the Education Committee. I'm Senator Dave Murman from Glenvil. Represent the 38th District, and that's eight counties, mostly along the southern border of the state. And I serve as chair of the Education Committee. This public hearing is your opportunity to be part of the legislative process and to express your position on proposed legislation before us. The committee will take up agenda items on the order-- in the order posted. If you wish to testify on the mic today, please fill out a green testifier sheet. The forms can be found at the entrances to the hearing room. Be sure to print clearly and provide all requested information. If you will testify on more than one agenda item, you will need a green testifier sheet each time you come forward to speak on the mic. When it's your turn to come forward, please give the testifier sheet and any handouts you might have to the page as you are seated. If you have handouts, we request that you provide 12 copies for distribution. If you do not have 12 copies, please alert the page when you come forward. At the microphone, please begin by stating your name and spelling both your first and last names to ensure we get an accurate record. Observers, if you do not wish to testify but would like to indicate your position on an agenda item, there are yellow sign-in sheets in the notebooks at the entrances. The sign-in sheets will be included in the official hearing record. We will begin with the introducer giving an opening statement at the mic, followed by proponents, opponents, and those wanting to speak in a neutral capacity. The introducer will then have an opportunity to give a closing statement if they wish. We will be using a five-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'll have one minute to wrap up your thoughts. And the red light indicates that you have reached the end of your time limit. Questions from the committee may follow off the clock. A few final items to facilitate today's hearing. Please mute your cell phones or any other electronic devices. Verbal outburst or applause are not permitted. Such behavior may cause you to be asked to leave the hearing room. Know that committee members may need to come and go during the afternoon for other hearings. I will now ask committee members with us today to introduce themselves, starting at my far right-- or, at my right. Excuse me.

SANDERS: Good afternoon. Rita Sanders, District 45, the Bellevue-Offutt community, the most patriotic city in the state of Nebraska.

CONRAD: Good afternoon. Senator Danielle Conrad, north Lincoln.

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HUGHES: Me?

MURMAN: Yup.

HUGHES: Jana Hughes, District 24: Seward, York, Polk, and a little bit of Butler County.

MEYER: Glen Meyer, District 17: Dakota, Thurston, Wayne, and the southern part of Dixon County in northeast Nebraska.

HUNT: I'm Megan Hunt, and I represent the northern part of midtown Omaha.

LONOWSKI: Dan Lonowski, District 33: Adams County, Kearney County, and rural Phelps County.

MURMAN: Thank you. And staff with us today are, to my immediate right, research analyst Jack Spray. The committee's-- or, to my far right is the committee clerk, Diane Johnson. The pages who serve on the committee are-- and first of all, Ruby Kinzie, we'll have you stand up and introduce yourself.

RUBY KINZIE: I'm a third-year political science major at UNL.

MURMAN: What are you studying, Ruby?

RUBY KINZIE: Political science.

MURMAN: Thank you. And Jessica Vanstadt [SIC].

JESSICA VIHSTADT: I'm from Omaha, Nebraska. And this is my second year at the University of Nebraska-Lincoln. I'm studying political science and criminal justice.

MURMAN: Thank you. We appreciate the pages' help today. And with that, we'll begin today's hearing with LB625. Senator Dober-- Dover.

DOVER: Thank you, Chair-- Chairman Murman. And good afternoon, committee members. For the record, my name is Robert Dover, R-o-b-e-r-t D-o-v-e-r. I represent District 19, which consists of Madison County and the south half of Pierce County. I've introduced LB625 on behalf of taxpayers. Currently, financial information for school districts across our state is available to the public on a diverse and multiple website. For a taxpayer to get a complete picture of, of what is happening in a pa-- particular school district, they

must navigate extensive website menus and try to figure out which report they want, only to find out that they are looking for is actually on a different website. Often, a full picture is only found by looking at the websites of several state departments and the school district in question. The goal of LB625 is to provide the public with one location where all financial records of all school districts across the state can be found and easily navigated. The key is making it easy for the public to find what they're looking for. The intent is not-- I say not-- to duplicate records, but to make them easily accessible. This database would also enable schools across the state to easily see what other districts are doing and compare revenues, expenses, and balance sheets. This could create a more open dialogue between school districts, which could in turn lead to discussions on where money could be better and more effe-- efficiently allocated. A great example of financial transparency is the budget of Millard Public Schools, which is easily found online and very detailed. LB625 is a transpar-- is about transparency and simplicity. There's a situation I'm aware of where a school board was told they had the money for a project and then they were told that they need-- that-- be-- they-- there needed to be a bond. In the end, they had the money and didn't need a bond. This type of confusion could easily be eliminated. This bill would give school boards' members easy access to financial information. You have in front of you AM108, which changes where the information is going. The Department of Administrative Services Budget Division will develop and maintain the database. With that, thank you for your time. And I would be happy to answer any questions.

MURMAN: Thank you. Any questions for Senator Dover at this time?
Senator Hughes.

HUGHES: Thank you, Chairman Murman. Thanks for bringing this, Senator Dover. So I did have a question. Like you'd mentioned, all this data is out there, differ-- the school districts host it, NDE has the information as well. You chose-- it said Department of Revenue. Now you've changed to Department of Ina-- Administrative Services, but why wouldn't you do Department of Education when the majority of it's there anyway?

DOVER: Working with the Governor's Office, that was suggested for, for cost--

HUGHES: Department or Education or--

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DOVER: DAS.

HUGHES: DAS.

DOVER: Also for cost is what I was told.

HUGHES: It would be cheaper then or--

DOVER: Mm-hmm. In fact, there's a A bill. I, I think it's \$100,000, but I--

HUGHES: That's my other question, is the-- why should taxpayers pay \$100,000 when all this stuff is out there?

DOVER: It's less than that. And it, and it isn't-- I-- it isn't just out there. It really depends on what school district you're talking about. I was told when we started to-- came up with this idea because-- it came from actually our local school district was-- concerns of people on the school board. They didn't really know where it was and all those kind of things. And so I started to get into this and I, and I thought, well, it's got to be going somewhere. Well, the-- I mean, the auditor audits, right? But it, it-- there just isn't-- in some cases, if you go to Millard-- because I said, who's the best? They said, Millard. Go to Millard. It's all right there. It's a beautiful-- you know, revenue, expenditures, et cetera. But that just isn't true everywhere. And all of the revenues, expenditures-- actually, all the accounting codes are uniform, obviously, for reporting reasons. So, so you do it-- basically, you-- it, it's not going to-- we are told more it's probably going to be around \$60,000, if it's that much. Because basically, I don't know if-- [INAUDIBLE] much experience with databases, but they're really simple. So if, if you can just dump the data and you have the report generate-- ready to generate, you just, you just export the data, they just import the data, and print the reports. And then also what this would allow for is say there's, say-- buckets. So we'll put things into buckets, like, like you can do-- you know, depending on different financial reports that you can see, you can have a detailed report that's, like, crazy detailed and who's got-- who can even understand this thing? I don't know that the public needs-- really wants to see that. And if they could, they could probably go further. But let's just say-- so you could have-- here's your, here's your teacher expenses, here are your administration expenses, here's your busing, transportation expenses. So you could actually develop reports that's very easy to understand for everyone and compare things. So I think that's really good. In some situations,

I've been told that, you know, there's, there's, there's funds, but are they committed, not committed? So you can look at-- you can-- and once you have the data, the data's very easily manipulated to where you can say what's, what's-- in this school district, what's it cost for one student? What is, what is the administration expensive cost for one student? What's the teacher cost for one student? So-- I mean, these numbers are in there. And I, and I can, I can just imagine the, the useful information that can be derived from them. So I'm hoping that once we do this, which I think relatively is, is for the benefit, I think, not very expensive. I'm, I'm not-- to, to say that money's not important, right? But I think that this is some-- a starting point where I think that there's a lot of good that can be done with this information once it's more uniform and, again, in one place. And I think-- and I, and I do really think that the school, schools are going to find it very useful to look at other school districts like themselves and say, hey, why-- how are you-- how, how is it that you're getting by on this? Or, what are you doing there? [INAUDIBLE] do this? So I, I think-- and I think that everybody, whether it's the public or the schools, really wants what's best for, for everyone involved.

HUGHES: Thank you.

MURMAN: Any other questions? Senator Hunt.

HUNT: Thank you, Chair Murman. Thanks for bringing this bill to us today. Can you say more about why a bill is needed for this, why a law is needed for this when-- did you say this was-- this idea was brought to you by a member of your local school board?

DOVER: No. It was actually brought by myself. This, this--

HUNT: OK.

DOVER: --hearing, this hearing-- talking to people on the school board locally and then just in conversations with-- over the last probably two and a half years that I've been a senator. And so it's just basically-- a, a lot of times, it seems to me that people want to throw stones. Right? And I know when I was younger, I look at organizations, I said, you know, oh, look what they're doing. And then I eventually got older and got on that organization. And I realized everyone was pretty intelligent and did the best they could with the resources--

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HUNT: Sure.

DOVER: --they had. So I think getting this out there-- and if someone says, well, I can't find this. You can-- somebody would say, well, it's right here. Go get it. You know what hap-- might happen? They may stop complaining. Right?

HUNT: Sure. I, I get that. My question is, have you or anyone from the school board that mentioned this gone to the Department of Education where this data already lives and said, would you be willing to lead an initiative doing this in your department or, you know-- it sounds like other schools are really looking to Millard and they like the way that site works. Do they have somebody in their school system that's already doing websites that can copy what Millard's doing? I'm, I'm questioning why an action of the Legislature is necessary to solve what feels like an issue of, of someone in the department could make a spreadsheet who already has the data without a law being enacted.

DOVER: Well, I talked to Bryce Wilson. Right? And Bryce says it shouldn't be very difficult at all. He says that these are all coded. They do that already. So getting the data to one place is going to be easy. So I think the main reason, I guess, why I felt the need was simply to have one place, you know, that, that it's going to be there. And then-- and plus, I think, you know, any of you then may say, hey, it'd be nice if we could see this. And then I think it probably is just a question of saying, hey, can you print this? And, oh, yeah, we could do it, so I don't think any further legislation might be needed. This-- I guess-- as they say, that if you're a carpenter, everything looks like a nail. And I'm a politician--

HUNT: Right.

DOVER: --[INAUDIBLE] everything looks like a bill.

HUNT: Right. Right.

DOVER: You know?

HUNT: But this is something that the department can already choose to do.

DOVER: Pardon?

HUNT: This is something that the department could already choose to do.

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DOVER: Well, I talked to Bryce. I talked to Bryce. And the problem is is-- and it's going to take a little bit of a solution because some of this stuff-- well, it comes to the balance sheet and then it comes to the timing of the school-- of, of the school when their year ends. But the balance sheet isn't quite so easy. And I-- and it's going to take-- like I said, I'd be willing to work with them. So that may take a lit-- so it may-- it's going to probably take a little bit of work to get the balance sheet stuff. How-- you can get cash balances. But, but he-- but I didn't get into a deep discussion--

HUNT: But they can get that data without an act of the Legislature currently because they do have that data, correct?

DOVER: The data-- yeah. The data-- yeah.

HUNT: Yes. OK. Thank you.

DOVER: The data is out there, just multiple places.

HUNT: Yes.

DOVER: So I just said, hey, let's just get it to-- and I eventually was looking in DED. And then-- it was said that this is probably-- another place would be DAS, so. [INAUDIBLE], I guess, so.

HUNT: OK. Yeah. It's good to give them more to do. Thank you.

MURMAN: Any other questions? If not, thank you for your opening. And we'll ask for proponents for LB625. Any proponents for LB625? Opponents for LB625? If not, neutral testifiers for LB625? If not, you're welcome to come up and close, Senator Dover.

DOVER: I'll waive closing.

MURMAN: OK. Thank you very much. And online-- oh. Online, we had 7 proponents, 3 opponents, and 1 neutral testifier for LB625. And with that, we'll close the hearing on LB625 and open the hearing on the next bill, and that is LB538. Is Senator Hardin here? We'll wait a few minutes, see if we can get Senator Hardin here. OK. We will open the hearing on LB538. Welcome to the Education Committee. Senator Hardin.

HARDIN: Thank you, Chairman Murman. And good afternoon, senators of the Education Committee. I'm Senator Brian Hardin. For the record, that is B-r-i-a-n H-a-r-d-i-n. And I represent the Banner, Kimball, and Scotts Bluff Counties of the 48th Legislative District in western

Nebraska. I'm here to introduce LB538, which seeks to prohibit discrimination in our state's public education systems. LB583-- LB538, rather, takes a firm and necessary stand against antisemitism and discrimination, including antisemitism in our public schools and universities. This is not just about one group or one issue. This is about ensuring that all students and educators in Nebraska have the right to learn and work in an environment free from hatred, harassment, and prejudice. In recent years, and especially after the attacks on October 7, antisemitism has been on the rise across the country, including in our schools and on our college and university campuses. Jewish students and faculty have faced threats, harassment, and discrimination-- sometimes subtle, sometimes overt, but always unacceptable. We pride ourselves on fairness, respect, and opportunity here in Nebraska, but fairness means nothing if we don't have the courage to stand up when a group is being targeted just as we would for any other form of hatred or discrimination. This bill ensures that antisemitism is recognized, addressed, and treated just as seriously as any other form of hate or bigotry. LB538 does three things. It defines antisemitism using the International Holocaust Remembrance Alliance's working definition of antisemitism, including its contemporary examples. IRH-- IHRA is a widely accepted, nonlegally binding definition that provides clarity on what antisemitism is and how it manifests in modern society. On November 22, 2023, Governor Pillen issued a proclamation condemning antisemitism and reaffirming our state's adoption of this definition. Secondly, it requires Nebraska's K-12 schools and postsecondary institutions to adopt policies that explicitly prohibit discrimination, including antisemitism. This means that students and faculty, including those who are Jewish, will have the same protections as other groups under antidiscrimination laws. And thirdly, most importantly, it ensures accountability through the designation of a Title VI coordinator to monitor and review incidents of discrimination at our public school and take corrective action when discrimination occurs. If schools fail to act, the state will step in and federal civil rights protections will be enforced. This legislation does not limit free speech. It does not favor one group over another. It simply ensures that all Nebraskans, regardless of religion, race, or background, have equal protection from discrimination in education. This is not a partisan issue. It's a matter of a fundamental fairness and human decency. Just as we would not tolerate racism or sexism in our schools, we cannot turn a blind eye to antisemitism, which is often ignored or dismissed. Schools and universities should be places where students and employees feel safe and respected regardless of their religious or ethnic

background. This bill ensures that admissions, classes, programs, and resources are accessible to all students regardless of religion or ethnicity and works to bring accountability to our schools. By passing this bill, we can send a powerful message. We will not wait until hate escalates. We will not allow history to repeat itself. And we will take proactive steps to ensure that our schools remain safe spaces for education, not breeding grounds for intolerance. Colleagues, today we have an opportunity to lead with principle and strengthen Nebraska's reputation as a place of fairness and justice. And therefore, I urge you to support LB538. This concludes my opening statements. And I pre-- am prepared to answer questions from the committee. Following me today will be Adam Beren, the founder of Combat Antisemitism Movement, as well as two students who are here to share their own stories.

MURMAN: Thank you. Any questions for Senator Hardin at this time? Senator Hughes-- or, excuse me, Hughes.

HUGHES: Oh. OK. Thank you, Chairman Murman. Thanks for bringing this bill, Senator Hardin. So schools-- all the public schools have policies that prevent discrimination, race, religion, gender, et cetera. I guess I'm not understanding why anti-- like, semiti-- anti-Jewish, anti-[INAUDIBLE] would be-- would not be covered by that umbrella. Like, are-- I'm-- and I'm wondering then if by listing this very specific category, are we making a separate class that then we need to come back and add other things too, if you-- I always just find, like, having a general umbrella is better because once you start listing specifics, now you better have all the specifics because if one isn't in there, then it's not going to work, if that makes sense.

HARDIN: I think philosophers would say there's an a priori issue going on here. And the a priori issue is that you're exactly right, that we have lots of laws in place across not only Nebraska but the U.S. saying no discrimination. And yet since October 7, what we have seen have been multiple flash points across the universities of the nation absolutely ignoring those laws. And there has been no enforcement of what's already on the books. As we're used to, not only in Nebraska but across the states, we oftentimes will pass statewide legislation to reinforce what is supposed to be enforced at the federal level-- not only in this category, but many categories. And so it's a quicker way around the barn, if you will, to pass things on a more local, that being a state level as opposed to the federal level, which many times gets conveniently ignored, particularly if such things seem to be fashionable.

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HUGHES: Do you have specific examples in the state of Nebraska where issues-- and maybe that's coming with your people that came to speak--

HARDIN: To my knowledge--

HUGHES: I guess-- I just haven't been aware. I, I have seen it outside of us, but.

HARDIN: To my knowledge, there is not.

HUGHES: OK.

HARDIN: As stated kind of towards the end of what I was just sharing, this is proactive.

HUGHES: OK. Thank you.

HARDIN: Thanks.

MURMAN: Thank you. Senator Hughes-- or, excuse me. Hunt.

HUNT: Thank you, Chair Murman. Thank you, Senator Hardin. I've, I've certainly seen examples of antisemitism in Nebraska, maybe more so recently as well. But I have more of a comment. I would invite you to reflect upon what you said in your own opening statement about making sure that schools do not become breeding grounds for discrimination as we go throughout the rest of this session and the other matters we will have coming before us. Thank you.

HARDIN: Thanks.

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

CONRAD: Thank you, Chair. Thank you, Senator. Good to see you. Quick question. This is an issue that comes before this committee a lot, is-- in terms of drafting legislation to make sure that it kind of meets the legal landscape that's present in Nebraska. And so any time you have a directive to primarily the University of Nebraska or other institutions of higher education, we kind of call that the Exon decision, where it says there's a long-standing precedent-- just says the Legislature can appropriate, but board policy resides at the Board of Regents. So I don't know if you've had a chance to think about that in regards to your bill. And if you have a response on that point you'd like to share with the committee, I think that'd be great. But if not, if we can't perhaps draft or negotiate around that higher

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education piece, would you be willing to work with the committee to still have something for K-12? So that was just kind of the vein that, that I wanted to lift.

HARDIN: I think we're certainly open to having the best information come forward. We obviously-- we want to protect the Jewish faith and all of its expression throughout our society and college as well as the K-12 world. And so I think you'll find it interesting and compelling when you hear the people coming behind me.

CONRAD: Yes.

HARDIN: So.

CONRAD: No, I, I have no doubt about that. I think-- our goals are probably very, very closely aligned, if not identical. But I'm just trying to think through some of the--

HARDIN: Sure.

CONRAD: --boring technical mechanics that go with the, the legal precedent, so.

HARDIN: Boring and technical is my middle name.

CONRAD: OK. All right. All right. Very good. Thank you.

MURMAN: Any other questions for Senator Hardin? Senator Meyer.

MEYER: Thank you, Senator Murman. In looking through the legislation, if, if there is an incident, a reportable incident of a violation of this law, are there any penalties? I don't see any penalties other than--

HARDIN: This is to--

MEYER: --required to report.

HARDIN: --essentially raise the awareness, because we had a very unique event that took place on the other side of the world, and yet we had expressions that flashed all over our own culture as a result of it. And so we want to make sure that this particular issue does not lather, rinse, and repeat off into perpetuity. We know that it has throughout history. Antisemitism wasn't invented in 2023. But nonetheless, we are now finding ourselves in another one of these

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difficult seasons in the history of the world where it does, in fact, require greater scrutiny. And that's part of what this bill brings to bear, is that greater scrutiny.

MEYER: Appreciate that very much. Thank you.

HARDIN: Thanks.

MURMAN: Thank you. Any other questions at this time? If not, thank you for your opening. And we'll ask for proponents for LB538. Good afternoon.

ADAM BEREN: Good afternoon, Chairman Murman and members of the Education Committee. My name is Adam Beren, A-d-a-m B-e-r-e-n. I live in Wichita, Kansas. I'm actually the owner of Berexco, which has been operating production in Nebraska-- oil production in Nebraska-- southwest Nebraska for the last 50 years. And I'm also chairman of Trenton Agri Products, which is an ethanol producer in Trenton, Nebraska. We just celebrated our 20th anniversary. This-- that's my day job. Today, I'm here to speak to you as part of my second job, which I started six years ago when I founded the Combat Antisemitism Movement, CAM, which is an orga-- an organization fighting antisemitism with activities here in the United States, Europe, Latin America, and Israel. I am here today to speak in support of LB538, otherwise referred to as a Title VI bill for states. And this is a bill that CAM has been instrumental in helping to devise and educate about in many states around the country this session. And thank you to Senator Hardin for introducing this bill this afternoon. While I thankfully have not confronted antisemitism for most of my life in Wichita, I did experience-- it was referred to as a subtle incident-- in my children's private school ten years ago that woke me up to a problem that was brewing in our country. A group of parents-- mainly Muslim and Christian, and definitely not all of them-- threatened to leave the school if the headmaster and the board did not shut down what was a very successful pen pal program that our kids' school had with a, a high school in Israel. The board did vote to shut it down. Actually, my wife was chairman of the board, so it was a very delicate situation. The school did shut down the, the program. And though they didn't intend it, what-- intend it, what they did was very antisemitic. Would they have shut down a program in Panama or-- you know, name any other, you know, city in the world. As we all know, since October 7, 2023, K-12 schools and university campuses have become hotbeds of antisemitic activity. And yes, you will hear from a few students today and a few speakers after them. CAM's research

center recorded an, an astounding 742 incidents on U.S. campuses la-- just last year. CAM recently commissioned a survey that found that 3.5 million American Jews have personally encountered antisemitism since October 7, and 3-- that includes 380,000 Jewish children. It's an astounding amount. And yes, while Nebraska has not been a hotbed, just like Wichita and Kansas has not been a hotbed, there have been some minor activity at the University of Nebraska in Lincoln. There was a, a, a protest, a gathering, a march, whatever you want to call it, in May of 2024 by the students' Justice in Palestine Organization. We've seen similar things in Kansas. Jewish students after 10/7 have filed 200 complaints-- Title, Title VI complaints with the federal Department of Education and have had very little resolution on those complaints. And in speaking with state legislators around the country who asked what can we do in our states, the idea came about for doing a Title VI bill in the-- on the state level, and that's what led to the bill here today. Students want to have a place where they know that the issues that they're confronting will be addressed. And if they aren't going to be addressed on the federal level-- which hopefully they will be-- they can be addressed at the state level, which also has authority over funding and, and other issues. And you asked what's the, what's the penalty for, for this. It's really a report to the Legislature for you to then act how-- as you see fit if you think there's a, a problem that needs to be addressed. LB538 is a timely and critical bill that responds to the current needs of K-20 students, especially its Jewish students, who are facing an unprecedented situation. Passage of this bill will demonstrate that Nebraska is taking a significant step towards affirming its commitment to comba-- combating hatred in all forms while ensuring the safety and dignity of its Jewish community. Yes, let's be proactive. Keep antisemitism out of Nebraska and the Midwest, and send a clear message to the rest of the country that antisemitism will not be tolerated. Thank you.

MURMAN: Thank you. Any questions for Mr. Beren? Senator Meyer.

MEYER: Thank you, Mr. Chairman. I had asked a question in your reference to-- about any penalties. I would imagine, if there is a violation on campus, that it would be up to the institution. There's probably-- I'm assuming there is a student code of conduct that would address this. So that would essentially be whatever penalty an individual institution could impose upon a student for violating this policy.

ADAM BEREN: Yes, that should be what happens. That-- the problem was [INAUDIBLE] some of those universities that, that didn't happen, yeah.

MEYER: Is there some uniformity-- if I may, Mr. Chair. Is there some uniformity among institutions regarding the student code of conduct? Is there some standardized code of conduct and then individualized for each institution? Once again, I'm not aware of the operation of universities or colleges, per se, but.

ADAM BEREN: Yeah. I mean, at Harvard, which I am familiar with because my, my son went there-- that was another story I was going to tell you if I had longer to speak. But they had a code of conduct that addressed a lot of the issues that went on at the school, but they just kind of ignored them. And to your question, Senator Hughes, that we spoke about before, is religion versus antisemitism. Antisemitism is sort of a, a, a-- the world's oldest hatred that's kind of morphed in, like, thousands of different forms. And religion doesn't quite capture some of the things that have gone on with antisemitism against the Jewish community, and that's really the purpose of-- so in the codes of conduct right now, you're starting to see that Harvard-- there was a settlement you might have read about a few weeks ago-- incorporating this IHRA definition that the senator spoke about that's part of this bill as a means to really address kind of the modern form of antisemitism. I'd say that's probably the thing that is being advocated for and being talked about, you know, the most, this, this antisemitism. And it's in, in this bill. And it will be incorporated if this bill passes into the codes of conduct of all your public schools in Nebraska.

MEYER: Thank you. I appreciate that.

MURMAN: Thank you. Any other questions for Mr. Beren? Senator Conrad.

CONRAD: Thank you, Mr. Chair. Thank you for being here. I did just want to learn a little bit more about one of the statements in your written testimony that you passed out. And it seems that perhaps the primary focus of this legislation is really looking at recent events on college campuses, perhaps, more so than K-12. But there is a statement here that says K-12 schools as well as college and universities have become hotbeds of antisemitic and pro-terror activity. That seems-- perhaps-- I'm, I'm trying to understand if there are, are instances that you can point to in Nebraska where K-12 schools are involved in pro-terror activity.

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ADAM BEREN: The-- no.

CONRAD: OK. OK. I'm glad to know that because I wouldn't-- want to know that if there, there was something else--

ADAM BEREN: If you want to hear about Virginia and California and New York, yes, I would have other stories, which is more what that relates to.

CONRAD: OK. And then the other question-- and maybe they'll-- if you don't know, that's OK. And we can continue the conversation or maybe there'll be some other folks here as well trying to grapple with the free speech implications involved in peaceful protests, even if we find it distasteful or even if we were to take the exact opposite point of view with our own personal advocacy. I'm, I'm trying to kind of make sure that we don't cast the net too widely so that it would chill peaceful, free expression, even free expression that we vigorously and vehemently disagree with. And I'm hoping that we can work with you and Senator Hardin and others to make sure that those American values and legal principles are, are, are balanced, are, are taken into account.

ADAM BEREN: Yeah. This is not a free speech bill. Yeah, you can be antisemitic, you know, all you want. I think when it gets into discrimination and harassment-- that's sort of the terminology used in the Ti-- federal Title VI bill-- that's more what we're talking about, locking doors and shouting down students as they go into their classrooms and stuff, yeah.

CONRAD: Yes, which, of course, would not be protected, protected, peaceful, free expression and activity. That's exactly right. And it is a complex area. But I had read some of the media reports about activities that happened at the University of Nebraska, and I see that you have lifted some examples of things you were concerned about there. I-- in reading from the media reports, I did not see that there was any sort of occupation or any sort of blocking of ingress or regress. And I'm not condoning the comments, but I'm just trying to, to get an understanding about how things happened here. It seemed that it was very--

ADAM BEREN: Yeah, there was none of that.

CONRAD: --speech related.

ADAM BEREN: Yeah. It was more speeches. Just--

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CONRAD: OK.

ADAM BEREN: It was a dem-- demonstration, protest, rally, whatever the right word is.

CONRAD: Very good. Thank you. Thank you.

MURMAN: Any other questions for Mr. Beren? If not, I, I have one. And I'm not sure if you can answer this or maybe somebody behind you or Senator Hardin could. But it seems like to me the fiscal note on it, especially for Department of Education for K-12 schools, seems like to me they ought to be doing antidiscrimination anyway. And same way with the colleges. You, you-- I think you mentioned that a model bill or a similar bill has been proposed in other states. Do they typically have an added expense to it or a fiscal note to it? Do you have any information on that?

ADAM BEREN: No. No, they haven't. I mean, the hope is in Nebraska, you wouldn't receive a lot of complaints. And this could be just someone appointed in an office to receive complaints. I wouldn't expect for now that you would need to have any fiscal note associated with this. And that's not the part of the bills that we've been a part of that are all just being introduced because you're all starting your sessions now. So we're all going to see where all of these, these bills land at the end of the day. But so far, the fiscal part of it has not been, you know, a part of the bill.

MURMAN: Thank you. Any other questions from Mr. Beren? If not, thank you for your testimony. Other proponents for LB538?

JOSEPHINE LITWINOWICZ: Hi, my name is-- it started already?

MURMAN: Yup.

JOSEPHINE LITWINOWICZ: Hi, my name is Josephine Litwinowicz, J-o-s-e-p-h-i-n-e L-i-t-w-i-n-o-w-i-c-z. And, you know, I support this bill. You know, they're all Semites over there-- all over there, right? And interesting-- I don't know if I'm Jewish, but my dad-- I support this. My, my dad at one time in his career, he was a Jew because he was, he was good at farming oil. And, and tell-- and-- anyway. And they said one time, you know, as if to explain some mad treatment, he said, Christ, Vince. We thought you were a Jew. I think-- so. I don't know if he was or not. My grandfather was born in Vilnius in 1888, so. But anyway, it doesn't matter, right? So you can-- we just got to get rid of the hatred altogether. And then--

obviously, the world is at fault. If you, if you follow the logic-- OK. The terrorist flew over and, and horribly slaughtered, you know, the-- the point is, is that the world should have stood up and said, hey, you can't use Palestinians, you know, as, as your shields and all that. And the blame went solely on Israel, which-- they're no saints either. I mean-- but I mean, it, it wasn't acknowledged by the world. And so now we have this problem in particular with, with, with-- I'm, I'm getting-- and we have to protect everyone. So I don't know why we starbelly, you know, Jewish people. I don't know why we can't-- why, why don't you starbelly me? Why don't you add sexual orienta-- orientation and, and identity? Are we going to ever make that a protected class? Because it's going to be seriously detrimental to my health and my health alone if we keep this crap up. And so I, I, I'm just-- I deserve the same thing. And I'm going to try and get a job and-- a funny story. You know, my dad, he didn't-- you know, he didn't like what he was in Chadron, so he went to Texas. And he-- this, this was at that time where they were giving you a test. It said, do you like opera? And my dad just happened not to. And you ask it again, right, to see if-- and then he got pissed even though he-- and he, and he said yes. Every time it was asked, it, it-- you know, that's, that's sexual-- that's some kind of discrimination. My dad was a badass. So he, he just-- and after that third time, he kept putting, yeah, I like opera. You know, you know those tests with-- you know, when they first had those things. And so my dad went through-- I mean, when, when he said, Christ, Vince. We thought you were a Jew. And then the Vince Project was named after him. But my, my dad didn't even know about it un-- because my brother, my brother went on this rig and the company man recognized my-- his last name. And that's the only reason-- you know, it-- the-- nothing was good there. And, you know-- and so they don't even know the difference between CZ and TZ. And it doesn't even matter, you know? And everybody, and the Palestinians in particular too, ought to be-- the, the language of the bill ought to specifically state if we're going to talk about targeted populations right now. Palestinians and, you know, Jewish, they're all the same people, you know, Semites. And so that-- let's not starbelly anyone. And let's include me and people like me, because I am a woman. And F you if you think otherwise or you think I'm pretending, like the governor. The governor wants this because it, it-- I mean, it's not-- I'm not saying it's bad, but there's a really serious religious motivation behind him. And, and this is why it's, it's being introduced. And, and, and I, I know that. And it's, it's part of a-- I don't know what it's a part of, but it's, like, maybe protecting, you know, the history of, you know, the, the sanctity of Christianity and

the Jewish. I don't know what it is. But I better-- we better not starbelly anyone unless-- and, you know, why don't you include-- are you going to seriously think about the verbiage in the bill? I will-- will you talk about it? Will you talk about equal protection? I'm going to bring it up every damn time. And it, it hurts me. I, I'm a human. You want to talk to me? You want to find out what I-- how I am? I'm not what you think, I imagine. I know. I can tell. And I know Senator Hughes, you were-- you-- the, the-- you displayed real concern to me when the, the, the-- the last years bill, with the-- I can't think of words sometimes. It's having a problem. So just the second longer. MS does that sometimes. So it had to do with youth. What, what was it? Anyway, you-- I talked to you in the hallway and you expressed concern, but you voted for it, you know? I, I, I-- and so I'm just call-- I'm not calling peo-- I'm just-- if, if I ever say it in, in-- if I ever say I'm not going to mention something, that I'll keep it, I'll keep it to myself. But we didn't do-- and, and then-- so-- I don't know how--

MURMAN: You have the red light.

JOSEPHINE LITWINOWICZ: Yes. Thanks.

MURMAN: And, and I apologize if you said your name and, and spelled it out. I, I--

JOSEPHINE LITWINOWICZ: I did.

MURMAN: OK. She did. OK. But go ahead and wrap up your thought quickly, if you would like to.

JOSEPHINE LITWINOWICZ: OK. That's, that's all what I really want. Mostly all of what I want is just treat everybody because we're all the same. There is no race. We're, we're all the same people. And we, we have the same-- we can do the same bad things and good things, all of us.

MURMAN: Thank you.

JOSEPHINE LITWINOWICZ: Thank you.

MURMAN: Thank you. Any questions? If not, thank you for your testimony. Other proponents for LB538? Good afternoon.

NOAH LEDERMAN: Good afternoon, Chairman Murman and members of the Education Committee. My name is Noah Lederman, N-o-a-h

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L-e-d-e-r-m-a-n. And I'm a student at Columbia University. Over the last year, Columbia's campus has become a microcosm of the broader rise in discrimination, particularly antisemitism, under the guise of political protest. As a freshman, last year I witnessed firsthand just how quickly antisemitism became normalized. Protestors went from chanting vaguely ambiguous calls for "free Palestine" and "from the river to the sea" to screaming at Jewish students "go back to Europe." And holding up signs that read "Al-Qassam's next targets." Al-Qassam is the militant wing of Hamas, who led the October 7 attacks. These incidents revealed to me just how critical it is to fight back with education and engagement. The impact of these protests extended far beyond the Jewish community. The protests and encampments were situated in the heart of campus, making it practically impossible for any student, Zionist or otherwise, to go about their daily lives without encountering hostile rhetoric, whether it be chants of "free Palestine" or posters with anti-Israel and anti-Zionist rhetoric-- which quickly became just blatantly anti-Jewish-- the environment became increasingly tense and divisive for everyone. It was not uncommon for me to see classmates, students I had studied alongside and even professors, participating in these protests, wearing keffiyehs and raging against my people and my homeland. So many times I tried to interact with these so-called pro-Palestinian protesters on a one-on-one basis only to discover that they had no idea of what river or what sea they were chanting about. Make no mistake: this is a call for the mass genocide or displacement of all the Jews who live in the land of Israel. It was as if the real facts of the history of Israel didn't matter to them, and they could not see past the false propaganda they had been fed. The protest didn't just target Jewish students. They disrupted the education and well-being of every student on campus. By the end of spring semester, the campus was shut down and classes and exams moved online because the university was unable and failed to protect its Jewish stud-- its students, Jewish and non-Jewish alike. At this point, all students lost access to essential resources: the gym, dining halls, classrooms. In fact, the only students not affected were the individuals who were responsible for the shutdown. They were allowed to remain on campus in their encampments, further highlighting the double standard that universities apply when it comes to antisemitism. What started at Columbia quickly spread to other colleges and universities across the country, where most students ended up facing no meaningful consequences for their actions. This sends a dangerous message that overtly racist behavior is acceptable as long as it's only targeting Jews. How can any student feel safe or supported in such an

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environment? LB538 is a critical step toward ensuring that antisemitism and all forms of discrimination will not be tolerated. By adopting this bill, Nebraska can lead the way for other states to recognize and address antisemitism on par with all other forms of hate-based discrimination. This is not just about protecting Jewish students. It's about creating a consistent and fair framework that safeguards every student's right to safe and respectful educational experience. Thank you all for your time. I hope my testimony sheds light on the urgent need for policies such as LB538 to ensure that no student, regardless of their background, has to endure what Jews, Zionists, and other pro-Israel faculty alike have experienced since October 7. Thank you.

MURMAN: Thank you. Any questions for Mr. Lederman? Senator Hughes.

HUGHES: Thank you, Chairman Murman. Thanks for coming in, Noah. I just have one question. Are you from Nebraska and then go to Columbia or--

NOAH LEDERMAN: I'm originally from California.

HUGHES: You're originally from-- so you just came to testify on this today?

NOAH LEDERMAN: Yes.

HUGHES: Thanks for coming in.

NOAH LEDERMAN: And-- yeah.

MURMAN: Senator Meyer.

MEYER: Thank you, Chairman Murman. I think we all had an opportunity on television to see what you experienced out there. And I'm sorry you had to experience that. Were there any institutional repercussions? Did the president lose their position? I know a number in different institutions lost their presidency. Were there any institutional repercussions regarding allowing this type of protest on campus? And, and was this a violation of student-- the code of conduct on, on Columbia's campus?

NOAH LEDERMAN: So what I'll say is that, by and large, the students involved in this hateful activity received no meaningful consequences. In fact, even the students who, as you may have seen-- there was a takeover of Hamilton Hall, where a group of students organized a sort of siege of a building, which included sort of trapping an employee, a

university employee for a number of-- for a certain amount of time. Even those students, the majority of them had their suspensions overturned and were allowed to return to campus or were allowed to graduate, et cetera. So there were no meaningful consequences for the students that were in the encampment or in sort of other hateful activities. I will also say that their actions were against the student code of conduct. It doesn't take reading the student code of conduct to understand that setting up an encampment on the campus quad is against the code of conduct and refusing to leave when the university public safety and the local police tell you to leave is against the code of conduct. In terms of institutional change, yes, several university presidents either resigned or lost their position. The new president of Columbia University, the interim president, President Katrina Armstrong, has done things differently than President Shafik did. I will say that even just a few weeks ago, though, there were students who broke into a classroom and disrupted the, the classroom learning and distributed antisemitic pamphlets and propaganda. And yes, there were consequences for these actions, but I think what's being-- the point of this is that we want to be proactive. We don't want to be at a point where students feel comfortable doing any of this, because, as we've seen, a lack of meaningful consequences empowers students to believe that they can take these actions.

MEYER: Thank you. I appreciate that.

MURMAN: Any other questions? So the-- there is a new president at Columbia now? And so you do feel that the-- a lot of the problems have been addressed correctly? You did mention there's still a problem in at least one of the classrooms. Do you, do you think there is more-- or, or what would you recommend maybe would be a stronger consequence for something like that?

NOAH LEDERMAN: I want accountability. I mean, people ask often, are things better this year? Because they don't see us in the news as often. And the answer is it's not better. It's just different. The-- it's hard to unsee the things that we saw last semester. I saw classmates, people I now have to be in the classroom with, professors that I may have to take one day who are in charge of my, my future, in charge of my grade. And you can't unsee what they did. I, I can't erase the images of these students who will now sit next to me in my classes this semester-- even though they're not necessarily now in the encampments. They were in the encampments. And I can't shake the feeling that, given the opportunity, they would see me and everyone

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like me expelled and removed from the university. They've openly said, we, we don't want no Zionists here. And they chanted to us, we don't want you guys here. We don't-- we don't want-- go back to Europe. All these things. I don't think-- I don't have an answer for what I want to see happen. I just want accountability. And I think that the point of this bill, it, it makes it simple. Because as Senator Hughes mentioned earlier, we don't want to start categorizing. We want to have an umbrella effect. So antisemitism should be treated the same way as any other form of discriminatory-- discriminatory behavior. So whatever the consequences would be for racist, sexist, et cetera, these kinds of behaviors, that should be the consequences for antisemitism. And I think that's-- is-- as simple as that.

MURMAN: Thank you very much. Any other questions for Senator [SIC] Lederman? Senator Hughes.

HUGHES: Thank you, Chair Murman. I ask you to transfer to Nebraska and become a Husker. That's what you should do. That's it.

MURMAN: Thank you. And thanks for coming in to testify.

NOAH LEDERMAN: Thank you all.

MURMAN: Other proponents for LB538?

LEAH ABRAHAMSSON: Good afternoon, Chairman Murman and the members of the Education Committee. My name is Leah Abrahamsson, L-e-a-h A-b-r-a-h-a-m-s-s-o-n. Thank you for your time today. I have three minutes to speak with you about my experiences as a Jewish woman in the public school system. Three minutes to talk with-- you through the last 17 years of scar tissue that has built up in every American Jew as we carry the stories and memories of endless persecution, the Holocaust, and now October 7. These memories do not get any lighter to carry. We have just gotten used to the weight. However, we can no longer face outright antisemitism and hatefulness alone. Three minutes is not enough time for us to go into all of these intricacies, but it is enough time for me to tell you that this bill would help us feel less alone, less scared, and less targeted. As long as I have been able to understand that I am Jewish, I have known I have a target on my back, and my experiences in schools only confirm these fears. In elementary, middle, and high school, I had Jewish friends, but we were, of course, the minority. When the high holidays came around every year, I needed to advocate for the right to take off school for religious observance. Every single year was always the same

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discussion. It was my responsibility to go to my teachers and tell them I was missing. And every year, without fail, I had one or two teachers or even professors in college who would ask me, do you have to miss? It's a lot of work for me to accommodate you. In middle school, I remember the comments people would make. One girl in my class told me she knew I was Jewish by the way my nose entered a room before I did. Then high school came and nearly every book I checked out from the school library had a swastika drawn on one of the pages. I even remember being told I belonged in an oven while at the football game for talking about my Rosh Hashanah plans. When I started college at CU Boulder, I found my community through my Jewish faith, but the antisemitism remained the same and even escalated. During my first semester, I was celebrating Hanukkah and came back to my dorm with the message "burn all Jews" on my whiteboard. I share all these incidents to highlight a pattern. Students are emboldened at school to spew hate and ignorance because the administration fails to protect minority students. As quickly as I came to expect antisemitism at schools, I had to expect the indifference of my administrators towards my well-being. The Jewish community was alone in fighting to recognize the corrosive and pervasive antisemitism that was being proudly displayed. No one seemed to care. I was the one who was supposed to toughen it up and simply add it to the baggage, add it to the scar tissue. But when any form of hate is excused, all types of hate grow. My roommate freshman year was Hispanic, and as she and I discussed the words written on our door, she said she also felt scared. The words did not directly target her, but she was afraid that the same person who was confident enough to be so hateful and antisemitic would also be racist to her. The same people who are targeting Jews on college campuses are also a threat to every minority. We are fighting to be heard, protected, and supported-- not just Jewish students, but every minority. You never get used to handling antisemitism. You just get better at absorbing the impact that the comments make. Schools need to be safe places for all students, and that starts by standing up against antisemitism and making sure education is not synonymous with hate crimes. Thank you.

MURMAN: Thank you. Any questions? Senator Hughes.

HUGHES: Sorry. Thank you, Chairman Murman. And-- I apologize if I missed this. Where did you go K-12? I heard you were at University of Colorado in Boulder for college.

LEAH ABRAHAMSSON: Yes. I did K-12 in Colorado as well.

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HUGHES: OK. In Colorado. In Denver area or-- whatever?

LEAH ABRAHAMSSON: Centennial, the Cherry Creek School District.

HUGHES: I have family there, so. Thank you.

MURMAN: Any other questions? Senator Lonowski.

LONOWSKI: Thank you, Chair Murman. First of all, apologies to you and knowing what you've been through. So when you were in school, particularly-- particularly in middle school and high school, were there teachers that would respond to your-- to the problems that were taking place? Like, did you go to teachers? Was there a rule in place? Anything like that?

LEAH ABRAHAMSSON: No. I think the problem was when I would find the swastikas in the book. There was one time I did show my teacher, and he had me bring it back to the library. And she just took the, the book, erased it, and I-- and said, I don't know why people do that, and gave it back to me.

LONOWSKI: OK.

LEAH ABRAHAMSSON: And comments at the football game. I felt like there was no one I could tell. There-- it was my comment to take and hold on to my own. There was no, no outright safeguards where I felt like I would be supported if I said anything.

LONOWSKI: OK. Thank you.

MURMAN: Any other questions? If not, you can always come this way to the University of Nebraska.

LEAH ABRAHAMSSON: Thank you all.

MURMAN: Any other proponents for LB538? Good afternoon.

SARA RIPS: Good afternoon, Senator Murman. My name is Sara Rips, S-a-r-a R-i-p-s. I'm an attorney based out of Lincoln, Nebraska. I'm a fourth-generation Nebraskan. I went to Brownell-Talbot, Central High School in Omaha, the University of Nebraska at Omaha, and the University of Nebraska College of Law. I can tell you about my experiences as a Jew at every level of education in this state. I am involved in my community. I'm a member of the Aksarben Floor Committee and the Jewish Community Relations Council of Omaha. I worked for

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Legal Aid of Nebraska and the ACLU of Nebraska, and my law firm serves Nebraskans. I am committed to this state. And I speak today in favor of LB538. Growing up Jewish in Nebraska has meant that I have never been in the majority in my entire life. Not ever. Not in school. Not in my employment. And that means that I have had to deal with all sorts of annoyances, anguishes, and heartaches dealing with it. I know that when I attended Nebraska law, I was the first Jewish person that a good number of my classmates had ever met or interacted with. They grew up in Nebraska. They attended Kearney for college. Not that many Jewish kids go to Kearney. When would they have met them? When would they have been exposed to Judaism? Never. And I saw after October 7 what happened. I felt a change in the air. I saw a lot of my friends and colleagues, many of whom have doctorates granted from fine institutions, promote blood libel, slander, and outright lies. And I wonder, what if their educational experience had been different? What if there had been more education on what genocide actually is and not just what is pushed out by foreign governments? It's-- since October 7, it's been palpably different. And I can tell. I can tell with my colleagues. I have seen the people who have not reached out to me once about what happened, who are very prolific posters on social media and never once say anything about the hostages or express concern, instead choosing to promote lies, blood libel, slander, things literally ripped straight from the Protocols of the Elders of Zion. We're talking about Russian disinformation that has existed for over 200 years that people are regurgitating and saying like it's truth. And I wonder, as I mentioned before, whether if our schools had taken the opportunity to recognize that this minority of people exists, they exist within our state, that they have been involved in our state, and deserve our support and protection. Since Nebraska was a territory, Julius Meyer, a Jewish man, came and built relationships with the Native Americans, established trade, negotiated treaties on their behalf. Willa Cather's love of education was inspired by the Jewish neighbors who lived across the street from her in Red Cloud. Jewish people are an integral part of the history and future of this state. But if we do not feel safe here, we cannot continue to be here. Thank you for your time.

MURMAN: Thank you. Any questions for Sara? Sorry, I didn't catch your last name.

SARA RIPS: Rips. Like to tear stuff.

HUGHES: R-i-p-s.

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MURMAN: Any questions?

SARA RIPS: You ask all these out-of-state kids questions? I'm here to talk about Nebraska. I know. All right. Thank you.

MURMAN: Thank you for your testimony. Other proponents for LB538?

HARMON MAPLES: Good afternoon. My name's Harmon Maples, H-a-r-m-o-n M-a-p-l-e-s. I am the Midwest Community Engagement Manager for Nebraska. And I am from Nebraska, so you don't need to recruit me here. ADL, the Anti-Defamation League is pleased to submit this testimony in support of LB538, which requires school boards and postsecondary educational institutions to adopt a policy and provide training relating to discrimination and antisemitism and provide for Title VI coordinators to ensure compliance with Title VI of the Civil Rights Act of 1964. ADL is the leading anti-hate organization founded in '19 with the mission to stop the defamation of the Jewish people and to secure justice and fair treatment for all. Today, ADL continues to fight all forms of antisemitism and bias using innovation and partnerships to drive impact. A global leader in combating antisemitism, countering extremism, and battling bigotry wherever and whenever it happens, ADL works to ensure a just and inclusive society for all. We are facing a troubling rise in antisemitism, particularly on college and university campuses and in our K-12 schools. During the 2023-2024 academic year, ADL recorded over 1,400 antisemitic incidents on campus across the nation. On numerous occasions, disturbing rhetoric escalated into aggressive actions as protests morphed into encampments that included calls for universities to cut ties with Jewish institutions and were frequently sites of harassment against Jewish people on campus. These activities create an environment of fear and hostility for Jewish students and faculty. Further, ADL, in partnership with Hillel International and College Pulse, fielded a survey of college students at 135 universities across the United States. The results were reported on Thursday, January 30 and noted that 83% of Jewish college students have experienced or witnessed antisemitism firsthand since the October 7 attack. 41% of Jewish students felt the need to hide their Jewish identity. And one in four felt compelled to take security precautions. The most alarming statistic is what 2/3 of Jewish students lack the confidence in their university's abilities to prevent antisemitic incidents. This is why bills like LB538 are so crucial in this current environment. Title VI states that no person of the United States shall, on the basis of race, color or national origin, be excluded from participating in, denied the benefits of, or be subject to discrimination under any

program or activity receiving federal financial assistance. This includes discrimination based on a group's actual or perceived shared ancestry or ethnic characteristics. A hostile environment exists if the harassment denies or limits a student's ability to participate in or benefit from an institution's educational programs and activities. College and universities must take prompt action that is reasonably calculated to end the harassment, eliminate the hostile environment, and prevent the harassment from recurring, or they risk violating Title VI. However, students are not always aware of these protections under Title VI or how to engage them effectively. At the time, colleges and universities may not be equipped to comply with Title VI and ensure that all students are protected from discrimination and harassment. LB538 seeks to address this issue by requiring each state institution of higher learning and local school systems designating Title VI coordinators. These coordinators would be tasked with overseeing compliance with Title VI, documenting, investigating complaints, and filing annual reports in Nebraska Legislature. This individual serves a purpose similar to Title IX coordinator, which is already in place at the University of Nebraska system, state colleges, and community colleges. We urge the Education Committee to give LB538 a favorable report.

MURMAN: Thank you. Any questions for Mr. Naples [SIC]? If not, thank you for your testimony.

HARMON MAPLES: You're letting me off easy. Thank you.

MURMAN: Other proponents for LB538?

SHARON BRODKEY: Good afternoon, Senator Murman and members of the committee. My name is Sharon Brodkey, S-h-a-r-o-n B-r-o-d-k-e-y. I'm the Executive Director of the Jewish Community Relations Council of the Jewish Federation of Omaha. And I'm here today to support LB538. JCRC is the nonpartisan public affairs voice of the largest Jewish community in Nebraska. We work with other religious, racial, ethnic, and civic groups to foster a just, democratic, and pluralistic society. We advocate, educate, collaborate, and mobilize action on issues important to the Jewish community and greater community to fight antisemitism and hate in all of its forms and promote the security of Israel and Jews everywhere. While fighting antisemitism is our highest priority, we stand against all forms of discrimination based on religion. We have been encouraged by the support our community has received from the University of Nebraska at the highest levels and leadership within local and state government. We are also

encouraged that many other forms of religious discrimination are thoroughly named, defined, and covered in federal statutes. And many of those federal requirements are also found and defined in Nebraska's state statutes. We have, however, and unfortunately experienced less than satisfactory incidents of antisemitism at some universities in Nebraska that receive federal funds. One such incident resulted in the self-selected transfer of a student to UNL, where she finally felt safe and completed her undergraduate work. LB538 will codify Nebraska's adoption of the IHRA definition of antisemitism. In November 2023, as Senator Hardin alluded, Governor Pillen announced a whole-of-government strategy to fight antisemitism and issued a suite of actions to condemn surging antisemitism, enhance public safety, and reemphasize the state of Nebraska's strong support for the state of Israel. This bill reinforces that proclamation, starting with school board policies, the creation of a Title VI coordinator at NDE, and addresses postsecondary education. While anyone can file a Title VI complaint with the U.S. Department of Education, serious violations is determined by ND-- NDE. Title VI coordinator may also be reported to USDE. JCRC supports and provides training and education regarding antisemitism, and we recognize that our schools are also challenged financially. So any additional funding from the passage of LB538 that could support the schools in this work would be greatly appreciated. Thank you. And I'm happy to answer any questions you may have.

MURMAN: Thank you. Any questions for Ms. Brodkey? If not, thank you for your testimony.

SHARON BRODKEY: Thank you.

MURMAN: Other proponents for LB538? Any opponents for LB538? Neutral testifiers for LB538? Good afternoon.

MAIMOON QURESHI: Good afternoon. My name is Maimoon Qureshi, M-a-i-m-o-o-n Q-u-r-e-s-h-i. I'm currently a student at Lincoln Public Schools for the past four years after I moved here with my family from California. One of the issues I've faced for the past four years is continuous discrimination on every level in Lincoln public schools, which very much tries to dedicate their objective to all means all, in quotation marks. I've met with the superintendent before, numerous associate superintendents. I've spoken in front of the board of education continuously, which you can check the videos. It's, it's up there on the YouTube channel. And one of the main issues is-- I'm a Muslim-American myself, and I'm proud to be it. One of the biggest issues, though, is I've faced a lot of discrimination. I've been

called numerous slurs, which I can't name. Just awful slurs. And even my family-- continuously, numerous people in my family have served in the United States military, willingly putting their life on the line for this country. I love it. I'm, I'm up here today speaking. But one of the things is, even regardless, they still humiliated me for who I am. One of the biggest issues I think right now is we just keep cherry-picking when to propose a bill like this. After 911, for one, Islamophobia was at an all-time rise. Especial-- Hindus too, because Hindus have, have turbans. And one of the main misconceptions, what-- they thought turbans represented Islam. And so many people had their rights violated because of that. I'm going to name a more frequent one. After the withdrawal from Afghanistan, a lot of refugees from Afghanistan were centered in Lincoln. Lincoln was cla-- Lincoln has been an immigrant-friendly city since the 1970s. One of the things I noticed is in the schools there have been continuous issues of incidents of racism. Speaking at the board of education myself, not only has my story been a part of that, but numerous others. And I mean I can talk about numerous other issues too. One of the biggest issues I think here today is this bill is proposed because of what happened on October si-- in October. Don't get me wrong. Racism is awful. No one should have to go through it, no matter what race you are, no matter who you are. But one of the issues is why don't we do this for every issue relating to school and discrimination? Discrimination because of how you look, because of what you believe in, if you don't believe in anything. This has been an issue for everything: race, your appearance, bullying, harassment. I'm going to name a few incidents. In 2014, a kim-- a kid committed suicide at Lincoln Public Schools. One of the main issues is the school district wouldn't even let the band play their favorite song. I'm going to also name other incidents. In 2020, in 2020, during the pandemic, it was phasing in between in and out of classes between Zoom. I lost a friend. He committed suicide when I was in middle school. He committed suicide. And one of the issues is, that went unnoticed. No-- they never provided resources to help. In few-- two years later, I had a friend-- one of her friends committed suicide also. She was in a completely depressive state. One of the biggest issues is-- and then I've had numerous friends also. I attend Standing Bear High School. It's in southeast Lincoln. One of the biggest issues too there is a lot of my friends who have also been in a similar situation with me have talked about how they even talked to the higher-ups. I mean-- and as I said, I've talked to the superintendent, all the principals. It's all documented too. I've sent it through numerous systems. It's never been acknowledged, though. So the question is, with the bill like this, it addresses one issue, but

it doesn't understand the bigger issue at hand. Continuously, year after year, it's never been acknowledged on a larger level. It's been with individual groups. I'm going to-- as an example, Charlottesville, Virginia, the 2018 race riots. It was awful. And I mean, I remember I was way younger and I was looking at the news. It was terrible to look at. That wasn't related to-- yes, it was in a university town, but that had no correlation to the university at all, yet it was such an impactful event that I would argue not a lot of people know about as well. The bigger issue should be the issue of misinformation, the issue of not being able to respect one another. It should be on a larger basis for everybody. It should be preventing discrimination against everybody, no matter your religion, no matter your appearance. Because if it's going to keep going like this, where it's one, it's one group of people after another or one group of pers-- people goes unnoticed while the other is, this issue's going to keep going. Because as a-- once again, another example, even in juvenile prisons, you can look at the bigger issue of how all the cells are taken up, how the mental health-- mental facilities in those prisons aren't acknowledged or mental hospitals as an example. Children's in Nebraska's building a new mental hospital too, 100 patients [INAUDIBLE] there. But, yeah. I didn't get to finish.

MURMAN: Sorry. Any questions for Mr. [INAUDIBLE]? If not, thank you for your testimony. Any other neutral testifiers for LB538? If not, Senator Hardin, you're welcome to come up and close.

HARDIN: Thank you, committee. And I wanted to just read for you the, the definition that was referenced earlier from the IHRA. The working definition is antisemitism is a certain perception of Jews which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities. So I appreciate everyone who testified today. I'm a white farm kid from a small town. I didn't grow up with the challenges that so many you've just heard from have, in fact, grown up with. There was a wonderful statement a moment ago that captured a wilderness of meaning, to have 17 years of scars to share in three minutes. I think that what we have before us is a bill that helps shine a light on a chapter of history-- happens to be this, this chapter of history. And so this bill is about eliminating and keeping the darkness of these corners of history so that we can shine that light of disinfectant on it. Questions?

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MURMAN: Thank you. Any questions for Senator Hardin? If not, appreciate you bringing the bill.

HARDIN: Thank you.

MURMAN: And on LB538, online-- OK. We had 16-- or, excuse me-- 6 proponents, 5 opponents, and 0 neutral testifiers. And with that, we'll close the hearing on LB538 and open the hearing on LB143, by Senator Rountree.

CONRAD: Hello, Senator.

MURMAN: Welcome, Senator Rountree.

ROUNTREE: Good afternoon. Good afternoon. Thanks for your patience in letting me get down here.

MURMAN: No problem. Go ahead. Go ahead. Open. You're welcome to open.

ROUNTREE: All right. Thanks so much, sir. Good afternoon, Chairman Murman and members of the Education Committee. My name is Victor Rountree. That's V-i-c-t-o-r R-o-u-n-t-r-e-e. And I represent District 3, which is made up of Bellevue and Papillion. Today I'm here to introduce LB143, which would better connect our military families moving into Nebraska with individualized education plans, individualized family service plans, or other special education services. Military families are highly mobile and often find themselves moving from state to state as the service member's deployment changes. This means that military children are frequently changing school districts. These changes can create difficulties for any student, as they are forced to quickly adapt to a new school environment. But it can be especially difficult for military children with special needs. Students who receive an individualized education plan or an individualized family service plan rely on these services to learn to the best of their ability. And when these services are disrupted, the student suffers. This bill aims to ensure that when a student moves with their military family member that student is connected to services as quickly as possible to minimize any learning loss. LB143 further clarifies in law that military students are included in advanced enrollment policies. A Partners in Promise study found that only 16% of respondents with special education needs have ever been able to advance enroll their student despite their state having advanced enrollment policies. Of these who have never used advanced enrollment, 78% were told because it was not

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an option. In fact, if a school can get a student's special education plan prior to arrival, then they would be better situated to provide immediate comparable services, which is already required by law. The policy presented does not change current advanced enrollment policies in the state, but clarifies it and creates a better transition for our military families and schools alike. I know that Bellevue Public Schools and Offutt Air Force Base work closely together to provide the best services as quickly as possible for students moving into the district. And I am sure that every district in Nebraska works just as hard. I think that clarifying this in statute can be helpful for schools who do not deal with military families frequently. This concept is something that the Department of Defense strongly endorses to attract and retain military families to our state. I know that we all want to create a system that allows our students to succeed. I believe this clarification in law will help ensure all schools are prepared to accept incoming IEPs and minimize learning loss for students moving into the district. With that being said, I would be happy to take any questions.

MURMAN: Thank you. Any questions for Senator Rountree? Senator Hughes.

HUGHES: I'm just full of questions today. Thank you, Chair Murman. Thanks for bringing this, Senator Rountree. And this is just for myself. So typically, if some-- if somebody moves into a new dist-- I'm just trying to get the timeline. Somebody moves in a new dist-- if I move to a new district and I've got a child that has an IEP, is it something that I just-- I get to that new district, I enroll my child, and then it's almost like they have to go through the process of identifying for the IEP again and that's what we're kind of trying to cut out? Or-- like-- I don't know. I'm just trying to get a hold of what-- I mean, I think this is really great. They're moving all the time. Let's get them plugged in as soon as we can.

ROUNTREE: Yeah. So a case in point-- like you've asked it, let's say you are in your current district-- let's say Seward's district.

HUGHES: Sure.

ROUNTREE: You're already in the IEP process, but you know you're coming to me down in Bellevue.

HUGHES: Oh, I don't know if I'm going to go there, but OK. For, for, for fun, yes.

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ROUNTREE: For the purposes. But you're coming into that district and you have a current IEP. Let's get that IEP out down to the district you're coming into. You haven't moved there yet--

HUGHES: So you send all the information, [INAUDIBLE], the forms--

ROUNTREE: Send it all down to them. Those professionals are going to look at it and say, oh, yeah. Yeah, yeah, this is a great IEP.

HUGHES: OK.

ROUNTREE: We're going to accept that student. Day one, they are ready to go because that's a--

HUGHES: So day one you start those services--

ROUNTREE: --that's a good IEP. But if that doesn't happen and you get there, but you've hand your IEP off-- oh, no, we don't like this IEP, then that school district has 30 days. This is going to make sure that in those 30 days that they get this done. So you might have only a month of loss.

HUGHES: Gotcha. OK. You would think you'd do this for everybody.

ROUNTREE: Yeah.

HUGHES: OK. Thank you.

MURMAN: Any other questions for Senator Rountree? Senator Conrad.

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

ROUNTREE: Yes, ma'am.

CONRAD: Good to see you. And thank you for bringing this forward. I think that you've really identified a, a critical issue here. The other thing that I'm trying to think about in regards to how your bill works is an issue that we've tackled or tried to tackle together on the Education Committee and still needs a lot more work. But it's a little different when it comes to the option enrollment versus your actual home school district. But we know, for example, that sometimes when students flag that they have an IEP, then they're denied option enrollment for capacity or other purposes. So I think it's perhaps different and tight enough here because it's your home district versus perhaps an option enrollment. But I do just want to make sure that

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we're thinking through that so that nobody's turning away military families that have special education needs.

ROUNTREE: Thank you so much. And that's so true, that we want to capture everyone.

CONRAD: Very good. Thanks.

MURMAN: Any other questions? I have one. And you probably talked about it a little bit, but what is the typical process if you're coming in to, for instance, the Bellevue School District? I-- it could either be, I suppose, during the summer interim or during the actual school year. I assume the family or the military or-- working together would somehow contact the Bellevue School District and, and let them know what-- you know, we have certain needs-- a student with certain needs coming in.

ROUNTREE: Yes, sir. They would, they would normally do that. So a case in point-- I have a special needs son, as you know. And so we've moved quite a bit over our military career. So once we get orders to go to a location, we understand what schools are there. We have an exceptional family member program at the base that'll reach out to that particular district and say, can you provide these services? This member needs audiology, OTPT, those nonbehavioral-- and they'll reach out and say, hey, can you cover these? Are these services available? Yes, we can fit all of those needs. We have an exceptional school system here. So that's first. And then we would take that IEP and ship that over. They would evaluate the IEP. Oh, yes. This is a perfect IEP. We can pick this right up and continue on. So [INAUDIBLE] when my son gets here, it could be this summer, but they've already looked at it to-- and we've got it out in advance. And then when school starts, he goes right in. The services are in place and we don't miss anything on that. So it could be during the school year. It could be the summertime. But it's the advanced notification and being able to advance enroll.

MURMAN: And I assume that's the-- moving isn't always done during the summer. So I'm-- what I'm-- one thing I'm asking is, how far in advance-- does the family provide the information or does the school receive the information of where you're going?

ROUNTREE: Well, currently for the military, you can get your change of station orders about six months out. And soon as those orders are good orders to relocate, that process will start. So we mandatorily cannot

leave a place to go to a place until that receiving location has already been contacted. And yes, we can provide those services. So in a case-- if we got an assignment to come to Offutt Air Force Base and they say, no, these services are way beyond what we are able to provide, then I don't get that assignment to come to Offutt. We start to look at other locations or school systems that can provide that type of service, and then that becomes an option for me.

MURMAN: So the military actually will work with you to find us a location of a school district who will actually provide the services that your child would need.

ROUNTREE: That's, that's part of what their requirement is.

MURMAN: Well, that's great.

ROUNTREE: Absolutely.

MURMAN: Thank you. Any other questions for Senator Rountree? If not, thank you for the open. And we'll ask for proponents for LB143. Any proponents for LB143? Opponents for LB143? Neutral testifiers for LB143? Senator Rountree, you're welcome to close if you would like.

ROUNTREE: All right. Thank you, Chairman Murman. And as we've stated in opening and discussion and questionings, this is a tremendous need that we would like to see this bill advance out so we can ensure that none of our special needs and, you know, IEP family plans, none of those are dropped through the cracks, but we can continue great continuity of services. We have discussed a lot in this opening Legislature. We've talked-- just about every bill in every committee that we've dealt with has dealt with a type of mental health. And, you know, sometimes our-- these special services that are needed can have an impact on the mental health of a family, of our children. And so any disruption can really cause a lot of damage. So we want to ensure that we can have that great continuity of care, continuity of services. And by being able to go out in the advance arena, we can ensure that there is no break. Sometimes a 30-day break for a, a member with not service-- not having services can be very-- have a great negative impact on a family. So I ask that you respectfully advance our, our bill forward out of committee.

MURMAN: Thank you. Any questions for Senator Rountree? If not, on LB143-- thank you. We have 3 proponents online, 1 opponent, and 0

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neutral testifiers. And that will close the hearing on LB143. And we'll take about a quick five-minute break.

ROUNTREE: All right. Thank you so much.

[BREAK]

HUGHES: All right. Thank you.

MURMAN: Well, good aft-- oh. Go ahead.

HUGHES: You--

MURMAN: Go ahead. Go ahead.

HUGHES: OK. I thought-- all right. Welcome. Everybody had a nice little break. And we are here to listen to LB390, brought by Senator Murman. Go ahead.

MURMAN: Thank you, Vice Chair Hughes and members of the Education Committee. My name is Senator Dave Murman, D-a-v-e M-u-r-m-a-n. Representing Nebraska's 38th District. Today I have the privilege of introducing LB390. To frame the conversation, I'd like to go back to a floor debate last year when former Senator Albrecht had brought a bill related to potentially inappropriate library content. Those opposed to it repeatedly made the case that decisions about what is and isn't appropriate for a student is a decision for the parents. Different families have different values, so parents should have that oversight in their kids' lives. I agree with that sentiment. Parents or legal guardians should be the primary decision-makers in a child's life. That being said, the opportunity for parental involvement is limited without clear parental transparency measures. LB390 provides two very simple transparency measures. First, it asks that school libraries provide a catalog of their books. This part is already done at the majority of schools. But I've also brought in an amendment based upon some conversations to strike the word "online," as this would give schools greater flexibility to use a system that works best for them. The second part is to ask schools to have some form of method that can be put in place to notify parents of the books their children checked out. This could be done through a website or an email system. I've left it a bit broad to allow schools to implement this how they see works-- how they see works best for them. On a transparency level, I view this as an important-- as important so parents can be fully informed and make knowledgeable and family-specific decisions on the content their children are reading. On a practical level, I know as a

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parent myself how often kids misplace and forget about their library books, so I can see how a system of knowing what books a child has and when they are due could help ensure everything is kept track of. I want to make clear nothing in this bill makes any sort of ban or makes any restrictions on books that are, that are or are not appropriate whatsoever. All this bill asks is to put parents in the driver's seat so they can have conversations with their children based upon their personal family values. Thank you. And I look forward to any questions. I would like to note I have had conversations with the NS--NASB about reducing the workloas-- workload this puts on schools, and I am happy to continue that conversation. We can have commonsense ways to increase transparency and parental involvement without increasing the workload our hardworking educators already do.

HUGHES: OK. Thank you, Senator Murman. Do we have questions for Senator Murman on this bill? Senator Lonowski.

LONOWSKI: Thank you, Chair Hughes. Senator Murman, do you, do you foresee a parent board taking charge of this to make the decisions or the, the sec-- the librarian or, or does it not de-- deal with that part of it?

MURMAN: No. All this bill does is provide transparency to parents as to what is in the school libraries, and then, of course, shows the parents what books that their child has checked out.

LONOWSKI: OK. And then-- I don't know if schools are going to a digital media yet. Yeah. And I don't-- so-- also, they're going to have to have that list of books in their, in their list to watch over as well, correct?

MURMAN: Yes. It's, you know, designed to cover everything that's in the library, whether digital or--

LONOWSKI: OK.

MURMAN: --hard copies.

LONOWSKI: All right. Thank you.

HUGHES: Thank you, Senator Lonowski. Senator Meyer.

MEYER: Thank you, Vice Chair Hughes. Currently, when a child checks out a book now, is there a, a record of-- continuing record, an ongoing record of what books a student checks out in the library? Or,

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or is, is there a database now that-- we're not creating something new, are we?

MURMAN: No. I assume probably all school, schools would keep track of what the students have ac-- actually checked out of the library. But this does at least provide an avenue for parents to know what their child has checked out.

MEYER: Thank you.

HUGHES: Thank you, Senator Meyer. Any other questions? Senator Conrad.

CONRAD: Thank you, Vice Chair. Thank you, Senator Murman. I appreciate you following up on the debate from last year. And I think the direction you're headed here perhaps strikes a, a better balance than utilization of criminal statutes to jail teachers and libraries. So that's a good step in the right direction. But I, I'm also grappling with kind of two competing ideas as I review your measure, and some of it perhaps can be worked out in the policy delegation, which I, I think is, is how your bill would come into practice. But, I mean, obviously, there's an undisputed right to parents to control their child's education. I think hopefully we can, we can all agree on that. And then there's certain rights that are even more specifically spelled out under federal and state law about how parents exercise that right in terms of access to their student's records or files. I'm thinking of, like, 79-2104, some of, some of those kinds of delineations. But then on the flip side of it, I'm also thinking about-- and I'm not quite sure off the top of my head how this applies, so I, I'm just putting down a marker in the record so I don't forget as we continue to work on this bill. There's a long-standing exemption and prohibition in our public records laws which says that what, what somebody checks out from the library is-- that's their business. Now, it may apply differently for a minor in a school setting, and I'm guessing that's probably kind of what your, your bill anticipates. But I just, I just want to make sure that we have harmony between those different areas of law. And the exemption is there to ensure that people have-- individuals have the academic freedom that they need to pursue other ideas when they check things out from the library. And what might be a stronger parental interest for a kindergartner might look different for a 12th gra-- you know what I mean? Just in terms of, of how this might work. Senator, would you be willing to just essentially or contemplate it as part of the policy deliberation just allow for students who are interested in this kind-- or, parents who are interested in this kind of notification to

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basically opt into it? Or do you envision that it would be available to all parents and they would opt out of it?

MURMAN: Yes. The bill as written now gives parents the ability to opt in.

CONRAD: OK.

MURMAN: You know, some parents might not want their email just filled up with a lot of information. So that's why I had made it that parents can opt in to know.

CONRAD: Thank you. Thank you.

HUGHES: Thank you, Senator Conrad. Other questions for Senator Murman? So I just have one. And again, I'm kind of coming from two hats, right? Being a parent of kids in school and not-- I like the opt-in because sometimes you get so many emails and information, you're like, that's just one less thing. Two, I, I am a card-carrying member of the Seward Memorial Library, and I get emails on what I check out as well as my, my kids are also, like, under my account. So that just keeping track, oh, my gosh. We have a-- and I get a little notice, due-- you know, a book is due in three days. That's very helpful. My only question and concern-- and I appreciate that you're working with the schools and, and you're not just saying it has to be an online catalog. Different schools have different things. That's my piece. Different schools have different online catalogs or, or ways they do thin-- I'm just a little concerned it's-- and I probably-- is more on the smaller schools-- if they have the software capability. You know, they might have an inventory of all their books, but do they have that capability that it will automatically send a notification to Jana Hughes when Hank checks out that book? And I-- I've said it before and we've all talked about it, I am-- I'm really going to be hard-pressed to push more things on public tax dollars to pay for something that we're mandating. So I didn't know if you had any information on our 244 school dist-- or, 245 school districts. Do they all have some of this capability or what-- what were you envisioning maybe with that?

MURMAN: Yes. Well, of course that's a concern of mine too. I don't want an unfunded mandate, especially one that, you know, not everyone would want.

HUGHES: Right.

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MURMAN: I did check with several school districts, and the ones I checked with all could do it electronically, but I--

HUGHES: Which would be the best way [INAUDIBLE]. Yeah.

MURMAN: But I assume there are some schools possibly that couldn't do it electronically. So I-- the-- I don't know the exact wording, but it's, it's broadly written so that parents can have access to what is in the library, whether-- and I-- that's-- I think that's the way it's written. So--

HUGHES: OK. Well-- and that's--

MURMAN: So it doesn't have to be electronic.

HUGHES: As long as we're working with all districts and-- and maybe it's, you know, if you have this capability, that's how it's done. If you, if you don't have that capability, we're not going to make you buy whatever. Some software company out there is like, great. I'll sell them that.

MURMAN: Yes. And that's exactly the way it's worded, so that, so that we're not mand-- an unfunded mandate that-- yeah.

HUGHES: Very good. Yeah. I appreciate that. Thank you. Thanks for bringing this. Anybody else, other questions? No. OK. Can we have the first proponent for LB390, please? OK. No proponents. Is there anyone opposed to LB390?

JOSEPHINE LITWINOWICZ: I forgot to do this last time. [INAUDIBLE] fix this. You know, to make it more accessible. I'm going to do this every time, I guess. I like the bill as far as--

HUGHES: Can you state your name and-- yep.

JOSEPHINE LITWINOWICZ: Oh, my name is Josephine Litwinowicz, J-o-s-e-p-h-i-n-e L-i-t-w-i-n-o-w-i-c-z. What I, what I don't like is reporting what your kids read. The library should not have, like, some of this vividly pornographic crap in the first place. So I don't-- I'm not-- [INAUDIBLE] aside from any legislative, you know-- it should never be there. And then you're going to have some parents that don't understand what these books are, like To Kill a Mockingbird, Why the Caged Bird Sings, Slaughterhouse-Five, and all the-- you know, these commonly bad-- banned books. And so they're, they're going to look and read-- now we have misinformation everywhere. I thought finally when

the Internet came, I should-- I was so naive, you know, that information would then be disseminated more broadly. Well, it, it's not-- it's actually worse. And so you're going to have some people that just hear, oh, this book is that and this is that. No, you can't read it. I, I mean, there's going to be-- this reporting, this reporting on what your kid reads in school. Just going to try and not to use inappropriate language. I mean, we're-- it's, it's the, it's the same thing as book burning because then, you know, a parent might not know the value of the book or what can be learned from it or the message of the book. And some books I don't know why-- I think you should be made to read *To Kill a Mockingbird*. It's one of the most commonly banned books. And so-- and Kurt Vonnegut-- what-- whatever. All of them. And-- what was I saying? I just, I just don't think it's good for kids. You know, it's age appropriate. I never-- I don't-- we never had garbage in our library that was pornographic or anything. But you learn from things like-- cont-- controversial, *To Kill a Mockingbird*, *Slaughterhouse-Five*, complex su-- where you learn-- *Lord of the Flies*. That's another one. You know, there's me-- there's messages [INAUDIBLE]. Kids can think, you know. And I think there's some mov-- Shakespeare. If you ever know-- have somebody teach you, it's, it's awesome and-- yes, there's some ribald, you know, allu-- you know-- but it's-- it, it, it's literature. And so if we're going to put Shakespeare on there too, forget it. You know, then we're, we're, we're just, we're just going to-- we're climbing down. We're going to be in Davy Jones's locker here pretty soon. So I, I really urge that this-- this reporting-- it's a bad idea. You know, as far as-- I don't know. I'm going to quit now. But this troubles me because I-- you know, it's coming. Pretty-- it's going to be Fahrenheit 451. There's another one. That, that should-- 1984. These are good books in a dystopian world that we have now. I mean, kids should read stuff like this. Anyway, thanks a lot.

HUGHES: Thank you for your comments. Does anybody have any questions for Ms. Josephine? OK. Thank you. Other opponents? Do we have anyone in the neutral? All right. Senator Murman, you're back.

DAVID LOSTROH: Pardon me.

HUGHES: Oh. Sorry.

DAVID LOSTROH: I missed the proponent.

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HUGHES: Oh. OK. I'm-- yes. Go, go ahead. Come on up. And do you have your green sheet too? Yeah. OK. For the record, this is a proponent. Go ahead.

DAVID LOSTROH: Senator Murman, Senator Hughes, members of the Education Committee. My name is David Lostroh, spelled D-a-v-i-d L-o-s-t-r-o-h. I serve as Legislative Coordinator for the Nebraska Christian Home Educators Association. The, the NCHEA is a proponent of LB306, as specified there, the--

HUGHES: Oh, spell your--

DAVID LOSTROH: Is it too loud?

HUGHES: OK. OK. Are you for LB390, the, the library keeping track-- no.

DAVID LOSTROH: No.

HUGHES: You're for-- OK.

DAVID LOSTROH: OK.

HUGHES: That's-- you're good.

DAVID LOSTROH: I apologize. I'm--

HUGHES: I am so--

DAVID LOSTROH: I'll come back after I--

CONRAD: You didn't miss it. You were early.

DAVID LOSTROH: Sorry, everybody.

HUGHES: Everybody, hang on to this for the next bill. That's right. You're just ahead of your time.

DAVID LOSTROH: I'm embarrassed, but I'll still come back later.

HUGHES: That's OK. All right. OK. Senator Murman, now you can close.

MURMAN: I'll sure take any-- sure take any questions if anybody has any after all that discussion.

HUGHES: That's right. Other questions for-- OK.

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MURMAN: Thank you.

HUGHES: All right. Thank you. OK. And this closes now for LB390. And-- wow. OK. We had online: 54 proponents, 70 opponents, and 3 in the neutral. All right. That closes the hearing on LB390. And--

LONOWSKI: How many opponents were there? I'm sorry.

HUGHES: 70. 7-0. Yeah. And 54 pro. We are now on to LB306, which will be an Education Committee bill. All right. Senator Murman, go ahead on LB306.

MURMAN: OK. Good afternoon again, Vice Chair Hughes and members of the Education Committee. My name is Senator Dave Murman. I represent Nebraska's 38th District. Today I have the privilege of introducing LB306. LB306 makes a diff-- makes a few different changes to the state college system, which have come from based on some meetings and requests from Chancellor Turman. The most significant change allows for public-private partnerships opportunities with state college-- with the state college system. This piece was previously introduced by former Senator Brewer last year as LB915. Last year, that bill came out of committee on an 8-0 vote but ran out of time. This would allow better financing authority with the Board of Trustees to replace existing facilities on the three campuses. Current statutes impose restrictions limiting the privilege-- or-- limiting the pledged source of financing of revenue for the leased facilities to cover lease payments. This bill would remove that limitation, allowing the board to enter into those private-public partnerships. With this, the schools have a better opportunity to secure finances for buildings like new dorms. There is still accountability within this process, as the Coordinating Commission for Postsecondary Education, or the CCPE, would have standards to approve the projects. I know the Board of Trustees and the chancellor are always working hard to make sure our state college system provides a professional and affordable education to their students, and this is one tool they can add to their toolbox to create affordable housing opportunities for their students. The bill also increases minimum capital expenditure from \$2 to \$5 million and facility operations and maintenance costs from \$800-- or, excuse me-- \$85,000 to \$200,000. Two weeks ago, we had the opportunity to hear from two appointees to the State Board of Trustees, and I think they gave a very valuable message about the importance of state support to our state college system, and this bill recognizes that need. The bill also allows college admission test scores equivalent to the ACT to be utilized for eligibility to the Career Scholarship

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Program and aligns reporting changes with the process of community colleges, state colleges, and the university system. Finally, this allows school equivalent diplomas such as GEDs to be used for eligibility for the Door to College Scholarship. I think the whole point of the Door to College Scholarship and the JRTC system as a whole is to help young adults who had some roadblocks in their lives get back on track. And in many of these cases, they may not have originally completed their high school diploma. In that case, if they showed the initiative to go get their GED, they ought to have the same opportunity for the scholarship. Finally, I'll note that there is one very small amendment to strike a reporting requirement on page 3, which was originally in there at the request of one community college. But other community colleges had concerns about the feasibility of this piece. With that, thank you. And I'm happy to answer any questions. And I will note that some individuals behind me should have some great technical knowledge.

HUGHES: All right. Thank you, Senator Murman. Do we have any questions? Go ahead, Senator Conrad.

CONRAD: Thank you, Vice Chair. Thank you, Senator Murman. I-- one thing caught my-- I think most of the components of this measure are pretty state-- straightforward in what you'd see in, I guess, a committee technical bill or committee package bill where we have a few cleanup things maybe from prior sessions or a few technical changes. But-- and I know that we're going to have other testifiers before us here today. One thing that did catch my attention was there does seem to be a substantive policy change kind of tucked within this committee bill on a matter that I know we held interim study hearings on that you brought forward for the, I guess, alternate or different utilization of tests outside of the ACT or the, the SAT. And I can go back and take a peek at, at the interim study transfer if, if needed, but the-- my recollection of that hearing was that people were looking for an alternative way to maybe meet admissions or scholarship requirements, but they also didn't seem to have any objection to the existing standardized testing pools. Is that a fair assessment of it?

MURMAN: Yes. From my recollection back at the interim study also, that the testifiers were open to-- of, of course, support the ACT, but were also open to other testing methods.

CONRAD: Right. And I know that we heard from some-- maybe some homeschool parents or representatives and then perhaps some private school stakeholders or representatives. And their, I think, testimony

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was very compelling, that the-- it wasn't due to the fact that their students were scoring lower on ACT or SAT and why they were looking for an alternative path. But it just-- it wasn't quite clear to me exactly what, what is the intent or goal in utilizing a different standardized test that hasn't been accepted by the institutions of higher education. I just-- I'm not quite sure I understand the need for an alternative if there's no objection to the current methods and homeschool students and private school students are performing well on, on, on those standardized tests.

MURMAN: Yes. There, there is other testing methods, as you alluded to, and some di-- methods of education, I guess, may fit-- one testing method may be better than another. And we've opened it up to, you know, not only private schools, but-- and homeschools, but also out-of-state students, for in-- instance, may use the SAT rather than the ACT. So the wording, I think, is, is "equivalent testing," so, so we, we deliberately left it open for different testing methods that are equivalent, I guess you could say.

CONRAD: OK. That's helpful. And then can you just help me remember because I-- I'm not sure if I have a handy here. I'm looking at the memo, but not the bill. Who determines whether or not it's an equivalent test?

MURMAN: The CCPE, I, I believe. It's-- there's, there's testifiers behind me who maybe--

CONRAD: Oh, got it. OK. Very good. I'll lift that for them. Thank you, Senator. Thanks.

HUGHES: Very good. Any other questions for Senator Murman? Nope. OK. First proponent.

PAUL TURMAN: Good afternoon.

HUGHES: Good afternoon. Go ahead.

PAUL TURMAN: Vice Chair Hughes, members of the Education Committee. My name is Paul Turman. That's spelled P-a-u-l T-u-r-m-a-n. I'm the Chancellor of the Nebraska State College System. I'm here to ask for your support on LB306. Worked with the various sectors over the interim to bring forward the various changes that we've all identified. I'll highlight two in particular that have the biggest impact on the state colleges. The one I think it references in, in basically page 3 and 4, a piece of legislation that we worked with

Senator Brewer on last year had good response from this committee. It made its way out. But ultimately, it just did not have enough time to be able to make it through the process. Essentially, I've provided a handout that gives you kind of a timeline of the housing or at least the revenue bond facilities that we have on our state college system. I think what you can see from that is that we've had a very large number of those that were built between the 1950s, 1967 timeframe. We're at a point in our system to need to be engaging in a process of trying to renovate a good number of those facilities. We've had two new facilities that have been built here over the last decade. And actually just very fortunate at Wayne this semester to have a new residence hall finally completed. It's the first residence hall on that campus in, in 58 years. And so it's going to replace an, an outdated hall that does not meet the needs of our students. And when we were working through the process of trying to determine what's the best approach for a new residence hall, we also were having conversations around public-private partnerships. What are other options that we can have to continue to make things as affordable as possible for our students? What-- it became evident is that the way that our state statutes are, are drafted, it limits us from going forward for those public-private partnerships opportunities primarily because of one thing. When we take the funds that we receive from our students to support our housing structure, essentially those go into one large pool. Eight or nine, ten different housing complexes on an institution are the, the-- all the dollars come in, and then we use that to make sure that we are whole on meeting our obligation for maintenance and repair and construction and meeting the obligations we have for our bondholders. What we saw with the current state statute is that it's-- limits the revenue that would come to support a leased option just to the facility rather than the entirety of it altogether. And so our bond council recommended those changes. We brought those forward last year. I will say-- and we've added in the components having the CCPE responsible for oversight of that. Our board would never engage in a pro-- process or a contract with an outside entity that does-- that puts our institutions or our students in peril. And so we added that additional lever of having the CCPE responsible for kind of that legislative review. I would also contend, as we look at the state, that the Career Scholarship Program we have advocated so that we can also leverage a variety of different mechanisms, whether there's other outside tests that are available, while at the same time be able to leverage a student's GPA at the 3.0 lever-- level to determine if they can be eligible. And that aligns with what the private institutions were able to get successfully added in there last

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year. Overall, we're excited about at least just having the opportunity to look at private-public partnerships if supported by the Ed-- Education Committee and, and out onto the floor in addition to the other various changes that are being proposed. And I'd be happy to answer any questions that the committee might have here this afternoon.

HUGHES: All right. Thanks for coming, Mr. Turman. Any questions?
Senator Conrad.

CONRAD: Thank you, Vice Chair. Thank you. Good to see you again, Mr. Turman. And I appreciate you giving us a heads-up on some of the other aspects in the committee bill. But I think you heard my exchange with Senator Murman beforehand. From your vantage point, as a leader in higher education, is there a need to establish either a mandate or a pathway outside of ACT or SAT? I mean, have you looked at the classical learning test or tool in your work? And if you have looked at it, have you decided to utilize it or not utilize it? Kind of why.

PAUL TURMAN: Senator, very good question. We've, we've looked at it and also listened closely to the hearing that you had in this last year. Right now, I don't know that I think our institutions see the, the need to have a different test, but I think having the capacity for that flexibility, I think what you would see the-- all three of my admissions and my financial aid reps on our campuses who are making those determinations certainly are going to continue to draw upon ACT. If given the authority, they'd like to look more closely at GPA. But I think when we call out specific tests in state statute, it takes away some of that flexibility for the institution or even students who bring forward other tests beyond CLT as well. And that's what we were hoping to be able to accomplish here with the, the proposed change that we have.

CONRAD: Very good. Thank you.

HUGHES: Other questions for Mr. Turman? Go ahead. Senator Lonowski.

LONOWSKI: Thank you, Chair. Dr. Turman, so is the enrollment going up in these schools? Is it staying the same? We're-- where are we at with that in each of these schools?

PAUL TURMAN: I would say Wayne State College has done extremely well in terms of enrollment. It's grown I would-- at-- roughly about 800, 900 students since the time that I've been in the position. Chadron

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has fallen a little bit. Peru has, has declined as well. And so we would only move forward for those projects in the event that enrollment aligns with the expectation that we'd have students to be able to fill those residence halls. Some of it is just simply replacing facilities that need to-- they're outdated, need to be replaced. And a lot of times we would do it with smaller capacity facilities at those institutions as well.

LONOWSKI: We must have been doing really well in the '50s and '60s monetarily, but. Can you tell me what percentage of your freshmen live in the halls? Are they required to or strongly encouraged?

PAUL TURMAN: Very good question. At Wayne, they have a live-in requirement for the students in their first year. They're at about probably 97% occupancy in, in the residence hall. So they would not be able to be-- go beyond that. I don't know that we have a president that is interested in it. Peru has a two-year live-in requirement. And Chadron has just recently extended to a two-year live-in requirement as well.

LONOWSKI: OK.

PAUL TURMAN: And so I think those always drive our bond expectations, and then how much the campus has to have set aside to cover the bonds in the event that something dramatic would happen. And so our board has put pretty rigid policies to make sure that our bondholders are held to the--

LONOWSKI: OK. One quick question. So you replaced your 1987 dorm with a 2024 dorm?

PAUL TURMAN: I think the 1957 or '58. So Berry Hall--

LONOWSKI: OK.

PAUL TURMAN: --will be torn down now that this--

LONOWSKI: That was--

PAUL TURMAN: Yes.

LONOWSKI: So it's not usable at all for any reason?

PAUL TURMAN: The inve-- we decided-- the investment to, to bring it up to current standards would not gotten us much more. And we have no

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suite-style housing at Wayne, and that's a mix of what they were able to--

LONOWSKI: OK.

PAUL TURMAN: --put in place. No air conditioning in that, in that building, so.

LONOWSKI: Thank you.

HUGHES: Thank you for your question, Senator Lonowski. Anybody else? All right. Thank you for coming in.

PAUL TURMAN: Thank you.

HUGHES: Next proponent.

MIKE BAUMGARTNER: Good afternoon--

HUGHES: Good afternoon.

MIKE BAUMGARTNER: --Senator Hughes, members of the Education Committee. My name is Mike Baumgartner, M-i-k-e B-a-u-m-g-a-r-t-n-e-r. I'm the Executive Director of the Coordinating Commission for Postsecondary Education. And I'm here today to testify in support of LB306, specifically Sections 4 and 8. Section 4 addresses review and approval thresholds for capital projects. It simply allows us to reset the review process with updated realistic capital project costs. I've had the opportunity to, to meet with new members of the committee, so I think everybody has a little bit of background, but this is a constitutional role of the Coordinating Commission. We have the authority to review, monitor, and approve or disapprove postsecondary programs and capital construction projects which utilize tax funds. That is limited in statute in 85-1402, which defines tax funds designated by the Legislature and sets minimum capital expenditures to trigger our reviews. The changes in the bill would increase the minimum capital expenditures required for commission review from \$2 million for construction, remodeling, or acquisition to \$5 million and from \$112,000 for operations and maintenance annually to \$200,000. Statute is \$85,000, but there is an inflation component that we can build in for operations and maintenance. So it's-- we're at \$112,000 right now. So these have been set several times in the past. Minimum capital expenditures were set in 1994, 2006, and most recently in 2009. 2009 raised the base amount from \$500,000 to \$2 million and the O&M base amount from \$75,000 to \$85,000. Only two capital projects

submitted for review since 2018 have included tax funds subject to review of under \$5 million. Total project costs for both of those exceeded \$5 million, and only one project reviewed since 2014 has had a total project cost under \$5 million. So we are just behind in terms of inflation. In terms of those reviewed because of the O&M increases, there weren't any that weren't subject to review based on the total cost of the project already. So raising that to \$200,000 isn't going to-- isn't going to hit anything new. They're already above that. Prior to LB440, in 2009, both base amounts were subject to inflationary or market adjustments. 2009, LB440 removed the base adjustment from the adjustment process-- the base amount. I'm not sure why. But talking to Chairman Murman, we decided to make both base amounts subject to biennial adjustments if you agree to that in this bill so that we don't come to this position again where we're able to raise one but, but not the other. We've vetted these amounts with the public institutions, and all are supportive of the change. Shifting gears to Section 8 of LB306. As Senator Murman mentioned, that would change Door to College Scholarship Program requirements to add GED to a qualification to meet eligibility requirements. When the bill was originally passed in 2023, that required eligible students to have graduated from a YRTC high school or from an approved or accredited high school within one year of being at a YRTC. As we were putting the program together and it went into effect July 1, 2024, talking to the YRTC superintendents and DHHS, it was clear that that was going to be problematic. So Senator Murman introduced legislation to expand that to any high school graduate who had been at a YRTC. So program starts this year, and we received three inquiries about applying for the program. None of them had graduated high school. All three had GEDs. Because that's not a permitted way of, of qualifying, we were unable to fund them. And it's kind of a heartbreaking thing, and we would like to fix that. So that's simply a fix to, to try to make that, that program reach more eligible students. If you have any questions on either of those, I'd be happy to--

HUGHES: Thank you. Anybody have any questions? All right. Very good.

MIKE BAUMGARTNER: Thank you.

HUGHES: Thank you. Next proponent.

COURTNEY WITTSTRUCK: Good afternoon, Vice Chair Hughes and members of the Education Committee. My name is Courtney Wittstruck, C-o-u-r-t-n-e-y W-i-t-t-s-t-r-u-c-k. And I'm the Executive Director of the Nebraska Community College Association. So I'll spare you having

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to listen to a repeat of what my predecessor said. So I will just say I'm here today on behalf of my, my member colleges to testify in support of LB306. As you heard, it is a cleanup bill, and it's the product of collaboration between several of Nebraska's higher ed institutions. It consists of a collection of minor changes designed to clarify or harmonize existing statutes while maintaining alignment with legislative goals. So we appreciate the chair and his office working with our group in such a cooperative manner as we all seek to better serve Nebraskans and serve them more efficiently. I'll be happy to take any questions that you may have.

HUGHES: Any questions for Ms. Wittstruck? All right. Thanks for coming in.

COURTNEY WITTSTRUCK: Thank you.

HUGHES: Yeah. Next proponent.

TOM OCHSNER: Good afternoon, Vice Chair Hughes and members of the Education Committee. Hello. My name is Tom Ochsner, T-o-m O-c-h-s-n-e-r. I serve as the Associate Vice President for Enrollment Management and the Director of Scholarships and Financial Aid at Nebraska Wesleyan University. Nebraska Wesleyan University is a member of the Council of Independent Colleges, CINCA. And together we-- our, our membership is supportive of LB306 and appreciates Senator Murman for introducing this bill that, if passed, will provide the private colleges and universities an opportunity to better comply with the Career Scholarship reporting guidelines. LB306 provides updated language, which will ensure that reporting guidelines are in alignment with current college and university practices and will provide for more clear and consistent reporting measures. We are very appreciative of the funding provided by the Legislature and desire to provide comprehensive reporting to show that the outcomes of the students participating in the program as well as the positive impact on the Nebraska workforce in high demand career fields. The private institutions were included with the career scholarships during the 2021-2022 academic year. This academic year, 2024-25, will be the private institution's first four-year cohort to graduate with funding from the career scholarships. We look forward to being able to highlight the impact on the Nebraska workforce with students who graduate from the Nebraska private institutions. The reporting on this first four-year cohort will be made easier with the changes that are being recommended in LB306. Nebraska Wesleyan University and the

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Council of Independent Colleges supports LB306 and asks you, please advance this bill. Be happy to answer any questions.

HUGHES: Thank you for coming in, Mr. Ok-- Oxner?

TOM OCHSNER: That's fine. Yes.

HUGHES: Yeah, it's close, right? Any questions? All right. Thank you.

TOM OCHSNER: Thank you.

HUGHES: Thanks for sharing. Next proponent.

DAVID LOSTROH: This is LB306 [INAUDIBLE]. Sorry about that.

HUGHES: Take two. Go ahead.

DAVID LOSTROH: Vice Chair Hughes and members of the Education Committee. My name is David Lostroh, spelled D-a-v-i-d L-o-s-t-r-o-h. Serve as Legislative Coordinator for the Nebraska Christian Home Educators Association. I'm a proponent of LB306, certain sections which are listed in the, in the middle of the testimony there. This has to do with the testing-- or, college entrance exams. And the sections affected are listed. The, the NCHEA supports the changes in Sections 5, 6, and 7, as listed above in the testimony there. We have no comments about other sections. It's only those sections. And we would, we would support that. We're, we're aware of the SAT, the PSAT, and have be-- recently become aware of the CLT, which is intended to be an alternative to the College Board and ACT. The A-- NCHEA is proponent of offering more options for pres-- prospective students who take college admission tests for use in applying to Nebraska state colleges and universities. I might add that we're very grateful for the option to homeschool, and that option has turned out to be helpful. And I, I would encourage you to consider opening this up [INAUDIBLE]. Seward Concordia is-- uses the CLT. The University of New Mexico and also University of Florida accept the, the CLT, so. I think it's quite a bit broader than that as well as for state colleges in certain areas. So with that, I'd urge you to retain that language in the bill. And that's all I have.

HUGHES: All right. Thank you for coming in. Are there questions for Mr. Lostroh? Nope. OK. Thank you.

DAVID LOSTROH: Thank you.

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HUGHES: Any more proponents for LB306? Any opponents? Seeing none. Anyone want to testify in the neutral? All right. Senator Murman, you can close. Yeah, I got it. Online: 1 proponent, 2 opponents, and 0 neutral.

MURMAN: OK. Well, thank you. And the flexibility part with the tests-- I mean, all, all we're trying to do is provide some flexibilities what tests can be used. It's no mandate at all. And I think everything else in there is in the bill. Didn't have any opponents, so apparently very noncontroversial. And that's the way I looked at it too. So I appreciate if the committee can see fit to bring this forward. [INAUDIBLE] I'll sure take any more questions anybody might have.

HUGHES: Anybody have any wrap-up questions? Nope. All right. Thank you.

MURMAN: Thank you.

HUGHES: This closes LB306. And that is our last bill for today.