

January 11, 1989

LB 1-6, 8-17, 33, 34, 330-340

PRESIDENT: LB 33 advances. LB 34, please.

CLERK: LB 34, Mr. President, offered by Senator Labedz as Chair of the Board. (Read title.) Introduced on January 5, referred directly to General File.

PRESIDENT: Senator Peterson, please.

SENATOR PETERSON: Mr. President, LB 34, the final revisor's bill, makes numerous internal changes relating to the Game and Parks Commission. I ask that this bill be advanced to E & R Initial.

PRESIDENT: You've heard the explanation. The question is the advancement of the bill. All those in favor please vote aye, opposed nay. Ladies and gentlemen, I need a little help, please. Thank you. Record, Mr. Clerk, please.

CLERK: 27 ayes, 0 nays, Mr. President, on the advancement of LB 34.

PRESIDENT: LB 34 is advanced to E & R Initial. Mr. Clerk, do you want to read in a few more bills?

CLERK: Mr. President, yes, thank you. Mr. President, before I proceed to do that, two announcements, the Education Committee has selected Senator Dierks as Vice-Chair and General Affairs Committee has selected Senator Hartnett as Vice-Chair. Signed by Senator Withem and Smith respectively.

(Read by title for the first time LBs 330-340. See pages 179-81 of the Legislative Journal.

Mr. President, other items for the record. Your Committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 1 and recommend that same be placed on Select File; LB 2, Select File; LB 3, Select File; LB 4, Select File; LB 5, Select File; LB 6, Select File; LB 8, Select File; LB 9, Select File; LB 10, Select File with E & R amendments attached; LB 11, Select File; LB 12, Select File; LB 13, Select File; LB 14, Select File; LB 15, Select File with E & R amendments attached; LB 16, Select File; and LB 17, Select File. (See pages 181-83 of the Legislative Journal.) That's all that I have at this time, Mr. President.

February 1, 1989

LB 48, 92, 116, 140, 176, 325, 336

section analysis of everything that is in the bill. But I thought with a couple of days advance notice you might have a chance to prepare and at least feel comfortable when the bill comes up for special order on Friday and that is the purpose of the memorandum.

SENATOR LAMB: You are out of order, Senator Landis.

SENATOR LANDIS: Am I? Thanks.

SENATOR LAMB: Senator Ashford, Senator Beyer, Senator Chambers, these are some of the people that we're looking for at this point. Senator Lindsay, Senator McFarland. Please come to the Chamber and record your presence. The house is under call. I believe Senator Bernard-Stevens has indicated that we can begin the roll call, Mr. Clerk. In reverse order, there has been a request for reverse order.

CLERK: (Roll call vote taken. See page 548 of the Legislative Journal.) 20 ayes, 18 nays, Mr. President, on the adoption of the amendment.

SENATOR LAMB: The amendment is not adopted. Mr. Clerk, do you have some items?

CLERK: Yes, Mr. President, I do. Mr. President, Senator Abboud and Lowell Johnson, or, I'm sorry, Senator Abboud would like to add his name to LB 116; Senator Lowell Johnson and Beck to LB 325 as co-introducers. (See page 549 of the Legislative Journal.)

Senator Landis has amendments to LB 92 to be printed. (See pages 549-50 of the Legislative Journal.)

Business and Labor reports LB 176 to General File with amendments. That is signed by Senator Coordsen. Education reports LB 140 to General File with amendments, LB 336 General File with amendments. Those are signed by Senator Withem as Chair. (See pages 550-51 of the Legislative Journal.) That is all that I have, Mr. President.

SENATOR LAMB: Senator Chizek, would you care to offer the motion to recess for lunch?

SENATOR CHIZEK: You don't want to come back after lunch. I

February 21, 1989 LB 48, 73, 87, 220, 234, 336, 351
372, 399-401, 558, 592, 684, 704, 714
762

to LB 336 by Senator Withem. Senator Hall has amendments to LB 704 to be printed, Mr. President. (See pages 798-99 of the Legislative Journal.)

Education Committee gives notice of change of location for a hearing on February 28. That is offered by Senator Withem.

Judiciary Committee whose Chair is Senator Chizek reports LB 87 to General File, LB 220 to General File, LB 234 General File, LB 372 General File, LB 399 General File, LB 401 General File, LB 558 General File, LB 592 General File, LB 73 indefinitely postponed, LB 351 indefinitely postponed, LB 400 indefinitely postponed, LB 684 indefinitely postponed, those all signed by Senator Chizek as Chair. (See pages 799-800 of the Legislative Journal.)

Revenue Committee whose Chair is Senator Hall reports LB 714 to General File with amendments and LB 762 to General File with amendments, both those signed by Senator Hall as Chair of the committee. (See pages 800-03 of the Legislative Journal.) That's all that I have, Mr. President.

PRESIDENT: Thank you. Now we'll move on to LB 48, please.

CLERK: Mr. President, the Legislature last considered LB 48 on February 13. At that time Senator Landis made a motion to indefinitely postpone the bill. That motion is pending.

PRESIDENT: Senator Landis, please.

SENATOR LANDIS: Mr. President, members of the body, over the weekend I've had a chance to think about it and I've come to the conclusion that it must have been a moment of delusion on my part. I don't know why I offered that motion. I certainly want to withdraw it now.

PRESIDENT: It is withdrawn.

CLERK: Mr. President, the next amendment I have to the bill is offered by Senator Bernard-Stevens. The amendment is on page 740 of the Journal.

PRESIDENT: Senator Bernard-Stevens, please.

SENATOR BERNARD-STEVENS: Thank you, Mr. President and members

SPEAKER BARRETT: Record.

CLERK: 25 ayes, 1 nay, Mr. President, on advancement.

SPEAKER BARRETT: The bill is advanced. The call is raised.
LB 336, Mr. Clerk.

CLERK: Mr. President, LB 336 was a bill introduced by the Education Committee. It is signed by its members. (Read title.) The bill was introduced on January 11, referred to the Education Committee for public hearing. The bill was advanced to General File. I have committee amendments by the Education Committee pending, Mr. President.

SPEAKER BARRETT: Senator Withem, on the committee amendments, please.

SENATOR WITHEM: Yes, Mr. Speaker, the committee amendments I'll very simply explain. This is a bill on the term school district...school restructuring. Keep in mind this is a term that is the generic term to what is going on in the area of education reform and improvement across our country today. It has absolutely nothing to do with the bugaboo term in the Nebraska Legislature, that of reorganization, has nothing whatsoever to do with reorganization. What the bill calls for is four model schools funded in our state that wish to pursue restructuring programs and a number of forums throughout the state that will discuss the concept of school district, school restructuring. The committee amendments are clerical in nature primarily. Number one is we used the term rural forums. What we meant is local forums and we strike the word "rural" and put in the word "local". Secondly, when these grant applications go in we want to make sure that they include within them provisions for teachers being able to participate in the planning process, that a needs assessment take place along with developing a restructure plan and it clarifies that the model programs will be appropriated to the State Department of Education. That money won't stay at the State Department of Education, it will go out to local school districts that are successful in this getting their grants accepted. With that, if there are any questions, I'd be happy to respond to them.

SPEAKER BARRETT: Thank you. Questions on the committee amendments. Seeing none, those in favor of the adoption of the

committee amendments to LB 336 vote aye, opposed nay. Please record.

CLERK: 27 ayes, 0 nays, Mr. President, on the adoption of committee amendments.

SPEAKER BARRETT: The committee amendments are adopted. To the bill, Senator Withem, as amended.

CLERK: Mr. President, Senator Withem would move to amend the bill and the amendment is on page 799 of the Journal.

SPEAKER BARRETT: Senator Withem.

SENATOR WITHEM: Yeah, let me find the amendment and refresh my memory on what it does. Basically what this amendment will do, it will provide for faculty at Nebraska teacher training institutions participating in this process of restructuring. We tend to forget and we shouldn't forget that there is a lot of expertise at these teacher training institutions and they need to be involved in this also. Again, it's a clarification sort of thing. It should have been included within the committee amendments but it was brought to our attention after the bill hit the floor. Would urge you to adopt this amendment.

SPEAKER BARRETT: Any discussion on the adoption of the amendment as explained by Senator Withem? Seeing none, those in favor of the adoption please vote aye, opposed nay. Record, please.

CLERK: 26 ayes, 0 nays, Mr. President, on adoption of Senator Withem's amendment.

SPEAKER BARRETT: The amendment is adopted. Anything further?

CLERK: Nothing further on the bill, Mr. President.

SPEAKER BARRETT: Senator Withem, please.

SENATOR WITHEM: Yeah, Mr. Speaker, members of the body, just a few words of explanation about the concept because it is kind of a fuzzy idea, I will admit that. The concept of restructuring is one that has not an easily going to the dictionary and find the answer sort of definition to it so let me talk just a little bit about what restructuring is and why we need to report it.

The bill is a product of two concurrent ideas. One of those ideas is our New Horizons process which is looking at a number of things we need to do to improve our state in the future and one of those changes recommended by the citizens that came to the table over the last year to write that report was we need to look at making some very fundamental changes within our schools, fundamental changes concerning the way young people are taught and the way young people learn. The same thing was happening with the Education Committee. We had a study resolution last year. We had a tremendously well-attended conference in December of this year on this topic of restructuring. We had the staff person from the National Governor's Association, we had a staff person from the Education Commission of the States, staff person for the Coalition of Essential Schools, all come to Nebraska and lead this discussion and there are a lot of people in the state that are very, very serious about this idea of restructuring. The reason people are serious about this is because of the state of quality in our education system, not necessarily just here in Nebraska, although I'm one who tends to believe we do need to improve here in Nebraska, but nationwide we are having problems with our education system and we've tinkered with it a lot. We've done some changes here, some changes there, funded some programs, taken away some programs, added some new ideas, but people are beginning to question whether those ideas of the early eighties are really bringing about the type of improvements that we need. Just some statistics and some information that are startling to me when I hear them, and I don't know if they will be to you or not, but last year it is estimated that businesses in our country spent \$25 billion, \$25 billion of training young people to enter the workforce. This is not training them on specific jobs, how to use a particular machine, how to fill out particular reports. This is providing them the basic skills, the entry level skills that they should have got in their high school education, but they didn't get it. I'm reading a book by David Kearnes, the Chief Executive Officer of the Xerox Corporation, makes the point that 700,000 students are dropping out of our schools each year. Another 700,000 are not getting the quality of education that they need to meet the basic entry level requirements of the jobs that are for them out there. We are in the midst of a constant economic battle with other nations, and as we continue to produce a workforce that's not able to enter the workforce and carry out the skills, we're having problems. Heard an example this weekend, an example from a Nebraska community where a business CEO who runs a plant in that community went to the

school officials and said, don't want to startle you but we're going to have to close our doors on this plant within five years if we don't get the quality of education in our school improved because the type of people that are coming to work here, and the type of people that are coming to work here are primarily the bottom 25 percent of the graduating classes, just don't have the elementary math skills, problem solving skills, communication skills that are needed to make our plant work. We just have to spend too much retraining them and we can't retrain them. And when they talked with this person they found out that the math skills that they were talking about are not your basic general math, business math, those types of class, they are talking about needing basic understanding of algebraic sorts of equations in order to make an entry level position at this particular plant and that is here in Nebraska. That's not the story of the ghettos of New York City or of Chicago or of other cities in our nation, that is right here in Nebraska in a community that I have always assumed probably has one of the best education systems in our state. What is restructuring then? Restructuring is a revision of the schools to focus on how kids best learn. It looks at empowering teachers to make decisions about how to educate young people in their classes. It envisions students being problem solvers and not just gatherers of information. It envisions teachers being assisting students learning as opposed to just being dispensers of information. It talks about...talking about how to deal with this at-risk student, brings the at-risk student into the picture. Talks about a more effective use of resources and some of you who had questions about the last bill, maybe you would be pleased to know that the national experts on restructuring are not saying we need to pour additional millions of dollars into our schools to bring this about. They are saying we need to take the dollars that we currently appropriate to schools and use them more effectively to bring about better education. It also talks about the child as the focus of education and what is happening to impact on that young person. In this area of restructuring, the state can't do its traditional mandating, talk down sort of approach. We cannot mandate that schools will restructure themselves in a kinder, gentler fashion by the year 1995. We can't do that type of thing. There are two things we can do. Number one, we can provide the vision through talking about what we'd like to see done in our education and, secondly, we can talk...we can provide some incentives for improvement. We've got to establish the dialogue and we've got to realize that what is going to be done is going to be done from the

bottom, up, not from the top, down. What LB 366 does, it encourages this discussion through the organization of these forums that we've talked about. Secondly, it encourages all districts to go about the internal planning to improve the way in which they educate young people. It funds four model programs. We establish a committee and the Department of Education will establish the guidelines by which those program schools will make plans on the local level. They will submit those plans to this committee and the Department of Education. The Department of Education will reward the four best plans they see, the most creative plans and will fund those to a tune of \$50,000 per school. This is a total of \$250,000 appropriation on what is a major, major education reform piece of legislation. If you have any questions about the bill, I will attempt to answer them and I see I've talked long enough that I've encouraged some people to turn their lights on and when I first started to talk nobody did, but I think it's good that we do have somewhat of a dialogue on this bill because this bill could be a major piece of education reform in our state and it's not one that costs huge sums of General Fund dollars like most education reform measures that you see before you. With that, I will close. If you have any questions, I'd be happy to try to respond to them.

SPEAKER BARRETT: Thank you. Discussion, Senator Schmit, followed by Senators Beck, Moore and Hartnett.

SENATOR SCHMIT: Mr. President and members, it's been a long, long time since I was in a schoolroom either as a student or as a teacher, but I guess I would have to concur that there are some problems and certainly I would like to see some major changes made in the educational system. I'd like to see a different kind of work product that is developed based upon the experience of my own family, based upon the people whom I have been asked to hire and based upon some of the people who I think were going to have to be hired in the next five, ten, fifteen, twenty years. But I guess I would like to ask Senator Withem, why do we need this particular bill? Why is it not possible today for those institutions out there to be innovative enough to solve that problem themselves? I believe the solution was there 40 years ago. I hate to tell you of it and say look how good I turned out, but the point is that at some point in time we've gone backward and I think we ought to take a look at that. And so why do we need to have a model of five to determine what do we do to turn the thing around and are my grandchildren for

the next five or ten years going to be subjected to a less than satisfactory system while we develop a model for turning the thing around? Do you have an answer for that, Senator?

SPEAKER BARRETT: Senator Withem.

SENATOR WITHEM: Yeah, I do, I think I do, Senator Schmit, at least an answer that meets my needs as to the importance of this bill. You're 100 percent right in your assumption that there exist within the state today the opportunity for all 900 of our school districts to do this on their own. When I go to meetings with educators throughout the state, I get the sense that they don't share your concern and my concern that there needs to be this improvement. This is maybe an attention getting device as much as anything to state legislative policy that we want them to start looking at those things. We don't want Loran Schmit's grandchildren or Ron Withem's children to go through the same sort of educational system that doesn't necessarily meet their needs today. The answer is, in a legal sense, we don't need this for those changes to take place. And it is not, Senator Schmit, that we encourage school districts to pick four school districts to be models, wait and see how they turn out, then have other people copy them. I'd like to see 900 school districts in the state participating for the funds in this particular bill, implementing programs and we're going to fund the four or five best to show that we appreciate quality.

SENATOR SCHMIT: Thank you, Senator. I would reserve judgment on the bill at this time, and I would hope that if we move the bill, and if the bill becomes law, it's not the fact that there might be available certain funds to five school districts but that it might serve as an indication to the other 895 that perhaps their house ought to be brought into order and that they ought to provide a different kind of educational system. I was engaged in a conversation only yesterday with a young lady who told me how good her educational system was, but before we had concluded our conversation, she concurred that she didn't think it was nearly as good as it had been and somehow or other, notwithstanding the emphasis we have placed upon the education of our children, we have not produced the kind of a product that we ought to produce and so I'm going to probably support your bill at this time, Senator Withem, based upon the premise that it will serve as a lightning rod out there and maybe we will be able to get some support for the idea that there needs to be change and that we ought to do a better job because we are

entering a more technical era, a more...certainly more complicated era and the children ought to be better prepared rather than less well prepared.

SPEAKER BARRETT: Senator Beck, Senator Moore on deck.

SENATOR BECK: Mr. Chairman and members of the body, I just want to commend Senator Withem and the Education Committee for this type of program. As I look at it, since it is, as he said, yet a fuzzy...kind of a fuzzy concept, it reminds me somewhat of the magnet schools that have been used particularly in the Omaha Public School District and I think those are superlative schools. I'm thinking of a high school in my own district, so I'm putting dibs on the funds this morning, (laugh) because it's a school that is in a process of change. It's a high school that has a fine academic and vocational tradition so it's not that it's a bad school. It's a school though that we all would like to see better because it is involved in the very changing process of the society around it and the neighborhoods around it. And so I guess I'm just standing up to commend Senator Withem and I think that this would be an extremely good program. It's not an expensive one and it would give us some models, and as I said, and I hope that Senator Withem remembers and the body remembers, that I would like to see some of those funds come into District 8 into a high school that has a fine tradition, but is in a process of change, a family school, a school with a lower enrollment and one I think that would fit very well into this kind of program, and with that, I have nothing else to add.

SPEAKER BARRETT: Thank you. Senator Moore.

SENATOR MOORE: Mr. Speaker and members, Senator Withem, I hesitate to rise once again on one of your bills this morning. Once again, this bill I find, conceptually, I agree with, but the more I read this bill the more concerns I have and, you know, if you read the bill Section 1, Section 2, and then you get into Section 3, Section 4 and Section 5 which I'm going to call kind of the bribe sections of the bill that encourage schools to do some things and I guess with what Senator Beck just mentioned, there is some schools already doing these things and she just made a case for my concern is the fact that why do we need to give these schools additional money if they're already doing it. And I guess the first question I have of Senator Withem is, if you take away the Sections 3 through 5 that give actual monies to some model schools, couldn't you

still accomplish a great deal by having the forums and by allowing the state department to waive some rules and regs to encourage schools to do some things? I guess I'm a little hesitant in wanting to spend \$200,000 to award schools some things that they are already doing some creative things. And once again...I pose this question only to...I guess to present the question, there may be more than one way to skin a cat and we can still have a lot of restructuring, a lot of good dialogue going on without actually having that outlay of \$200,000 which is not that much, but as Senator Beck just mentioned, if the schools are already doing some things, why do we need extra incentive there? And I guess I'd like to hear your comments on that, Senator Withem.

SPEAKER BARRETT: Senator Withem, would you respond.

SENATOR WITHEM: Yeah, I'm trying to...I've got four different answers for you, Scott, and I'm trying to decide which one to give at this point. Yeah, there are some schools that are doing some things, not very many frankly, in this whole area of restructuring. It's kind of interesting, the idea of restructuring, all of the pieces to the puzzle have been out there for decades. When I went through teacher training school, you know, I was schooled in the inquiry method of teaching. You know, there are schools out there that are empowering their teachers to make some decisions. The thing with the restructuring is you've got to put all of these ideas together. You've got to have the kids oriented to an active type of learning process. You've got to have the teachers realizing that they are not the folks that stand up in front of the room and dictate all of the knowledge and you've got to have an administration and a school board that will be supportive of that sort of approach. So I don't think that there are schools out there that are doing restructuring right now. Norfolk is probably the closest we have is one, and maybe some things going on in Grand Island, I'm not sure of. Yeah, there probably are other ways to encourage that, but I've not found that there is nothing better than good old style American competition, going out and trying to win something. I suppose we could provide \$10 plaques instead of \$50 grants and I don't know if that would have the same impact or not. I would doubt if it would. I think the dollars, fairly modest sum of money, although for a school district out in your part of the state I suppose to get an additional \$50,000 in a year to fund a particular program would be quite an accomplishment. If there are other ways of

encouraging this without the money, I'd sure be happy to hear them. I'm not convinced at this point and I think this is...you know, we spend a billion dollars a year on education. We're talking about spending \$200,000 to encourage that that other billion dollars be spent in a way that is meaningful to people and I think it's a fairly modest sum.

SENATOR MOORE: Well, the second part of my question, the two other portions of the bill, the forums and giving the Department of Education the authority to waive some rules and regs to schools who are doing some things differently, I mean, does that in itself, that does something, probably not as much as the grants, but am I correct in that in itself would encourage some of this restructuring or would it be a waste of time just to do those two things?

SPEAKER BARRETT: One minute, Senator Withem.

SENATOR WITHEM: I think it would be not a waste of time, I think it would be good, but I think what would happen would be you would send some teachers from Stromsburg school. A couple of teachers would go to the forum, they'd come back and they would say to their people, other teachers in the faculty room, went to this great conference on restructuring, we've got to do some things. The other teachers would kind of stare blankly at them and go into their room and deliver their lecture on the Bill of Rights and how it was placed in the Constitution. What we're talking about, the purpose of this money is to create the process in as many school districts as we can, of the parents, the school board, the administrators and the teachers in each community in our state talking about how they can...working together to improve the process. And I don't know if that will happen with a program where you can get \$50,000 to do it. Some may say, well, we don't care, we'll just go ahead and do what we've been doing altogether, but that's the purpose of the grant program.

SPEAKER BARRETT: Thank you. Senator Hartnett, Senator Schimek on deck.

SENATOR HARTNETT: Mr. Speaker, members of the body, I'm going to ask Senator Withem some more questions. It is five model programs as I understand, I think you said four, and the choice will be made by the state department and I think you said that also. The thing is like Omaha Public, I see stands simply back

there, is...there is only one school like Omaha Public. They would automatically, if they applied for this, because they are by themselves, and automatically get a grant?

SENATOR WITHEM: No.

SENATOR HARTNETT: Because you said you want to get both a mix of...I mean the state...in your bill and so forth, you want to get a mix between rural...small schools and large schools?

SENATOR WITHEM: We're talking about school buildings as opposed to districts.

SENATOR HARTNETT: Okay...

SENATOR WITHEM: And I would say...

SENATOR HARTNETT: So Senator Beck's, if a building would apply, then that would be a building rather than a system, that's right?

SENATOR WITHEM: Yeah.

SENATOR HARTNETT: Okay, thank you.

SPEAKER BARRETT: Senator Schimek, please.

SENATOR SCHIMEK: Mr. Speaker and members of the Legislature, I am rising with sort of mixed feelings here. First of all I want to, as others have done, commend Ron for bringing this idea to us because I think it is an idea worthy of looking at and one that we all need to think about. However, having been in the classroom and having had children in the public schools for the last 20 years, I'm at the point these days where I'm a little bit skeptical about some of these new ideas and I guess I don't think that restructuring is necessarily going to be a panacea for everybody. It might be for some school systems, but more than that, I'm wondering, and, Senator Withem, I guess I'd like to have you address this question. If we had this statewide discussion, and I think it would be a good discussion to have, would it not be possible to do it under the present staff and arrangements at the State Department of Education? Why do we have to have the...or does this indeed spend money for staff at the State Department of Education and, secondly, why cannot we encourage school districts to have these discussions without the

grants? Why does there have to be a grant attached to it? If it's a worthy idea and if school boards are interested in improving the grass roots participation, which I think this restructuring does and I like that part of it, why can't we do it without the grant of \$50,000 to a school district? And then, finally, another question, and that is, would you explain Section 6 a little bit better that says that a participating school may waive any school board policy which has been identified as a barrier in any model restructuring program?

SPEAKER BARRETT: Senator Withem.

SENATOR WITHEM: Yeah, trying to remember, first question is, does this appropriate more money for more staff in the State Department of Education? No, it does not. All of this money would be used to either fund the grants or would fund the forums themselves, the expenses involved with the forums. The question of why the state department staff can't do it on its own, I guess the response to that is they just haven't done it on their own. I think they probably could. They have not chosen to do so. The third question dealing with, are the grants absolutely necessary to the specific districts, I don't know if you were here a second ago, I kind of engaged in a dialogue with Senator Moore on that very question and to summarize what I said then at that time is that, yeah, it could be done without the grants but I think we need some sort of incentive out there for the school districts to do this, this type of thing. They could be doing it today and, frankly, they aren't. When you go to particularly administrator meetings, you don't hear a lot of talk about the administrators talking about the needs to improve education. They are talking about the needs to, and understandably, they are talking about the needs to get the money to finance the programs they now have. Fourthly, could I explain number 6, that the State Department of Education may waive any State Department of Education rule or regulation. This is kind of fundamental to the restructuring idea. The theory is that there are some administrators out there, there are some teachers out there that may like to be doing...

SPEAKER BARRETT: One minute.

SENATOR WITHEM: ...doing things differently than they are now, but they look at state department rules and regs and they won't let them do it. If, in their plans, they identify, just as an example, that the manner in which they are going to teach a

foreign language and English together in a classroom, that they think they could do some creative way of teaching those by teaching the two subject matters together and it doesn't fit neatly within an existing state department regulation on what is an English class, what is a foreign language class, the state department could say, yeah, that's a good idea to do that, we like that and we'll waive this particular requirement on what a definition of a language arts or a foreign language class is. Same thing, I guess a more traditional one that they'll point out is, maybe there is a blacksmith in a community who has wonderful skills in the "smithing" trade and is...

SPEAKER BARRETT: Time has expired.

SENATOR WITHEM: I'm sorry.

SPEAKER BARRETT: Senator Warner, please. Senator Withem, your light is next. You might want to continue that dialogue. Senator Warner, please.

SENATOR WARNER: Well, Mr. President, members of the Legislature, I, too, have some comments which I think, Senator Withem, they aren't necessarily going to be in the form of a question, but it is a question to ask you to respond to or comments asking you to respond to. There are two or three things that have gone through my mind as I've been listening to you and others talk about. One of the things, and I shared some of the same concerns others have expressed as the forums and the waivers seem to have merit and I wonder about the grants and then I wonder if those grants ought to be, since they are so limited in number, if maybe they shouldn't be for more than a two-year duration? I don't know if they are, for sure, if they are annually or for the full four-year period, but it would seem to me that some responsibility on the part of a local school district to realize that they are going to absorb the cost within a reasonably predictable period of time would also make their commitment to change more appropriate in the types of things that they would submit for a project. When I was reading the State Roles in Restructuring put out by the Education Commission of the States I noticed a number of descriptive terms which, to me, say things that I have heard many times before and they do not appear on the surface to be particularly innovative or perhaps they mean something different than what I think they mean and perhaps are innovative. One of the things I know I, for myself, I have to guard against. When you sat and talked

to...to listen to these kind of things over a period of time, you tend sometimes to not recognize innovation when it's being proposed. You tend to think this is the same old thing with a different name and you know that that is not necessarily true, but it would help me to...if you could phrase some things that would give the impression of innovation rather than retrying something we've already done. But, finally, the thing that is really bothering me, Senator Withem, a little bit that I would really appreciate some comment, part of it is the comment that, I believe, Senator Scofield made the other day. There are a number of bills going through, all of which have...are designed, intended to improve the quality of education and I'm talking about things other than funding now, funding is another issue, but those that are not necessarily limited to funding. The one the other day on the choice for the student to attend institutions, this one, the one that we just previously advanced on improving or at least providing better data, data bases, it would be helpful for me if you could describe kind of where you believe the Education Committee is aiming the state toward improving education, how these bits and pieces, which by necessity we have to deal with in that fashion, how they fit in. Is there a possibility that your committee could give us some kind of a priority as to what areas are most likely to be effective, in...at least in your judgment? I'm a little concerned about passing several bills, all tabbed with the words to improve education and yet I wonder how coordinated those efforts are...

SPEAKER BARRETT: One minute.

SENATOR WARNER: ...and so if you...some general discussion along those lines would be very helpful for me because my initial reaction is to limit the grant part as some have, I think, almost suggested and go a little bit slower, staying with the forums and perhaps the waivers and local initiatives, so since you're up next, I would appreciate in your comments if you could cover some of those items.

SPEAKER BARRETT: Senator Withem, you have 30 seconds on Senator Warner's time and then five of your own. Go ahead.

SENATOR WITHEM: Okay, thank you very much. Maybe I ought to use his time to finish my answer to Senator Schimek and my time to answer his questions. Senator Schimek, I hope that answered your question on the waiver concept? It didn't Well, just a

second, I'm on Senator Warner's time so let me go ahead and...the last question I guess I'll take on his time deals with the importance of the grants. The grants are the best thing I can think of to provide the incentive. Come forward, anybody else, with other incentives that you can think of to make this concept workable and I'll sure listen to those. The grants are, frankly, an idea that I got when I went to some national conferences and that's what some other states are doing. Whether the grant money is essential or whether there are other things that would make this work, I'd sure be happy to hear those ideas and we can work with those. With that, I guess he still has some time left, I see you just hit your light. If you have time left and go ahead and...it's still your time I believe.

SENATOR WARNER: Well, yes, just briefly, would a time limit on the length of the grant help encourage local government, and I still would like at some point before we get off this bill, more of a general discussion of the general direction and that, in your opinion at least, appropriately the Education Committee is going toward change in educational policy. Is there some mesh of relationship with these various bills that are going through, and is it possible to prioritize them?

SENATOR WITHEM: Okay, thank you, Senator. Am I on my own time now or...

SPEAKER BARRETT: You're on your own time.

SENATOR WITHEM: On my own time, okay.

SPEAKER BARRETT: Three and a half minutes.

SENATOR WITHEM: Okay, in response then to Senator Schimek's question that she said did not get a satisfactory answer the first time I tried it, on what type of waivers would we be talking about? We're talking about in general sense, if a local school committee gets together and said we could have a great school here if it just weren't for such and such a waiver, or such and such a State Department of Education requirement, whether that be a staffing sort of requirement, whether that be an hours in school sort of requirement, whether it be any of these types of things, and they put that in their plan, say make this plan effective we'd like to see this waived, the department may waive that. Keep in mind this is permissive. It doesn't

provide for any automatic waiver of requirements. The school district says, well, yeah, we'd like to fire all of our teachers with certificates and bring in some people that are hanging around down at the local pool hall to talk about education, the department would turn that one down I would hope. So that's in general what it is. Senator Warner, I appreciate that question and I'll try to answer it. Your question is, he sees...I'll rephrase it as I heard it, that he sees a number of different initiatives coming out of the Education Committee this year, wonders, do they tie together? Are they heading us in different directions? And is there a priority within that particular set? Restructuring and choice are not mutually exclusive proposals. As a matter of fact, they mesh together particularly well because when you get done with restructuring you may have a school district in one city that is quite different from a school district in another city. The concept then and choice would be very beneficial. If a student is in an area that has chosen a particular method of bringing about education reform that doesn't fit that student's needs, they would have an opportunity to go to a different district. The two ideas of choice and restructuring, a matter of fact when you go to national conferences, if you read the literature of people proposing education reform both internal in education and external, the two ideas are very parallel and they work together fairly well. The last idea on educational data is really one that is, I think, apart from these two ideas somewhat. It is not, does not conflict with these other two ideas, but it's dealing with a different concept and that concept is...

SPEAKER BARRETT: One minute.

SENATOR WITHEM: ...the policymakers have the data that they need to make decisions. You had another question, Senator Warner, and I forget what...pardon me? Oh, a limit on time for the grants. I think it's two years in here because we budget, and I know I don't have to remind you of this, we budget on two-year cycles and that's all we could provide for in this particular bill. Whether they are ongoing or not is something I hadn't considered and really don't know if they would need to be. The other question you had that I wanted to respond to is you look at this sheet and there are a lot of specific ideas on here that you've heard about for a long time. What restructuring talks about is within a school building not only having a teacher teach from the inquiry method which we've been taught since way back when I was in college that you're supposed

to do, but having the rest of the school structured in a way that will support that type of teaching.

SPEAKER BARRETT: Time has expired. Thank you. Senator Scofield, followed by Senator Bernard-Stevens and Warner.

SENATOR SCOFIELD: Mr. President and members, I guess I'd like to give Senator Withem an opportunity to continue the discussion that we've started here and also since Senator Beck's question raised a question in my mind about, one, Senator Withem, I'm going to reel off a bunch of things and then give you my time to continue responding. How do you envision the grant application process working? There is a committee outlined in here but I don't see...if you want to embellish upon that and probably, if we're going to use that, I think we ought to...we should embellish on that a bit. I could see quite a competitive situation emerging which probably is what we want to see. On the other hand, I'm intrigued by the suggestions here that perhaps we should think of other ways to encourage this to happen, not being sure that you bring about change simply by sending out a grant. Maybe you do. The other question that I have, and I don't have an answer for this, but it's one that I think all of us here in the body should work with Senator Withem or anybody else who wants to bring about change. It seems to me on the handout, Senator Withem, under State/District Roles in Restructuring, item 2 really gets at a central assumption to any kind of change process as we talk about encourage wise use of resources with resources being allocated on what is best for student learning. Correct me if I'm wrong, but I'm making the assumption that that means that you might, in fact, take resources that are currently being spent on one thing and even reallocate them to a different area which I've always been a strong advocate of and, in fact, we've pushed that, tried to push that notion in the children's study. But I can tell you that I cannot think of a time when we've made a meaningful reallocation of resources anywhere in government. It tends to end up just being add ons rather than actual shifts because you have a constituency out there for something that is already going on and I've had lots of school boards' experience with that when they've got in financial trouble trying to make some changes and everybody comes rushing in that wants to support that one program. I guess I want to know, is that the assumption and then, too, what do we have to do as a Legislature to set the tone for that to show that that can be done. I think it would be a major breakthrough because I've never seen anybody

be particularly successful at that.

SPEAKER BARRETT: Senator Bernard-Stevens, please. Excuse me.

SENATOR SCOFIELD: I want to give Senator Withem the rest of my time to respond.

SPEAKER BARRETT: Excuse me. About two and a half minutes.

SENATOR WITHEM: I didn't say I was going to take it though, did I? This is a...no, I appreciate the interest. Seriously, I do appreciate the interest and the questions. I'll attempt to answer the two questions that I heard. One is on the grant application process. The bill takes one approach toward this type of program. It sets it up and as says there is an agency of state government that has rule and reg making authority that will set up the procedures. That is the assumption in the bill. If senators, any senator is not comfortable with that procedure and wants it spelled out more specifically, I'm perfectly willing and actually probably delighted to do that. It doesn't concern me that you'd like to see that done and would like to work on that. The question of reallocation of resources, point two, State/District Roles in Restructuring, comment on why this is vital that we spend a lot of money on education in this state. Nebraska, on a per capita basis, we're about at the average. We spend a billion dollars a year educating kids in elementary/secondary schools in our state. We've got, if you read the literature and believe the literature, we've got to begin doing a lot of things differently. Our kids, a lot of our kids, too high a percentage of our kids aren't completing school, and of those that do, too high a percentage of them are leaving the schools not ready to make it either in higher education or out in the workforce. We're probably not going to spend \$2 billion on education here in Nebraska in the foreseeable future, so we're going to have to do some reallocation. We're not talking about necessarily doing reallocation at the state level.

SPEAKER BARRETT: One minute.

SENATOR WITHEM: We're talking about urging those local districts out there to do some reallocation, some different staff assignments for instance. In a school district that I know of, for instance, they had a neat wonderful program going the teachers were doing on a volunteer basis but weren't able to

sustain it on a volunteer basis. They said, well, let us do this program. First they asked to be paid for it, which is kind of the old approach. When that didn't happen they said, well, at least we've got three teachers that are now standing in front of this study hall. One of the teachers is the teacher working on this project. That time period would mesh with the planning period of another teacher. Why don't you take that third teacher out of the study hall, you don't need three teachers in the study hall anyway, and put that teacher working on this project. They said, no, because our student handbook says there will be three teachers in the study hall at the same time. That's a very minute example but an example of the type of reallocation that we're talking about.

SPEAKER BARRETT: Thank you. Senator Bernard-Stevens, Senator Warner next.

SENATOR BERNARD-STEVENS: Thank you, Mr. Speaker, members of the body, just a moment, I wanted to give Senator Withem a little break as he's, as chairman of the committee, has taken most of the discussion time by himself on the committee so I thought maybe, being a member of the Education Committee, I'd put in a few comments about the bill from maybe a different perspective. One of the things that is intriguing, I know Senator Schimek was talking about as a parent and children and Senator Schmit was thinking about his grandchildren, what have you, from a different perspective, being an instructor and a teacher in a classroom, one of the things that you realize is that in education what has happened in this state and in most states I presuppose is that it's become so administratively that it's very frustrating, it's very difficult to find quality time sometimes to actually get in classroom and spend time preparing for your class in order to work with the class, in order to get with each student because of the so many different bureaucratic things that have been set up. One of the things that's happened within our schools that's so frustrating to me, for example, was that we set up the schools for administration purposes. We set up 50-minute periods or a 40-minute period or 55-minute periods for administrative purposes and we have a five or three-period lunch for administrative purposes because we can get kids or we can handle or we can have somebody supervise, all these things are made for administrative purposes. Very seldom have we had the decisions made on the actual functioning of the school made by those people who are really in the educational forefront, that being the faculty and members that teach children in the

classroom. One of the things restructuring does that kind of excites me a little bit is it picks about five schools, it picks five schools and it says, listen, instead of talking from the top, down, and organizing for administrative purposes from the top, down, let us go ahead and throw out the rules, throw out the regs and let's go ahead and go from the bottom, up, and let's see how that goes. Let's see if we can get the input from the faculty on who knows how to get things done and what would be the best way to do it and see if we can come up with a restructuring of school that really fits not only the teaching part of it that we all know is so important, but also consequently to the student portion which is so important. And I think one of the things that happened as Senator Withem has stated, and I don't know if the point got across as well is that so many of our school systems talk about it but they have not gotten the opportunity to do so or they don't take the opportunity to do so. Educators are very good about talking what should be done but they get frustrated with the problems and, therefore, we don't move forward. I think the restructuring that was proposed in this bill, though somewhat vague and fuzzy possibly, is a way that we can find five school districts throughout the state, schools...excuse me, not districts, but school buildings and let the faculty tear at their whole structure and say, what do we really want to do? What could we do structurally that could really improve the quality of educational time we spend with our kids? And don't worry about the administration problems, but let's just worry about what we want to get done with our children in our classrooms for our town, for our district and our building if you wish if you're in a larger district. And I think that's some of the exciting things that restructuring will do and I certainly hope that the questions brought up today, that many of these aspects can be worked out on Select File on some of the problems, but I think the quality of what we're trying to get accomplished here may in the final analysis prove fruitless. We may have five buildings that restructure and we find is a total waste, but sometimes there is a gem out there to be discovered and I think in this area, focusing from the bottom, up, is one area that we might be able to find some gems. My concern with the bill as I was in committee was...

SPEAKER BARRETT: One minute.

SENATOR BERNARD-STEVENS: ...when we find something that may be very workable in one area, what happens after the bill is

finished? Do we then go back and say, no, you're not, you have to go back under the rules and regs again or are we going to allow them to continue something that they have developed and I think that is something that will need to be considered as well later on. But the concept of the bill is good. The potential of the bill is good and, yes, we do have a lot of studies or we have a lot of experiments that do fail. All progress, all scientific study, all research in the most cases, you fail, because you go into the unknown and many of these areas may fail too. Maybe we need ten and not five. But because we have failed in the past in research, which you go with the idea that you may fail, does not stop us from going again into the unknown because we may be successful, we may find that key which can be so helpful that it has eluded us because we have not restructured our schools for the actual teaching.

SPEAKER BARRETT: Time has expired.

SENATOR BERNARD-STEVENS: Thank you, Mr. President.

SPEAKER BARRETT: Thank you. Senator Withem, there are no other lights on. Would you like to close on the advancement of the bill?

SENATOR WITHEM: Yes, I sure would. First of all, I would urge members of the body to vote to advance this bill to Select File. I am delighted with the quality of conversation we have had on this bill. Frankly, I expected one of two things to happen. Either people see the word restructuring and thought it was a backdoor reorganization attempt and it would get nowhere or see people listen to a five-minute explanation, no lights go on and everybody push the green light. I think what we've had here today is far, far more valuable than either of those two things happening. The two specific concerns I've heard about the bill that I would pledge to the body to work with, anybody interested in suggesting changes between now and Select File, are the concern about how the grants are applied and a Senator just mentioned something to me that...and he's not here at the moment I see but it makes a world of sense to me and I think we do need to make some changes in how we grant...we make those grants, secondly, whether the grant of money is the appropriate carrot to hold out there or not. I don't know if it isn't. I'm certainly willing to hear other creative ideas from people on how we can improve this bill. Thirdly, hearing Senator Bernard-Stevens speak led me to conclude that I'd like to

conclude this with a little story that maybe gets back to one of Senator Warner's previous questions is, how much is different in restructuring than is out there today? I knew of a teacher once who taught a class in American Government, spent a lot of the time in each semester having the kids go through a simulation of how a Congress would operate. It was a procedure that took in some times six weeks to nine weeks out of an 18-week semester and the kids would actually play the roles of different members of Congress, and you'd see kids in that building coming in at 7:00 a.m. in the morning, staying until the evening to do committee write-ups of bills, debate the bills. You'd see the kids when they were caught up in this process were just going bananas over it and were learning probably more about the governmental process than they would have been out of a textbook, and that was a piece of restructuring. Let me tell you what else was happening in that school building at the same time. Teachers were complaining to the principals because kids were in their room when they weren't in their room. Teachers were complaining to department heads because they were teaching government in the traditional fashion and those other kids aren't memorizing who the cabinet members are this week, that kids would be using the telephones to talk to people to gather information about the bills that they were researching and teachers weren't able to use those telephones. So unless you have the support of the entire school building behind a restructuring effort, it's not going to be successful. It is going to be piecemeal reform and that's what restructuring is about. That is what this bill is about, encouraging the faculties, the administrators, the parents, the board members in individual school buildings to sit down and create models to improve education in those schools. It's vital that we do this. It's vital that education change. The things we've been doing here in this state and in other states are really just tinkering at the margins, creating new programs, adding a little bit more money here, adding a little bit more money there. We have really got to encourage fundamental reform and change in education in order for this state to see that its young people are successful and to see that all of the young people in our nation are going to be able to take the leadership roles that they are going to need to if our nation is going to continue to prosper. I would urge you to advance this bill to Select File. We'll work out the specific concerns people had between now and Select File. I thank all of the members who participated in the debate. It has been an excellent discussion, I believe.

February 27, 1989

LB 257, 335, 336, 436, 497, 532, 540
654, 670, 705, 800, 809

SPEAKER BARRETT: Thank you. You've heard the closing and the question is the advancement of LB 336. Those in favor please vote aye, opposed nay. Voting on the advancement of the bill. Have you all voted? Record, please.

CLERK: 27 ayes, 0 nays on the advancement of 336, Mr. President.

SPEAKER BARRETT: LB 336 is advanced. For the record, Mr. Clerk.

CLERK: Mr. President, I have notice of hearing, appointment, gubernatorial conferee hearing by the General Affairs Committee, Mr. President.

Senator Pirsch has amendments to be printed to LB 257. (See page 886 of the Legislative Journal.)

Urban Affairs Committee whose Chair is Senator Hartnett reports LB 670 is indefinitely postponed and LB 800 as indefinitely postponed. (See page 886 of the Legislative Journal.)

Mr. President, Senators Goodrich, Nelson and Lowell Johnson would like to add their name to LB 809 as co-introducer. (See page 887 of the Legislative Journal.) That's all that I have, Mr. President.

SPEAKER BARRETT: Thank you. Senator Hall, would you care to adjourn us until tomorrow morning, please.

SENATOR HALL: Mr. President, I would...as soon as we drop these on the Clerk's desk, is that possible? (laughter) My committee, what can I say? We could read those in I...

SPEAKER BARRETT: Any messages on the President's desk, Mr. Clerk?

CLERK: Mr. President, I have some late messages that have arrived. Your Committee on Revenue reports LB 705 to General File with amendments, LB 540 General File with amendments, LB 497 indefinitely postponed, LB 532 indefinitely postponed, LB 436 indefinitely postponed, LB 654 indefinitely postponed, and LB 335 to General File with amendments attached. (See pages 887-91 of the Legislative Journal.) That's all that I have, Mr. President.

March 2, 1989

LB 336, 744
LR 38

PRESIDENT NICHOL PRESIDING

PRESIDENT: Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber. We have with us this morning, as our chaplain of the day, Pastor Richard Carlson who is chaplain at Union College here in Lincoln. Would you please rise for the invocation.

PASTOR CARLSON: (Prayer offered.)

PRESIDENT: Thank you, Pastor Carlson, we appreciate it. Roll call, please.

CLERK: I have a quorum present, Mr. President.

PRESIDENT: Thank you. Any corrections to the Journal today?

CLERK: No corrections, Mr. President.

PRESIDENT: Very good. Any messages, reports or announcements?

CLERK: Mr. President, Enrollment and Review reports LB 744 to Select File with E & R amendments attached; and LB 336 to Select File with E & R amendments attached. And I believe that is all that I have. (See pages 937-38 of the Legislative Journal.)

PRESIDENT: Very good. We'll move on to resolutions, LR 38.

CLERK: Mr. President, the first item on LR 38 is a request from Senators Ashford and Abboud to add their names as co-introducers. Mr. President, LR 38 is found on page 918 of the Journal. It congratulates the Creighton Blue Jay basketball team for having won the Missouri Valley regular season basketball championship. Mr. President, the resolution was offered on March 1. I do have an amendment to the resolution by Senator Ashford. (Ashford amendment appears on page 938 of the Legislative Journal.)

PRESIDENT: Senator Hartnett, are you aware of the Ashford amendment?

SENATOR HARTNETT: No.

PRESIDENT: Are you ready to handle it, or is anybody else willing to handle it?

March 13, 1989

LB 95, 140, 257, 280, 289, 311, 330
336, 387, 395, 438, 444, 478, 561
588, 603, 606, 643, 683, 705, 710
721, 736, 739, 744, 761, 762, 767
769, 780, 807

indefinitely postponed; LB 478, indefinitely postponed; LB 561, indefinitely postponed; LB 387, indefinitely postponed, all those signed by Senator Chizek as Chair of the Judiciary Committee. (See pages 1081-82 of the Legislative Journal. Journal page 1082 shows LB 721 as indefinitely postponed.)

Mr. President, a series of priority bill designations. Senator Hall would like to designate LB 762 as a committee priority. Senator Hartnett designates LB 95 and LB 444 as Urban Affairs priority bills. Senator Hartnett chooses LB 603 as his personal priority bill. LB 739 has been selected by Senator Hannibal; LB 606 by Senator Schimek; LB 761 and LB 289 by the Natural Resources Committee, and LB 807 by Senator Schmit, personally. LB 769 by Senator Labedz; LB 705 by Senator Ashford; LB 438 by Senator Wehrbein; LB 710 by Senator Scofield; LB 643 by Senator Bernard-Stevens; LB 588 by Senator Chambers; LB 739 by Senator Hannibal; LB 330 by Senator Pirsch; LB 767 by Senator Smith; LB 736 and LB 780 by General Affairs Committee; LB 395 by Senator Peterson. Senator Lamb selected Transportation Committee's LB 280 as a priority bill. LB 311 has been selected by Senator Landis as his personal priority bill; LB 683 by Senator Schellpeper.

Mr. President, I have a series of amendments to be printed. LB 744 by Senator Withem; LB 336 and LB 257, those by Senator Withem. (See pages 1083-88 of the Legislative Journal.)

I have an Attorney General's Opinion addressed to Senator Haberman regarding an issue raised by Senator Haberman. (See pages 1088-90 of the Legislative Journal.)

Mr. President, Natural Resources Committee will have an Executive Session at eleven-fifteen in the senate lounge, and the Banking Committee will have an Executive Session at eleven o'clock in the senate lounge. Banking at eleven o'clock, Natural Resources at eleven-fifteen. That's all that I have, Mr. President.

SPEAKER BARRETT: Thank you, Mr. Clerk. Proceeding then to Select File, LB 140.

CLERK: Mr. President, 140 is on Select File. Mr. President, the bill has been considered on Select File. On March 2nd the Enrollment and Review amendments were adopted. There was an amendment to the bill by Senator Chizek that was adopted.

individuals dealing with elementary-secondary from elementary-secondary education. This expands that to six. And finally we had some concerns from Senator Moore and others about the fiscal impact of the bill. This amendment does two things with fiscal impact. One, the bill originally provided for funding a staff position of the Department of Education that would be a legislative liaison. That individual exists today, is funded today. We felt it not proper probably for the funding of that individual to be picked up by this bill so it deletes that reference. Finally, we cut down the fiscal impact that would have been \$300,000 this first year to \$220,000 and where it would have been \$615,000 in the second year, we cut that to \$473,000. The cuts are primarily a result of, first of all, the deletion of the agency coordinator, some minor reductions and we are cutting down the assessment of the number of students that would be taking this National Assessment for Educational Progress test. We'd originally estimated it would be \$10 per student. We're estimating we could probably do that for \$7 per student. We are talking about testing in 100 schools, 60 students per school. These will be randomly selected schools and randomly selected students. The purpose of it is to get an assessment of how well our students in the state are doing. I hope this reduction to the A bill and these other changes meet with the approval of the body. I would urge you to support the amendment and I will answer any questions.

PRESIDENT: Thank you. The question is the adoption of the Withem amendment. All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: 25 ayes, 1 nay, Mr. President, on adoption of Senator Withem's amendment.

PRESIDENT: The amendment is adopted. Anything further on the bill?

CLERK: Nothing further, Mr. President.

PRESIDENT: Senator Lindsay, please.

SENATOR LINDSAY: Mr. President, I would move that LB 744 as amended be advanced.

PRESIDENT: You've heard the motion. All in favor say aye. Opposed nay. It is advanced. LB 336.

March 14, 1989

LB 336

CLERK: 336, Senator, I have E & R amendments pending.

PRESIDENT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I would move the adoption of the E & R amendments to LB 336.

PRESIDENT: You've heard the motion. All in favor say aye. Opposed nay. They are adopted.

CLERK: Mr. President, Senator Withem would move to amend. The amendment is on page 1083 of the Journal.

PRESIDENT: Senator Withem, please.

SENATOR WITHEM: Yes, Mr. President, members of the body, the amendment was printed in the Journal yesterday. Hopefully you've had some time to review it. I've circulated some handouts, hopefully they've reached your desk in time for you to take a look at them. LB 336 is a bill we debated again on General File a couple of weeks ago, deals with school...improvement of education quality in our schools. The concept is one of bottom up, bottom up...the term we use is restructuring, bottom up improvements locally planned, attempts to change the way in which schools operate to meet the tremendous problems we have with education in our society. I had an excellent debate on the bill on General File, lots of questions asked, lots of debate, lots of discussion. It was a very positive experience I think for us to be discussing the things that we did discuss. A number of points were brought up that caused me to bring you some additional amendments on the bill. I should also point out I guess that when we got to taking a vote on the bill it did advance I think with a 28-0 vote for advancement. The amendments that you have in the Journal do a number of things. First of all, they provide a little better definition of what restructuring is in the statute. Secondly, they indicate that the money that we're spending for the forums ought to be supplemented, we encourage that it be supplemented by private organizations, helping enhance the dollars that we can put into it as a state. Third, probably the key change that we make, and this is a good one where I guess you convinced me on the floor that a change needed to take place is, originally the bill called for two things happening simultaneously, a group of forums around the state to

talk about restructuring and how schools can be improved on the local level and at the same time the competing for grants given out by the state to schools that are implementing model restructuring programs.

PRESIDENT: Senator Withem, may I interrupt you a moment, please? (Gavel.) Please, let's hold our conversation down so we can hear the speaker. Senator Withem.

SENATOR WITHEM: Thank you, Mr. President. What we're doing with the bill now is phasing it in and it's probably a good idea. This is not a phase in to buy votes or anything because the bill is not that expensive and we could easily afford to do this all in one year, but it's probably a good idea to phase it in. The first year to do the forums around the state, the discussion about what restructuring is, identify needs to improve schools, go through all of that process the first year and then after we've done that, have the schools do their planning at the local level, set their grants into place and make it a...to make it...they'd go into place the second session. Fourth thing that the amendments do is that we...originally the bill was to be administered as a function of the Department of Education. To be real blunt I guess, on the floor that there were some individuals told me later on that they were uncomfortable with that. They are uncomfortable with that if we're talking about changing the way in which schools operate and function, that we ought to have it be more of an outside look as opposed to an inside look. So we're established this school restructuring commission that was created, is going to be given greater authority to operate independently. Final thing I guess that we do is that there was some concern, I think, expressed by Senator Warner on the floor, that what are we doing? What are the schools going to be using the \$50,000 for? Are we going to ask them to make expensive improvements in their school, continue to fund those on an ongoing basis at the state level, or are we going to have them make expensive changes in their school and then pull the money away from them after they've made them? It is the intent, and hopefully the amendment is drafted to make this clear, it is the intent first of all that this is not an ongoing program that will be in the state budget year after year after year, that the grants of up to \$40,000 each will be used for one-time expenditures, staff training, purchase of new equipment, purchase of new instructional materials, whatever might be needed for them to implement their restructuring plans. It will not be in the

budget on an ongoing basis and it is not the intention of this bill to have this money in the budget on an ongoing basis. We also had indicated in the original bill five grants of \$40,000. What this bill says is grants up to \$40,000 so more of them could be funded if the advisory committee that will be making these grants is in a position to do so. With that, that explains the amendment. I'll be happy to respond to any questions.

PRESIDENT: Thank you. Mr. Clerk, do you have an amendment to the amendment?

CLERK: Mr. President, Senator Scofield would move to amend Senator Withem's amendment, on page 8, line 1, strike the word "model"

PRESIDENT: Senator Scofield, please.

SENATOR SCOFIELD: Thank you, Mr. President. First let me say I appreciate the work that Senator Withem has gone to to address the concerns that we raised on this issue and I think he has substantially taken care of the concerns that I heard raised. I do want to offer one amendment on page 8 to the language Senator Withem has proposed in line 1. This is the section which allows the State Board of Education to waive any rule or regulation of each participating school, or any school policy which has been identified as a barrier. And the way the language now says they can waive any rule or reg that applies to a model school restructuring plant. I would like to propose that we strike that word "model" to give further flexibility to this and this came as a result of discussions with in particular a group of educators in the west who suggested that we might, in fact, facilitate a more rapid move toward restructuring throughout all schools if we put that additional flexibility in the language so that should the board choose to entertain a proposal from a school other than a model school about rules and regs being waived, we could do that. That's the essence of the amendment.

PRESIDENT: Thank you. Senator Withem, please.

SENATOR WITHEM: Yeah, Mr. President, thanks, Senator Scofield, for this change in the bill. I think it probably could have done otherwise, but it's probably good to spell it out in clear language that can be understood. The intent of the bill is not to have four or five schools in the state improve and all the

rest of them stay the same. The intent of the bill is to have 500 restructuring projects going on in the state, that we pick four or five of those to give particular encouragement to, but that we'd hope that all of the systems, all the schools that go through this planning process would implement what they're doing. And, yeah, if they do have...if a school has identified some overly impressive state department rule and regulations, that they can do a better job of educating kids without, they ought to have the option of applying for a waiver on those even if they aren't one of the granted schools. This is a...I consider it a very friendly amendment and I appreciate Senator Scofield for calling it to our attention.

PRESIDENT: Thank you. The question is the adoption of the Scofield amendment to the amendment. All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: 25 ayes, 0 nays, Mr. President, on adoption of Senator Scofield's amendment to the Withem amendment.

PRESIDENT: The Scofield amendment to the Withem amendment is adopted. Now we're back to the Withem amendment. Senator Withem, did you wish to speak further on your amendment?

SENATOR WITHEM: If there are no further lights on, I would just urge adopting the amendment.

PRESIDENT: Okay, thank you. The question is the adoption of the Withem amendment. All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: 25 ayes, 0 nays, Mr. President, on adoption of Senator Withem's amendment.

PRESIDENT: Now we're back to the advancement of the bill. Mr. Clerk, do you have anything further?

CLERK: Nothing further, Mr. President.

PRESIDENT: Senator Scofield, on the advancement of the bill.

SENATOR SCOFIELD: Thank you, Mr. President. It occurs to me that it might be useful to at least have a brief discussion with Senator Withem as far as what our expectations are of teachers colleges as we move in this direction. I know there is a

positive role for them to play, in fact, probably a leadership role, and as I read his language here I don't think we specifically spell that out, but I think for the record I'd like to give Senator Withem the rest of my time to expand on that. I personally believe that teachers colleges have a real contribution to make here and we should make every effort to involve them in the process and if he'd care to be more specific on that, I'd welcome those comments.

PRESIDENT: Senator Withem, please.

SENATOR WITHEM: I'd hoped you'd push your light so you'd be specific about what we expected from them, but I will at least attempt to. One of my failings, I think, as Chair of the Education Committee is that I have not paid as much attention as I should to the role that teachers college should be performing in this area of education improvement. That's where the ideas on what is good education, whether failed education techniques should be residing, and it would be my hope that the education...the teachers colleges, public and private in out state, would view themselves as a resource for school districts to go to. We've included them within the advisory committees here that are established and they really do need to play a much more direct relationship with school districts that are seeking to bring about improvement and it's tough to say specifically what you'd expect them to do because this is not a specific bill. It's, you know, attempting to legislate some general sorts of goals for improvement and ask people to create their own plans to get there, but it certainly would be my hope that the teachers colleges would be intimately involved with this.

PRESIDENT: Thank you. Any further discussion? If not, the question is the advancement of the bill. All those in favor say aye. Opposed nay. It is advanced. LB 183.

CLERK: Mr. President, 183 is on Select File. I do have, the first item are E & R amendments.

PRESIDENT: Senator Lindsay, please.

SENATOR LINDSAY: Mr. President, I would move the adoption of the E & R amendments to LB 183.

PRESIDENT: You've heard the motion. All in favor say aye. Opposed nay. They are adopted.

March 17, 1989

LB 155, 326, 334, 336, 440, 441, 489
516, 556, 623, 744
LR 58, 59

return to your seats, we will continue with Final Reading, please. While the Legislature is in session and capable of transacting business, I propose to sign and do sign LB 556, LB 516, LB 489, LB 440, LB 334, LB 326. Okay, Mr. Clerk.

ASSISTANT CLERK: (Read LB 441 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 441 pass with the emergency clause attached? All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

ASSISTANT CLERK: (Record vote read. See pages 1205-06 of the Legislative Journal.) The vote is 40 ayes, 0 nays, 4 present and not voting, 5 excused and not voting, Mr. President.

PRESIDENT: LB 441 passes with the emergency clause attached. While the Legislature is in session and capable of transacting business, I propose to sign and do sign LB 441 with the emergency clause attached. Mr. Clerk, do you have something for the record?

CLERK: Mr. President, I do. Your Committee on Enrollment and Review respectfully reports they have carefully reviewed and examined LB 155 and find the same correctly engrossed; LB 336; LB 623, and LB 744, all reported correctly engrossed. (See pages 1206-07 of the Legislative Journal.)

Mr. President, I have a report of registered lobbyists for this past week.

New resolution, Mr. President, LR 58, by Senator Rod Johnson. (Read brief description of LR 58 as found on page 1209 of the Legislative Journal.) That will be laid over. LR 59, by Senator Rod Johnson. (Read brief description of LR 59 as found on page 1209 of the Legislative Journal.) That's all that I have, Mr. President.

I do, excuse me, I do have one other item. Hearing notice, confirmation hearing notice from the Judiciary Committee. (See page 1210 of the Legislative Journal.) That's all that I have, Mr. President.

PRESIDENT: Thank you. I would like to introduce some guests in the north balcony. Senators Barrett, Baack, Elmer, Haberman,

April 18, 1989

LB 336, 546, 548, 582
LR 76

CLERK: 27 ayes, 0 nays, Mr. President, on adoption of LR 76.

PRESIDENT: The resolution is adopted. Anything for the record at this time, Mr. Clerk?

CLERK: Mr. President, Senator McFarland would like to add his name as co-introducer to LR 76 and Senator Withem has amendments to be printed to LB 336. (See page 1739 of the Legislative Journal.) That's all that I have, Mr. President.

PRESIDENT: Okay, if you will return to your seats, please, we will begin Final Reading. (Gavel.) If you will return to your seats, please, we will begin Final Reading. Mr. Clerk, LB 546.

CLERK: (Read LB 546 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 546 pass? All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: (Record vote read. See page 1740 of the Legislative Journal.) 46 ayes, 0 nays, 3 excused and not voting, Mr. President.

PRESIDENT: LB 546 passes. LB 548.

CLERK: (Read LB 548 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 548 pass? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: (Record vote read. See pages 1740-41 of the Legislative Journal.) 48 ayes, 0 nays, 1 excused and not voting, Mr. President.

PRESIDENT: LB 548 passes. LB 582.

CLERK: (Read LB 582 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 582 pass? All

have you with us this morning. Also, let the record reflect the presence earlier of 46 fourth graders from Senator Lowell Johnson's district, Lincoln Public Schools specifically and Fremont, with their teacher. Mr. Clerk.

CLERK: Mr. President, Senator Withem would move to return Legislative Bill 336 to Select File for a specific amendment. That amendment is on page 1739, Mr. President.

SPEAKER BARRETT: Senator Withem.

SENATOR WITHEM: Yes, this amendment comes upon a recommendation from the Appropriations Committee's Chair, Senator Warner. In discussion with the Education Department during their budget hearing, it became apparent that they have some federal dollars available to deal with experimental types of programs in the area of education, and it was felt that those dollars could be applied to the school restructuring program that LB 336 envisions being created. So what the amendment to LB 336 does, basically it saves some \$170,000, roughly, in General Fund appropriations by...the amendment reduces those General Fund appropriations. They will be substituted. Federal funds will substitute for those so there will be no effect on the program at all, it's just we'll be able to use some federal money and will not have the impact on the General Fund budget, so I would urge you to adopt the amendment to return LB 336 to Select File to adopt this amendment.

SPEAKER BARRETT: Any discussion on Senator Withem's motion to return the bill? Seeing none, those in favor of that motion please vote aye, opposed nay. Record.

CLERK: 27 ayes, no nays, Mr. President, on the motion to return the bill.

SPEAKER BARRETT: The bill is returned. Senator Withem.

SENATOR WITHEM: Yeah, hopefully, I explained the amendment on the motion to return. It's a...this amendment makes a change in the amount of dollars that are appropriated, decreasing them to reflect the fact that federal dollars are available to fund part of the cost of the program.

SPEAKER BARRETT: Thank you. Is there discussion? Any questions on the amendment? If not, those in favor of its

May 15, 1989

LB 336, 340A, 340

adoption please vote aye, opposed nay. Please record.

CLERK: 27 ayes, no nays, Mr. President, on the adoption of the amendment.

SPEAKER BARRETT: The amendment is adopted. Senator Withem.

SENATOR WITHEM: Move to readvance.

SPEAKER BARRETT: Thank you. Shall the bill be readvanced to E & R for Engrossment? Those in favor say aye. Opposed no. Ayes have it. Carried. The bill is readvanced. Mr. Clerk.

CLERK: Mr. President, Senator Chambers would move to return LB 340A to Select File for a specific amendment. The amendment is on page 1967 of the Journal.

SPEAKER BARRETT: Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, this is a very simple amendment. It is technical in nature. This bill, LB 340, the underlying bill, deals with the skeletal remains. On Select File there was some discussion as to the employment of staff and provision of money to do other things required under LB 340 and the A bill, because of that, has to carry an emergency clause. There also has to be a reappropriation so that money on hand at the end of this Fiscal Year will be reappropriated so that it will not lapse and it can be used for the implementation of this bill. When Senator Landis's amendment was adopted on Select File, it did not include the provision for the reappropriation, nor the emergency clause, so this amendment simply reinstates those two items to LB 340A. So I'm asking that you return 340A so that I can add this amendment.

SPEAKER BARRETT: Any discussion on the motion to return? If not, those in favor of returning the bill please vote aye, opposed nay. Please record.

CLERK: 26 ayes, no nays, Mr. President, on the motion to return the bill.

SPEAKER BARRETT: The bill is returned. Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature,

May 15, 1989

LB 175, 228, 312, 312A, 319, 323, 336
340A, 357, 423, 744, 761, 813, 814
815

PRESIDENT: We're still on the machine. Record, Mr. Clerk, please.

CLERK: 26 ayes, 8 nays, Mr. President, on adoption of Senator Lamb's amendment.

PRESIDENT: The Lamb amendment is adopted. Do have another one, please?

CLERK: Mr. President, may I read some items for the record?

PRESIDENT: Yes, please.

CLERK: Your Committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 319 and find the same correctly engrossed, LB 175, LB 228, LB 312, LB 312A, LB 323, LB 336, LB 340A, LB 423 and LB 744, all reported correctly engrossed.

I have amendments by Senator Warner to LB 813, Senator Schimek to LB 814, Senator Nelson to LB 357, Senator Smith to LB 815, Senator Warner to LB 814 and LB 813. That's all that I have, Mr. President. (See pages 2379-87 of the Legislative Journal.)

PRESIDENT: Okay, another amendment, please.

CLERK: Mr. President, Senator Scofield would move to amend the bill. (The Scofield amendment appears on pages 2387-88 of the Legislative Journal.)

PRESIDENT: Senator Scofield, please.

SENATOR SCOFIELD: Thank you, Mr. President, and members, I think this is a non...one of those rare noncontroversial amendments on this issue. You have a handout that's been circulated a little bit earlier. The purpose of this amendment is to put us...to slightly change our definition of low-level radioactive waste so that it conforms with what the current federal language is. Currently, our definition in the State of Nebraska we define low-level waste primarily by what it is not and the particular amendment that is being offered here would...if you will take a look at the handout, if you can find that under your materials there, under the Low-Level Radioactive Waste Policy Amendments Act of 1985 it specifically spells out

May 22, 1989

LB 336, 412, 412A, 423, 438

CLERK: (Record vote read. See pages 2626-27 of the Legislative Journal.) 46 ayes, 0 nays, 1 present and not voting, 2 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 412E passes. LB 412AE.

CLERK: (Read LB 412A on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 412A with the emergency clause attached pass? Those in favor vote aye, opposed nay. Record, please.

CLERK: (Record vote read. See pages 2627-28 of the Legislative Journal.) 45 ayes, 0 nays, 3 present and not voting, 1 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 412AE passes. LB 423.

CLERK: (Read LB 423 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 423 pass? Those in favor vote aye, opposed nay. Record.

CLERK: (Record vote read. See page 2628 of the Legislative Journal.) 48 ayes, 0 nays, 1 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 423 passes. I would like to return now to LB 336E.

ASSISTANT CLERK: (Read LB 336E on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 336 with the emergency clause attached pass? All in favor vote aye, opposed nay. Have you all voted? Record, please.

ASSISTANT CLERK: (Record vote read. See pages 2628-29 of the Legislative Journal.) The vote is 43 ayes, 0 nays, 5 present and not voting, 1 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 336E passes. LB 438.

May 22, 1989

LB 336, 438, 438A, 444, 449, 449A, 541
569, 569A, 574, 574A, 575, 575A, 603
603A, 611

those in favor vote aye, opposed nay. Have you all voted?
Record, please.

CLERK: (Record vote read. See page 2643 of the Legislative Journal.) 45 ayes, 1 nay, 1 present and not voting, 2 excused and not voting, Mr. President.

PRESIDENT: LB 603 passes. While the Legislature is in session and capable of transacting business, I propose to sign and do sign LB 336, LB 438, LB 438A, LB 444, LB 449, LB 449A, LB 541, LB 569, LB 569A, LB 574, LB 574A, LB 575 and LB 575A. LB 603A, please.

CLERK: (Read LB 603A on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 603A pass with the emergency clause attached? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: (Record vote read. See pages 2644-45 of the Legislative Journal.) 42 ayes, 1 nay, 3 present and not voting, 3 excused and not voting, Mr. President.

PRESIDENT: LB 603A passes. LB 611, please.

CLERK: Mr. President, Senator Abboud would move to bracket LB 611 until January 3, 1990.

PRESIDENT: Senator Abboud, please.

SENATOR ABOUD: Yes, Mr. President, colleagues, LB 611 is a bill that's been moving along through the process with little fanfare or some fanfare but not a lot of debate. The bill itself has been whittled down to...or at least certain portions have been whittled out and other portions have been left in. But there has been left with some confusion as to what this bill will provide for. It's my understanding that there is no immediate local option for income tax for the local school districts. What it provides for is a state identification to be able to implement a program like that in the future. And, most importantly, it takes away all local state aid options dealing with state aid to education which is a considerable amount of money for local school districts to put our feet to the fire. Now when this session started out I thought that Senator Moore

May 22, 1989

LB 209, 319, 323, 336, 354, 354A, 360
360A, 378, 378A, 388, 408, 408A, 412
412A, 423, 438, 438A, 444, 449, 449A
541, 569, 569A, 574, 575A, 575, 630
640
LR 219

While the Legislature is in session and capable of transacting business, I propose to sign and do sign LR 219. Mr. Clerk, where did we leave off?

CLERK: Mr. President, before we commence Final once again, I have an explanation of vote from Senator Conway. (Re. LB 209. See page 2648 of the Legislative Journal.)

Acknowledgement from your Enrolling Clerk, that bills read on Final Reading have been presented to the Governor. (Re. LB 209, LB 319, LB 323, LB 354, LB 354A, LB 360, LB 360A, LB 378, LB 378A, LB 388, LB 408, LB 408A, LB 412, LB 412A, LB 423, LB 336, LB 438, LB 438A, LB 444, LB 449, LB 449A, LB 541, LB 569, LB 569A, LB 574, LB 575A, and LB 575.)

Mr. President, the first bill on Final is LB 630, this afternoon.

PRESIDENT: If you'll take your seats, please, we'll begin Final Reading. (Gavel.) If you'll take your seats, please, we'll start Final Reading on LB 630, please. LB 630, Mr. Clerk.

CLERK: (Read LB 630 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 630 pass? All those in favor vote aye, opposed vote nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: (Read record vote as it appears on pages 2648-49 in the Legislative Journal.) 41 ayes, 1 nay, 3 present and not voting, 4 excused and not voting, Mr. President.

PRESIDENT: LB 630 passes. LB 640 with the emergency clause attached.

CLERK: (Read LB 640 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 640 pass with the emergency clause attached? All those in favor vote aye, opposed nay, and I am reminded again for the second time today that some of you are not remaining in your seats while Final Reading is being read. Have you all voted? Record, Mr. Clerk, please.

Mr. President, in addition to that, I have a new A bill. (Read LB 1019A by title for the first time. See page 898 of the Legislative Journal.) That's all that I have, Mr. President.

PRESIDENT: We will move on to LB 960, please.

CLERK: Mr. President, LB 960 was introduced by Senator Withem. (Read title.) The bill was introduced on January 4 of this year, referred to the Education Committee. The bill was advanced to General File. I have no amendments to the bill, Mr. President.

PRESIDENT: Senator Withem, please.

SENATOR WITHEM: Members of the body, LB 960 is a bill that the Legislature dealt with last year. It was one of the many pieces of legislation that was passed in the final days. There was kind of a massacre over in the Governor's office and where legislation was that was passed that had A bills that was not included within the budget, was, in fact, was, in fact, vetoed. This bill was one of those. It's been reintroduced. It deals with the question of school improvement passed in the form of LB 336 last year. It had widespread support from the schools, from a lot of parent groups, even some businesses who privately had not said a whole lot in support of legislation, of education legislation, were supportive of this legislation. Some folks from Columbus who run businesses up there came down and supported it. We have a letter here from Jack McCallister, the Chairman of the Board, and Chief Executive Officer of US West located in Denver, Colorado. The thrust behind school restructuring, first of all, whenever you see the word "re"...the prefix "re" in front of any school type of legislation you have the assumption that it deals with reorganization. It has absolutely nothing whatsoever to do with reorganization of schools. It has to do with improving schools. And the thrust of improving schools that's promoted here in restructuring is not a top-down, State Department of Education, and the Legislature passed a whole bunch of mandates that the local schools are forced to comply with. What the restructuring movement does is it gets...sets the policy of the state to urge schools to bring about improvement in the way in which they educate kids and ask them all to reevaluate their abilities to educate kids, and it funds a minimum of four model programs in our state. Actually, it's more than four, excuse me, it funds at a \$40,000 level those school districts that put together