

Transcript Prepared by Clerk of the Legislature Transcribers Office
Education Committee February 3, 2026
Rough Draft

MURMAN: OK. Welcome to the Education Committee. I'm Senator Dave Murman from Glenvil. I represent the 38th District, which is 8 counties along the southern border of the state, and I serve as chair of this committee. This public hearing is your opportunity to be part of the legislative process and to express your position on the proposed legislation before us. The committee will take up agenda items in the order posted. If you wish to testify on the mic today, please fill out a green testifier sheet. The forms can be found at the entrances to the hearing room. Be sure to print clearly and provide all requested information. If you will testify on more than one agenda item, you will need a new green testifier sheet each time you come forward to speak on the mic. When it is your turn to come forward, please give the testifier sheet and any handouts you might have to the page as you are seated. If you have handouts, we request that you provide 12 copies for distribution. If you do not have 12 copies, please alert the page when you come forward. At the microphone, please begin by stating your name, and spelling both your first and last names to ensure we get an accurate record. Observers, if you do not wish to testify but would like to indicate your position on an agenda item, there are yellow shine-- sign-in sheets in notebooks at the entrances. The sign-ins sheets will be included in the official hearing record. We will begin with the introducer giving an opening statement at the mic, followed by proponents, opponents, and those wanting to speak in a neutral capacity. The introducer will then have an opportunity to give a closing statement if they wish. We will be using a 3-minute time limit system for all testifiers. When you begin your testimony, the light on the table will be green. When the yellow light comes on, you'll have one minute to wrap up your thoughts, and the red light indicates that you have reached the end of your time limit. Questions from the committee may follow off the clock. A few final items to facilitate today's hearing. Please mute your cell phones or any other electronic devices. Verbal outbursts or applause are not permitted. Such behavior may cause you to be asked to leave the hearing room. Know that the committee members may need to come and go during the afternoon for other hearings. I will now ask committee members with us today to introduce themselves, starting on my far right.

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

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CONRAD: Sitting next to the Senator with impeccable timing, Danielle Conrad, represent north Lincoln.

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

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

LONOWSKI: Good afternoon. I'm Dan Lonowski from District 33, Adams County, Kearney County, and rural Phelps County.

JUAREZ: Hi. Welcome, everyone. Senator Margo Juarez from District 5 in Omaha.

MURMAN: Staff with us today are, to my immediate right, the committee's research analyst, Jack Spray, and to my far right is the committee clerk, Connie Thomas. And I'll ask the pages with us today to stand up and introduce themselves.

ELIAS REIMAN: My name is Elias, at UNL, studying psychology in the pre-law track.

GRACE HARPER: Hi. I'm Grace Harper. I'm from Loveland, Colorado, and I'm a junior studying political science at UNL.

MURMAN: We appreciate your help today. With that, we'll begin today's hearing with LB1196, Senator Storer.

STORER: Good afternoon.

MURMAN: Good afternoon.

STORER: Chairman Murman, members of the Education Committee, my name is Tanya Storer, T-a-n-y-a S-t-o-r-e-r. I represent Legislative District 43 in western Nebraska, which includes the bulk of the Nebraska Sandhills, 11 counties, Dawes, Sheridan, Cherry, Keya Paha, Brown, Boyd, Rock, Blaine, Loup, Garfield, and Custer, so say that 3 times fast. Today, I bring forward an important concept for protecting Nebraska students and families by aligning our state law with the forthcoming federal standard that requires degrees to demonstrate they are a step forward, not a lifetime financial burden, for prospective students and their families. We all value education, both of the K-12

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and the post-secondary levels. In fact, all three of my children are college graduates. Two of them started at a community college level. That worked best for them. And one of my, one of my children went on to get an advanced degree, so all levels. Certainly, something that I encouraged. I want students at Nebraska post-secondary institutions to have the same opportunities that they did. It is not divisive or controversial to believe that students should be better off after graduation from college than they would have been before, economically-- before pursuing that, that degree. I think that certainly is always the goal, that when we pursue a degree program that we're improving our income ability to provide for ourself and our families. There are many pathways to career preparation and readiness for the workforce. College is only one option, among others, but the worst-case scenario, quite frankly, is for a student in a college-- for a student being a college graduate to invest in a program, and then end up making less money after graduating than they would have if they had not went to college at all. This is the type of situation that can cripple students with debt, from what we will refer to as dead-end degrees, and often delays a young adult's ability to pursue jobs they want, buy a home, start a family, or save for retirement. LB1196 is one very commonsense step forward in providing transparency for students about the return on the investment they're making as they pursue a degree. Very simply put, LB1196 prohibits higher education institutions in Nebraska from using state or local funds to support a low-earning, post-secondary program as determined by a new federal earnings test to determine student loan eligibility. The new federal earnings test, established in federal law just last July, establishes very straightforward criteria for a program to be eligible for federal student loans. Four years after graduation, graduates' earnings are compared to similarly-aged workers with lower levels of education. Programs that earn less than the comparison group fail the test. Programs that fail in two out of three consecutive years, starting in June of 2026, lose eligibility for federal student loans. This is not a very high bar to reach. Median annual earnings in Nebraska for workers with a high school diploma, age 25 to 34, is \$36,082. For those with a bachelor's degree, median earnings are \$44,000 to \$60,000, depending on the field of study. This policy does not eliminate any-- does not eliminate any field of study or degree. It applies only to specific programs at specific institutions, based on outcomes. This bill provides a safeguard against low-quality academic programs that would otherwise receive taxpayer funding, protecting

students and their families who would otherwise enroll in what we refer to as "dead-end programs," on the hope of a better future, but only left with a nightmare of expenses that outweigh their benefits. An analysis of available public data on programs currently offered in Nebraska shows that only 12 programs currently would be impacted based on the current student success rates. These programs will not lose federal student loan eligibility for at least 2 years and have that time to address and demonstrate their value to prospective students and graduates. A few key points to-- on the record, so there's no misinterpretation of the intent of this bill. On average, college graduates earn nearly a million dollars over their lifetimes-- a million dollars more over their lifetimes than those without a degree. I believe in a college education. That doesn't mean college is a good investment for every student with every degree. The conversation is not whether college is worth it. It's when college is worth the investment. We cannot ignore that millennials and Gen Zs are buried in \$1.7 trillion in student debt-- more than the economy of Australia or South Korea. While one study shows that nearly half of college graduates regret their choice of major, millennials hold more degrees than any other generation in U.S. History, yet earn less than baby boomers did at the same stage of life, all while college tuition has doubled over the last 20 years. We owe it to young adults and their families sacrificing to earn post-secondary degrees that those offered and funded by the state provide the opportunities that they're working towards. By removing taxpayer funding from dead-end degrees or low-earning income degrees, colleges and universities will refine their degree offerings and help students focus on entering the workforce with a strong footing. The federal loan cutoff also encourages higher education institutions to better connect their degree programs with career training, internships, and other tools for career readiness and success. LB1196 ensures that higher education gives graduates good jobs, not false hope. It helps graduates find financial stability with their chosen degree by investing skills rewarded by the job market. I ask you to advance LB1196 to General File, empowering students to enroll only in programs that will help them achieve financial stability, pay student loans off more quickly, and enter the workforce fully prepared. Happy to answer any questions that you may have.

MURMAN: Thank you, Senator Storer. You, you referenced baby boomers, and that was a different time. And right now, college-- or high school

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graduates have a lot more opportunity, probably, for a rounded education or experience than maybe baby boomers did, so maybe not as much demand for unrelated-- or classes that don't directly help them with their career. Would you agree with that?

STORER: Let me repeat what I think your question is.

MURMAN: It took a long time to get there.

STORER: That-- what you're saying is there's more opportunities for a variety of classes to students coming out of high school today than there was for baby boomers? Is that ultimately--

MURMAN: Yeah.

STORER: Yeah. No, I don't, I don't think there's any disagreement with that. The intent of the bill is to make sure that those degree programs that, that high school graduates are pursuing are actually going to reward them with higher earnings, post-degree or certification, than they would have had without the degree.

MURMAN: Sure. Thank you. Senator Hughes.

HUGHES: Thank you, Chair Murman. Thanks for bringing this bill, Senator Storer. So while you were talking, I was just googling a couple, like, starting salaries for Nebraska. Our starting salary for teachers is \$38,000 a year. Is this one that's on the cusp of not getting funding, or because--

STORER: No.

HUGHES: --it's \$1,000, \$1,600 over or the \$36-whatever-- because like, like, for example, I would have to think with teaching, for example, you've got, you know, a couple months off in the summer, it's-- you know, it's not a full-time, necessarily, equivalent pay. And then the other one that I Googled just-- and-- because my daughter did it. A CNA makes \$32,000 a year, which is under that threshold. Shorter-- it is not a 4-year degree. It's a shorter degree. I mean, is that something at risk, then? Because I think that gives a kid a higher-up chance to start and potentially move on.

STORER: Right.

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HUGHES: So.

STORER: Yeah. So those are really good questions, and certainly questions I had before really introducing the bill, right? Currently, there's only, I think, 12 certificate or degree programs in Nebraska.

HUGHES: Could, could you get us that list?

STORER: Absolutely. Yes, I will.

HUGHES: OK. Yeah. That would be great.

STORER: 12 that would, that would fail the test, as the federal government has. And so the bill is suggesting that the test is the equivalent of the same test under federal law that will be implemented starting in July of this year.

HUGHES: For the federal loans.

STORER: Right. So it'll just be aligned with that. It will not be different--

HUGHES: Right. OK.

STORER: --from that, in terms of the thresholds and the test. Again, they have, they have two years, so it doesn't-- if they fail the test of the, of the income falling below that earned income, there's two years to, to sort of make those adjustments, whether that's changes within the institution that promote those, those graduates, or help connect them or get them into internships or a variety of things that college institutions, whether it's community college or, or a university can do, and do do, often. Right? So, it's not this immediate cut-off that's going to change every single year. There's, there's sort of this grace period from once those degrees are identified as being a low-earning income degree to sort of correct or help make those corrections, at least within that institution, to pass the test in the next two years.

HUGHES: Like, where did you-- where did the bill concept come from, I guess, too?

STORER: This is, this is new under federal law, so this is not reinventing the wheel. This is really just a one--

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HUGHES: So did you just see this federal law go in effect, and be like, oh, let's go underneath that, or?

STORER: Right. It's a fairly recognized--

HUGHES: I, I hadn't heard of it, so.

STORER: Yeah.

HUGHES: --maybe I'm naïve and not reading enough federally, so. But.

STORER: Yeah. No, this is something certainly that I was interested in, due to the fact that we're all very well aware of kids that are drowning in student debt and having a really hard time getting ahead, once they graduate college. I mean, the rate of the number of kids living in their parents' basement today is much higher than it would have been when I graduated college. There's something amiss. There's something not right. So this is, is really going to be helpful to not give this illusion to kids pursuing-- and right now, it's 12. It's a variety of certificate-- some are certificates, some are degree programs, and I'll get you that list.

HUGHES: Yeah.

STORER: So it's pretty limited in Nebraska at the moment. We want to keep that list limited. We hope that that list does not grow, quite frankly.

HUGHES: So it's basically like, we're not then using, kind of, taxpayer money to invest in that, that doesn't pay out on the back--

STORER: Correct.

HUGHES: --end, for our kids?

STORER: Yes.

HUGHES: OK. Thank you.

MURMAN: Senator Lonowski.

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LONOWSKI: Thank you, Chair. And thank you for this bill. So is the intent to lower the level of outstanding debt or outstanding student loan debt?

STORER: Yeah, ultimately the intent is that we are going to only assist with taxpayer dollars to help students get degrees that actually improve their life after the degree.

LONOWSKI: OK.

STORER: Does that make sense?

LONOWSKI: Thank you.

MURMAN: Senator Conrad.

CONRAD: Thank you, Chair. Thank you, Senator, for help-- bringing the bill forward and helping us have a better understanding of it. So the first point, um to your point that's well taken in regards to ballooning student debt, isn't the better remedy for institutions like the Legislature to actually provide operating support to institutions of higher ed to keep tuition low?

STORER: I think that's taking place. I think we are doing that, at a pretty robust level.

CONRAD: By, by what metric, Senator? Because actually, it shows the trend line moving in the wrong direction--

STORER: Right.

CONRAD: --in our budget.

STORER: Well, regardless, whether or not that institution is being-- however robust that support is from the Legislature is not going to change the outcome of what that graduate earns. Those are two very separate things. So the support being given to the institution versus the earning capacity of the student are two separate things, I don't think the state can have a direct impact or should start to interfere in private industry by propping up salaries in a, in a private business or an industry. So, so those are really two separate issues, Senator Conrad.

CONRAD: Well, you had mentioned that one of the reasons you brought the bill forward because you were concerned about increasing student debt. We see increasing student debt when tuition is more expensive.

STORER: Right.

CONRAD: OK. Do you see the connection I'm making now? Or no.

STORER: Yes, Senator Conrad, I see the connection. However, there are two moving parts in this scenario, and one of them is what they earn at the end of that degree, which the, the Legislature cannot control.

CONRAD: Right, so what's the point of your bill?

STORER: To make sure that they're not entering into a degree program where it will cost them more to get the degree than they will earn once they have the degree.

CONRAD: How is that the role of government-- beside what--

STORER: It is certainly not responsible use of taxpayer dollars to support a degree program that actually does not improve someone's life when they-- on the other side of that degree. I think it is being simply fiscally responsible to both taxpayers and to those students that are seeking those degrees. It's not at all reasonable that we would give false hope through the subsidization of a degree to a student to enter into something that they will be worse off with earning capacity on the other end of it.

CONRAD: OK, so I don't know what your list of a dozen programs are since you haven't provided those to the committee, so we're kind of working in the dark here. But I know, for example, because this is a frequent part of our public discussion, that we know that early childhood workers in Nebraska make very low wages, and we have an extraordinary shortage of child care workers and early childhood education workers, usually hovering around \$30-33,000 a year. So we need a lot more folks working in those positions. So does your measure impact Nebraskans who are interested in getting some education in regards to working in early childhood from having any support to do that?

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STORER: Currently, there are no degrees for early childhood education that are impacted by this, by this metrics test. No.

CONRAD: OK. We also know that there are persistent and present gender disparities in regards to pay equity across industry, particularly when you look at things like teaching and nursing and early childhood and other caregiving professions, which are dominated by women. They have much, much lower pay than, than other industries. So is there a gender dynamic at play, in regards to your legislation?

STORER: Into the-- absolutely not. This is based on a median income for whatever degree program that is. It is not skewing it one way or another, or a test for any sort of gender bias in that earnings. This is a median income for the degree program and the holder of that, that certificate and/or degree program. And even, even that being said, I don't think that I would be at all supportive of something that-- I want to, I want to encourage men and women to obtain degrees that result in a better life with higher earnings on the other side of that, regardless of their gender. I, I think that it's responsible that we-- I don't-- I would be shocked if there was anybody on this committee, that is, on the Education Committee that believes that the education shouldn't result in greater opportunities for earning at the end of that degree.

CONRAD: And then-- thank you. Just looking at-- and it's a short bill, but a big concept. So I've been trying to breathe life into it and understand it here. Be-- I, I don't know what metric you're also using, in terms of, say for example, taking into account something like a career ladder, wherein somebody graduates from an institution of higher ed, with whatever degree they have here. Maybe they start off in an entry-level position in that field, which perhaps doesn't pay a lot, but there's room for growth. So how does your bill account for the natural career cycle of a professional?

STORER: So it's aligned, it's aligned with the same metrics and tasks that the federal government has provided for. And there will be some folks that come behind me that I think can speak to even more detail on that.

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CONRAD: OK. So, if it's not early childhood and it's not nursing, can you give us a concrete example about what we're talking about here? Is it arts and humanities? I don't, I don't understand what--

STORER: It's a variety of things. So it's, it's based on-- it's not going to be just a-- it's based on what is-- what, what have you spent to get that certificate or degree, versus what you're going to earn after you have it. So it-- there's one on here that's a master's degree, there's a couple that are bachelors, and some, some associates. It is--

CONRAD: Could you just read them for us, so that we know what you're talking about?

STORER: I'm hap-- happy to get you a list of this.

CONRAD: OK.

STORER: You know, but anything from a Business Administration Management and Operations Associate Degree is on the list to a Culinary Arts and Related Services Associates Degree. So the metrics is based on what am I spending to get the degree, regardless of what level it is. I don't-- it, it-- there's not really any-- it-- it's not based on your total earnings with the degree. It's are you, are you going to earn more with what you've paid for that degree than you would have before you-- without the degree, basically. If you're going to pay to get any one of these degrees and on the other side of that, earn less money, that is not improving lives. That is not providing people with a greater opportunity.

CONRAD: OK. That's helpful. I just have one last question. So in looking at your bill, it would prohibit educational resources or funding to-- in the realm of individual student aid, but also base operational and instructional funding, perhaps a cut to the universities--

STORER: It's the same as state-- yeah.

CONRAD: --or state colleges or community colleges.

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STORER: So state dollars could not be utilized for new hires, new capital construction, to build a new building for-- specific to a degree program that falls under-- that fails that test.

CONRAD: OK. So, for example, the Metro Community College, I know, in Omaha, has a famed culinary arts program that has transformed countless lives. So funding for students to attend that or funding for the program itself would be prohibited under your act?

STORER: If they failed the test. If they failed the metrics test. So this is not specific just to the degree, it's specific to the institution providing that degree, because every institution has a different cost associated with obtaining that degree. So this isn't saying all culinary arts would fail the test. This is saying institution by institution, what is your cost to get a, a certificate from that institution, and what is the expected earnings with that certification or degree program, from that institution, on the other side of that?

CONRAD: OK. Thank you for take-- answering the questions. I-- I'm still trying to work through the concepts in the bill, but I'll follow up if I have others. Thank you.

STORER: You're welcome.

CONRAD: Thank you.

MURMAN: Senator Juarez.

JUAREZ: Thank you, Chair. And thank you, Senator Storer, for being here today. So when I was first listening to you, I was trying not to overwhelm my attitude about somebody trying to control my kids' decisions. I was trying to put, put that aside. And thinking about how many parents out there are always-- always want their kids to be successful, right and the battle that they may have trying to gear their kids towards making good decisions for college. So I wondered if you thought about how soon are we going to have to start informing students about choices they make for their future, if this, you know, if this is in place, we need to inform them, I would say, early on, so they don't think about that as a route for themselves.

STORER: Yeah. No, that's a, that's a fair question. And I would agree with you, Senator Juarez. We all want to see our, our kids be

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successful. And really, what this bill does helps them to do that. And so, it, it, it only-- it doesn't eliminate any degree program, OK? There may be degrees and certifications that are on this very short list at the moment that can still exist. It's not saying they can't exist. It simply says that the state tax dollars won't subsidize the students obtaining that degree. So if they-- if that's something they just have a heart for, and they save up money, and they want to pay for a degree that they're going to earn less with after they earn the degree, they can still do that. It just limits or prohibits state tax dollars from helping to pay for that. So the, the education will be very-- I understand what you're saying, I believe, but there really won't need a-- be a need for an education, sort of, campaign, because when they go to explore what degree program they want to enter into, then they're going to know, will this-- is this a degree that doesn't qualify for any federal or state tuition or grants-- state-assisted tuition or grants, if that makes sense.

JUAREZ: And they're going to know that how, again?

STORER: Well, when they go through the application process, obviously the college is going to know that. They're-- when they-- this will be applying already. This is already federal law, and this will go into effect this summer, on, on the-- so for Pell grants and any of those federal grants. So this bill simply aligns Nebraska with the federal law.

JUAREZ: OK. Then my other question is, do you have any knowledge of how they went about making the decisions for this initial list of certificates and degrees?

STORER: There will be some folks behind me that can probably answer that in more detail. However, it's based on what that federal testing threshold is, is how the, the list for Nebraska was obtained.

JUAREZ: OK.

STORER: So it's a, it's a metrics test.

JUAREZ: Thank you.

STORER: You're welcome.

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MURMAN: Senator Hunt.

HUNT: Thank you. Thank you, Senator Storer. What are the programs currently determined to have low earning outcomes?

STORER: In Nebraska?

HUNT: Yes.

STORER: Yeah, I'll get you the list. There's like 13.

HUNT: I, I would like to hear the list. Do you have it in front of you?

STORER: If you'd like me to take everyone's time to read it to you?

HUNT: Yes. That's, that's what we've been trying to hear. Thank you.

Happy to do, and we can get you a co-- business administration management and operations, an Associates in that program, a Bachelor in human development, family studies, and related services from Wayne State; a cosmetology-related personal grooming service, that's an undergrad certification from Capital Beauty School; a Master's in social sciences from Bellevue; an undergrad certificate in a cosmetology-related personal grooming service from Joseph's Cosmetology School; undergrad certification from College of Hair Design; a culinary arts and related service Associate's degree from Southeast Community College; Associate's degree in human development, family studies and related services from Southeast Community College; an undergrad certification from Stephanie Moss Academy and Personal Grooming Services; and an Associate's degree in somatic body work and related from Myotherapy Institute.

HUNT: Thank you. So, the way this would work under this bill, and the, and the federal bill that's passed, is so if someone has like a federally-funded scholarship-- I'm thinking of an example here. If I got a scholarship to go to school, and it was publicly-funded scholarship that I earned through merit or whatever, I couldn't use that money to pursue one of these areas of study?

STORER: That-- that's federal law. That's already been passed.

HUNT: And under, under your bill, it would also be the case?

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STORER: This would mirror state law with federal law, so this would say we would also not make state tax dollar resources available for those degree programs that they are going to earn less with--

HUNT: Right. I get that part.

STORER: --the degree, than without.

HUNT: I'm saying like if a student has a scholarship that has any aspect of, of state funding, that they could not use that scholarship to pursue one of these degree programs. Is that [INAUDIBLE]?

STORER: If it's a state-funded, if it's state tax dollars, that would be correct. But they have two years. Once they fail, the program fails the test, they have two years before it actually goes into effect, before they're really--

HUNT: OK.

STORER: --sort of off the list. So that institution has two years to try and make improvements to their program and the outcomes for their students to get them off the list.

HUNT: So already the federal funds are going to be cut off for these programs because of the big, beautiful bill or whatever. And under this bill, the state funds would also be cut off.

STORER: Because students with these degrees are going to earn less--

HUNT: Right.

STORER: --than they would without the degree.

HUNT: I heard that. So it doesn't-- you're right. It doesn't eliminate a degree program. It just strands the program from any kind of public support.

STORER: It prevents public tax dollars from supporting the program because we want students to have better earning outcomes with their degrees, not without.

HUNT: Yeah. I don't know, I don't know if I agree with the premise that government can determine how much money someone's going to make after they graduate. I mean, I went to college. I went to a private

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college, but I got a full ride. I got a Presidential Scholarship to go to a private college, and I studied German. And I bet there's a lot of people in this room who may correctly suspect that the earning potential with a German degree in Nebraska is not in the six figures or anything like that. I'm obviously grateful that there was no government standing over me at the time, to prevent me from pursuing a career that I loved, even if I didn't know if it would make me a lot of money. And you know, under this bill, I fear that someone going to a public university, a public college, they would have that opportunity taken away from them. And, you know, I, I also disagree with the premise, I don't know if earning money is necessarily the goal of a college degree. I think that there are still people who want knowledge, who want to be educated and learn, and who don't just go to college as a factory to be trained to earn money. And it worries me with what's happening in our, in our country, in our economies, with shifts to technology and AI, what ramifications something like this could have down the line, for arts and humanities. And yeah. So I don't, I don't agree that earning is the goal of college. But, one more question about this bill. So they are deciding if these programs qualify, based on earnings data from people who have completed the program, and they're looking, like, several years into the future at what they're earning, right? Like 4 or 5 years? Where do they obtain that earnings data?

STORER: So there are, again, some folks coming behind me that can speak more specific to the metrics. But if I may speak back to the-- your comments. I don't know that they were a question. I believe there were more comments. But on, you know, the, the fear that government will prohibit somebody from seeking a degree that they love: this doesn't eliminate degree programs. This only says that the government will not subsidize with state tax dollars--

HUNT: I complete-- I completely get it.

STORER: --those degree programs. If I may finish? And so--

HUNT: It's my time, Senator Storer. But I-- yes, you may finish.

STORER: It-- in, in a perfect world, when we reach-- you know, I, I love to use Maslow's Hierarchy of Needs in so many, so many examples, and I learned it in high school, by the way, and it's been very helpful to me, that, you now, in those layers of needs,

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self-actualization is at the very top. So in a very complete and mature society, we're able to do that. But what this is trying to prevent is that we don't put students in a position where they are unable to meet those basic needs in Maslow's Hierarchy of Needs, to pay for the things like food, shelter, and repaying their student debt, because they don't have the earning capability on the other side of that. So that-- that's the very basic intent behind the bill, and the goal to try and set our students up for success.

HUNT: One unintended consequence I see from the bill, if that's the goal then, is that these students are probably pursuing something they're very passionate about, but the government has determined isn't going to make them enough money to be worth their time. So then, they are actually cut off from the resources, from the scholarships, from the financial aid, to help them pursue that, and that's what's going to put them into bigger debt. So that's my comment. Thank you, Mr. President.

MURMAN: Senator Meyer.

G. MEYER: Thank you, Chairman Murman. It appears to me, as one of the peripherals of this bill, is that we're providing some cover for a student that would get a degree that would not be sufficient, provide sufficient income to pay back both the student debt and make a living. Is that pretty much the basis of it?

STORER: Yes.

G. MEYER: Seems pretty reasonable to me.

STORER: Yes.

G. MEYER: And, and still, people could still follow their degree. They could follow their heart. It's just a different economic path for them to do so.

STORER: Correct.

G. MEYER: OK. Thank you.

MURMAN: Senator Lonowski.

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LONOWSKI: Thank you, Chair. Thanks, once again. So the federal government has already decided that they will implement something similar to this?

STORER: It has been-- it is already federal law. Yes.

LONOWSKI: OK.

STORER: This will go into effect in, I believe the end of June.

LONOWSKI: So if your bill does-- what is your bill doing in addition to that?

STORER: It is aligning state law with federal law, so that our state tax dollars, the same provision would be made for state tax dollars and any sort of grants or assistance to tuition for the-- it-- using state tax dollars, same provision would apply as is already law with federal tax dollars.

LONOWSKI: OK. Thank you.

MURMAN: Any other questions? Senator Sanders.

SANDERS: Thank you, Chair. Senator Storer, could you explain the fiscal note to me? It does say the fiscal impact of this bill is potentially significant.

STORER: I cannot, but I think somebody coming behind me-- in fact, my book doesn't even have my fiscal note in it. So--

SANDERS: OK. Thank you.

STORER: But I will, I will get information on you and, and get that answered. Yeah.

SANDERS: OK. Thank you

MURMAN: If there are no further-- oh, Senator Conrad.

CONRAD: Thank you, Chair. Thank you, Senator. In your exchange with my friend, Sarah Lonowski, something else came to mind, perhaps. So I'm not 100% sure, because it's not clear in my book, but maybe there are aspects of the quote-unquote big, beautiful bill that made these changes on the federal level, in terms of funding or financial aid

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opportunities available, I guess, perhaps. But my-- I guess my question would be rather than rushing to align, is there a need to maintain a more expansive approach to educational funding in Nebraska, because of those federal changes, to support more kids and more people who are working their way through the College of Beauty or community colleges to have support to stay in those educational programs?

STORER: I understand your concern, but the underlying intent I think is still really the focus, which is we want to set these kids up for success.

CONRAD: Yeah.

STORER: We want to make sure that the money, whether it's taxpayer money or their own personal money, which this would not prevent them from using--

CONRAD: Yeah.

STORER: --investing, paying for with, but gives them the return. It ultimately puts them in a position to get ahead instead of earning less than their-- than the, the debts that they have to repay. You know, we, we want to switch that so they're in a position to put a down payment on a house, you know to, to start to have the all-American dream that the baby boomers, I think, you know, have got to enjoy. But our society has sort of-- things have shifted. At the end of the day, I want to see people be able to improve their lives, which unfortunately, you know, we, we live in a world that things cost money, and we have to repay money, and the and the--

CONRAD: Right.

STORER: --actual debts. You know, when we get, when we get to heaven, that won't matter. But here, it does. It's just a reality of the world we live in. And so, there's a, there's a ROI on things that we do, and a real-- a reality of the debts that are incurred and the need to pay them back.

CONRAD: Yeah. But you're also supporting measures like the one before the Legislature that literally cuts and restrains minimum wage workers' ability to get the wages that citizens said that we should have available to them. So you're-- at the heart of this, you're

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worried about affordability, but you also want to undercut the wages that Nebraskans are currently paid. So how does that square up?

STORER: Well, that's a far more complicated metric. And so, I appreciate the gotcha question. But today--

CONRAD: It's not a gotcha.

STORER: --we're here to talk about taxpayer dollars funding degrees that don't, don't result in higher earnings.

CONRAD: OK. Last point. So when I was working my way through college and law school, waiting tables and babysitting and scrapping to get together, to, to try and get my undergraduate and graduate degrees, I, I and many other students were really drawn to what we call public interest law. We wanted to serve our communities with our law degrees at Legal Aid, or in government work as a public defender or county attorney, which I know you have a deep connection to in your family, and hear a lot about at the Judiciary Committee. So, you run up a pretty hefty amount of tuition and fees and debt for undergrad and for law school, even though they're great value and a great education, but we know that like, not all lawyers who come out are working a big firm track, where they're pulling down six figures. Actually, quite a few lawyers, particularly in government work-- county attorneys, public defenders, those working at Legal Aid-- actually make very limited amount of money. Where's the scrutiny, in terms of return on investment in that regard?

STORER: So Senator Conrad, that's a good question, but this is not-- what one chooses to do with their degree is their personal choice. The metrics for determining the earnings outcome are based on median average, a median salary or, you know, earnings for that specific degree program from that institution. That doesn't mean that someone chooses to go ahead and use it in that way. That's-- that is a personal choice, So nobody is tracking every single individual graduating and what they choose if they take that degree program and follow that path or not, or if they choose to donate their time or work in a more philanthrop-- philanthropic community. Those, those aren't metrics that are considered. It's the average income for that degree program.

CONRAD: OK. Thank you. Thank you, Senator. I appreciate it.

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STORER: You're welcome.

CONRAD: Thank you. Thank you, Chair.

MURMAN: OK. If there's no further questions, thank you very much for the open, and we'll ask for proponents for LB1196 to come forward. Good afternoon.

MIMI GREENE: Hello.

MIMI GREENE: Good afternoon, Chair Murman, Vice Chair Hughes, and members of the Education Committee. Thank you for allowing me to testify today on behalf of FGA Action. We promote commonsense reforms across a range of policy issues, including education. I strongly encourage you to support LB1196.

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

MIMI GREENE: Of course. Sorry about that. I'm a little green.

MURMAN: No problem.

MIMI GREENE: My first name is Mimi, M-i-m-i, last name is Greene, G-r-e-e-n-e.

MURMAN: Thank you.

MIMI GREENE: Thanks. The new federal One, Big, Beautiful Bill Act makes significant changes to federal higher education aid. One consequential change is the introduction of a new minimum earnings threshold for post-secondary education programs to qualify for federal aid. This is often called the "do no harm" test. And here's how the "do no harm" test works. It compares how much graduates of a particular post-secondary program earn four years after leaving school, to a benchmark, which is either the earnings of comparable high school graduates for undergraduate programs or the earnings of bachelor degree holders in the same field of study for graduate programs. Programs that earn less than the comparison group fail the test. Programs that fail in two out of three of the consecutive years, starting this July 2026, lose eligibility for federal student loans. LB1196 builds on this reform by further ensuring no state or local taxpayer funds subsidize programs that fail the new earnings test. I will stress that the "do no harm" earnings test imposes a very low

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earnings standard on college programs. The median annual wage for high school diploma-only workers in Nebraska is \$36,082. Preliminary data released by the U.S. Department of Education examined 1,729 institution-specific higher education programs in Nebraska, yet only 13 of them serving fewer than 1,600 students statewide are at risk of losing eligibility for federal aid. Most of those undergraduate certificates or associate degrees are in cosmetology and in massage therapy. So that was the list we were talking about earlier. Moreover, these programs have at least two more years before seeing any impact from this legislation, because the federal earnings test begins this summer. So to be clear, the new earnings test should not be understood as making a social or a moral value judgment on any specific field of study. It's also encouraging that 99% of the programs in Nebraska including those important fields like early education, social work, health care, will not be impacted. LB1196 protects taxpayers. After all, if a higher education program is too risky for federal taxpayers to support, it's all the more riskier for state and local taxpayers. And more importantly, the legislation provides a baseline level of protection for students pursuing higher education in Nebraska, shielding them from costly programs that simply do not pay off. It's for these reasons I encourage you to vote to advance LB1196, and thank you, again, for the opportunity to testify.

MURMAN: Thank you. Any questions for Ms. Greene? Sen-- Senator Conrad, did you have a question?

CONRAD: Thank you, Chair. I saw Senator Hunt. She-- I caught your eye first. OK. Thank you for being here and welcome to Nebraska. I'm trying to learn more about your organization, because I've never heard of it before. And I'm just doing some Googling around here, to see that you are based in Florida and are doing work on this measure and all different kinds of things-- clamping down on states' ability to pursue voting processes that they think are in their citizens' best interest, getting engaged in food stamp policy, some cool regulatory reform things. But what, what brings you to Nebraska, exactly? And then, who, who funds your work, and what's your, your main goal?

MIMI GREENE: Absolutely. So I'm representing FGA Action. So we're an advocacy organization that works with citizens and policymakers in all states to reduce government dependency, remove barriers to work, and to lower the cost of health care, essentially. So, we often partner with partners and educational policy organizations sharing

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high-quality research data analysis with state lawmakers to ensure that new laws are carefully crafted to expand opportunity and freedom for all. So in Nebraska, we support this bill because we truly believe this is good policy.

CONRAD: OK, and then what other bills are you working on in our state?

MIMI GREENE: Well, this one comes to mind, but I can follow up with a list of things that we're monitoring, as well.

CONRAD: OK, but then who provides your funding for your work? Do you--

MIMI GREENE: Sure. So we actually keep our donor lists private. It's a free speech issue.

CONRAD: Yes.

MIMI GREENE: And also, donor protection.

CONRAD: Familiar with the First Amendment. Yeah. OK. But a lot of times, people are-- you don't share any of your supporters or donors?

MIMI GREENE: Well, we're supported by a, a wide variety of like-minded people across the United States.

CONRAD: OK. Very good. Thanks for being here.

MIMI GREENE: Thank you.

CONRAD: Thanks, Chair.

MURMAN: Any other questions for Ms. Greene? Senator Lonowski.

LONOWSKI: Thank you, Chair Murman. Thank you for being here, Miss Greene. Has this already been enacted in other states, that you know of?

MIMI GREENE: Yes, it certainly has. Coming to mind, I believe Utah passed it in 2025. I can follow up with that text, if you'd like.

LONOWSKI: OK. Do you know how that's worked so far? Is it too early to tell?

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MIMI GREENE: I'm not advised on the-- on it, but I do know it did pass, and it-- [INAUDIBLE].

LONOWSKI: OK. All right. Thank you.

MURMAN: Senator Hughes.

HUGHES: Thank you, Chair Murman. Thanks for coming in, Ms. Greene. I used to work for a consulting firm, and we would do like incentive programs and things. And you always have to look at like, unintended consequence of what you might incent. So like, when I look at this, I-- this is what I'm thinking, that, OK, we listed, I don't know, a culinary degree, and something. So let's take, let's take that culinary degree at Southeast. And this is all based on an out-- an offset of 4 years, what that person earns, and then how much it costs. I mean, I would just see the-- Southeast just ratcheting down the cost just enough to make it work. You know what I'm saying? So like, we have a list of 12 now, and in 3 years, we're going to have nothing on the list. Is that-- I mean, and maybe that's the goal, that now it's more affordable, so the individual taking that class isn't, you know, upside down, maybe, with it.

MIMI GREENE: So the in-- and the intention of this bill is to safeguard against the future, low-quality academic programs that are otherwise receiving taxpayer funding. It is based off of an earnings test. So they're compared with-- it's the do-- do no harm test compares that particular program with similarly situated people without that same education. So if it's a bad deal, that's literally what it's looking at. It's just those particular programs, the return on investment for taxpayers and students.

HUGHES: OK. Thank you. Thanks for coming in.

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

MIMI GREENE: Thank you.

MURMAN: Other proponents for LB1196? Other proponents? Any opponents for LB1196?

MATT BLOMSTEDT: Good afternoon, Chairman Murman, members of the Education Committee. Thank you for the opportunity to testify today. My name is Matt Blomstedt, M-a-t-t B-l-o-m-s-t-e-d-t, and I serve as

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the Associate Vice President for Government Relations for the University of Nebraska. I appear before you today on behalf of the University in opposition to LB1196. First, though, I want to start by expressing our appreciation for Senator Storer and her interest in accountability and outcomes in higher education. The University shares her goal of ensuring that students are well-served and that public investments are producing meaningful results. Our primary concern with LB1196 is how the bill would operate in re-- in relation to existing federal requirements and what that interaction could mean for students who are already enrolled in effective programs. Under federal law, programs are evaluated for earnings outcomes over multiple years. When a program does not meet the federal benchmark, there is a defined process that follows. Institutions are required to notify students that a program is at risk, and institutions are given the opportunity to review and appeal that underlying data. During that process, the program continues to operate, and federal funding is not immediately lost. The federal framework is designed to allow time for data review, student notification, appeals, and, if necessary, an orderly teach out. State action that moves faster than that process risks undermining those protections and shifting significant harm onto our institution and to our students. LB1196 as drafted could be interpreted to require immediate state or local funding loss based on federal determination, even while that federal process is still underway. That includes situations where an appeal has not been resolved and where federal eligibility has not yet been lost. If state funding were eliminated immediately, the University may not be able to meet its federal obligation to teach out students currently enrolled in affected programs. Teach-out plans are a condition of participating in Title IV student aid programs and are required to protect students and maintain accreditation. Meeting those obligations requires continued instructional delivery, academic advising, registrar services, and student support over multiple academic years. Program closures also do not immediately eliminate costs. Faculty and staff obligations persist during a teach-out period, particularly for tenured and tenure-track faculty, whose salary and benefits obligations continue, regardless of the program closure, as well as staffing-- staff support-- staff supporting instruction and student services. Additional costs may include reassignment, retraining, or severance for non-tenure track, along with stranded op-- operating costs associate-- associated with facilities, laboratories, and specialized equipment. Based on prior experience, the orderly closure

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of mid-sized academic programs can require approximately \$1.9 million in transition expenditures over a 2-year phase-out period, even as the permanent budget reductions are implemented. If the resources needed to support a teach-out are unavailable, students may be forced to transfer to another institution to complete their degree. That often means loss of credits, additional costs, extended time to degree, or increased debt, despite having enrolled in good faith. Certainly, we appreciate Senator Storer's engagement on this issue, and if the bill moves forward, we'd ask for amendments that align state timelines with federal processes, recognize the federal appeal and notification requirements, and ensure that state funding decisions do not prevent institutions from meeting their teach-out obligations to students. Thanks for the opportunity to testify. I'll keep-- I'll, I'll cut a paragraph out of my next testimony, so.

MURMAN: Well, if, if you have something important to add, go ahead.

MATT BLOMSTEDT: I got it. I think so.

MURMAN: Thanks for the testimony.

MATT BLOMSTEDT: Plus I have to take my glasses off these days to read up close. I don't know why that is. So.

MURMAN: Do you know how many programs approximately, or how many tenured professors this might [INAUDIBLE]?

MATT BLOMSTEDT: Yeah. I, I think, obviously, as, as Senator Storer noted, I mean, this process is actually still kind of going through an implementation phase for the University and not, not-- for all institutions across this-- across the country. My understanding is rulemaking is still going on with the U.S. Department of Education. And so, even those kind of preliminary, what might qualify-- I was also glad to hear not ones from the University of Nebraska on that particular list, right now. But we just want to make sure that there would be certainty in operation on this. I don't think we have a good grasp yet of what those long-term impacts might be. But we just want to make sure that it's truly aligned with what the federal requirements are, so we're not kind of in a bind, as a state, on that front.

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MURMAN: If students that are in the programs currently would be exempted out of the restrictions, could you possibly at least be neutral or supportive in that way?

MATT BLOMSTEDT: Yeah, I mean, hon-- honestly, as we kind of look at it, most of our objections on this are technical. I mean I know you talked about other particular things. I mean, we are going to have to be able to do some of this relative to the federal side of the equation, really watching that. I would encourage us to really be thoughtful about how we use the Coordinating Commission for Postsecondary Education in Nebraska, on program requirements and setting up kind of a path of-- on how those things would be done. But I-- as, as kind of noted, every institution is going to have to be responsive to what the federal requirements are, and we're certainly working towards that end.

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

LONOWSKI: Thank you, Chair Murman. Thank you, Dr. Blomstedt, for being here. Are there any programs you have right now, you think, that would, would be at risk for-- besides being a state senator?

MATT BLOMSTEDT: I, I, I-- since I was a political science major-- maybe a political science major. I know these two over here are political science. I, I don't know, you know, Senator. I think the-- kind of the complexity of, of how we go about kind of what those measures and metrics are. I'm not-- I won't pretend to be expert in that. As I, as I was trying to review for this, I think it's, it's really important to know what those metrics would be. And I think we want to be cognizant that we're graduating students that are actually ready for their futures and to be successful in it. So those are all very legitimate conversations to be having with students and thinking about how that would be done.

LONOWSKI: And I, and I think there might be an issue, too, sir-- when someone wants to get a law degree, they start out by going English or German or, or INAUDIBLE] social science or something to-- I, I don't know how we would regulate that. And I, I do think we have to get online with, with the federal statutes, but-- so.

MATT BLOMSTEDT: Yeah. I-- you know, there was quite a-- and again, I'll date back-- date myself back to my Commissioner of Education

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days, really thinking about career education and putting students in the best circumstances to be successful. We look at wage data and those different things. And you're entirely right. Sometimes there's a foundational kind of set of experiences that are important for that next step. And, and again, if you kind of-- you know, I always get worried about data making decisions for us. Instead, I would rather have data informing those particular decisions. So when we look at that wage data, how do you do that? And again, I think there's some elements of that process on the federal side that allow appeal, and kind of looking back at that, that would be important to make sure that we would include from a state implementation, as well.

MURMAN: Any other questions? Senator Meyer.

G. MEYER: Thank you, Chair Murman. I had, had an appreciation for Senator Hunt's focus on scholarships. Generally, scholarships are privately funded, quite frequently, certainly at the high school level in, in many cases. So this would be-- this, this would affect-- this bill would affect people that come in with a FAFSA, needing to borrow money. That would be-- in all probability, that might be the primary focus of, of limiting funds availability for education if it's a, a low, a low-earning profession. Would you-- would-- is that a fair assessment?

MATT BLOMSTEDT: Yeah, I, I definitely do. I mean, and certainly the signal is, hey, look, you know, to, to individual students as well, are you going to an institution that's going to help you actually advance that? Are you going to be able to pay for student loans in the future? And I do think there's kind of a, a-- at least an intention with that type of policy to kind of tie those elements together. And it makes sense. You know. I think we've heard about like diploma mills and different things in the past. You know, those are things to be aware of, and, and kind of a buyer beware kind of environment makes some sense on certain things. So again, I, I just-- I think we want to do it well. And so, our objection to this is less about maybe the, the purpose of the bill, just kind of the mechanics of how we would do that and implement it well for Nebraska. So.

G. MEYER: If, if I may--

MURMAN: Yeah. Sure.

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G. MEYER: --continue. Just one more question. Do you think this will have the effect of driving down, down the cost of these academic disciplines that aren't-- that, that don't meet muster?

MATT BLOMSTEDT: I mean, it's a great question. Like, I don't, I don't know. I mean, I suppose you could have that behavior of, hey look, you could just get right below, below that threshold, I think, as Senator Hughes pointed out. Maybe some of that would happen. I don't know yet. But.

G. MEYER: We, we would take your commitment right now.

MATT BLOMSTEDT: Yeah. Yeah.

G. MEYER: [INAUDIBLE].

MATT BLOMSTEDT: Well, I-- we weren't on the list, so I guess we can't turn that down. No, I don't know. I, I mean, I think, you know, trying to control those costs overall, is a-- is also an admirable goal. How do we do that? How do we do that in partnership, when we're public institutions trying to work across a state like Nebraska?

G. MEYER: I guess my point would be that people could still pursue what their heart told them they wanted to, and these institutions may back off those costs to the point where they could continue that--

MATT BLOMSTEDT: Yeah, I mean--

G. MEYER: --which would be a benefit from the [INAUDIBLE].

MATT BLOMSTEDT: I know Senator, Senator Storer said something about living in our basements. And I-- when I was doing, you know, kind of standards for the state, I said, you know, I, I don't my-- I want our standards to be the, you know, career-ready standards where my kids aren't living in my basement when they're done with their kind of education process. Right? As parents, we think about this. We have that responsibility to kind of help guide. So when I have my own kids say, I want to enter this, I'm like, have you really thought about how much money you're going to earn, right? And so, some of those conversations are just part of that natural environment that I think are important, too.

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MURMAN: Thank you. Senator Hunt.

HUNT: Thank you Chairman. Thanks for being here.

MATT BLOMSTEDT: Yeah. You bet.

HUNT: Do you think that there are some future outcomes that we cannot today predict about the future of work, about what the rise of AI is going to mean for the economic future of Nebraska workers, and that within 6, 10, 15 years, there could be some programs caught up in this test that become defunded publicly at the federal, and potentially now, at the state level, too, that are actually important pillar programs in academics?

MATT BLOMSTEDT: Yeah. Among the only things I can say certainly is that I am uncertain about that, but I think you're, you're right. It's really hard to predict the, the future, relative to kind of what will pick up earnings in the future. AI just-- I mean, it's a great example and we're really looking at it across the University, but it will change many different approaches to education that I, I wish I could tell you, but I'd probably-- would be doing quite well if I could figure that out. But, I, I concur.

HUNT: Well, that's one of the things that worries me about passing legislation that has future effects that we can't predict. Because I feel like we've heard pejorative things said about cosmetology and massage, and that it's not worth it and things like this. But in future years, that could include things like education or nursing or philosophy or psychology, or any of the kind of things that people pejoratively call underwater basket-weaving, you know, these types of, of majors and areas of study that actually do matter a lot to the well-being and economy of our state. Thank you.

MURMAN: Yeah, Senator Juarez.

JUAREZ: Thank you for being here. I just had a-- hopefully this is just a quick question. How often would you say that the University evaluates on their own whether or not they want to terminate a program?

MATT BLOMSTEDT: I, I think there's certainly a process. Obviously, we're going through cuts right now, and that's actually one of those challenging dynamics of sorting through that. The-- we do look, and

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there is a process with the Coordinating Commission for Postsecondary Education. Like, if you get to low enrollments in certain areas, and how do you deal with that? So there is a process, I probably am not as expert on that, but there is a process for that regular review. If they fall below those particular thresholds, there's an approach that's taken to kind of examine that. And although perhaps this could be connected to it, it's different than the earning potential in those, in those programs. Right? So.

JUAREZ: Thank you.

MATT BLOMSTEDT: Yeah.

MURMAN: Any other questions? If not-- or Senator Conrad.

MATT BLOMSTEDT: I almost got away, didn't I?

CONRAD: Sorry, you're not that lucky. Well, maybe you are. And maybe-- I don't know who else is here to testify today. Maybe-- or-- is Community College going to testify? Fantastic. OK. I'll save it. Thanks. Thanks.

MATT BLOMSTEDT: All right.

MURMAN: OK. If there's no further questions, thanks a lot for your testimony.

MATT BLOMSTEDT: Thank you.

MURMAN: Other opponents for LB1196.

COURTNEY WITTSTRUCK: There are a couple of us from community colleges here, so.

CONRAD: Great. Thank you. OK.

COURTNEY WITTSTRUCK: If I can't answer it, I know someone smarter than me can. All right. Good afternoon, Chair Murman and members of the Education Committee. My name is Courtney Wittstruck, C-o-u-r-t-n-e-y W-i-t-t-s-t-r-u-c-k, and I serve as the executive director of the Nebraska Community College Association. I'm here today on behalf of my member colleges to testify in opposition to LB1196. LB1196 is intended to ensure that public dollars support program with strong out-- programs with strong outcomes, and this is a goal that we share.

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However, the approach taken in this bill and the federal bill relies on earnings compared to statewide-- well, in our bill, statewide cohorts that do not reflect Nebraska's long-term career pathways or the significant differences between rural and urban labor markets, wage structures, and cost of living in Nebraska. As a result, many programs that are essential to Nebraska's economy would be at risk. Early childhood, as was already mentioned, healthcare support programs, public safety, and other workforce pipelines often begin with modest wages, but provide substantial long-term value. These programs are critical to keeping hospitals open, childcare available, and communities functioning, especially in rural Nebraska. Limiting or eliminating support based solely on statewide earnings-- earnings data risks shrinking the workforce Nebraska employers and communities rely on. It's also important to note that Nebraska already evaluates postsecondary programs through the Nebraska Coordinating Commission for Postsecondary Education, or CCPE, as Dr. Blomstedt already mentioned. So the CCPE regular-- regularly reviews programs using specific criteria including enrollment, completions, workforce demand, duplication, regional need, and alignment with state priorities. When concerns arise, the process is collaborative and corrective, allowing institutions to improve or adjust programs while still meeting local workforce needs. Because this oversight already exists and functions well, LB1196 would be somewhat duplicative of the current review processes and might not add significant value. In closing, many of the programs potentially affected by this bill are the pipelines that keep Nebraska's hospitals, childcare providers, public safety agencies, and local employers operating, particularly in rural areas. And while these wages start modestly, many programs-- or these programs deliver long-term value to communities and to the state's economy. Preserving Nebraska's existing review process through the CCPE helps prevent duplicate efforts and, more importantly, ensures that we do not unintentionally lose programs that are essential to our state's future. Thank you for your time, and I'd be happy to answer any questions.

MURMAN: Thank you. Early childhood and health care were mentioned earlier, and I don't think they were on that list at all.

COURTNEY WITTSTRUCK: So I haven't seen the, the list. But I'm-- what I'm told is that we have several programs that are on the borderline. They don't fall below today, but it's one someone mentioned earlier

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that, you know, next year or the following year, they're all kind of right around that risk area.

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

CONRAD: Thank you, Chair. Thank you Ms. Wittstruck, for being here. And yeah, I think we're all trying to get a, a handle on what potentially would be impacted or not. And thanks for lifting up the existing, well-established structure to evaluate these kinds of issues. And without having the particularities of the federal legislation before us-- I think there's just a reference here-- but I'm trying to get an understanding about how policy choices may impact the metric on wage-- say, for example, in regards to something like the culinary arts. And we know, for, example, Nebraska has a tipped wage at like \$2 an hour, or \$2.13. What is it now? Senator Hunt's worked on that for a long time, I think. So then, our state has made a specific policy choice to suppress wages in-- for servers and those working in the culinary arts. So then, are people pursuing those degrees and those professions then pushed out of any sort of public support, because we've artificially suppressed the wages? Do you know what I'm saying?

COURTNEY WITTSTRUCK: Well, I know what you mean, and that would be a great question for an economist, someone that's smarter than me.

CONRAD: OK. OK.

COURTNEY WITTSTRUCK: But I will say that, you know, I worked in manufacturing for 20 years before I took this role, and so that's more of my, you know, area of expertise, you know, going backwards. But, you know, what you do and what you incentivize drives behavior. And so if you're incentivizing something, you have to understand what behavior it may or may not drive. And so, you know, I know the issue for us is what does Nebraska need, in terms of its workforce, who provides it, how is it provided, and, you know, how does policy affect that? And, you know, the one thing we don't control, as a college, is we don't control economic development in the state, other than providing this workforce, but we don't control the policy. We don't control em-- employers' wage rates. What we do is we see a need that our state has and we try to supply the workforce that aligns with that need. And so, once, you know, they, they graduate, and their employers are deciding what to pay or the policy impacts what they pay, we, we

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don't have much control over that, but we do have control over seeing a need in the state and, and having a program that would fill that need.

CONRAD: Right. And I heard Senator Storer note maybe that the Culinary Arts Program at Lincoln's Southeast Community College might be on the list of concerns. And I know that is a well-established program and there's been some pretty significant investments therein, over recent years, and it's been really celebrated for changing lives and opening up career pathways. So I'm just really--

COURTNEY WITTSTRUCK: I mean, if you haven't, if you haven't visited, do so. My parents are on the mailing list, and they go all the time, as much as they can.

CONRAD: Right. And the community worked really hard recognizing that there was a huge community need, right here, to provide people with job skills and get them in the workforces, which we hear all the time we want people to do, and now potentially, this is cutting that program? I don't understand it.

COURTNEY WITTSTRUCK: And, and I, I would wait before you say cutting the program, just because, you know, I don't want-- without rules being finalized federally, I don't want to get into that discussion on cut or not cut. But I will say there are programs at risk, and culinary programs are one of those across the nation, as the federal rules are established. But yeah, there are, there are several programs that I think, you know, we all, as Nebraskans, would consider essential that hover around that risk line. And culinary is one of them. Like I mentioned, early childcare is one of them. And you know, when you mentioned first-year teachers, that-- you know, it may sound like a shock, but then when you crunch the numbers, you see how it could hover around that line, too. So I guess, you know, for me, the question I would ask is, is what, what, you know, fields or what careers or what, what do we have in, in Nebraska that we have a need for? And if we have legitimate need for it, are we filling that need through our higher education programs or not? You know, there are a lot of folks that say, well, maybe if you crunch the numbers, something like an early childhood, childhood program may fall below, but is that something that we want to see reduced in Nebraska? I mean,

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do we want to pass legislation that would make it more difficult for someone to become credentialed in early childhood education.

CONRAD: Yeah, that's, that's something that I would be worried about here. That's for sure. And I think your point is well taken, that we really don't know. So at the very least, maybe there should be pause until we can sort, sort this out over the course of a-- of the short session or the interim period, perhaps even before us, because it seems--

COURTNEY WITTSTRUCK: And if I may,--

CONRAD: Yeah.

COURTNEY WITTSTRUCK: You know, I understand that the federal regs will be coming, but that doesn't necessarily have to impact our state regs, and how our state's funds are used. So it can, it doesn't have to. So there's nothing, to my knowledge, and like I said, there's somebody a lot smarter than me following me, but to my knowledge, there's not something where it says we have to pass this now to align with federal rules.

CONRAD: Right.

COURTNEY WITTSTRUCK: So, it is something that could, you know, take a step back and, and look at what the unintended consequences are and maybe see if that's something that aligns with our state workforce needs and our state plan or not.

CONRAD: Right.

COURTNEY WITTSTRUCK: And like I've mentioned to Senator Storer and her staff, we're more than happy to-- you know, we all, we all have that same goal. We just maybe get there in a different way. So we're more than happy to work with them on how we can achieve that goal in a way that works for Nebraska.

CONRAD: Yeah. Absolutely. And I know this committee has spent a lot of time thinking and talking about, with your entity and other partners in education, trying to figure out, like, do we have a good inventory of all of our state scholarship programs? What's working well? What's not working well? Where are there gaps for today's workforce needs? Things like that. And so, that, that is, I think, something that we're

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still grappling to, to try and get a really good handle on, in terms of what's out there, what the investment is, what the return on investment that is, is that aligned to our broader workforce strategies in Nebraska? So again, yeah, that might just be a different policy option to pursue to maybe try and get after some, some of the same things here. But I'm worried about utilizing a blunt instrument without having clear awareness about what the impact is for students or for local institutions of higher ed, which ultimately, I know, like, community colleges work hand in glove with industry. Like, you don't just run out and create a program just because somebody saw it--

COURTNEY WITTSTRUCK: It has to be approved.

CONRAD: --at a training and thought it was a cool idea. Like, I know you operate working with manufacturers and local businesses in the community college, to literally be nimble, to adjust--

COURTNEY WITTSTRUCK: And the Department of Labor. I mean, we work very closely with the Department of Labor to see what Nebraska's trends are, what their needs are. And, and I should mention, because we have an agency hearing next door, that's why you don't see as many of, of my--

CONRAD: Fair.

COURTNEY WITTSTRUCK: --of my community college folks here, behind me today.

CONRAD: Yeah. Very good. OK. Thank you. Thank you so much.

MURMAN: Any other questions? Senator Juarez.

JUAREZ: I just have a quick question. Does the Department of Labor have extensive data on salaries of all occupations?

COURTNEY WITTSTRUCK: They do. They-- and they're wonderful to work with.

JUAREZ: OK. Thank you.

MURMAN: Any other questions? If not, appreciate your testimony. Other opponents for LB1196?

TAMMY GREEN: Hello. I am Tammy Green, T-a-m-m-y G-r-e-e-n, with Metropolitan Community College. And I think much of-- much has already been shared. I think the one thing that we can all agree upon is that we all want students to make living and thriving wages, and we all want a skilled workforce in our communities. Metropolitan Community College is committed to ensuring students have access to affordable, high-quality workforce pathways that lead to meaningful, meaningful careers. MCC supports the work of the Coordinating Commission on Postsecondary Education, and we rely on them as a trusted partner in program review and accountability. While accountability and strong outcomes are important, LB1196- would tie state and local funding to a federal earnings measure that emphasizes early wages, rather than long-term career "goth"-- growth. Many community college programs serve as critical entry points for working adults, first-generation students, and individuals reskilling for new industries. In these pathways, earnings often increase over time through stackable credentials, experience, and advancement. Policies focused only on short-term wage outcomes may overlook how workforce development actually occurs. MCC looks forward to working with policymakers to ensure any accountability framework supports both workforce mobility and equitable access to education that meets Nebraska's evolving labor market needs. We are still working to understand the full unintended consequences of linking Nebraska's funding to a federal earnings formula designed around short-term wages. If the concern is wage progression, policy solutions should address advancement opportunities and employer partnerships, not limit access to very entry points that build Nebraska's skilled workforce. Nebraska's employers depend on talent pipelines that start with students taking their first step into training. Community colleges help working adults and first-generation students move into careers where wages grow over time. We support strong accountability, but policies must also protect access to those life-changing entry points for students. Focusing only on short-term wage data risks overlooking the long-term career growth that builds the skilled workforce Nebraska businesses and communities rely on. Thank you. Any questions?

MURMAN: Any questions? Senator Meyer.

G. MEYER: Thank you, Chair. I'm kind of curious when someone comes to your facility and let's say aspires to a culinary degree, do they have any idea generally of what kind of earnings they can anticipate? Is that something you share with them as part of a-- you know, showing

them the program and what the requirements are and what potential for employment is afterwards? Is that something you're involved with?

TAMMY GREEN: Yes, typically. For example, I think a really great example is if you were to look at one of our programs, which is a manufacturing program. Through that partnership with one of our local business partners, the students go into that program for, for manufacturing at about \$17-- a little over \$17 an hour, with the intention-- and they know that wage, because they're hired in that wage. But what they do understand is after the completion of the programs, what their wages are going to be at the end of that. And so, if you're looking at an electrical mechanical degree program, students are working. They are-- and most of our students have to earn while they're learning. We do not have a student population that is not working while they are in their educational program, so getting them into their field is really important. And so in that case, of electrical mechanical degree programs in advanced manufacturing, students move very quickly from \$17.50 an hour to nearly \$30 an hour in a one-year program, and they're working while they're doing that. I think that's a perfect example. While that may not be on the list, although we have not really fully seen the list yet, because there's so much about it that we don't know, and there are unintended consequences that there's no way we can predict what they could be, that could be a program where they're saying, wait a minute, that level one training program that gets a person in and they're learning, you know, the fundamentals of, of, of, of manufacturing, well, that won't qualify any longer, even though that's an entry level certification program. Same thing happens in health care. You know, CNA med aide is, is, is a pathway to becoming a registered nurse or an LPN, which is a fundamental program. Well, if somebody says, I just need to become CNA med aide, that's where I'm going to start, if they haven't identified that degree pathway, are we, in effort, basically cutting off that pathway for individuals, in, in, in essence, in many ways, having the unintended consequences of not having a skilled workforce?

G. MEYER: We're really not talking about mechanical or electrical or, or-- you know, we've identified-- or she has identified specific academic endeavors. And so, really, that's-- the comparison problem isn't very fair, with regard to that. You know, I, I think if you're entering into an educational program with an anticipation of that being your career, you should have a much better understanding of what

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the earning potential is of that career. And so we're really not comparing the mechanical, electrical, that type, to the identified academic endeavors in, in Senator Storer's bill, so I was just curious whether there's a full understanding, because we can inspire-- you know, some people know exactly, exactly what they want to do when they're 10 years old, and, and, and they're going to, they're going to do it. Others really don't understand. You know, get a, get a-- I've known a number of people that have gotten an academic degree in a profession that really never had a background in it, get into that profession, and find out they hate it. And so, they do something totally different. And they might be saddled with \$150,000 or \$200,000 in student loan debt, so that anticipation of that particular career would be sufficient [INAUDIBLE] the debt and make a living. And here they find themselves in a situation where it's impossible for them. So, you know, I, I, I think full disclosure by the educational institution should be mandatory then, with some very real real-world counseling that, that would go on with that, so.

TAMMY GREEN: I think my-- all of our educational programs would, would echo that conversation about counseling and, and assisting students on identifying what their career outlooks are, and their interest inventories. And I will say, at MCC, you know, we have one of the lowest tuition rates. And we really are focused on making sure that students are moving into thriving and, and living wage, living wage jobs, so thank you.

G. MEYER: I think we all want the best outcomes for our students and not, not handicap them in any way once they get their degrees. So, thank you. I appreciate that.

TAMMY GREEN: Thank you.

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

CONRAD: Thanks.

MURMAN: --for your testimony. Other opponents for LB1196? Any neutral testifiers for LB1196. If not Senator, you're welcome to come up to close. And while she's coming up, online we had zero proponents, 18 opponents, and one neutral.

STORER: Thank you, again. Certainly good discussion. I was taking notes as I listened to some of the concerns and the questions, and

want to just close with the-- taking, taking a moment to address some of those things. I want to reiterate that nothing about this bill requires any program to cease to exist. There is nothing, no language, no mandate, no requirement that even hints at an institution being forced, as a result of this bill, to close their program. There was also a lot of discussion, and while I, I do appreciate, you know, that we do need to be looking ahead, but a lot of what I heard was references to programs that we would hate to lose that are not on the list. It-- I think it's dangerous for us to start speculating about potential impacts before the federal rules have even went into place for those programs that are on the list. That list, by the way-- and, and we'll certainly, again, as promised, get a copy to the committee, but it is available on the federal Department of Education website, so it's a very public list. You can look at programs for all states there. The rulemaking was completed on January 8, and so the list is brand new because it was developed as a result of the completion of that rulemaking, which was very recent. So this is hot off the press, if you will. Nothing about the proposed legislation here, in LB1196, would-- is going to change what those federal rules are and that federal legislation is. So our higher education institutions are going to be in a position to comply with, with those regulations starting, I believe, the end of June of this year, regardless of what we do here. So I don't want there to be confusion that this has an impact one way or the other on whether or not our institutions here in Nebraska will have to respond and comply with those federal rules and regulations, because that, that is certain. And I, and I believe the rulemaking can also be accessed on that education-- the federal government's Department of Education website, as well. I do-- another thing I heard was, you know, the comment about the culinary program, which I am not necessarily familiar with, but that is specific. When we-- when we're talking about-- I don't want there to be confusion either, that when we're-- we're not saying that all of a sudden, all culinary programs in the state of Nebraska are on the list. So this is specific institution to institution. And this is based on what is the cost to get that degree or certification at that institution, based on that total median earned income for the state. So the cost is going to be different in different, in different places of whether-- you know, whether it's Southeast Community College or Hastings or Chadron State or-- you know, different institutions are going to have a different cost threshold for very similar programs, perhaps. And so, it is, it is also institution-specific, not just degree-specific. So please,

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please be thoughtful about that. And honestly, you know, I, I do get a little bit frustrated when we, when we have these, again, conversations about what if, you know, we lose healthcare workers. And the cost to get a CNA versus the earned outcome-- the earn-- earnings on the other of that are different than the cost to get, you know, a bachelor of nursing and the earned outcomes on the other degree-- on the other side of that. And so, you, you have to keep that all, all in mind. It's relative. Does it cost you more to get the, the degree or certificate than you are going to earn on the side of being in receipt of that degree or certificate? So it's not about picking winners and losers of total earnings, just that ratio of cost and earnings on the other side. Seems like-- I feel like there was a couple other quick things to comment on. Oh, and Senator Hunt had asked the question about some concern about looking into the future. And certainly, that-- I, I don't disagree. We don't know what AI is going to do to the job market. I 100%-- I think there's a lot of unknowns there. We don't know how the demand for certain professions may change over the course of the next 2 or 3 years. So, on page 2, I believe, of the bill, line 12, it very-- is very specific. There will be an annual review that's updated-- that updates federal determination of low-earning-- earn-- low-earning outcome programs that will be electronically submitted to the Clerk of the Legislature. So not only will, will that be updated annually, there is within the federal rulemaking of which this bill is mirroring itself to, in terms of the test, test threshold, there is also an appeal process. So if a program, an institution with a program they offer feels that they've been unfairly put on the list, they have the opportunity to appeal that. And the last thing that I would like to point out is this is not automatic. So once a program has failed that test, then they have 2-- it's a 2-year grace period. So basically, if they continue to fail that for the next 2 years, then that is when they are no longer subject to federal, or in the case of this bill, state tax dollars to support the program. So there's-- this, this is not automatic, there is grace periods in place, and it is not degree-specific across the board, and, and there are appeal processes available, and annual updates required. And so, I, I share the concern we don't want to put Nebraska in a position that we are limiting the, the access for Nebraskans to get trained in the fields that we need, we need work. But we also want those folks to be paying a fair price to get that degree or certificate, and earning a fair wage at the other end of that. So I think that's, that's something that we would all agree on.

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And the last thing I would say is I am certainly, certainly open to visiting with the University and the Coordinating Commission about any specific language concerns. I know a couple of them reached out yesterday and I was busy, and so there, there really wasn't time to sit down and talk about that prior to the hearing. But I remain always, my door is open to, to those conversations, so. That was a lot. I apologize. Thank you.

MURMAN: Thank you. Any questions on close?

CONRAD: Thank you.

HUNT: Thanks.

MURMAN: If not, thanks a lot

STORER: Thank you.

MURMAN: And that'll close the hearing on LB1196. And we will open the hearing on LB1164. Senator Lonowski, one of our own. Good afternoon.

LONOWSKI: Good afternoon, Chairman Murman, members of the Education Committee. Thank you for this hearing. For the record, my name is Senator Dan Lonowski, D-a-n L-o-n-o-w-s-k-i, and I represent the 33rd Legislative District. I am here today to introduce LB1164. LB1164 addresses a lack of clear and consistent policies surrounding AP, IB, and C-L-E-P, CLEP examinations across Nebraska's colleges and universities. The bill ensures these prior learning experiences are given the appropriate college credits and ensures students can see how credits will be awarded. LB1164 establishes a framework for approving prior learning examinations, such as advanced placement test programs and the associated cut scores that could be used to award credit. The bill requires the Coordinating Commission for Postsecondary Education to create a list of accepted examinations and the cut score or the passing score for each. I have worked with the Coordinating Commission to draft an amendment, which Grace will be handing out right now, AM1907, which would add language, allowing them to set cut scores in consultation with public postsecondary institutions. In addition, each Nebraska public postsecondary institution must develop and implement policies for awarding academic credit based on these examinations and must post these policies clearly on their websites. Currently, institutions vary in the types of prior learning examinations they accept, and some policies are difficult for students and families to

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locate or to understand. LB1164 addresses these concerns by directing the commission to post and maintain the list of prior learning examinations and cut scores on the commission's website, in a location accessible to prospective postsecondary students and families. By passing LB1164, Nebraska will join 37 other states that have adopted uniform, transparent credit policies, ensuring that students can fully benefit from their prior learning they have already demonstrated. I do also want to address the fact that the University submitted a fiscal note, showing they need to hire an additional FTE to complete the report required under this bill. While think-- while I think that is a bit ridiculous, I am anxious to find a way to make this easier for them to comply with the act without a cost. I, I will note, community college and state colleges are able to do so as well. Thank you, Chairman Murman and members of this committee for your consideration of LB1164 and AM1907. I will have people following me to testify, but I'm happy to answer any questions at this time.

MURMAN: Thank you. Any questions? If not, thanks for your opening. We have any proponents for LB1164?

KATIE ZULKOSKI: Good afternoon, Chairman Murman, members of the committee. My name is Katie Zulkoski, Z-u-l-k-o-s-k-i. I'm here today on behalf of College Board in support of LB1164. College Board is proud to offer advanced placement courses and ensure students are prepared for college-level work in Nebraska. We strongly support LB1164 because it better rewards the work these students are doing and strengthens transparency for students and families making critical education decisions. Nebraska has made it clear that increasing postsecondary attainment is a priority for the state's workforce and economic future. Advanced placement plays an important role in that strategy. AP courses help students build college-level skills while still in high school, shorten time to degree completion, reduce overall college costs, and improve persistence and completion rates. Because of all this, higher participation and success in AP is now part of Nebraska's 70% by 2030 attainment plan. Postsecondary preparation, including advanced coursework, is also part of the measurements for how the Department of Education is evaluating our schools. For AP to fully support these goals and measurements, though, students must have clear and reliable information about how their AP credits will be used, once they enroll in Nebraska postsecondary institution. Today, that information can be difficult to find, appear inconsistent, or, or be unclear about what AP credit satisfies general

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education requirements or elective credit. LB1164 addresses this challenge in a straightforward and student-centered way by requiring clearer communication around AP credit and acceptance and use. The bill helps students make informed choices about course selection, exam participation, and postsecondary pathways. This empowers students to invest their time and effort with confidence, knowing their work will count toward a credential or degree. LB64 [SIC] does not mandate uniform credit policies or interfere with institutional autonomy. Instead, it ensures students have the information they need to navigate the system Nebraska has already built. We would suggest an, an amendment for the committee to consider. Senator Lonowski referenced the cost of this. Section 5 is the reporting section of the bill. That could be stricken if that's where the costs and the time are coming into play. That's, that's a piece-- taking that out of the bill would not lessen the important impact it would have. With that, I'm happy to answer any questions, and urge the committee to advance the bill.

MURMAN: Thank you. Any questions for Mrs. Zulkoski? If not, thanks for your testimony. Other proponents for LB1164? Any opponents for LB1164? Neutral testifiers for LB1164? If not, Senator Lonowski, you're welcome to close. And while he's coming up, online, we had one proponent, zero opponent, zero neutral.

LONOWSKI: Thank you, Chair Murman and fellow committee members. Before I close, I must confess, this would have never helped me in any way, shape or form. I want to thank those who testified, as-- Ms. Zulkoski, for her testimony. And thanks for the discussion on LB1164. I respect-- respectfully ask committee support of AM1907 to LB1164, and if there are no other questions, I will be happy to help to-- oh.

MURMAN: Yeah. In Ms. Zulkoski's testimony, she talked about maybe Section 5 would be eliminated to address the fiscal note. Is that something you would consider?

LONOWSKI: I've looked through it, and, and, and we did talk about it, and we would be willing to strike that if, after discussion with, with the University, that we feel like there is a fiscal note actually there, so yes.

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MURMAN: OK. Thank you. Any other questions? If not, that will close the hearing on LB1164.

HUGHES: This just might be the quickest one we've ever had.

MURMAN: Yeah.

HUGHES: Well done, Dan Lonowski.

MURMAN: And we'll--

HUGHES: Oh, OK. You're right. Second place.

MURMAN: And we'll open the hearing on LB1208, and that's another one of our own, Senator Juarez.

JUAREZ: Good afternoon, Chairman Murman, members of the Education Committee. My name is Senator Margo Juarez, M-a-r-g-o J-u-a-r-e-z. To refresh the committee, this interim, I had LR204, which created a study that researched teacher burnout. The discussions, research, and hearings were productive in hearing from those in the field who shared their experiences and ideas for change. That study found 4 themes that can cause demoralization and burnout for teachers, one being a loss of professional respect and identity leading to the feeling devalued as professionals. We saw actions from the federal government back in November stating that professional degrees definition excludes all educational fields leading to barriers to loan and grant success-- grant access. We are seeing a societal shift that increasingly devalues the years of education, training, and expertise teachers bring to their profession. Part of keeping teachers treated and respected as professionals has to do with pay. Teaching has been a low-paying job for many years. It is not news that the economic climate is tough right now. As budgets grow, we want to make sure that teachers' salaries grow proportionally, so they are not left behind on stagnated like in the past-- or stagnated, like in the past. Teachers now earn significantly less than similarly educated professionals in other fields, and this teacher pay penalty has worsened over the last 3 decades. LB1208 was drafted to bring a conversation around the greater issue of teachers being undervalued as professionals, by asking districts to assess where their general funds are going and who they are investing in within their district. By creating the threshold of 50% of the general funds used to be mindfully distributed to those who are the instructional teachers ensures an increase in benefits. I

would like to clarify the definition of teacher used in, in this bill. The intent around the definition of teacher is the same use as Statute 79-1001, but specifically, Section 9: teacher means any certified employee who is regularly employed for the instruction of pupils in the public schools. This is to ensure raising salaries of those in the district that are instructional teachers. I handed out the National Education Association report over educator, educator pay for Nebraska. Nebraska ranks 50 in the nation on teacher starting salary and number 37 for average teacher pay. Our educators are tired of the huge gap in benefits. They're tired of the 20-plus years of mandates and changes and expectations without 20-plus years of substantial compensation growth. For example, the current way for teachers to raise their own salaries is seeking graduate degrees, or certifications, or becoming specialists, taking on other school responsibilities, or a part-time job. Social mobility for teachers through attaining more education is commendable and necessary, but it is costly, due to the return on investment of education degrees. LB1208 is part of the solution to bring awareness that our school boards could spend their general funds in a way that invests heavily in teacher pay and benefits. Draw your attention to the articles I passed out. The articles show these national trends where districts have expanded or shifted their staff. You can see, over the past few decades, our education workforce has shifted dramatically. National data shows that between 2000 and 2019, the number of district administrators grew nearly 88%, while the number of teachers increased by just about 9%, and student enrollment grew only 7% in that same period. This trend reflects a broader national pattern where administrative positions have expanded far more rapidly than instructional roles, even as teachers, the professionals who educate our children every day, face stagnant wages and increasing pressures in the classroom. I think this bill presents an opportunity for districts to listen to their teachers and staff, and share information on their spending when it comes to teachers' salary and benefits. Our state should stand apart from the national trends by compensating instructional teachers at the level they deserve. Thank you, and I will take any questions.

MURMAN: Thank you. This handout from a professor at Hillsdale College is, is very astounding to me. The growth of district administrators compared to, let's see, in the last about 20 years, growth of the district administrators compared to students and teachers. We also pay

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administrators much more than we do teachers. Do you think that's an issue that needs to be addressed going forward?

JUAREZ: Yes, I do, but I'm coming from the perspective of increasing the pay for teachers, and that's where-- what I would like to focus on.

MURMAN: Yep. Thank you. I agree. Any other questions? Let's go with Senator Meyer first.

G. MEYER: Thank you, Chair-- Chairman Murman. Is cost of living a fair comparison when we start looking at teacher salaries, in comparison around the country?

JUAREZ: I, I, I think it is, somewhat. I, I definitely think that it's a factor. However, I'm sure that states that-- probably don't keep up with cost of living, you know. I mean, I think that with inflation, it-- I think it really is an issue of just keeping salaries where they need to be.

G. MEYER: My school districts tell me that 80-85% of the fixed costs are salaries and benefits right now, on the cost of the school district. And I think that's probably pretty accurate. Why do you think the administration staff has increased so dramatically, and that's added a great deal of the cost to schools? What-- you, you know, your background is with school board and that, so I think you probably would have a fairly good insight on that.

JUAREZ: Well, I, I do agree with you that the statistics show the administration on the heavy end, but I don't really necessarily agree that that's the right decision. I think that maybe, under some circumstances, maybe programs do demand that a position be created in order to manage a program, but. I also think that it would be good if school boards would take a look at maybe where we could consolidate some responsibilities that we don't have to be so top heavy on the administration end.

G. MEYER: So probably, the unfunded mandates put on schools by the state and federal governments, in all probability are adding to the increase in administration.

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JUAREZ: Yes. I would, I would agree with that. I'm sure that that is one of the factors, yes.

G. MEYER: Thank you.

MURMAN: Other questions? Senator Hughes.

HUGHES: Oh. Thank you, Chair Murman. I, I have a, a good help on the legislative side that was looking at this. Looked up our Nebraska Constitution, and Article III, Section 18 specifically states, it prohibits the Legislature from providing for the management of public schools. Do you feel like this maybe violates that to a degree, or-- I, I don't know if you'd even consider that part. But it just-- I don't know if that's a little bit of an overreach of us not staying in our lane or not.

JUAREZ: Well, really, that's pretty broad--

HUGHES: It is.

JUAREZ: --in how it's written. And you could probably bring that issue up for many things that the Legislature decides, when it comes to our public schools. So I think that-- I guess I would feel more comfortable in trying to know a little bit more about the history over time, on how our state has taken a look at that. And again, you know, with management, what, what does that really mean? What does that entail? I mean, personally, I think that it's been the lack of good management, why teachers don't have higher salaries than they do. But again, you know, I'm biased about that, because I definitely appreciate advocating for our teachers. And so, I would always defer to management making better decisions. So that way, we could try to enhance our teachers' salaries.

HUGHES: I know you're a very big proponent of schools and specifically teachers. They're, they're the boots on the ground, so thank you.

MURMAN: Any other questions? Senator Lonowski.

LONOWSKI: Thank you, Chair Murman. Thanks for bringing this bill. A couple concerns. One is we just don't have the money there. It's just not there. But the teacher burnout, is it in the first 5 years, 5-10, do you know? Like, where are the-- it seems like once teachers get to 15 years, they've probably-- have their master's degree-plus, and have

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time in, and they're kind of committed to the 30-year plan at that point. But do you know if-- like where the greatest burnout is, I guess?

JUAREZ: I, I think that you're right. If I recall correctly from the-- our study-- our resolution that it was in the earlier years that a teacher is going to be making a decision on, you know, whether their career choice has worked for them. And obviously, someone younger versus older, just by nature, is willing to take more risks, you know, that they may consider choosing another occupation that they think that they could succeed at. And, you know, another thing, too, is just thinking about the responsibilities of a younger person. They don't-- they might not have kids, have a family. So therefore, those kinds of real-world aspects may not tie them to the job. So again, why they may move on in their career versus someone who is much more established, you know, in their lifestyle.

LONOWSKI: OK. All right. Thanks. And have you noticed, is the burnout different, urban versus rural? Or have you not looked-- been able to see anything in that?

JUAREZ: I don't recall that that was something that stood out.

LONOWSKI: OK.

JUAREZ: Urban versus rural aspect. I recall one of the primary things that was discussed was about dealing with student behavior. That was one of the factors.

LONOWSKI: OK. Thank you, Senator Juarez.

MURMAN: Any other questions? If not, thanks for the open. Proponents for LB1208. Any proponents for L12-- LB1208? Opponents for LB1208?

JACK MOLES: Good afternoon, Senator Murman and members of the Education Committee. My name is Jack Moles. That's J-a-c-k M-o-l-e-s, and I'm the executive director of Nebraska Rural Community Schools Association, also known as NRCSA. And on behalf of NRCSA, I'd like to testify in opposition to L-- to LB1208. This is not a commentary on teacher pay. We, we do believe that teachers need to be paid more. This is more on the method in which we would attempt to get there. Teachers are in an increasingly underappreciated vocation and provide a great service to our students, their parents, their communities, and

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our culture. However, we don't believe that LB1208 is an example-- or I'm sorry. We believe LB1208 as an example of an unfunded mandate. And we do believe that this would have a greater impact on rural schools, especially our smaller schools than would on bigger schools. The state already mandates that public school teacher compensation be between 98% and 102% of each district's comparability array. There are factors that go into meeting this standard besides just base salary. These factors include years of experience with teachers, hours credit that they've received, and the number of teachers who take single or married health insurance, for example. But there are other factors that can take effect, or that have an effect on the total compensation cost of teachers, including such things as student characteristics and geography. Over the weekend, I had a chance to get input from members of my executive committee. I asked them this. I said, so where, where are you at, staff-wise-- teaching staff-wise, in relation to 50%? And 6 of them gave me information. You can see those there. One was at 45.88%, with 56% of the teachers having a master's. Another was at 52% with an average of 14.68 years of experience, 88% having a masters. We had a 44.5%, a 55%, 51.6%, and 51% with the younger staff. So they're all over the place. And, and I, I thought we'd be close to that 50% range. Small sample size, but this does bear this out. I share this information, as it provides a view of where rural districts might be based on many of the factors. Percentage of-- goal of 50% could change on a yearly basis. For example, a veteran staff that has retirements could become a younger staff, and thus fall below the 50% standard. This is after negotiations took place months earlier. The district could also be up against its spending authority. The appropriate place for this to be decided is in individual school districts, not in the Legislature. NRCSA believes this is a local control issue that is best left in the hands of the locally-elected board of education members and the teachers that they work with. We do share Senator Juarez's desire to see teacher compensation improve in Nebraska. We do not believe this is the appropriate way to get there. We encourage you not to advance LB1208. Thank you.

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

HUGHES: I just want to make one comment. If you look at the-- I was going to run the average, but I don't have time. So it looks like we're probably running around that 50%. Thank you for bringing to attention just how smaller staffing in smaller schools that-- how that-- how a lot of things that we do here can affect a small unit

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very differently and very substantially. Like, just looking at the-- I think the, the one at 52%, with 14.5 years of experience, and 88% having a masters. That school, I don't know how many teachers there are, but you could lose 2 or 3 of those super-wise old teachers, come in with new, and then now they're at 48%. That's the reality of when you've got smaller groups. And so, that's why sometimes what we do here, we try to do one blanket. And on a, you know, a bigger pool, it averages out, but it can throw us under the bus when you get to the smaller schools. And that includes a SPED kid, you know, SPED-funding kids, everything.

JACK MOLES: Oh, yeah.

HUGHES: So thank you for bringing that to our attention.

JACK MOLES: Thank you.

MURMAN: Thank you. Any other questions? If not, thanks--

JACK MOLES: Thank you.

MURMAN: --for your testimony. Are there opponents?

COLBY COASH: Thank you, Senator Murman, members of the Education Committee. My name is Colby Coash, C-o-l-b-y C-o-a-s-h, here today to represent the Nebraska Association of School Boards. And our organization represents Omaha Public Schools, our largest district, and McPherson County Schools, our very smallest district. And as Mr. Moles pointed out, the disparate im-- the disparate impact this bill may have on a large or very small school is something that our members are very concerned about. We have a lot of districts who are growing and continue-- and adding students, and we have other districts who are shrinking and the student population is decreasing. And this bill is-- would kind of create this moving target. And we'll say that Senator Juarez has got the correct problem identified here. This is a, this is a problem we, we want to be a part of a solution on. LB1208 doesn't seem to be the, the solution to that, that problem. I'm not sure the bill would have the impact that she's hope-- hoping to have on this. Budgets and setting their budgets are done locally, based on the needs of, of that community, that school district, by the elected officials that are sent there to make those budget decisions. A hardwired percentage of how much could go-- should go into one particular budget item starts kind of a, a, a domino effect, by

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saying, well, you have to spend this much here, but there's a finite amount of dollars, so then that starts--could start to affect things down the road. Mr. to. Moles addressed all the other issues I was going to bring up, so I'll leave it at that and encourage the committee to hold the bill. Thank you.

MURMAN: OK. Thank you. Any questions for Mr. Coash? If not, thanks for your testimony.

COLBY COASH: Thank you.

MURMAN: Other opponents for LB1208? Any other opponents for LB1208? Any neutral testifiers for LB1208? Senator Juarez, you're welcome to come up and close.

JUAREZ: We're doing pretty good in our timetable. Thank you very much to the folks that came in today to provide testimony because, of course, always, it's good to hear from, from all sides, because that's how we get to collaborate on a working solution. One thing that I, I do want to emphasize, though, is that I appreciate that the reality, for example, of what the Rural School Association showed, on the salaries and the percentages that they indicated, for example, with District 1 at the 45.88%, almost 46. But, you know, again, it's emphasizing that's 50% of teachers who have master's degrees. So it's just-- that-- that's one of the things that I'm trying to emphasize, is that the salaries that are comparable to the educational level that they have achieved. And, you know, I do want to encourage the school boards to, you know, take a look at really, is your evaluation of cutting back on expenses in other areas, how often do you do that? Is that a goal every year that you do try to achieve, so that maybe you could think about increasing the pay for teachers? I really would like to encourage you to sort of change your frame of thought, if that's not something that you're doing in your local school board. And, of course, I do understand about the concerns of the local control. So I would like to say that the work of Le-- Legislative Resolut-- Resolution (LR) 204 made it clear that one of the strongest drivers of teacher burnout is feeling undervalued as professionals. LB1208 is an opportunity for districts to thoughtfully examine how general funds are spent, and to ensure greater investment in the instructional teachers who are educating our children every day. At a time when national trends show stagnant wages and a shrinking teacher workforce, this bill allows Nebraska to push back and lead by valuing teachers

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through fair pay and benefits. Thank you for your time and consideration.

MURMAN: Well, thank you. I appreciate you bringing a bill that shows the difference between what we pay frontline teachers and those boots on the ground, compared to administration. I think it's a good thing to emphasize. With the difference in experience and education with teachers, and then also, the difference in experience of administrators, it does have an effect on that percentage. It seems like that would be a difficult thing to address from the state level. Any ideas on how we could address that? Because that does affect the percentage of teacher pay, compared to administration.

JUAREZ: Are you talking about the percentage that is paid to the administrators? Is that what you're asking?

MURMAN: No. The, the experience of teachers. Because the-- you know, if you have teachers with a lot of experience, they would tend to be higher-paid, and also with administration that-- more experience, they would tend to be higher-paid. So is there any way to compensate for that?

JUAREZ: Well, I think that, you know, the teachers who are getting the higher pay, I mean, they're getting that only because they're going on for their advanced degrees. Right? The-- that's how they're able to get the higher pay. And even, even after that has happened, you know, maybe in, in some areas, they still may have to get a job-- you know, another part-time job to try to sustain themselves. And you know, I think that it's important that we really understand that-- the realities of trying to survive, you know, in, in our economics today, and for the school boards to try to take a look at how they can always be prepared to address this salary issue. I mean, for us to be ranked 50th on the starting pay, you know, with all of the cost of livings that you-- you know, that Senator Meyer brought up, I think that the-- that statistic is awful.

MURMAN: Yeah. I totally agree with you. I, I probably phrased that wrong. I should have said with less-- teachers with less experience and less-- you know, because they would tendenc-- have a tendency not to keep up with the 50%, wi-- if you had a younger teacher workforce.

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So I agree with you. I'd like to see it 50% or more, but it's difficult to address from the state level, so.

JUAREZ: And, and you know, with-- we do have teacher positions that are unfilled, right, in the state. And think about-- I think that this data shows you why some of those positions are unfilled, because students aren't going that route. And I think that if we're going to try to, to change this around, it really begins with the basic, like a salary. Because kids today, you know-- I mean-- and I say this with a little bias, because I think about my own time, when I was going to college, which seems like umpteen years ago, and it probably wasn't, in reality. But you know, kids today, they really think about what they're going to get paid. They really do. They're a little bit more smarter about thinking about their salaries and not settling for, for minimum wage, and wanting more, and valuing themselves. And I think that younger folks may take a look at just choosing other occupations if we don't make improvements in this area. And it's those younger ones, like we mentioned earlier, that will be the first ones out the door, because they see the reality of trying to survive on a salary that's not meet-- meeting their basic needs.

MURMAN: Yeah. I actually had an amendment to do exactly what you're trying to do now last year, so I'm just trying to figure out how to more fine-tune it, so maybe we could do it from the state level. But I totally agree with you that we, we do underpay teachers in, in relation to administration. Any other questions? If not, thank you for your close.

JUAREZ: Thank you.

MURMAN: And I don't know if I-- did I say the online? Online, we had 6 proponents, 2 opponents, and zero neutral. And that'll close the hearing on LB1208. And we'll open the hearing on LB1224. Thank you.

HUNT: Thank you. Good afternoon, Chair Murman and fellow committee members. I'm Megan Hunt, M-e-g-a-n H-u-n-t, and I'm here to present LB1224, a bill about preventing child victims of abuse or neglect from slipping through the cracks. The intent of this bill is not to stigmatize homeschooling or restrict the rights of parents to educate their children in the way that they believe makes the most sense for their family. I have seen some confusion and misrepresentations of this bill circulating and I'm always happy to hear feedback from

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Nebraskans who are watching and listening to what's happening in their Legislature. And I want to assure anybody with concerns about this bill that I have no intention of preventing them from educating their kids in the way that they choose, and I encourage them to listen today to what this bill does. I got the idea for this bill from reading a story in New York Magazine, which I just distributed, about an 8-year-old girl in rural West Virginia who died as a result of abuse and neglect inflicted by her family. This little girl in the story, Raylee, showed signs of abuse for months, which some of her teachers had reported to CPS. Clear signs included cigarette burns, seasonally inappropriate clothing, and frequent pleas for attention and affection from her teachers. One day, Raylee arrived in a wheelchair with a broken femur, which her family blamed on a temper tantrum in which she said she kicked a wall, despite her mild nature and no signs of a broken foot. Upon returning from summer break in her final year, teachers noted that she looked like a skeleton, with black circles under her eyes, shaky, and pale. Teachers would give her food in the bathroom during break periods. The family started complaining to the school that the teachers' CPS reports were harassment. As Raylee's signs of abuse continued to worsen, and concerns from school staff and medical professionals were elevated, Raylee's primary abuser, her father, withdrew her from public school to homeschooling to keep her out of sight of her teachers. Upon hearing the news, one of Raylee's favorite teachers warned the superintendent, she's gonna end up dead, that baby's going to die. There were no grounds for the school to intervene because in every state, including Nebraska, parents are allowed to withdraw their child to homeschool in the midst of a CPS investigation, and there's nothing that school administration can do to stop it, even if there are clear signs of abuse in the home. Tragically, in Raylee's case, 2 years after she was withdrawn to homeschool, she was discovered unresponsive and died of cardiac arrest, her little body covered in bruises, cuts, and burns. The medical examiner noted signs of sexual abuse and sepsis caused by pneumonia, noting that any layperson would have known that she needed immediate medical attention. After a year-long trial, 3 of Raylee's family members were ultimately found guilty of negligence leading to the death of a child. The judge, in his ruling in West Virginia, noted that he found the state responsible, as well, because it allowed the child to be homeschooled without any measures to ensure the child's continued education and safety. Since Raylee's story came out, since I read it in that New Yorker article-- or New York magazine, lawmakers

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in West Virginia became the first in the country to try to pass a bill to close the loophole, which allows children to be pulled into homeschooling during an active child abuse investigation. As conversations around the issue gained media attention, more reports of similarly tragic stories of abused homeschoolers emerged. Another story of a little boy abused at home in West Virginia, and Connecticut, and New Jersey. My goal with this bill is to codify a temporary layer of protection for children that may be slipping through the cracks with undetected abuse. The vast majority of parents who homeschool their children are loving parents who would of course never abuse their child. But for those who are intent on inflicting harm, many of them who did not ever intend to homeschool their child, homeschooling does provide an effective cover. Child abuse and neglect are crimes of isolation. When children are kept home, it's far more difficult for social workers to interview them or for nonfamilial adults to try to get them help. LB1224 prohibits the withdrawal of a public school student into a homeschool only for a limited period while an investigation is underway. Only about a third of reports of child abuse are even accepted for investigation, meaning DHHS Child Family Services staff have determined that the report seems legitimate or severe enough that it must be followed through. In most cases in Nebraska, a Child Protective Services investigation takes up to a maximum of 45 to 60 days, and current regulations require that the department complete the investigation within 60 days. So in the vast majority of cases, it's wrapped up within 2 months. The right to homeschool our kids is still protected and affirmed under this law-- under this bill, by the landmark Meyer v. Nebraska case, which found that parents, not states, have the right to raise their children. However, in that decision, the court also said that the state has the right to make reasonable regulations when it comes to the well-being of children. Under LB1224, no presently homeschooled child or family would be affected. Nobody who's currently homeschooling would be affected. And anyone who wants to homeschool their children at some time in the future will be allowed to do so. Only parents of children under an active, accepted abuse investigation will be temporarily limited from withdrawing their child from public school. So the kid already has to be in public school. If there's an active child abuse investigation, they will be temporarily prevented from withdrawing their kid from that school until the investigation concludes that the child is safe in the home. If you're already homeschooling, or you know somebody who wants to homeschool, or you know that you someday

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want to homeschool, you're going to be OK under this bill. This is a time-limited layer of oversight just for those terrible cases where a parent uses the homeschool loophole in order to perpetuate abuse. One of the first steps that Child and Family Services workers take after receiving a report of potential abuse is to contact the child's school to get information about the child's living situation and attendance to identify any possible red flags. They then go to the school to talk to that child. That's important because that school allows for a safe, neutral place to speak about their experience without the watchful eye of a potential abuser. If a child has already been removed from public school, a proper investigation becomes nearly impossible. And with time and distance, perpetrators can inflict even more harm, as in Raylee's case. I've also heard from multiple school board members, especially in smaller communities, who have raised concerns with the State Department of Education about homeschooled children known to them in their towns who may not be having their needs met, wanting to know what can be done. And the answer is you can't really do a lot, but an ounce of prevention is a pound of cure, and this is one small way that we can keep eyes on children at risk of abuse while they are already in public schools and allow for some intervention before it's too late. The second component of the bill states that individuals convicted of child sexual abuse or sexual assault cannot be a teacher or a supervisor at a homeschool. This is aligned with what we say for public schools. We don't allow teachers in public schools to have these convictions related to sex crimes, and this aligns that expectation for children who are homeschooled. I'd also like to uplift some comments from the Coalition for Responsible Home Education, which is an organization founded and run by homeschool alumni that advocates for oversight of homeschooling informed by research and lived experiences. They write, quote, Policy loopholes that leave children in danger are a reality of homeschooling across states, and the one you identified is key. We maintain the homeschoolings invisible children database, tracking abuse cases that have made the public record when homeschooling is present. And over one-third of abuse cases involve withdrawal from school under the circumstances that you cover in LB1224, 37%. The reality is your bill won't impact purposeful homeschoolers. We agree that homeschooling can be an incredible opportunity and a great educational fit. LB1224 closes a gap where the most vulnerable children are at risk, and families who are homeschooling should be in full support. We know there is always significant pushback from organizations that believe parents' rights,

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not children's rights, should be central to homeschooling. At CHRE, we are firmly in support of your efforts to pass legislation that protects children from nonpurposeful homeschoolers, proven by research and well-known by homeschool alumni. Something we've heard in debate a lot over the last few years, is that if a bill can just help one person, if this can help one person evade harm, then it's a justification, then it's worth it. And I would argue that this is one of those bills that I can promise you will help one person. It will help many, many children. And I think that it's a good expectation to have of homeschooling parents, while preserving the rights of parents to homeschool and balancing that with the safety of children. Thank you very much.

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

HUGHES: Thank you, Chairman Murman. Thanks for bringing this bill, Senator Hunt. That-- the article you shared is horrifying. So I'll just-- I'm going to back up, and then I'm going to ask you the question. This morning, I teach a, a class, a workout class, and I have a lot of teachers in it, and kind of threw out like some-- I just threw out this question. I'm like, I got this bill coming. You guys are, you know, on the, on the front of it. Does, does this happen? Like, I mean, have you had any experience that this would help? And some of the teachers were yes. But after class, I had a social worker that actually-- she-- she's not anymore, but she came up and talked to me after. And she said-- so my question is, I don't-- do you think we should add, what if you just-- if you're getting under investigation for child abuse, maybe you can't-- would it be better to have it that you can't take your kid out to go to even across the state line or to another school. And this was her example, is when she was doing a case-- she would, she would investigate cases, and she said the average, she thought, was around 30 days to get it figured out. But she had an example where the family, you know, the CP-- they-- she started calling, they immediately pulled their kid, and they went across state lines to Iowa. And she said, the, the thing about-- and I'm, I'm-- this is what she's saying, so I don't know if this is true or not. But in Nebraska, our CPS tracking is by the state, so even if you would move from Lincoln to York, it-- you can keep track in the school system. But she said Iowa, they do their tracking of CPS by county. And so, she called over to Iowa, and was like, well, this

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family has moved into Iowa. And they're like, well, what county? And, and it was just like, they're lost. Like now, it's--

HUNT: Yeah.

HUGHES: --not going to follow through. So I don't know if that's-- if you, if you thought about it, about that, that piece of it, too. But I-- to me, this is yes, an ounce of prevention for something that could be extremely tragic. If it is a false investi-- or a false alarm, it will, again, work itself out. I don't know--

HUNT: I think, yeah. And if it's a false alarm, I mean-- let me-- look, go with me, here. Doesn't it feel a little weird if you're under investigation for child abuse--

HUGHES: Yeah. And you pull your kid.

HUNT: --and you pull your kid out of school.

HUGHES: Yes, you look very suspicious. Yes.

HUNT: I, I just, I just trust our Health and Human Services experts, the child investigation experts, to use their discernment about when something is worth investigating. And in Nebraska, our professionals, when they think something's worth investigating, I trust them to do that. And you're right, what you said about like, the average 30 days. It aligns with what we've heard, too. And if it's nothing, it will be resolved. And if there's something, then it's worth it. I, I did think about things like that, that you mentioned. Did this-- did, did this social worker you spoke to, did she say if the kid moved from a Nebraska public school to a Iowa school or was-- were they then homeschooled?

HUGHES: It was Nebraska public school to a Iowa school.

HUNT: OK. So it would be a different case under this bill for sure. And there's all kinds of like ways you could expand this type of protection. I totally agree. I think that LB1224 is a really heavy lift. And it's-- honestly, I, I debated whether I should bring it in my last 60 days in the Legislature. Like, is this really worth my time? But yeah, reading that article that I passed out to you and then reading anecdotally, you know, some of them are in the online comments, just anecdotal stories that other people have. And I'm not

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talking-- to homeschool parents, I'm talking about, oh, we don't like homeschooling or we don't like these parents who are home-- I'm not talking about that. I'm talking about documented abuse, which happens in all types of family-- you know, it can happen in all types of families. I'm not trying to pick on homeschooled people. I'm saying that this is a loophole that has been identified nationwide and there are many states who are taking efforts to close it. And I felt like it would be a waste of the gift of the work I get to do here not to take a stab at it, even though it is a heavy lift and--

HUGHES: Has any state passed something? I know you said West Virginia--

HUNT: Not yet.

HUGHES: Not yet. And then, I'm just going to-- I just wanted to read this, because I have a very good friend that, that I got to meet, just with this new job. It's my homeschool person. And we were kind of texting back and forth because I think there was some, maybe, misinformation-- misunderstanding of the bill, but-- so I sent kind of what it does, or what I thought it did. And her comment back was we have some kids coming to our Wednesday night kids club at our church now, that have been through the unfathomable, unfathomable, but are being adopted by a very loving family. So it's fresh on my mind that those kids need to be protected. And this is, this is what she says: so there are currently no laws against someone pulling their kids out of school when they're being investigated by CPS, and that's what this would do? And I'm like, yeah, that's what it would do.

HUNT: That's right.

HUGHES: So, kind of surprising that we don't-- you're being investigated, you pull your kids, and then that's-- you don't get eyes on them anymore.

HUNT: Then they-- you can disappear.

HUGHES: I know. Right. Right.

HUNT: And that sounds-- it sounds conspiratorial, but that's exactly what happens.

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HUGHES: OK. Thank you. Thanks for bringing it. Good discussion.

MURMAN: Senator Lonowski.

LONOWSKI: Thank you, Chair Murman. And thanks for, for being here, Senator Hunt. Is there any space or room for private schools in this or did, did that play into your thought-- mind thought at all?

HUNT: Once again, absolutely. Do you think I want the private school lobby here, too, opposing my bill? Like, I-- it's a heavy lift. There's lots of places we can look for prevention. And I really tried to keep this narrow, because I knew it would, it would be difficult to get passed as it is.

LONOWSKI: OK. Thank you.

MURMAN: In the, the scenario that Senator Hughes was just talking about, if a homeschool parent pulled their child out of school, they'd still be under investigation by DHHS if they were before they pulled their child out?

HUNT: Yes.

MURMAN: Thank you. Any, any other questions? OK. Thanks for your open.

HUNT: Thanks, thanks all.

MURMAN: Proponents for LB1224. Any proponents? Good afternoon.

TESS ULREY: Good afternoon, Senators. Thank you for having me. My name is Tess Ulrey. I'm the executive director of the Coalition for Responsible Home Education, the organization that Senator Hunt just mentioned. My first name is spelled T-e-s-s, last name is U-l-r-e-y. Like I said, I represent CRHE. I myself am not a Nebraska resident, but I'm a, I'm, I'm a homeschool alumni from the, from the Midwest. My testimony to being Midwestern is that I drove here from Michigan last night, because nobody in the Midwest drives if it's a-- if it's possible in under 12 hours, right? So I'm here to speak with you a little bit, a little bit about this bill and about this consideration, really, truly urging you to pass this commonsense legislation, and for Nebraska to take ownership of the, of the potential that they have. So I mentioned that my organization makes policy recommendations, and we are in full support of LB1224. Alongside that, we perform secular

research and we host direct programming that supports homeschool alumni, as well as actively homeschooling families across the country. As Senator Hunt mentioned, our work is child-centered, not parent-centered. And we believe ho-- that support of homeschooling truly involves legislative guidelines. As executive director, it is my responsibility to look across a spectrum of homeschool experiences and not just amplify the good outcomes, but realistically address the bad outcomes, as well. There can be horrific circumstances when homeschooling is used as a cover of abuse and neglect, and that is why LB1224 is so important. This bill addresses a critical juncture for children who could be those terrible outcomes that we read about in the newspaper and flash across our television screens. Homeschooling isolation can be uniquely totalitarian. And for caregivers with bad intentions, that can be exploited when there is no legislative, structural, or systemic support for the most vulnerable constituents in the state of Nebraska. My research team shared some data with you that illustrates why preventing school withdrawal during an active investigation is a pattern we can point to and work proactively to address. Across the country, reactive withdrawal from school was a part of over a third of the worst cases of abuse, neglect, and fatality. LB1224 identifies a critical intersection of 2 systems. And as lawmakers, you have the true opportunity right now to protect purposeful homeschooling. Raylee Browning is not the only child that this has happened to. It happened to Mimi Torres-Garcia in Connecticut, as well, and it happened to Jackson Morrow in Michigan. These parents exploited a loophole, and they were citing homeschooling. And these children are dead. LB1222 [SIC] protects vulnerable children within the public school system and, truly, Nebraska at large, without placing any burden on homeschool families who do not have relevant criminal backgrounds or are not under investigation. And I want to stress in this conversation that child protective services is not a perfect system, but we have to work with the opportunities that we have, to protect children. The public school systems are not perfect systems, either. However, those teachers are held to basic standards when your vulnerable constituents are in their care. And with that lens, CRHE supports every aspect of LB1224 and holds strong that parents convicted of crimes against children should be prevented from isolating their children at home under the guise of homeschooling. Abuse and neglect is the reality for too many children in public school and in homeschool settings. We can't truly measure these statistics, and there will always be more children in public

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school than are homeschooled, but I would challenge you that there's no acceptable amount of abuse or neglect. I truly applaud the Nebraska Legislature, and Senator Hunt especially, for being willing to address a spectrum of homeschooling experiences. To keep the good outcomes, we must be willing to take steps to prevent bad outcomes, and LB1224 does exactly that. Thank you.

MURMAN: Thank you. Any questions for Ms. Ulrey? Senator Lonowski.

LONOWSKI: Thank you, Chair, and thank you for your testimony. Is there any way or any reason you could think that this wouldn't work? Like, why would somebody oppose, other than obviously someone who has something to hide? Is there any reason-- unforeseen consequences that you can think of?

TESS ULREY: I am sure that that will come after my testimony. But for me, truly, and frankly, as a parent myself, no, I don't.

LONOWSKI: OK.

MURMAN: Any other questions? If not--

HUGHES: Thanks for driving in.

MURMAN: Thanks for your testimony.

TESS ULREY: Thanks. I'll do it again.

MURMAN: Other proponents for LB1224. And when we go to opponents, I'm going to-- no? OK. Opponents for LB1224. We do have a, a lady out there that has young children, and if she wants to come in, just give me the signal. But otherwise, we'll go to--

_____: She's not here.

MURMAN: Oh, she, she left. OK. Opponents for LB1224.

DAVID SPLONSKOWSKI: Good afternoon.

MURMAN: Good afternoon.

DAVID SPLONSKOWSKI: I am David Sponskowski, D-a-v-i-d S-p-l-o-n-s-k-o-w-s-k-i, legislative liaison for the Nebraska Christian Home Educators Association, NCHEA. The NCHEA opposes LB1224.

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First of all, the NCH does not condone any of the illegal activity listed in the bill and described in detail in the statutes. We have no desire to protect guilty persons. The illegal activity listed in the bill is already illegal for everyone, whether this bill becomes law or not, yet this bill targets only parents desiring to educate their children outside approved or accredited schools. The reality is that most reports of child abuse and neglect are closed as unfounded. DHHS 2024 Child Abuse and Neglect Report, that I've included with my testimony there, shows that only 4.9% of total incoming reports and only 12% of assessed neglect and abuse calls are substantiated as legitimate. However, the period from initial reporting, as you heard earlier, could be months. And what this bill portrays as a temporary delay will result in a situation where nearly 80% of assessed cases are innocent parents, dragging out the withdrawal from an approved and accredited school. It is also noteworthy that public school mandatory reporters make up the largest percentage of reports of abuse against parents, but the lowest number of actually substantiated abuse reports. Scenarios of unsubstantiate-- unsubstantiated neglect or abuse in Nebraska that have been shared with me personally by concerned parents include: CPS investigating because a neighbor saw children playing outside unattended; someone calling the police thinking children were left unattended in a vehicle, even though a parent was actually present; and a divorce turned retribution by making false claims to try and prevent the ex-spouse from homeschooling the children. Even organizations seeking to limit home education cannot substantiate regulation by the numbers. Coalition for Responsible Home Education, which you just heard from, claims 500 severe abuse cases confirmed nationwide in homeschool families since the year 2000. So that total accounts for the past 25 years, amounts less than 0.03% of the total homeschool student population in a single year, not-- much less the last 25 years. Put in perspective, targeting exempt school families is unwarranted. A study published in 2022, which I've also included a piece of it there, in, in your handout, compared homeschool and public school rates of abuse and neglect and found no significant correlation between manner of schooling and determined the rate of abuse, but instead correlated to demographics such as family structure and poverty. My fear as the father of 8 homeschooled children is that this bill is simply responding to the power of suggestion by sensational news reports to stereotype all homeschoolers as abusers and exempt schools as our way of hiding our children from the all-seeing eye of government schools, which is

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simply not true. I do appreciate that it was alluded to by the sponsor, but I think that is actually the case being perpetrated amongst the media. We believe that this bill is a violation of the parent's fundamental right to direct the education of their children and ask that LB1224 be killed in committee. I can take any questions.

MURMAN: Thank you. I have heard of instances where homeschoolers felt that they were under even closer scrutiny by neighbors and, and reports for-- to HHS about things that you mentioned in your testimony. Is that pretty common towards homeschoolers?

DAVID SPLONSKOWSKI: I know several personally in my own church that I attend. I have a neighbor that is-- doesn't agree with the way we raise our children, doesn't appreciate Christianity, has made it a point to aggressively go after us, not necessarily to report us to CPS, but comments to that, that effect.

MURMAN: We're going to go Senator Meyer.

G. MEYER: Thank you, Chairman Murman. Thank you for coming today. With repeated investigations by CPS with the fact that there's unfounded accusations, don't you think it becomes a, a situation of a little boy crying wolf, as CP-- CPS then, has a realization that if you're repeatedly targeted by a neighbor and there's no substantiation to it in any way, shape or form, do you still feel like you're targeted, or, or-- there's no basis in fact on that. And some people are going to accuse other people, just as a matter of course. Is it, is it about protecting the children? Is it, is it something else? Is it being a poor neighbor on their part or your part? You know, there-- the next-- there has to be a next step to that. There has to be another component to that, if it's a repeated, repeated accusation. And, and once again, once, once it's discredited multiple times, it has no value whatsoever. Do you think there's another factor there, somewhere?

DAVID SPLONSKOWSKI: Yeah. I, I can't speak to every circumstance. There definitely could be in, in some regard. And you know, I spoke to sit-- situation with my neighbor. It is particularly an aspect of he's, he's just particularly aggressive against people that don't have the same worldview as he does. So yeah. I can't speak to every circumstance, but that could be true. You would hope that CPS has the tools in some of those circumstances to, you know, see a pattern and, and ignore some of those. I know with the situation with divorce, that

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one, they tend to follow up on every single incident, given the proximity of the person reporting and the concern for the child, so that, that can become a very long, drawn-out process, if the couple is separated and, and one parent doesn't agree with the other parent's education decisions.

G. MEYER: I know those situations occur, and, and I think we're probably all across society familiar with those situations. But I, I don't know if, if just being a homeschooler is-- makes you ground zero for accusations.

DAVID SPLONSKOWSKI: Oh, yeah, I didn't necessarily want to imply that. But I do think there are circumstances where, particularly among family members, that becomes the case. Parents and, and others that are related tend to be concerned about [INAUDIBLE] I didn't-- I don't think it's a good decision for my child to choose for their children and so on, and those sorts of circumstances. Those are not necessarily, you know, across the board, but those are where some of these things start to surface.

MURMAN: Senator Hughes.

HUGHES: Thank you, Chairman Murman. Thanks for coming in, Mr. Spolinski? Salinski?

DAVID SPLONSKOWSKI: Splonskowski, yep. It's close.

HUGHES: Splonskowski. A lot, a lot of Ks and Ls and whatever. Anyway, OK. This bill, though, is clearly, the, the kids were enrolled in a public-- how it's written-- kids are in public school already. They weren't a homeschool-- I mean, I-- there are so many homeschool kids in our district. I-- our 4-H leader, all, all the, all the thing-- and they purposely homeschool. They typically start the year homeschooling. It's not something you switch, middle of the year. So it's like these kids are in a public school. And then, there's an accusa-- you know, there's a-- an investigation done. Yes, it might be a month or two. But, but-- and if it's unsubstantiated, they could go. But it's, it's, it's a little different, I feel like, than the situation you're painting, right? Do you-- I mean, do you understand that piece of it? These are not purposely, I'm gonna homeschool my kid. It's like, oh, I'm getting checked out. I'm going to pull my kids out. It's a, it's a-- it's different.

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DAVID SPLONSKOWSKI: Well, that's, that's what we're, we're insinuating is the occurrence, and I'm sure it does happen.

HUGHES: I'm sure it does happen sometimes, but typically--

DAVID SPLONSKOWSKI: But there's, there's a lot of, there's lot of circumstances, I think, as well, where parents do pull out mid-year, because of situations their child is experiencing at the school that may also be affecting their well-being. There's-- will be some others testifying me-- after me that will also talk to some of those scenarios, because that does-- interest in homeschooling can be multifaceted. And I heard the concern that this bill is about-- for the children. Well, most parents, a lot of times, if they're pulling it out, it's for the children. They have a-- either the child has something that they directly attribute is not working in the public school, or the, the parent has--

HUGHES: Right. But what are the chances that that's happening at, well, weird, the exact same time that they're getting in-- like, investigated for child abuse? I-- it's--

DAVID SPLONSKOWSKI: Well, over the course of it taking several months, I don't know. And I also alluded to the, the idea that the report may come because of that desire to pull the child. So, you know, that's where the timing could play into it. So it's-- and it's not so much about our concern about how are these possibly lined up, but it's the concern about the, the unfounded reports and using a-- what is a terrible situation, and I'm not going to defend these abuse cases, but using those low numbers of that occurring to really put the, the broader homeschooling community under a microscope. And it--

HUGHES: I don't see that. I don't see it targeting homeschool, but we can agree to disagree.

DAVID SPLONSKOWSKI: Sure.

HUGHES: Thanks for coming in.

MURMAN: Any other questions? Senator Juarez.

JUAREZ: You know, one thing that I wanted to mention is that at the-- in the public school setting, teachers, you know, staff are obligated to report, you know, suspected child abuse. There's no choice, do I

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want to or do I not? In that environment, they are manda-- it's mandatory that they report. So I was wondering, in the homeschool environment-- because I'm not, like I said yesterday, you know, I'm not real familiar with that world. So, like, do homeschool parents-- I-- I'm assuming maybe they gather together as a group and there's an entity that might-- you guys work with altogether. Do you have provisions in your homeschool environment where you would report abuse, suspected abuse?

DAVID SPLONSKOWSKI: I do want to make it clear that under Nebraska law, they, they detail every single person, not necessarily someone in a pro-- a professional environment as a mandatory reporter, if you read the way some of that's set up. So when you see that DHSS has something like 40-- nearly 40,000 reports every year, I think there's plenty of people reporting. And so homeschools are set up in a myriad of fashions. I can't speak to every one. You know, my wife is the president of a co-op with over 150 children in it. And so, I think the thought-- and it does-- I'm sure it does happen, where you have some isolated kid that's never taken out of their home, but that's not the, the desire of homeschoolers, and you know, this whole lack of socialization myth that has perpetuated for years, simply doesn't exist. So there are plenty of co-ops. You know, they come into contact with mandatory reporters at the doctor's office and all sorts of places. So I think that the, the concern for a lack of being in the presence of a mandatory reporter is, is not [INAUDIBLE] a concern. And I didn't actually include it in here, but there was a 2004 U.S. Department of Education study that found that nearly 10% of children are reported in the survey that they had had undesired sexual contact from educators who are mandatory reporters. So there's, you know, there's an aspect here where we're, we're kind of picking one avenue of looking at things and saying that there's a, a larger concern in one place than another.

JUAREZ: OK. Thank you for that feedback.

MURMAN: Any other questions? If not, thanks for your testimony. Other opponents for LB1224?

KATHRYN DILLOW: Chairman Murman and committee members, thank you for the opportunity to speak. My name is Kathryn Dillow, K-a-t-h-r-y-n D-i-l-l-o-w. I am a second-generation homeschooler, a retired health care professional, and currently serve as executive director and

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president of Nebraska Homeschool. I am here to testify in opposition to LB1224. This bill does single out parents who elect exempt schooling, and it does so from a position of suspicion and mistrust with the presumption that these parents may have intent of malice toward their own children, and choosing exempt school as a means of carrying out that intent and hiding their children. The bill prohibits persons with convictions of certain crimes from monitoring or instruction in exempt schools. By extension, any parent who has a said conviction can never homeschool. And it unfairly offers no recourse or appeal process while failing to consider parental rights, child custody standing, sealed juvenile records, and more. The adoption of the proposed changes would violate the intent and meaning of exempt as defined in Section 79-1601, by stripping parents of their decision-making authority and by tacitly applying NDE rules and regulations for accreditation for schools that are accredited and approved to exempt schools, thereby negating the meaning of exempt. The bill allows for a report of suspected abuse, not verification of abuse, to serve as a roadblock to parents who elect exempt schooling. It creates a unique notification process and threatens parents who file online applications with involvement of law enforcement. It's absolutely wrong to take away parental rights without due process. This bill erroneously assumes that keeping a child enrolled in accredited or approved school will prevent abuse by parents and protect the child from abuse, something that is not supported by research pertaining to child abuse and neglect in homeschools, public schools, or private schools. It assumes that increased regulation by the state of homeschooling correlates with a lower child abuse rate in schools-- again, something that the evidence and research does not support. The bill is seen by many as a veiled attempt to deter families from electing homeschooling, uses fear tactics, possibility of being reported, being subjected to an invasive CPS investigation, threatened with legal issues and perhaps the loss of their children. It indicts parents before an investigation has been started. All the power resides with the school and not the parents, and in the end has the potential to harm the children themselves. Child abuse, neglect, and sexual exploitation are horrific crimes. They exist in all segments of our society and no demographic is untouched. But the bill is not the solution. As exempt school parents, we do not advocate for child abuse or neglect in any way. In fact, many have chosen this

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means of schooling to protect their children from abuse. I'm happy to answer questions or expound on any of my points. Thank you.

MURMAN: Thank you. Any questions? Senator Hughes.

HUGHES: Thank you. Thanks for coming in, Ms. Dillow. So if the bill would say under any CPS investigation for the month or two months that it takes that the parent couldn't switch their kid to any school, whether it be homeschool, another school, another state, would you be OK with it then?

KATHRYN DILLOW: My concern is that if a report is made, there is a process that's to be followed.

HUGHES: Right.

KATHRYN DILLOW: And that process does need to play out.

HUGHES: Yes.

KATHRYN DILLOW: And that doesn't negate CPS talking to whoever they need to talk to. But to put a roadblock for the ability to homeschool, it's--

HUGHES: It's just for that little bit of time that they're under that investigat-- this, this is what I just don't understand. It's not--

KATHRYN DILLOW: If I might?

HUGHES: Yeah, go ahead.

KATHRYN DILLOW: So I was hearing what you were saying to the previous presenter. And I do think there is a misconception that most people start at the beginning of the school year. The-- a large majority of the people that I serve through my group are contacting me in a moment of crisis, and they're in the public school or private school and they need to get out. They are literally fleeing something that is happening in that school.

HUGHES: OK.

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KATHRYN DILLOW: So they're in crisis. So to put the brakes on for another 60-- and it's not-- and I'm not-- it's, it's way more than 30 days, because I'm watching this happen with families, as we speak.

HUGHES: That are under CPS investigation and they're pulling their kids out?

KATHRYN DILLOW: I have families who were threatened that they would lose their child if they moved to homeschooling, and it was CPS that said that. We will remove custody of your child from you.

HUGHES: Why was CPS involved in the first place?

KATHRYN DILLOW: Because--

HUGHES: What you're saying is you, you-- I'm a parent, my kid's getting bullied, or whatever reason. I want to pull my kid to homeschool, so I start the process. That's not what this case is saying. This case is saying there's a, there's an ongoing investigation of child abuse.

KATHRYN DILLOW: It says there's--

HUGHES: Now, I want to take my kid out.

KATHRYN DILLOW: --a report,--

HUGHES: Right.

KATHRYN DILLOW: --an, an investigation, and, and I-- there are some time segments between when a report happens and when an investigation begins. And so literally, we do have families, and, and it's in the-- predominantly in the Omaha metro, where we have a growing population of homeschoolers, people of color, people who are disillusioned with the public schools and what they're offering. And they are now saying, we have, we have an opportunity as parents to step up, to actually pour into our children and do something. But, as you know, a lot of that community already has a mistrust of CPS, plus they're being told by some public school personnel, not just teachers over CPS, but that they're not qualified to homeschool or that you shouldn't be doing this, and they're fearful.

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HUGHES: So then this is kind of going to, it's CPS, in terms of like neglect, because they're not capable of teaching their kid at home. Is that--

KATHRYN DILLOW: Neglect or custody. In the case of the one father, the maternal mother did not have custody. And he wanted to homeschool his children, but they were debating on whether or not he could.

HUGHES: OK.

KATHRYN DILLOW: And so, I mean and so it is, it is of a concern. I'm, I'm by no means negating that abuse happens, and any abuse is horrific. But my concern, as far as some of the data and like, even the article that you were given, is we are seeing the presentation for this argument using the most horrific cases. And the database that the Coalition for Responsible Homeschooling has is a database, and they have combed Google News, court records, media, and public records and obituaries to find the information to populate that. The 475 cases that are in that, they are including people that they call caregivers. It's not a clean sampling. Looking at this from a researcher and a healthcare professional perspective, they include parents, foster parents, legal guardians, parents associated that might come in contact with the homeschool community. They include cults and control groups and abduction cases. That's the kind of perpetrators that are in those 475 cases. In their database. Plus, it goes all the way back, 475 cases, to 2007. That's how far back the data-- so when you start looking at a statistical representation and is this a-- able to be extrapolated to the population at large, it's very weak. But moreover, to answer some of the concerns, like if we have an ongoing investigation, should we go ahead and put the brakes on? There are-- there is research that shows-- and it's even in their own report, from the coalition, that homeschool oversight policies are rarely effective in identifying that abuse is taking place, much less stopping it. Abusive caregivers withdrew them to homeschool after the closure of a social service investigation. In other words, no findings. And so then they withdrew the child, yet, they continue to abuse. And some of them do result in the death of these children. And that's awful. And that's not what we want. And that's not the majority of the homeschool community. But what we--

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HUGHES: I, I, I feel like you guys are feeling more attacked than you should be. That, that's my whole bottom line. But that's fine. Thank you.

KATHRYN DILLOW: But I'm-- no, I, I appreciate it, Senator Hughes. I do appreciate the concern. Because we don't like it any more than you do that someone would be abused.

MURMAN: Thank you. Senator Lonowski.

LONOWSKI: Thank you, Chairman Murman and thank you for your testimony. Appreciate you coming and being here. So I was a teacher for 35 years. Over those years in the public school, there were some kids that I reported. Had that child been gone the next day-- and, and maybe that even happened. I don't recall. But if that happened, I would go to the counselor and say, hey, I want to check on so and so. They're not here today. If, if the parents reported back that we've now decided to homeschool our child, that's been in public schools for 9, for 9 1/2 years, through the ninth grade, and now they're homeschooling, don't you think that would make homeschooling-- don't you think it would make the family look like they're hiding something?

KATHRYN DILLOW: Then you report, and you say, I have concern that they took him into homeschooling for this reason, and the CPS process will play out. But to say, no, you cannot exercise what is provided by state statute, that is basically saying, we don't trust what you're saying. We believe that you are possibly going to harm the child. If that is the case, then yes, they need to take action and, and move on that.

LONOWSKI: It might be someone that's not even in the homeschool world. It might be this abusive father that says I've got to cover up what I've done here, and, and they have full intentions of not doing it again, but--

KATHRYN DILLOW: And, and the thing is there are people who do that. I agree with you. They claim homeschooling and they're not doing it.

LONOWSKI: You know, I mean, we're really talking about public school kids and just putting a temporary freeze on action until someone establishes that it wasn't abuse, that he's a clumsy kid or, or

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whatever the case, but-- thank you for your testimony. I appreciate it.

KATHRYN DILLOW: Thank you.

MURMAN: Senator Sanders.

SANDERS: Thank you, Chair Murman. If we could just take a, a breath here for a moment. I, I, I want to change the conversation just a little bit. So I think 2 things need to happen here, I think. This is, this is my thought. You know, this isn't an area I've ever had to explore. So I get on my phone and I Google child abuse, homeschooling, is there such a thing, right? OK, needs to be addressed. So maybe 2 things. One, CPS or social workers. Maybe there needs to be some new updated training for them, as well, to understand what's going on with what I think is addressed as the invisible children. So second, I don't think this has to be where we're-- we, you, are on the defense. Senator Hunt's intention is to help these children. While maybe a small group, there is an opportunity that we work together to figure this out for that invisible child, right, that could easily maybe slip into, in this case, it's possibly homeschooling, because the parents maybe think this is the, the avenue to do it. And if it is, then there's an opportunity for you, your board, your community, to help identify if this is going on. So maybe it's an amendment, an awareness, but I think it's an opportunity for us to work together to help this population that could easily slip into whether it's homeschooling, whether it's living on a farm, but whatever it is, if we, your homeschooling, your organization has an opportunity to help a child, we should. Right? And I think that is Senator Hunt's intent, is not to take and abuse, or, or, or for you to be on the defense of the homeschool population, but to say, yeah, we do homeschool and sometimes they slip into our community. What can we do to assist? I think that's where we all should be coming from, to help that, what I see is possibly identified as what's called an invisible child, that ultimately, could end up as a dead child.

KATHRYN DILLOW: I agree that we need to protect children, and I do think that there is considerations that need to be given as to how can we do that. My point in talking about how this bill will prohibit parents themselves from teaching in their own homeschools, it offers no recourse, ma'am, for a parent who maybe had a juvenile record that was sealed. It's still reportable and forever bans them from

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homeschooling, according to the way that the bill is written. It does not consider parents who have a conviction, who-- I know these families-- have now come out of incarceration, have remarried, have new chil-- new families started, and they want to homeschool them, and they are homeschooling them with success. That person would be told that they couldn't do it. There's no appeal, there's no consideration, and what's even-- in, in applying these restrictions, we're, in essence, applying the NDE Rule 21 to exempt schools. They're no longer exempt. We're now coming back under the rules and regulations of the Department of Education when the law itself says that we're exempt from those rules and regulations for accredit in the public schools. So it does that, and in doing so, it even does it an unfair way. And you say, well, how could that be? Well, even someone who teaches in our public schools has the opportunity to have certain elements of conviction set aside in their consideration when they apply for their certificate or their permit. And we also give conditional permits before any of the background checks are back, based on the veracity of the individual filling out their self-report form. These are things that we afford to teachers who aren't even the parents of these children. Yet, we come with this bill and it does feel punitive. This is what the community is saying to me. They're afraid, and these are people who have already been investigated for CPS and come away with a clean record of no finding. They're afraid that this is a roadblock for them of doing what they feel is the most appropriate thing in a loving manner with their children. There's no recourse. There's no opportunity. And that's a problem. So I understand where they're coming from. I myself have never been investigated. But as a nurse, I have cared for children who were abused and domestic violence patients. I see what it does and it's awful. But at the same time, we cannot just do a blanket response and say forever done. It has to be thoughtful, and it has to also follow due process that we don't strip somebody of a parental right to educate their child. I mean, they're already living in the home with these children and raising them beautifully, but they do have a history. We have to be cognizant of that in some way.

SANDERS: This is why we have a hearing, so we can figure this out and that, that you can bring information that we would never have unless you brought that information to us.

KATHRYN DILLOW: Thank you.

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SANDERS: So I thank you for that. But there is also an opportunity here to work with Senator Hunt to make the blanket bill the better bill, and it's usually better when we all work together.

KATHRYN DILLOW: Agreed.

SANDERS: Thank you.

MURMAN: Any other questions? Senator Meyer.

G. MEYER: Thank you, Chairman Murman. Senator Hunt's presentation representing the bill and, and then what I believe, based on her presentation of what this bill represents is to identify children that are suspected of having been abused and to protect them so they're not pulled out to protect the perpetrator. And it would appear-- and perhaps I'm, I'm misunderstanding the text of the bill. It's, it's fairly comprehensive who-- you know, regarding the investigations and who should be precluded from having access to these children in any way, shape, or form. But it, it appears relatively simple to me that Senator Hunt is really, merely saying if a school identifies a children-- or a child as having been abused, suspected of abuse, not allowing a parent to take them out until there's some establishment of, of providence whether there is abuse or not-- 30 days, 60 days for the protection of a child I don't think is unreasonable. And it appears, and perhaps I'm misreading this, but it appears that you're taking on the mantle of being persecuted for being homeschooled, and, and if you want to take a child out for any other reason, are, are you being investigated for that reason? It, it appears to me that it's, it's been defined as a child expect, expect-- suspected of having been abused, and then a parent, guardian, whatever, comes in and tries to take that child out. That's the red flag. It's, it's not, it's not the, the parent or guardian coming in and, and taking the child out to homeschool. That doesn't appear to be the impetus or the, the factor of the investigation and, and, and retaining that child in the school for the child's, child's protection. So perhaps I'm misreading this. I, I think, initially, that would be Senator Hunt's intent, is to protect that child and not to blanket the homeschool community. That's the appearance to me.

KATHRYN DILLOW: And, and, and she did say that, that is her intent. And she is-- they are saying that it's not going to affect families that are currently homeschooling. We do have families that have

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children that are in public school and some that are in homeschooling. They may come and want to take those other children and take them out mid-year. I mean, it, it has the potential to impact a family negatively. But in the same sense, there is a lot of confidence that is not founded in research being placed on the fact that if you hold for 60-90 days, you do the investigation, no findings, I pull the child out. In their database, 90% of the cases had history of prior abuse, but also, there were cases that found no findings and the children were still abused. If a person is intent on harming a child, they'll find a way to hide them. They'll find a way. So I think that to say we're going to halt the process, I think, I think it's probably an intellectual debate, a part of it, but I also say that there is a true reality impact to families who have been investigated prior, and feel, feel that they themselves are being targeted now that they are making that choice, because of the relationship that they have, perhaps, with the public school.

G. MEYER: If, if I may ask, let's assume there's a family that's homeschooling some children and has some kids in, in public school. If, if the parents decide, you know what, I want to take that 1 or 2 children out of public school to homeschool now, are they held, are they held in school? Do you have experience or do you have providence that they're held and, and the, the, the parents have to be investigated before they can leave public school?

KATHRYN DILLOW: No, sir. What I'm, what I'm saying in that situation, if there is disagreement, an opinion, literally an opinion of educational opportunity, like someone doesn't think this is the right-- homeschooling is not the right thing for this particular child, they start using the words "educational neglect." And then it becomes an adversarial relationship between that family and the school personnel. And then the parents are feeling like they're compromised in this position, where the school is saying, we don't think you should do this, and, you know, if you do, you know, we, we know you've been investigated once before, we're-- so we're-- we-- we're gonna say something.

G. MEYER: You have a number of instances where this has happened? Could you [INAUDIBLE]--

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KATHRYN DILLOW: I do not have numbers. I have talked to people who are--

G. MEYER: It seems like we're concerned about something that might happen ra-- as opposed to something that has happened. I'm not trying to belittle your position at all, and, and I don't mean it that way.

KATHRYN DILLOW: Thank you.

G. MEYER: But we're trying to protect children here, and, and this is a tool, at least the, the proposal by Senator Hunt. So this, this is a tool. You know, we can, we can do "what if" and "suppose this happened" all day long, but if, if, if we're concerned about something that isn't happening, we're probably spinning our wheels here.

KATHRYN DILLOW: But it has happened. And-- but these are families who would not come and testify, for fear. It has happened. But we also, as I was saying, we're putting confidence in that if a CPS investigation is done on somebody for potential abuse and they find no findings, they're all clear. The data, even from the coalition, shows that's not the case. It, it doesn't, it doesn't provide. It-- I think it's a false confidence is what I'm trying to say.

G. MEYER: I, I'm not trying to dismiss your concerns. I appreciate your testimony today. Thank you

KATHRYN DILLOW: Thank you, sir.

MURMAN: Any other questions? If not, thanks for your testimony. Other opponents for LB1224?

AMY BUCHMEYER: Chair Murman and members of the committee, my name is Amy Buchmeyer, A-m-y B-u-c-h-m-e-y-e-r, and I'm a staff attorney at the Home School Legal Defense Association. With over 90,000 member families, we are the nation's, nation's largest home school advocacy organization. On behalf of our members in Nebra-- excuse me-- in Nebraska, we oppose LB1224. Why do parents withdraw their kids from public school? According to the National Household Education Survey, the number one reason parents choose to homeschool is because of concerns about school environment, including classroom safety, drugs, bullying, or negative peer pressure. In other words, they're concerned about their children's safety, just like we are today. We want to protect children, and that means state laws addressing abuse and

neglect. But this bill is not the right way to protect children, and nor does it give DHHS any tools that they don't already possess to protect children. Instead, it creates new procedural hurdles. Once the investigation is opened, even if the allegations are completely false, this bill frees its education decision-making for up to 2 months, turning unresolved allegations into leverage rather than pathways to safety. For a child being bullied, that means 2 more months in an unsafe school environment. For a child with learning challenges who needs stability, that means 2 more months without the consistency of being taught at home by a loving parent. For a child with health issues struggling to get to school by 8 a.m., that means 2 more months of tardies, escalating consequences, and threatened trancies. These children aren't hypothetical. They are the reality behind most mid-year decisions to homeschool, and they're people I speak with on the phone every single day. When DHHS receives a report, this bill would prevent parents from making the best decision from-- for their children. And as we've heard, HSLDA's experience has also showed, a report of child abuse and neglect can stem from anything: a child slipping out of the house unsupervised, a misunderstanding at the playground, or a dispute with a neighbor about property boundaries. Because the restriction on starting to homeschool is triggered by the existence of a report, not a finding, it is easily misused in high-conflict situations. This bill does not add protection, but it adds a freeze, and that freeze comes at the expense of children whose needs are immediate. Investigators are managing heavy caseloads, and even straightforward cases can take time to resolve, nor should we be rushing DHHS investigators. We're not objecting to DHHS involvement when there is a genuine concern for child safety. And crucially, under the status quo, allowing a family to homeschool does not prevent them from investigating, following up, or protecting a child when necessary. This provision substitutes discretion with delay, and the delay is not neutral for children's well-being. This bill also permanently would bar parents from homeschooling based solely on past criminal convictions without any individualized reveal or appeals process. To put this in practical terms, that means a parent can be deemed perfectly fit to raise their child, potty train them, take care of them, but not teach them math. We live in a society that believes in rehabilitation, and any considerations of this provision should at minimum include meaningful exemptions for a review process. So for all these reasons, we encourage you to oppose this bill. Thank you.

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MURMAN: Thank you. Any questions for Ms. Buchmeyer? Senator Juarez.

JUAREZ: Thank you for coming in. So I guess a question that I have is tell me what your idea would be of a review process that you're suggesting here.

AMY BUCHMEYER: So one of my concerns is that if you have kind of the scenario of the 20-year-old who commits a felony, is definitely a [INAUDIBLE] one of the crimes. It is now 20 years later. There is no chance to go before a review board, before a judge, before anyone, to try and get that expunged or corrected-- or even the Department of Education. Now, candidly, I don't think even that is necessarily appropriate if we as a society are saying they're fine to raise their children. But I do think there should at least be some kind of due process before we say this crime you committed X number of years ago, it's a complete bar. I know some different versions. This particular language has never passed. I've seen other legislatures, as they wrestled with this, try and do things like, if 5 years have passed and you've had no convictions, or et cetera. Now that's a little tricky because that does put a time limit on a messy crime. But I do think that there needs to be some kind of way around this. Otherwise, you're leaving these families with no options, when they could be perfectly suitable homeschooling parents.

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

AMY BUCHMEYER: Well, thank you all for your time, and I hope you have a good rest of your day.

MURMAN: Any other opponents for LB1224? If there are any other opponents or neutral testifiers, move up to the front, if you can.

JARROD RIDGE: Hello, Chairman and Senators. My name is Jarrod Ridge, J-a-r-r-o-d R-i-d-g-e, and I'm just here as a concerned parent, homeschooling parent of 6. I've been doing it for almost 29 years now. And again, I am not going to be able to speak to the intent at all, of Senator Hunt, with this bill. But what I am going to do is bring it to your attention that there are some things that, that I see, just from where I'm sitting, as a homeschooling parent. As I look at it, if there's a call, there's a presumed guilt before there's any opportunity for me to defend myself or have those conversations. I'm guilty based on an accusation, and I'm stopped from making a decision

for my child, you know, pulling them out of the public school system. So that's my, that's my first gut response to this, when I consider that someone might be able to call-- someone that doesn't like me. A perfect example is there was a divorce that happened in, in a family that's very close to me. It was not a good divorce. The husband was very horrible to the wife. But she moved, and he's been fighting very hard to try to get those children back. The problem is, is something like this, he could use to his advantage to cause her difficulties, because they now homeschool their children. She pulled them out of that school system because she didn't want him near them. There was a restraining order that was placed. So, so the reasons that people make decisions, that shouldn't be prevented, but the wholesale "an accusation is made, you must wait until this happens before you actually do something," that needs to be changed, at a minimum. One of the other scenarios that I look at is educational neglect. My family has adopted 2 children, and we looked at becoming foster parents. We went to several of the classes. And one of the major reasons that we backed away from that-- offering our home up to children that needed homes-- we backed away from that, because we were told the number one reason that children are removed from homes by CPS is educational neglect. So the very thing that is being presumed here, if I move my chil-- if I seek to move my children from the public school to my home, is considered educational neglect by some CPS workers. You senators are trying your best to protect the children. I hear that, and I, I applaud that, and I thank you for that. The problem is, is those who are going to try to enforce this are not you. They are going to be in the trenches. They're going to be making decisions. We do not know all of their understandings or their ideas. Even if we train them, they may be presupposed to certain things. We just heard testimony how some are not being run through all of these training or-- even Senator Murman is going to have a bill later that talks about hiring policies. So we may not even have that captured where they can make good decisions. So we are opening up that opportunity for education neglect to be ramrodded into the system with a bill like this. Again-- and i'm only sitting here recognizing some of these things because major organizations that speak to the homeschool situation, like HSLDA, NCHEA, forgot the other one-- Homeschool Freedom Coalition there's many homeschooling groups that are concerned about the way this bill is presented, so it brings concern to me, as well. So thank you very much.

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MURMAN: Any questions, Senator Lonowski.

LONOWSKI: Thank you, Chair Muman. Thank you, Mr. Ridge, for being here.

JARROD RIDGE: Certainly.

LONOWSKI: Do you, do you see a-- an amendment that might make this better or a way to, to make this look like it's not dumping on, on homeschool or?

JARROD RIDGE: It's a great question. And, and honestly, I'm not sure that I would have an answer for you right--

LONOWSKI: OK.

JARROD RIDGE: --off the cuff. My, my first, my first thought is we do not live in a country where we presume guilt first, so we would need to deal with that, from my perspective. We would need to figure out how that parent is not guilty by a simple phone call. And that's really what I see happens in this case, because they lose parental control over a decision. If, if you were trying to make a decision-- let's just put it this way. You wanted to move from one sports team in your local community to another sports team, but someone makes an accusation and you now can't move. You gotta wait 30 days for them to figure out if your decision's a good one or not. That's, that's not what any of us think is the right thing. And maybe I'm reading into this, but that's what it seems like, at least from my simple reading of it. So.

LONOWSKI: Sure. And there's also people out there that will say, I will use the homeschool excuse to get him out of school--

JARROD RIDGE: Sure.

LONOWSKI: --because he's ratting me out for slapping him on the legs or, or whatever. And so I, I can just homeschool and no one will be the wiser. I mean, so we, we--

JARROD RIDGE: Certainly.

LONOWSKI: You know, bottom line has got to be the children, I would think.

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JARROD RIDGE: Well, there's a-- the, the parent is still the parent in that situation. And, and they deserve a, a trial. They deserve the hearing. They desire-- deserve to be innocent until proven guilty. So that's, that's the real issue here, is if we're moving past the judicial system to make a unilateral decision, which is kind of what happens, at least for 30 days, because your decision is put on hold, that's, that's where I see the problem is. I'm not saying that that child-- if, if there's imminent danger for the child and it's known and it has-- based on the, you know, evidence of 2 or 3 witnesses, and it can be produced, it should be acted upon. But a simple phone call from someone who may detest them, like an ex-husband, that's too much, that's too much-- that's being too liberal in this situation.

LONOWSKI: OK.

JARROD RIDGE: Did that help?

LONOWSKI: It does. So if a teacher sees bruises all over the body, you would see that as a different situation.

JARROD RIDGE: I would say, at that point in time, yes. You need to-- there-- there's something needs to happen more urgently.

LONOWSKI: Versus just a phone call from an--

JARROD RIDGE: Correct.

LONOWSKI: --ex or something.

JARROD RIDGE: Correct. The way I read the bill is it's, it's a simple accusation can trigger something. It-- we, we have laws that, that seek to protect children now from abuse. And again, you, you, you mentioned that you had to do it a few times in the school system. Those things should be done. They should be investigated and, and evaluated. And if there is something happening, then it needs to happen. But a simple accusation, we need to figure out how to limit that being enacted.

LONOWSKI: OK. Thank you.

MURMAN: We had testimony earlier, about homeschools feel they're-- homeschoolers often feel they're under a microscope.

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JARROD RIDGE: Mm-hmm.

MURMAN: Educational neglect, you mentioned that in your testimony. How often is that a issue?

JARROD RIDGE: Well, that's a great question. I, I don't know that I can answer. Some-- from Home School Legal Defense might be able to answer that. I've invested in Home School Legal Defense for, like I said, almost 30 years now, for that exact reason. If someone makes a phone call and they-- and someone shows up at my door unannounced, I have legal defense to help walk through that. Because I don't know that those who send their kids to public school have invested in, you know, legal defense funds to help them, protect them from something would happen in the public school, but that's what we do in the homeschool community, because we just don't know.

MURMAN: Can that be used by Child Protective Services against homeschoolers, or has it?

JARROD RIDGE: The, the Homeschool Legal Defense Fund?

MURMAN: Yes.

JARROD RIDGE: No. That's actually some--

MURMAN: Well, no. By CPS, Child Protective Services. Can it-- is it used--

JARROD RIDGE: Educational neglect?

MURMAN: Can it be used against homeschoolers?

JARROD RIDGE: Well, that would be-- that was the presumption, I will say, from my standpoint, Senator Murman. When we were going through the process of, of trying to become licensed as, as a home for children that needed a home, we, we backed away because that-- it was told to us, as homeschoolers, one of the major reasons that children are removed from--by CPS is educational neglect. And we were only homeschoolers in the room, so.

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

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JARROD RIDGE: Thank you.

MURMAN: Other opponents for LB1224? Jump up, quickly, if there's any other. Any neutral testifiers for LB1224? Good afternoon.

ALYSSA BISH: Good afternoon, Chairman Murman and members of the Education Committee. My name is Dr. Alyssa Bish, A-l-y-s-s-a B-i-s-h, and I am the director of the Division of Children and Family Services in the Department of Health and Human Services. I am here to testify in the neutral capacity for LB1224. The department's comments are specific to Section 13. The department appreciates the intent of LB1224, which prevents the transfer of a student to an exempt school during an abuse or neglect investigation to assist with maintaining consistent contact with mandatory reporters and school personnel. When a child abuse or neglect report is assigned for investigation, the department has between 24 hours and 5 calendar days to contact the alleged victims. The department notes that Section 13, subsection (2) would require notification to a student's current school and the Commissioner of Education upon the filing of a report involving a parent or guardian prior to any formal determination. While subsection (5) limits the content of such notices, the bill would still require sharing information during an active investigation, which may necessitate additional safeguards, training, and system adjustments to ensure confidentiality and consistency with exist-- with existing child welfare and education privacy laws. From an operational and procedural standpoint, school information is not always known at the time of the report. Section 13 (1) and (4) require the initial notifications while an intake is under review by the RED, which stands for Review, Evaluate, and Decide team, and the second notifications to be sent, lifting the restriction if the report is assigned to Alternative Response. In practice, this may result in back-to-back notifications within a short time frame, potentially within 24 hours, which may create unnecessary administrative burden and confusion, particularly in circumstances where the family is unaware of the report being made. Lastly, subsection (3) would require schools or the Commissioner of Education to notify local law enforcement if a transfer election is filed or a request to transfer or disenroll is received during an investigation. This provision may be interpreted as creating a new mandatory reporting pathway for education entities and law enforcement, which may require clarification of roles, timelines, or thresholds to support consistent statewide implementation. Clarifying the aforementioned areas may support consistent

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implementation while preserving the bill's intent. Thank you for your time. I'd be happy to answer any questions about the bill.

MURMAN: Senator Hughes.

HUGHES: Thank you, Chair Murman. Thanks for coming in, Dr. Bish. I just wanted to ask, so I talked to somebody that worked for Social Service-- Services for Nebraska before, earlier this morning. Is-- how does the system work in Nebraska? Like I-- she isn't with you guys anymore. She does something else. But she was making-- like if, if there's a child abuse investigation going on and kid transfers from school A to school B within Nebraska, is it all kind of a connected-- like how do you guys handle that, that caseload? And it-- maybe it went to a different-- enough far away that that same caseworker isn't gonna stay. Does that make sense?

ALYSSA BISH: Great question. So if a student were to transfer within the state, we would still be able to locate that child. If it was too far, another caseworker could go out. We have really good collaboration across the state, regardless of location, to ensure safety. You mentioned earlier, in that specific situation, they went to Iowa.

HUGHES: Right.

ALYSSA BISH: We have made personal calls to say we're looking for this child. This is-- like, here's the information that we have. And if they put eyes on that child, they will either let us know and they will go out and look as well. But to the social worker who connected with you, if they leave the state and we don't know where they are, we can't locate them. It's also true, just for knowledge sake, that it's like 1.25% of school-aged children that we cannot locate, so we have a very high percentage rate of finding children that are called in with safety concerns, in Nebraska.

HUGHES: So 1.25% you, you cannot find, which means 90--

ALYSSA BISH: Like, very small.

HUGHES: Yeah, very small percent.

ALYSSA BISH: Yes.

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HUGHES: OK. Thank you.

MURMAN: So you may have already asked this ques-- or answered this question, but if a child is moved out of a school to an exempt school or any other school, is HH-- and while they're already under investigation for child abuse, would HHS be notified or know about that?

ALYSSA BISH: So if they were moved to the exempt school, my understanding, even based on the way this is written and my understanding from NDE, is that if a child moves to an exempt school, they are just notified. They're not actually approving that they can leave. They're just saying, yes, I acknowledge that you made that request. We would still be a part of the investigation if that child was pulled like today. If they were going to school and then they stopped going to school, we're still going to finish our 30-day investigation. So traditional response is only 30 days. This does not, the way I read Senator Hunt's bill, prompt that if you leave a school that then a call is made to us, saying there's educational neglect. This is saying, if there's an investigation that's already open that has met criteria, and we are currently investigating, during that 30-day period, we would not want them removed from the school.

MURMAN: What did you say right at the end? I didn't--

ALYSSA BISH: If they-- based on the way the bill is written, if we were currently doing an investigation because the alleged call had enough information to necessitate alleged abuse and neglect and we were working with that family, during that 30-day investigation, they would not be allowed to be removed from the public school they were currently attending.

MURMAN: They would not be allowed. OK.

ALYSSA BISH: With this bill.

MURMAN: Didn't hear that last part. Yeah, OK.

ALYSSA BISH: With this bill, with this bill. But currently, they, they could move.

MURMAN: Yeah.

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ALYSSA BISH: But we would still keep eyes on those children until we close that investigation.

MURMAN: You would know about it. That's the main thing. Yeah. OK. Any other questions? Senator Juarez.

JUAREZ: OK. So going on this thought of having-- waiting for 30 days to make this change, what about in the scenario where it was mentioned that a parent is desperate about a situation that's happening in the school environment? Does your department have, you know, something in place to address a true emergency for a student?

ALYSSA BISH: In terms of them leaving a public school?

JUAREZ: Yes. If they're-- yeah. Example, like against a teacher or whatever, if it truly was an emergency, what are the options or what should we consider?

ALYSSA BISH: So currently, it's, it's not a situation, because there's nothing that prohibits them from doing it. So if there was an emergency where a child needed to be removed from a school, currently they can move and go to any school that they choose. One thing-- from my perspective, the only thing that I wanted to note on this bill is we are only involved if there was a call about abuse and neglect. If there is something going on at the school in terms of a teacher, unless it's abuse and neglect, I don't know about it. Because they wouldn't have called the hotline to report it as abuse and neglect.

JUAREZ: OK. The other question that I have is, you discussed your relationship with Iowa, how, you know, you could contact something-- somebody there. Is that true, like, if a child was taken to a different state, do you-- are you guys all set up that you interact, you know, with your department in other states?

ALYSSA BISH: I have really good relationships with other individuals that are in my current role in other states. And I can just pick up a phone and make a personal phone call, and say, here's our situation. And if they have information, they will share it with us. That's also how if we have a missing child who has run away or maybe the family moved them, like, states will contact us and say we think we have who you're looking for and we can go and get them and bring them back. So the states work very collaboratively to ensure child safety.

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JUAREZ: OK. Thank you.

MURMAN: Any other questions? Senator Meyer.

G. MEYER: Thank you, Chairman Murman. Just one brief one. Do you remove children? Thank you for coming in--

ALYSSA BISH: Of course.

G. MEYER: Dr. Bish. Do you remove children for educational neglect?

ALYSSA BISH: If it is proven that there's education neglect, yes. We can. It doesn't have to be that way, but yes.

G. MEYER: Does, does that happen frequently?

ALYSSA BISH: Yes, but I would clarify that 80% of the reasons that children are removed is because of neglect, usually related to poverty or their economic situation. It's-- education neglect is one of our lower ones.

G. MEYER: And then, just very briefly-- I know it's getting late and we're all a little, a little tired, but this is very important. We need to take sufficient time to, to discuss this. What, what constitutes educational neglect?

ALYSSA BISH: I can get you the exact statute and bring it to you, but there-- some, some of it could be not attending school for 20 days. Like, that could be a reason to consider truancy. You could file a 3A case. I don't recommend that, but you could do that. And so, that could be one reason. It could be they're not coming to school, there's no eyes on them, or if there was actual suspicion that there was not education taking place in the home. But there is specific language that we can get you, in statute.

G. MEYER: OK. Thank you.

MURMAN: Any other questions? If not, thanks for the testimony. Any other neutral testifiers for LB20-- LB1224? Go ahead. You can go ahead.

MICHELLE ENDER: Good afternoon, Chairman Murman and members of the Education Committee. My name is Michelle Ender, spelled M-i-c-h-e-l-l-e E-n-d-e-r. I am here as a homeschooling mother of 5

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children in Lincoln, taking a neutral position. I would like to make 2 points, one technical one and one strategic one. My first point: my husband and I filed freedom of information requests with the Lancaster County Attorney's Office and Lincoln's Public Schools 2 years ago. The details are in my handout. We wanted to know how many people with abuse convictions were homeschooling children in Lincoln and how many children were withdrawn from public schools after abuse or neglect was reported. The County Attorney's Office told us that their software does not capture school enrollment or homeschool status for victims of child abuse. Lincoln's Public Schools asked for 3 years to compile the information. It is possible to argue that people under investigation should not be presumed guilty. But currently, even for convicted criminals, our law enforcement does not have the ability to track whether these people are homeschooling children. The public schools can't tell us, either. I would like the committee to consider this reality when debating this bill. There needs to be a requirement that this data be collected and shared among agencies, so that we can separate fact from fiction. Data about actual criminals does not restrict the freedom of law-abiding parents. My second point: LB1224 does not change the content, the methods, or the formal requirements for homeschoolers. It leaves my educational freedom untouched. I'm not a child abuser, so I am not upset about this bill. This bill seeks to close a loophole in our law. The loophole is bad for all of us in Nebraska, regardless of the school choices we make. It makes the public schools look bad for not prevent-- preventing abuse better, and it allows criminals to make all of us homeschoolers look guilty by association. If we don't act, another tragedy will happen. In other states like West Virginia, like we've heard, cases like this led to severe restrictions for homeschoolers. Their homeschool community was seen as complicit. Their legislators stopped listening to the arguments the lobbyists told them to use. Sometimes, it is better to make a reasonable deal beforehand. While I'm not in favor of unnecessary regulation, I see this bill as an opportunity for the homeschool community to forestall more restrictive regulation and to stand up for what we believe in, as home educators and as Nebraskans. Nothing is more important than the well-being of our children. Thank you.

MURMAN: Thank you. Any questions for Ms. Ender? Senator Hughes.

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HUGHES: Thank you. Thanks for coming in, Ms. Ender. You said you did this 2 years ago. What prompted that?

MICHELLE ENDER: LB1027, the homeschool bill that removed most regulations for homeschooling parents. My concern at the time was whether homeschoolers are trying to, trying to deregulate homeschooling or are public schoolers trying to regulate it. Whatever we do should be based, based on data. And we should be able to see the data from Lincoln-- Lancaster County itself, and look for patterns. It's-- and be able to say, OK, what is the least amount of restrictions we need to protect children, and yet, keep this space of homeschooling safe, so that these people don't come into this loophole and ruin homeschooling for parents like myself.

HUGHES: Thank you. Appreciate that.

MURMAN: Thank you. Any other questions? If not, thanks for your testimony. Any other neutral testifiers for LB1224? If not, Senator Hunt, you're welcome to come up and close. And while she's coming up, there were-- online, there were 9 proponents, 79 opponents, and 1 neutral testifier.

HUNT: Thank you, Chair Murman and fellow members. I'm completely confident in this bill. I have complete confidence in the validity and effectiveness, and that this bill is a good idea. There are some changes I'm willing to make, but I am completely sure that if a family, if a person is under investigation for child abuse, they should not be able to take their kid out of public school, and there's ample evidence from around the country as to why that is. And as the previous testifier said, if you are not a child abuser, you have nothing to worry about. This is not going to affect you. I think there's a lack of understanding out there about what this bill really does, and I understand coming into any kind of legislation that affects homeschooling with a defensive mindset. I get it. I understand. I'm asking people to understand what the bill really does. There is no mechanism in the bill that provides for or requires the enrollment of a current homeschooler into a public school when a report is made. There's nothing in the bill that triggers an investigation if someone wants to remove their kid from homeschool. Another thing that is sad but true and real is that DHHS is understaffed and they are facing budget cuts from us this year. And I think that the idea that they are going to be sending the small team

that they have to investigate a report that kids are playing outside by themselves or certain custody dispute-type things-- it's good to ask questions about that, but when you think about the reality of what DHHS is investigating, they just don't have the resources to do things like that. And I don't think they have the desire to do things like that, to pursue frivolous claims. And that's the job that they have, as the experts that we trust in Nebraska, to discern which claims are frivolous and which ones aren't. No person would lose their right to direct their child's education based on a false report. This bill retains parents' ultimate right to determine their child's schooling. It just prevents them from transferring their child from a public school to a homeschool during an active investigation for child abuse or neglect, meaning that the department has accepted the report as DHHS testified. If it's a false report, the investigation will determine that and the parent can transfer their kid into homeschool. They can do what they want. This bill only prohibits parents convicted of child sex abuse and related sexual assault crimes from being teachers in a homeschool. Even then, a parent can still send their kids to a homeschool. They just can't be a teacher in that school. It's the same standard we have for other educators. While we were sitting, listening to testimony, a lot of the questions that come up, you know, you Google it so you can be prepared to address it on your close and stuff like that. And I actually came across another article that I just distributed from Stateline, which is a nonpartisan media outlet that covers what state legislatures do. And it's from January 29th this year, so this is a really new article that just came out that we didn't catch, you know, when I introduced the bill in-- earlier in January. And this guy has been trying to get this passed in West Virginia for 7 years. And it's passed several, several times with total bipartisan support in the House, and then it stalls out in the Senate, because of, honestly, lobbying efforts from well-meaning, but very, very confused homeschooling advocates who don't understand what the bill does. I would be really proud if we can get this [INAUDIBLE] to a place where Nebraska can be the first state to pass a protection that helps these kids who are facing abuse, who are facing neglect, and who, nefarious, not well-meaning, not serious about homeschooling at all parents are using homeschool as a shield to cover up for their abuse and neglect. I would be so proud for Nebraska to be the first state that does that, while still, of course, protecting the right, as affirmed by the Supreme Court, of parents to homeschool their kids. One potential amendment that might be a good idea, and I hope that we

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can talk about this in executive board as well-- or executive committee. On page 15, in Section 13, line 13, it says: the subject of a report of child abuse or neglect shall not be permitted to transfer a student-- this gets into the kind of meat of the bill. Maybe it should say something like the subject of a substantiated report, or an accepted report, something like that. But I think members of the committee understand the intention of the bill, and also understand that I'm willing to do what needs to be done to make it as successful as possible. And I appreciate your questions and your attention today. Thank you.

MURMAN: Thank you. Any questions for Senator Hunt on the close? I'd have, I'd have to reread that article about the child in West Virginia. That's a terrible situation that happened. Was that family already under investigation by DHHS there?

HUNT: Not to my knowledge. I don't think they were. That article really grabbed me, too. And I was listening to it while I was driving one night. And I just thought, oh my god, we have to try something like this. Yeah. May I say one comment, Chair?

MURMAN: Sure.

HUNT: Thank you. I also wanted to uplift an online comment from Nebraska Alliance for Child Advocacy. In lots of these comments online, there's specific examples that speak to what this bill is trying to accomplish. But one thing they said, they have a documented case in Nebraska involving an 11-year-old girl who suffered strangulation and ongoing emotional and verbal abuse. She was kept isolated and homeschooled in the same household as the alleged perpetrators. Despite clear concerns, both investigative parties were frustrated by their inability to intervene due to limitations with current statutes. This situation exemplifies the risk that LB1224 aims to address. When a child is withdrawn from school, they lose access to mandatory reporters, which leaves them vulnerable and trapped with abusive adults. Under LB2024-- or LB1224, this kid would not be saved if she's already being homeschooled. But if she was around mandatory reporters, like teachers, and that abuse was reported and investigated and acc-- accepted and investigated by DHHS, she would at least still have that safe space of her school, where teachers can help her. And that's in Nebraska.

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MURMAN: Yeah. Thank you. Of course, that can happen in reverse, too.

HUNT: Absolutely.

MURMAN: I mean, a child can be bullied or-- terribly at school, and maybe the homeschooling can actually change the situation.

HUNT: Abuse, abuse does happen in public school.

MURMAN: Sure.

HUNT: Abuse can happen anywhere. And my concern is that this is one aspect of life that is completely hidden from accountability. We already have accountability measures for kids who are abused in school, in church, in private school, in-- at the playground, at the grocery store, wherever. But if they're pulled out of public school to be sheltered in a scenario where they can continue to experience abuse and the adult goes unpunished, then that's something that the law needs to do something about.

MURMAN: Any other questions for Senator Hunt? If not, that will close the hearing on what, LB1224. And I will turn it over to Senator Hughes, because I have the next bill.

HUGHES: Make it quick, Murman.

MURMAN: Just going to say don't do that.

HUGHES: Huh?

MURMAN: Just going to say don't do that.

HUGHES: I know, right. I won't, trust me. I learned that one, then, didn't I? There's no game tonight, but we're going to be good. All right. LB1241, whenever you are ready, Senator Murman.

MURMAN: Good evening, Chair Hughes and members of the Education Committee. My name is Dave Murman, D-a-v-e M-u-r-m-a-n, representing Nebraska's 38th District. Today, I have the opportunity to introduce LB1241. To begin, I'll direct your attention to the NPR article I'm having handed out. LB1241 seeks to prevent the act which policymakers have dubbed "passing the trash." In the article, we see a real-life example that happened in New Jersey. A teacher faced an allegation of sexual abuse, quickly resigned, and then was hired at another school,

without that new school's knowledge of the alleged past behavior. This resulted exactly how you would unfortunately expect. The teacher would eventually plead guilty to child molestation, not just once, but at several schools. To be clear, I am not alleging this exact behavior has happened in Nebraska. The vast, vast majority of our educators and school leaders are wonderful people who would never do such a thing, and our school administrators would never ever knowingly hire a staff member who has committed any form of child abuse. But it also-- it is also true that gaps could exist, allowing bad actors to slip through. As the article writes, experts and researchers say this cycle of abuse, dismissal, rehire, and abuse again is far too common across the nation. And despite years of efforts to make policies to keep it from happening, no one really knows how often it happens. Furthermore, federal law is already supposed to protect against the practice of passing the trash, but lacks solid processes to do so. First, in Title IX, it makes clear that students are protected from sexual abuse or misconduct by school employees. Second, more clearly, in the Every Student Succeeds Act, commonly known as ESSA, instructs districts that receive federal funding take steps to prevent predatory teachers from finding new jobs. However, despite federal law establishing this principle, there is no real power or formal mechanism to do so. This is where LB1241 comes in. LB1241 is based on a law passed in New Jersey following the story I mentioned in the beginning of the article. The same law or something similar has been passed in a total of 18 different states. In simple terms, it establishes a mechanism to ensure school employee applicants are not taking part in this cycle. Under this system, a prospective employee to a school must provide at least-- a list of their current and former employers within the last 20 years, if they were employed in a position that involved direct contact with children. This would also include an authorization that allows for prior employers to release certain relevant information and release those employers from the liability of releasing that information. There would also be a written statement attesting to where there were a substantiated or pending allegation of child abuse, neglect, or sexual misconduct. The prospective employer would then request that information from the former employer-- would request that information from the former employer. I will note that this does not mean every detail of why an employee may have resigned or was fired is revealed. This is specific to only if the employer was fired or somehow disciplined related to abuse, neglect, or misconduct, or if they had resigned while such an

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investigation was initiated or currently ongoing. I will also note that if for some reason, the former employer does not respond to the requested information in the required 20-day timeline, the school could still hire the employee on a provisional basis for up to 90 days, as long as they have no know-- knowledge of any allegations and a special or emergent circumstance exists. Finally, I will note I'm sure there might be some opposition behind me with concerns regarding the logistics of this legislation, and I'm open to working with any parties to make sure this process could be as simple as possible. I believe everyone in this room can agree to the overall goal of keeping our kids safe and ensuring we have strong processes to keep potential predators far, far away from our schools. If the opposition is simply something in the bill that is not practical, I invite that opposition so we can make everything work. Thank you, and I'm happy to take any answers-- or any questions.

HUGHES: [INAUDIBLE]. I'm like raising my hand for myself. Sorry. It's, it's after-- whatever. Witching hour. If, if a school-- doesn't every school, on a new hire, they do a background check?

MURMAN: Yes, they do.

HUGHES: So how come that wouldn't cover, because that covers your 20 years of, of employee and all the things would come out, right?

MURMAN: Well, the background check does not include-- I don't think it includes the allegations, and if somebody resigns.

HUGHES: Because this is just allegation. It might have been an allegation, but then what if there-- it didn't-- it wasn't substantiated?

MURMAN: If it wasn't substantiated, that-- it would still be revealed, but it wouldn't come back on the former employer.

HUGHES: Because the background check is just going to show if I got prosecuted for it, or whatever.

MURMAN: Pardon me?

HUGHES: The background check would just show if I got actually prosecuted for child abuse or-- I mean, a felony, or whatever.

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MURMAN: It was actually convicted for child abuse, so--

HUGHES: Or convicted, yeah.

MURMAN: But, yeah.

HUGHES: I got in trouble. OK, thanks. Other questions? Senator Lonowski.

LONOWSKI: Thank you, Vice Chair Hughes. Thank you Senator Murman. What if they're just a crappy teacher? Can a, can a administrator pass them around then? Because that's what happens now. Would they be--

MURMAN: Yeah, well, this doesn't address that. It's only if there's some kind of sexual misconduct.

LONOWSKI: OK. If I went to get a job now all the people that hired me 20 years ago are dead, Senator Murman. So I don't know who-- you'd have to ask somebody else.

MURMAN: Well, yeah. Only the information that is available would have to be revealed.

LONOWSKI: OK. So it's really, it's really if they have some sort of felonious-- if they broke the law or something, or had a sexual allegation, correct?

MURMAN: Yes.

LONOWSKI: OK.

HUGHES: Other questions? All right. Are you staying for close?

MURMAN: Yes.

HUGHES: That's good. First proponent, please.

LOAN EBY: Hello. My name is Loan Eby, and it's spelled L-o-a-n, and then my last name is spelled E-b-y. I reside in Papillion. I support LB1241 in light of the recent conviction of Jeffrey C. Fauble on 4 felony counts of sexual assault of a child. Fauble was placed on the Brady List in 2011 for becoming involved with a female inmate while serving as a deputy at the Pottawattamie County Sheriff's Office. Placement on the Brady List should have been sufficient to disqualify

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him from receiving a teaching certificate, yet he was issued NDE certification in 2023. Fauble was hired as a school psychologist at Papillion La Vista Public Schools, where he was around children at 3 elementary schools prior to his arrest in March of 2025. During his trial, the Assistant Superintendent of Human Resources of Papillion La Vista testified that there was an investigation and a verbal reprimand related to the nondisclosure of decertification when Fauble was employed at the Pottawattamie County Sheriff's Office. After the investigation and the verbal reprimand by the superintendent of HR, the Papillion La Vista Public Schools Board of Education hired Fauble to be an intern and a full-time school psychologist at 3 elementary schools in the district: Tara Heights, Anderson Grove, and G. Stanley Hall. During his trial, the prosecutor stated that the victim testified Fauble told her, you can't tell anyone. They will take me away and I will be mad at you. This statement is deeply troubling and should concern everyone, especially the parents at Tara Heights, Anderson Grove, and G. Stanley Hall, where Fauble worked. They have every reason to be alarmed if Fauble was ever around their children, given the statement he made to the victim, whom he sexually abused for years. Fauble's sentencing is scheduled for March 18 of 2026. As of today, on the NDE certification website, Fauble has a valid teaching certificate, without any disciplinary information listed. I support this bill, and implore you to go further by adding a section related to teaching certifications at the NDE level. Although we cannot undo the actions and negligence of the administrators and board of education at Papillion La Vista, we can ensure that a person like Fauble is not hired in our schools by leaving no stone unturned in the vetting process. Thank you for the opportunities to speak today.

HUGHES: Thank you for coming in, Ms. Eby. Questions for her? All right. Thank you so much. Thanks for waiting.

SANDERS: Wait, wait.

HUGHES: Oh, I'm sorry. Senator Lonowski. So sorry.

LONOWSKI: Sorry about, sorry about that, Vice Chair. I was trying to find some information out, but can you tell me if, if something like this would have helped Des Moines, Iowa, avoid the, the superintendent who had prior records?

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LOAN EBY: You know, I was-- so, so I am in the Papillion La Vista School District. And in addition to the background checks-- and I used to be a recruiter in a previous life-- we looked at the resumes, and we looked at where they came from before. And in the interviewing process, you could vet, OK, why do you want to be around children now? In the case of the superintendent in Des Moines, I don't know what their screening process was.

LONOWSKI: OK.

LOAN EBY: But, but yeah.

LONOWSKI: I, I mean-- yeah.

LOAN EBY: I think you need to go beyond the, the, the background check and, and have, have some type of-- and I don't know. I've never applied for a position in the public schools, but I would assume that you have, have job history, and have a-- have an interview process. And I was blown away by the fact that, that Fauble was hired, despite he was-- there was an investigation and verbal reprimand, so yeah.

LONOWSKI: OK. Thank you.

LOAN EBY: Yeah. I, I mean, we, we just need to button down all of this stuff.

LONOWSKI: Yes.

HUGHES: Have-- other question?

SANDERS: Thank you.

HUGHES: Thank you. Thanks for coming.

LOAN EBY: Thank you.

HUGHES: Thanks for staying. Other proponents?

VANESSA CHAVEZ JURADO: Hello. Good evening. My name is-- or Vice Chair Hughes and members of the Education Committee, my name is Vanessa Chavez Jurado, V-a-n-e-s-s-a C-h-a-v-e-z J-u-r-a-d-o, and I'm here today on behalf of Stand for Schools. We appear in support of LB1241, and we appreciate the intent of this legislation to strengthen safeguards that protect students by improving transparency and

consistency in school employment practices. LB1241 addresses a serious concern: the risk that individuals who have been disciplined or separated from employment while under investigation for child abuse, neglect, or sexual misconduct may move between school systems without those circumstances being disclosed. While Nebraska law and NDE outlined rules and expectations for school districts and teachers regarding sexual contact or misconduct between school employees and students, LB1241 establishes a clear framework requiring applicants to provide detailed employment histories and authorizations. And it requires school employers to actively verify that information before employment decisions are finalized. We agree that these protections are aligned with the paramount obligation of schools to ensure student safety. We also appreciate that the bill applies uniformly across public, private, denominational, and parochial schools, helping to avoid uneven standards and potential loopholes across education sectors. In addition, the provisions prohibiting agreements that suppress or destroy information related to investigations while currently reflected in NDE guidance, reinforce best practices and mandatory reporting obligations already in statute. That said, while, while Stand for Schools supports the policy direction of LB1241, we want to flag implementation and administrative-- administrability concerns that we believe merit further consideration as the bill moves forward. While the steps to verify up to 20 years of employment history are important, districts, especially smaller or rural systems, may face challenges in completing these requirements in a timely manner, given, given staffing constraints and the realities of hiring timelines. The fiscal note acknowledges that school districts may incur additional, currently indeterminate costs to meet these requirements. The bill also relies heavily on the responsiveness and record-keeping practices of former employers, including employers outside Nebraska, which could result in inconsistent responses, delays, or incomplete records, complicating hiring decisions or prolonging vacancies in hard-to-staff positions. Finally, while we appreciate the allowance for provisional employment in limited circumstances, the criteria for special or emergent circumstances are not defined, which may create uncertainty for districts trying to balance student safety with operational needs. For these reasons, Stand for Schools respectfully encourages the committee to consider whether additional guidance, implementation support, or clarifying language, potentially through NDE's acquired guidance documents, could help districts comply consistently and effectively without creating

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unintended barriers to staffing schools. In closing, we support LB1241's goal of protecting students and strengthening accountability in school hiring practices. With thoughtful attention in school-- excuse me-- to implementation details, we believe the bill can advance student safety while remaining workable for school districts across Nebraska. We appreciate the committee's consideration and we're happy to work with you as this legislation moves forward. Thank you for your time and consideration.

HUGHES: Thanks for your testimony. Thanks for kind of pointing out that, you know, maybe some of actually how it plays out needs to be worked, especially for, just different schools. Questions for-- sorry, Chavez Jurado?

SANDERS: [INAUDIBLE].

HUGHES: Jurado. I am terrible. Anybody?

VANESSA CHAVEZ JURADO: You got it. Good job.

HUGHES: OK. Thanks. Thanks for staying.

VANESSA CHAVEZ JURADO: Thank you.

SANDERS: Thank you.

HUGHES: Next proponent. Is there an opponent? Nope. Neutral? Oh, Senator Murman, come on down.

MURMAN: I told you I'd do my best to make it quick.

HUGHES: Yeah, you did. You did pretty good. I'll-- let me just mention, 41 proponents wrote in, one opponent, and one neutral, so 41-1-1. OK.

MURMAN: OK. The most important thing here is that, that when a teacher faces an allegation and they resign as soon as an investigation starts, that's a way to avoid conviction. So we want to make sure that at least the new district that is trying to hire them is at least aware of that so they can at least consider that in the new hiring.

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HUGHES: I feel like this is a little bit like, oh, I'm getting reported for child abuse. I'm going to pull my kid out before it hap-- OK. Sorry. Any other questions for Senator Murman?

MURMAN: Very similar thing.

LONOWSKI: Thank you--

HUGHES: Senator Lonowski.

LONOWSKI: --Vice Chair. So Senator Murman, so is it incumbent upon the superintendent to let the next person know, under this bill? Like, hey, this guy was under investigation when he left us?

MURMAN: Yeah, I don't think that's specified in the bill, but I assume it would be the superintendent being responsible.

LONOWSKI: Yeah. OK. OK. Thank you.

HUGHES: Other questions? Senator Juarez.

JUAREZ: So Senator Murman, are you willing to, you know, make, make some better clarification and guidance in your bill, based on, you know, some of the comments that we received tonight?

MURMAN: Yeah. I did mention that in the open. I should have mentioned it in the closing. Yeah, it might need a little fine tuning so that it'll work better.

JUAREZ: OK. Thank you.

HUGHES: Anybody else? OK. That finishes LB1241 and it also ends the hearings for today for Education. Thank you.