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Education Committee February 17, 2026  
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**MURMAN:** I'm Senator Dave Murman from Glenvil, Nebraska. I represent the 38th Legislative District, and I serve as Chair of the 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 at the mic. When it's your turn to come forward, please give the testifier sheet and any handouts you might have to the page as you are seated. If you have handouts, we request that you provide 12 copies for distribution. If you do not have 12 copies, please alert the page when you come forward. At the microphone, please begin by stating your name and spelling both your first and last names to ensure we get an accurate record. Observers, if you do wish to testify but would like to indicate your position on an agenda item, there are yellow sign-in sheets in notebooks at the entrances. The sign-in sheets will be included in the official hearing record. We will begin with the introducer giving an opening statement at the mic, followed by proponents, opponents, and those wanting to speak in a neutral capacity. The introducer will then have an opportunity to give a closing statement if they wish. We will be using a three-minute light system for all testifiers. When you begin your testimony, the light on the table will be green. When the yellow light comes on, you'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 for you to be asked to leave the hearing room. Know that committee members may need to come and go during the afternoon for other hearings. I will now, now ask the committee members with us today to introduce themselves, starting at my left.

**HUGHES:** Margo or me?

**MURMAN:** No, you. You're my immediate left.

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**HUGHES:** You are my closest left. That's fair. That's fair. Thank you, Chairman Murman. I am Jana Hughes, District 24, and that is 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. I serve District 33, which is Adams County, Kearney County, and rural Phelps County.

**JUAREZ:** Hi, welcome everyone. I'm Senator Margo Juarez, District 5, south Omaha.

**MURMAN:** Staff with us today are, to my immediate right, is the committee's research analyst, Jack Spray, and to my far right is the committee clerk, Connie Thomas. The pages who serve our committee are-- I'll let them introduce themselves.

**ELIAS REIMAN:** Elias Reiman from Lincoln, Nebraska. A junior at UNL studying psychology, and the pre-law track.

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

**MURMAN:** Thank you for helping us out today. And with that, we'll begin today's hearing with LB960, Senator McKinney.

**McKINNEY:** Good afternoon, Chair Murman, and members of the Education Committee. My name is Terrell McKinney, T-e-r-r-e-l-l M-c-K-i-n-n-e-y, and I represent District 11. I'm here to introduce LB960. LB960 is something very simple but very important: whether we, whether we believe students deserve a voice in the decisions that shape our education. Every day school boards make decisions that affect students' learning environments, mental health, safety, and future opportunities. Yet the very people most impacted by those decisions, students, are rarely present at the table in any formal or consistent way. LB960 changes that by ensuring student perspectives are heard in a structured, responsible, and meaningful manner. This bill requires school boards to include non-voting school board members to serve in an advisory capacity. These students would attend public meetings, receive agendas and materials, participate in discussions, and act as a liaison between the student body and the board. They would not vote, they would not participate in executive sessions, and they would not

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have access to confidential student, personnel, or legal information. LB960 is carefully designed to balance student voice with appropriate boundaries. This bill provides flex-- flexibility to school districts in how students are selected, whether through student elections, applications, interviews, or nominations, while assuring representation across multiple high schools and larger districts. Terms are limited to one year, and districts retain authority to establish training, support, and evaluation procedures. At its core, LB960 is a civic education bill. It promotes civic education, leadership development, and real-world understanding of democratic processes. It helps students learn not just how decisions are made, but how to respos-- responsibly participate in them, and it helps school boards make more informed decisions by, by hearing directly from the students they serve. This bill does not shift governance authority away from elected school board members, it strengthens decision-making by adding perspective, transparency, and communication. LB960 does not promise student control. It promises them a seat, a voice, and a chance to learn. I believe you should have received the amendment, which I introduced after speaking to some school representatives, just to provide some more flexibility to districts and school boards as far as selecting students to serve on school boards and just allow it to make a little more sense in operation that wasn't in the introduced copy. So with that, I'll take any questions.

**MURMAN:** Thank you. I know that there was a lot of discussion about student members on school boards back in probably the 1970s, maybe 80s. I, I don't know if there were many school boards that had student representatives. But I haven't heard a lot about it in the last, I guess, 25 years or so. Do you know, is there-- is it done in other states or even in Nebraska?

**McKINNEY:** Somewhat in some districts, I believe districts utilize student councils more than actual students sitting on a school board. I just thought this idea was kind of would be a, a next step to just having a student council. And I kind of got the part of the idea from the, the university system which has student regents. So just looked at that. I was like, hey, you know, maybe this could be something that could be good on a high school level to as-- to assist, you know, our school boards in decision-making.

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**MURMAN:** OK, thank you. Senator Hughes.

**HUGHES:** Thank you, Chair Murman. Thanks for bringing this, Senator McKinney. Do you know how many school districts, we have 245 across Nebraska, how many do have this?

**McKINNEY:** I don't.

**HUGHES:** OK, so the one school, I was on Seward school board, since everybody is like, yeah, we know that. We did, we had a, a representative from the student council would sit and I-- has for years that I know of. So the whole time I was on school, we had non-voting student member of the school board. So I guess, kind of my question is today. Districts can do this, if they so choose. I don't-- I guess I don't understand why maybe you think it needs to be in statute, or maybe it needs be promoted?

**McKINNEY:** Because I think that although some do, it could always go away as well.

**HUGHES:** Yeah, and maybe we'll hear people talking behind what their experiences are, but--

**McKINNEY:** So maybe something in the statute is more formal in a sense where it's not necessarily discretionary.

**HUGHES:** Yeah, OK, thank you.

**McKINNEY:** Yeah. No problem.

**MURMAN:** Senator Juarez.

**JUAREZ:** Thank you, Senator McKinney for introducing this bill. And I honestly wasn't aware that there were students who were sitting with school boards at their meetings. So if they did it in Seward, I'd never heard it before, and that's why I was welcoming this idea because I do think that it's a, it's good concept. And I think that it-- a positive thing that it does is exposing the students to what goes on at the school-board level that they could go back and share with fellow students what goes on, what they're doing, provide a good example to them of civic leadership. So I see a lot of positives. But I did, I did also want to thank you for providing this amendment to limiting the number of potential students that could be on the board,

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you know, in serving in, in this capacity. I also, I also wanted-- maybe I better stop. Thank you.

**MURMAN:** Senator, Senator Meyer.

**G. MEYER:** Thank you, Chair Murman. I was fortunate enough to serve on the student council pretty much every year in my high school years, all seven of them. Do most schools still have student councils? Do you know?

**McKINNEY:** Yes, I believe they all do.

**G. MEYER:** And that'd be a good opportunity for, as Senator Hughes had mentioned, a student council representative sit on the school-- rather than-- and, and it could be randomly-selected among the student council members so you'd have some continuity and, and different experiences between them, so. But, but I kind of thought maybe all schools still did have some type of student council, so.

**McKINNEY:** Yeah, I think most of them, if not all of them, still have student councils. The original-- before I did the amendment, I tried to kind of think about both small and big schools, so was-- that was the reason for the expanded amount of representation. But after talking to some people, it kind of brought it down a little bit and allowed more flexibility for the school districts to pick one or five, if they want to, just to kind of leave that up to them and not just put it all.

**G. MEYER:** They still have elections? Because we, we had elections, you know, we campaigned.

**McKINNEY:** No, they still have student council elections for sure, yeah.

**G. MEYER:** I never dreamed campaigning for student council, my senior year I was president, never dreamed I would be doing this. I thought I was done with campaigning a long time ago. Thank you.

**McKINNEY:** No problem.

**MURMAN:** Senator Lonowski.

**LONOWSKI:** Thank you, Chair Murman. Thank you, Senator McKinney. I think this is a fabulous idea. But what I worry about is, is it needed or is it like what people are talking about is happening. I know in my district the FFA group sends somebody to one meeting, and then the student council another meeting, and then FBLA another meeting. So I worry more about, about it becoming a mandate versus student government from that school or whatever. Do you have any thoughts on that?

**McKINNEY:** I guess my thought was, one, this would be an opportunity to provoke-- to promote civic education in the processes in which decisions are made to our students, and two, having students more at the table. It is my belief that their voices would be better heard, and if they-- although they wouldn't be able to vote, maybe, let's say, for example, the cell phone policy bill. I, when I go to North-- every time I talk to a kid, like, hey, how can you change that law? Why did you vote for that law, why, why can't we use our cell phones? And I think before that policy was implemented, it would have been great to have the students at the table to discuss why, but also to see what, what are the gaps in what, what adults are not thinking about, you know? Because they're like, yeah, we can't have our phones, but we still got these iPads. Or you all tell us we can't-- one teacher says we can't have our phones, the other teachers don't care. We can have them in the hallway. We can't have them in class. So I'm just-- that's just an example.

**LONOWSKI:** All right, thank you.

**McKINNEY:** No problem.

**MURMAN:** Any other questions? If not, thanks for the open.

**McKINNEY:** No problem.

**MURMAN:** Proponents for LB960. And if you can, move up to the front if you're going to testify.

**DANIEL RUSSELL:** Good afternoon, Chair Murman and members of the Education Committee. My name is Daniel Russell, D-a-n-i-e-l R-u-s-s-e-l, and I'm here on behalf of Stand for Schools in support of LB960 and the amendment, AM1909. At its core, LB960 is about civic engagement and structured student voice. As the statement of intent makes clear, the bill seeks to promote civic engagement, leadership

development, and student voice by establishing student board member positions on public school boards in Nebraska. Stand for Schools believes that is a worthwhile and timely objective. As originally drafted, LB960 would require-- require each school board to include student members equal to the number of elected members. While well-intentioned, that mandate raised legitimate concerns about scale, administrability, and the practical integration of students onto board governance. AM1909 substantially improves the bill by restoring appropriate local control and flexibility. Instead of mandating parity with elected members, the amendment allows school boards to determine the number of student members, but not fewer than one and not more than five. This strikes the right balance in our view. It ensures meaningful student representation in every district, while recognizing that Nebraska's districts vary widely in size, geography, and governance structure. The amendment also provides flexibility on term length, allowing a term of one or two years as determined by the school board and permitting staggered terms to promote continuity and mentorship. From a governance perspective, staggered terms, in our view, prevent a loss of institutional knowledge and allows experienced student members to support newer participants. AM1909 further refines attendance expectations by recognizing academic responsibilities, employment, family obligations, and other excused conflicts. This is important. Students are students first. The amendment sensibly balances civic participation with academic success. Equally important is the provision clarifying that service as a student board member shall be considered a co-curricular civic leadership activity and shall not adversely affect a student's eligibility in athletics, fine arts and other activities. That protection removes a significant barrier for participation and ensures equity for students who are already engaged in school-sponsored programs. Finally, AM1909 includes two guardrails that address concerns that we hear from districts. First, it enables transportation, scheduling, flexibility, virtual participation, and academic coordination. Practical tools that make implementation feasible, especially in larger rural school districts. And second, it explicitly states that nothing in the act require policies that materially interfere with instructional time or academic requirements. That clarification reinforces that student governance participation must complement, not disrupt, instructional priorities. Stand for Schools supports LB960 as amendment-- amended because it strengthens democratic practice within our public schools, while respecting local governance and instructional integrity. With that,

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thank you for your consideration, and I'm happy to answer any questions.

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

**DANIEL RUSSELL:** Thank you.

**MURMAN:** Other proponents for LB960.

**CONNOR HERBERT:** Thank you, Chair Murman and members of the Education Committee, for the opportunity to speak today. My name is Connor Herbert, C-o-n-n-o-r H-e-r-b-e-r-t, and I serve as a staffer with the Nebraska Commission on African American Affairs. It is our opinion that student voice is not a courtesy, but rather a core element of effective governance and educational excellence. In Nebraska's largest districts, a substantial share of students come from diverse backgrounds and varied economic circumstances. Yet the individuals most directly affected by school board decisions rarely have a formal role in board deliberations. By contrast, it is common practice for student body presidents, as previously noticed, to sit on governing boards within university systems, reflecting a recognition that informed leadership benefits from firsthand perspective. Public education policy touches classroom climate, school safety, mental health, discipline practices, curriculum, and student achievement. Non-voting student member-- student members provide timely, practical insight into how policies operate on the ground. Their presence actually strengthens decision-making by ensuring boards hear directly from those experiencing the day-to-day impact of governance choices. In this case, it's not about shifting authority, it is about improving information flow and transparency. LB960 also supports civic development. Many graduates, particularly those navigating economic hardship, are preparing to be the first in their families to pursue post-secondary education, benefit from early exposure to public institutions and structured leadership opportunities. Non-voting roles allow students to learn how public bodies function, how to deliberate thoughtfully, and how to engage respectfully in civic life. These experiences cultivate responsibility, public-mindedness, and leadership skills that serve Nebraska's long-term interests. Because these positions are non-voting, the bill preserves existing governance authority while adding perspective and accountability. In a state where many families face economic pressures, informed

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policy-making requires direct engagement with those most affected. LB960 is a modest, prudent step to strengthen school governance, build civic leadership, and ensure boards are listening carefully to the communities they serve. And for that reason, we ask that you advance LB960. Thank you.

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

**CONNOR HERBERT:** Thank you.

**MURMAN:** Other proponents for LB960.

**MAIMOON QURESHI:** Good afternoon. My name is Maimoon Qureshi, M-a-i-m-o-o-n Q-u-r-e-s-h-i. I've been here to this committee two times on previous bills against the cell phone ban and the talking about anti-Semitism. So currently, recently, I serve on the Mayor's Multicultural Advisory Board. The city council a few weeks ago allowed that to happen. For the past five since me and my family moved here from California, there's been a lot of issues I've seen in the community in Lincoln specifically, and I've engaged in that, especially as a perspective from a student. One of the biggest things that I mentioned before testifying before this committee was some of the problems I faced as a Muslim-American myself, especially for the first time coming here. So one of the main things is I've testified in front of numerous committees before, and I have met before his retirement, Superintendent Gausman, Dr. Paul Gausman of LPS, and numerous other people under his staff who are the superintendent of curric-- curriculum design, et cetera. The reason I bring these points is I could talk to them as much as I want, but one of the biggest things is those type of conversations, they never establish enough credibility to continue into a perspective where it, it actually makes meaningful change for that. Student voices need to, need to be incorporated more into school districts. That's just the truth. That's one of biggest problems. Even if they might be differing from time to time, just understanding those perspectives might help a student feel more comfortable in what they're doing, or they might feel more motivated to continue their educations. That's one of the biggest problems, is that from the perspective of a student, that lack of representation can contribute to a lot of things. It can contribute to acane-- academic downfall, it can contribute to a wide variety of issues. There's an issue where I want to voice a concern on the

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curriculum, or as an example, attending Standing Bear High School, the way the schedule might be, not being able to provide that voice contributes to that. And one of my biggest experiences to back that up is I used to attend Marilyn Moore Middle School. One of my big problems is when I had moved here for the first time, I faced Islamophobia. And when I tried to talk to the administration about it, they never did anything, not even a thing. Since then, ever since I've gone up to the podium here at LPS board meetings, et cetera, I've seen numerous experiences similar to that. At an LPS Board meeting, there was, there was a student next to me. He had been in and around middle school, I didn't know much about him. But one of the biggest things is he wanted to publicly speak at that meeting. One of the biggest things is, he didn't have confidence. And because of that, he doesn't speak. I think the perspective of a student not only can help for those who want to voice their concerns, but just the representation of a student can help a lot of people look up and say, maybe our voices are being heard and maybe it will help out. Thank you.

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

**G. MEYER:** Thank you, Chair Murman. Thank you for being here today. I remember you here, and you're always willing to speak up, and, and I appreciate your observations. Your previous school you said you moved here to Nebraska five years, five years ago or so?

**MAIMOON QURESHI:** Mm-hmm.

**G. MEYER:** Previous school, did they have that type of council?

**MAIMOON QURESHI:** Across California, it was-- we had lived in a smaller community. It was very small, so it wasn't nearly as established in it. But since then, they have increased a lot more participation and I believe, I think California pushed a few laws for that. So yeah, I think they incorporated it into those boards now too.

**G. MEYER:** Well, wherever you went to school, it seemed like it fostered the ability for you to speak. So--

**MAIMOON QURESHI:** Thank you.

**G. MEYER:** --I appreciate seeing you here. And with respect, I'll see you quite a little more. So thank you for coming.

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**MAIMOON QURESHI:** Thank you.

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

**MAIMOON QURESHI:** Thank you.

**MURMAN:** Other proponents for LB960?

**MARLEY HELVEY:** Chairman Murman and members of the Education Committee, my name is Marley Helvey, M-a-r-l-e-y H-e-l-v-e-y, and I am a sophomore at Westside High School in Omaha. I support LB960 because it's important for students to have a voice in the decisions being made about their own education. In addition, student involvement with their school's board of education is a valuable learning experience. At Westside, we've created a program called the Student Board Connection, SBC, which is a group of high school students who apply and are selected each year to provide input to our school board. I was a member of the SBC last year as a freshman and we had the opportunity to meet monthly with school board members to learn more about issues facing the district and share our feedback. Even though schools have programs like this voluntarily, I think LB960 is strongly needed because it provides a clear structure for all schools to ensure students have meaningful involvement and that student voices are taken into consideration in a formal way. Students bring a perspective that even best-intentioned adults cannot recreate. Students know what is happening in the classroom and with our peers, we know what culture feels like at school, and we know what supports and even what roles we need to learn best. I also support the amendment to make it so that school student attendance is not mandatory. Thank you, Senator McKinney, for introducing this bill, and I hope you will vote yes for LB960.

**MURMAN:** Thank you. You did a great job. Any questions for Ms. Helvey? Yes, Senator Hunt.

**HUNT:** Thank you, Chair Murman. Thank you Ms. Helvey for being here. And thank you for coming to the Capitol today and skipping school, I assume, to do this-- to engage with your government in action. That's a very good use of your time. Have you testified here before? Were you here last year?

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**MARLEY HELVEY:** Yes, for, I can't remember what bill it-- what number it was, but it was the cell phone policies in school.

**HUNT:** OK, well, I just wanted to thank you for your testimony. This is very well-written. Thank you for passing this out to us. This is better written than a lot of lobbyists that come up and talk to us and get paid to do so. So I just want to encourage you and encourage you to continue engaging with government, and you're doing everything exactly right. So thank you.

**MARLEY HELVEY:** Thank you.

**MURMAN:** Senator Lonowski.

**LONOWSKI:** Thank you, Chairman. And thank you for being here. I also remember you from last year. You had a good testimony. Have you testified in front of your school board or any local boards at all in Omaha?

**MARLEY HELVEY:** So at the very end of the year, we attended one actual school board, school board meeting. And they allowed us to present like an idea to change to the school board--

**LONOWSKI:** OK.

**MARLEY HELVEY:** --just as another member of the public could. And I did one about standardized AI policies, because in the syllabus previously, every class would have a different like restriction on it, and it wasn't standardized. So I suggested to make a policy that's the same for every class just so that students know. And then I worked with a teacher and they created that policy, standardized, put it into the syllabus and then Westside also created a website on AI usage.

**LONOWSKI:** OK, it sounds like your school board is open to students being involved, which is good. Do you know, have you talked to the school board about possibly having students on the, on the school board?

**MARLEY HELVEY:** I have not talked to them about this exactly, but they-- when we would, like we talked a lot, when I was on there, we talked about parking issues. And whenever we would have a suggestion, they were very open to whatever we had to say.

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**MURMAN:** OK. Thank you.

**MARLEY HELVEY:** Thank you.

**MURMAN:** Any other questions? If not, appreciate your testimony.

**HUGHES:** Thanks for coming in.

**MARLEY HELVEY:** Thank you.

**MURMAN:** Get right back to school now.

**HUGHES:** Oh, by the time she gets back, it's over.

**MURMAN:** Too late. Any other proponents for LB960?

**NORA WESSEL:** Good afternoon, Chairman Murman and members of the Education Committee. My name is Nora Wessel, N-o-r-a W-e-s-s-e-l. I am a student at Omaha Central High School speaking on behalf of New Voices, a youth-led nonpartisan civic engagement organization working to expand democratic participation across Nebraska. We are here today in strong support of LB960, a bill that would allow students to serve as non-voting members on school boards. As someone who has observed board meetings firsthand, I know how valuable student perspectives could be. We experience the daily realities of classroom policies, resources, and see how these directly impact our education. Insights that adults, no matter how well-intentioned, may not fully see. Serving as non-voting members would give students an intentional, meaningful way to share those perspectives. We could provide input on curriculum, safety policies, and student services, as well as act as a bridge between the student body and the board. While we wouldn't vote, our voices could inform decisions that affect thousands of students across Nebraska. LB960 is not just about participation. It's about empowerment and collaboration. It shows students that our opinions matter, encourages civic engagement, and builds future leaders who are invested in their schools and communities. By supporting this bill, you give students the opportunity to contribute meaningfully to decisions that shape our education. For these reasons, New Voices strongly urges you to, to support LB960 and ensure that students have a seat at the table on Nebraska's school boards. Thank you for your time and consideration, and I will take any questions.

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

**LONOWSKI:** Thank you, Chair Murman. Thank you for being here. Are you all high school students?

**NORA WESSEL:** No, we have some students-- we have some people involved that have graduated outside of coll-- some people that are in college and then some college graduates.

**LONOWSKI:** OK, do you know if everybody's from the same area or, or is this a good representation from other areas as well?

**NORA WESSEL:** So currently we've had people from different places in Omaha, but we are in the process of incorporating new members from the whole state.

**LONOWSKI:** OK, thank you.

**MURMAN:** Any other questions? Senator Hunt.

**HUNT:** Thank you Chair Murman, thanks Ms. Wessel. Are you a sophomore?

**NORA WESSEL:** I'm a junior.

**HUNT:** You're a junior at Central? OK, go Eagles. Thank you very much. So these people in this-- in the New Voices group, these are not all Central kids? How did you become connected with this group? What is this? I know Cleo, she interned in my office actually, which must be where she got her--

**JUAREZ:** Good skills.

**HUNT:** --passion for civic engagement in public service and experience. But how did you become involved with them? I have not heard of this group actually.

**NORA WESSEL:** So I actually learned about the group at the, in my sophomore year, somebody had brought it up at a progressives meeting I was attending at Central after school. And I thought it sounded interesting, so I talked to somebody who had a connection with it, and eventually I became integrated into the group and I'm glad to be part of it today.

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**HUNT:** And it says that you do community engagement. What kind of responsibilities does that entail in this group?

**NORA WESSEL:** So I do a lot of our large-event planning, that's mainly what I do, and then I also do offer some social media assistance.

**HUNT:** OK, well, congratulations on being so engaged. Again, I think that that's very laudable and very important and that you are above and beyond where you need to be. And keep it up. And let us know if we can ever be supportive to you. Thank you.

**NORA WESSEL:** Thanks.

**MURMAN:** Any other questions? If not, thank you for coming in and testifying.

**HUGHES:** Thank you.

**NORA WESSEL:** Thank you.

**MURMAN:** Other proponents.

**JESS PARKER:** Hi, my name is Jess Parker, J-e-s-s P-a-r-k-e-r. I live here in Lincoln, District 30. I don't have anything like formally prepared for you all today on this bill, and I wasn't planning on testifying until I kind of heard the conversation back and forth on the opener, where there was kind of some comparison between a student council and the school board. So I just wanted to share what I observe as a parent. I have two high, high-schoolers and one kiddo in elementary school. The student council at my kids' school, their main duties are like putting together a food drive once a year, and they also determine the school spirit theme days. And that's about the extent of the duties of the student council, at my kids' school. So I just wanted to point out, there's a vast difference between a student council and the duties of a school board. And just during the testimony, I keep going back to a few words that one of my mentors shared with me a while ago that was, if you're not seated at the table, you're on the menu. I think this is a prime example that students should also be seated in the non-voting capacity of a school board to be able to share their lived experience and their opinions on the policies that will in turn affect them probably the most out of

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everyone in the community. And this sounds like a great idea. And so please vote in support of this bill.

**MURMAN:** Thank you. Any questions? If not, thanks for your testimony. Other proponents for LB960? Any opponents for LB960.

**LISA ALBERS:** Senator McKinney and members of the Education Committee, good afternoon. My name is Lisa Albers, L-i-s-a A-l-b-e-r-s, and I represent Grand Island Public Schools where I've served on the board of education for 10 years I also represent the Nebraska Association of School Boards where I serve on the executive committee, the governing board, and the legislative committee. I am testifying today in opposition of LB960. Our opposition is writ in the principle of local control. We believe that the inclusion of a student representative on a board of education should remain a local decision rather than a state mandate. Grand Island Public Schools has a long-standing history with student representation, one that predates my decade of service. We have seen firsthand the positive outcomes of this role. In recent years, we further integrated this position by making it an elected office, similar to class president, and ensuring the representative also serves on the Superintendent Student Advisory Council. While this model has been incredibly successful for GIPS, its success is exactly why it should not be mandated. What works effectively in a district like Grand Island may not be practical or appropriate for districts in Alliance, McCook, or Arapahoe. Nebraska school districts face unique constraints and have developed diverse methods for student engagement, such as involving student council, FFA, or National Honor Society members in monthly meetings. These decisions are best left in the hands of local school boards who understand their community's specific needs. Furthermore, we should look at current statutory limitations. Nebraska's Revised Statute 79-559 currently authorizes Class I, II, III, and IV school boards to include non-voting student members. However, the statute does not extend to class five schools, meaning Omaha Public Schools is currently restricted from having a representative. A more effective legislative approach would be to amend the statute to include Class V schools, thereby granting OPS the same option currently enjoyed by other districts, rather than imposing a mandate on all. We urge you to maintain the autonomy of Nebraska's local school boards. Thank you for your time and your dedicated service to our state. Do you have any questions?

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**MURMAN:** Thank you. I wonder why OPS-- it's not allowed at OPS. Do you have any idea?

**LISA ALBERS:** You have to check the statute. Not an attorney.

**MURMAN:** OK, thanks. Any other questions? Senator Hughes.

**HUGHES:** Thank you, Chairman. Thank you, yeah, for coming in, Ms. Albers. So by saying Class I, II, III, IV are authorized to include if they so choose. So when we heard testimony from some like Westside or Lincoln, they could go to their school boards and ask and the school board could allow that. It is very interesting that OPS is not allowed to do that, strangely. So yes, I would agree with you. I think an easy fix is to allow Class V in this and then let these school boards decide, you know, if they want to and how, how many kids and all that stuff. So I, I-- so guess I don't have a question, but I appreciate you coming in and sharing that.

**LISA ALBERS:** Thank you.

**MURMAN:** Senator Juarez.

**JUAREZ:** Yes, thank you very much. So my only question is, do you not consider Senator McKinney's bill to be a positive man-- mandate, something that's good and in the right direction for school boards?

**LISA ALBERS:** I don't because I hold an elected, an elected office, and I was elected by the people in my area to represent our district, to represent my ward. And I think that it needs to go back to that particular school district to make the decisions that best fit our particular community. And in smaller districts where there's fewer number of students and there may be more involved in other activities, it would be really difficult to get the same student to a meeting every single month. And that's what we have heard. Also, some of our meetings, our last meeting, as a matter of fact, went until like 9:30 at night. Now, our student rep was-- she didn't care. She was fine with it. But maybe out in the country, if they're driving at night, it could be an issue. It really is more about local control. I'm all for this, and I love the civic engagement of the young people here today. I love seeing that. I love it. I didn't start doing this until I was in my 40s. So this, I, I do enjoy that component. It shouldn't be

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mandated, though. It's not right for every single district. It has to be right for the school district.

**JUAREZ:** Well, I think that the red flag that it raises for me is that it's not showing trying to cooperate. And I'm very concerned about school boards who may not even be interested in a proposal like this. And that's where my concern comes from. Thank you.

**LISA ALBERS:** No, I can appreciate that. Thank you.

**MURMAN:** Senator Lonowski.

**LONOWSKI:** Thank you, Chair Murman. You say, ma'am-- and thank you for being here.

**LISA ALBERS:** Yes.

**LONOWSKI:** You say that GI does allow this?

**LISA ALBERS:** Oh, yeah.

**LONOWSKI:** OK, so can you explain how that works? Like, is it the same kid every month?

**LISA ALBERS:** No, it's, it's-- so it's just like an elected position, just like a student council, just a president. They are put up for election. The students choose who the school board rep is. We went to that about four or five years ago because we were at a conference and we saw a group of students speak and it was quite profound that they, one of them said, if your student board rep isn't being elected by their peers, you need to change that. And we went back and we changed it. And I think it's also gotten more people interested in the position, more students interested in the position. So Grand Island is absolutely a success story. I mean, I could have come up here and been a proponent of this and, and, and bragged about how great our program is, but it's not right for every district in Nebraska. So I'm-- that's why I'm an opponent for it.

**LONOWSKI:** Yeah, thank you. I agree also that it should be a local control issue. Thank you for your testimony.

**LISA ALBERS:** Thank you.

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

**LISA ALBERS:** Thank you.

**MURMAN:** Other opponents?

**JACK MOLES:** Good afternoon, Senator Murman and members of the Education Committee. My name is Jack Moles, that's J-a-c-k M-o-l-e-s, I'm the executive director of the Nebraska Rural Community Schools Association, also known as NRCSA. And on behalf of NRCSA, I'd like to testify in opposition to LB960. First of all, though, I would like to begin by saying that NRCSA is not opposed to boards of education including student members on the board of education. As an old government-- I'm sorry, really old government teacher, I think that is an excellent practice if a local board of education chooses to make that possible. NRCSA's opposition to making this a requirement is based on two thoughts. First of all, this should be a local board of education decision. And second of all, it's already allowed in state statute. Now, in, in looking at this, I surveyed our member schools, and I received over 25 responses back about this. But 23 said that in one way or another, they already allow for this. In some districts, it appears to be going really well. In other districts, they said that they have not had students on the board, as the students chose not to take part. In some of the cases, the students pointed to the fact they are so active in, in many other activities that they had to make choices. And this is especially true in our smaller rural districts. LB960 would serve to both require districts take this step and then also to adopt one format of including students. It is NRCSA's view that this should be a policy left at the local level. The other issue, as stated earlier, was that this is already allowed in the state statute, LB-- or statute 79-559 says-- I gave you the quote there of what, what that reads. The one, one word I'd like to point out, though, it says "may," not "shall," it says may. And I have no idea why Omaha is not included. So if you ask me that, I'm not going to have an answer for you. Again, it is NRCSA's belief that LB960 is very well-intentioned. I don't have any-- we don't any dispute with that. It's just that we were recommending not to advance this based on, on the two ideas I had above. First of all, it's a local board decision. Or should be a local, local board decision. And also it's already allowed in the state statute. Thank you.

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**MURMAN:** Any questions for Mr. Moles? If not, thanks for your testimony.

**CONRAD:** I have a question.

**MURMAN:** Oh, Senator Conrad, sorry.

**CONRAD:** Thank you, Mr. Moles. Thanks for being here. You always provide good insights to the committee--

**JACK MOLES:** Thank you.

**CONRAD:** --and I know you have a lot of diverse experiences. I just wanted to get your perspective because we have a, a lot young people here today, and a lot of young people watching because we have a lot important issues impacting their lives and their future before the committee today. And then, of course, before the Legislature more generally. But I was listening to your testimony and Ms. Alber's testimony on behalf of the School Board Association as well and it, it really I think was quite dismaying. There was a lot of laudatory language about we want young people to be involved, but. We think it's good that students engage and use their voice and learn to participate, but. Don't you think that really sends a conflicting message?

**JACK MOLES:** To me, it does not. I, I would encourage boards of education to do this, to, to include people.

**CONRAD:** Don't you think it would be the clearest encouragement to have clear policy across the state for all school boards to in-- include these best practices, which your school board members have already held up--

**JACK MOLES:** Well, first of all--

**CONRAD:** --but yet are resisting a uniform application of the policy at the same time?

**JACK MOLES:** So my response would be, what would be the one format, because districts are doing different things with this, and it seems to be working for them.

**CONRAD:** Uh-huh.

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**JACK MOLES:** And so that, that's where I believe that's where it should start with, is, is do what's working for the local district. And again, I would encourage districts to look at this as, as having a member or having a method in which they do this. One of the things remember that the, the Americanism--

**CONRAD:** Yeah, I understand the statute.

**JACK MOLES:** --statute does require some things. One of them is to attend some kind of a board meeting, local board meeting. And many of the districts have chosen to have it be that students attend board of education meetings. And often the board does turn to them and, and ask about, you know, what do you see is going on or-- so.

**CONRAD:** So if you say that you prefer that it remains voluntary, what efforts has your group undertaken to encourage that all schools fully utilize some format, or have you just taken a position against Senator McKinney's bill?

**JACK MOLES:** No, it's not against--

**CONRAD:** Do you have examples of advocacy that you've conducted to encourage schools to incorporate student voice?

**JACK MOLES:** I have not, other than in-- informal discussion saying, I don't think it's a bad idea for you to have that. Because I remember having those discussions, we've talked about this before.

**CONRAD:** Mm-hmm. So if there's no disagreement on the overall goal, which you agree is good, that Senator McKinney has before us in LB960, will you work with him in regards to striking the right balance for flexibility and a clear, uniform application of what everybody agrees is a good policy?

**JACK MOLES:** I, I would, would love to be part of those discussions.

**CONRAD:** OK. Thank you.

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

**JACK MOLES:** Thank you.

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**MURMAN:** Other opponents for LB960? Any neutral testifiers for LB960? If not, Senator McKinney, you're welcome to close. And online there were 21 proponents, 24 opponents, and zero neutral testifiers.

**McKINNEY:** Thank you, Chair Murman. And first I want to say thank you to the students, especially any individuals that came to testify in support of LB960. In close, 31 states do allow students on school boards in some capacity. Also, you know, I point us back to our university system that has student regents. Those student regions are required to be student body presidents. Which would be difficult in some districts in our state, like at OPS, because of the multiple high schools, which is why I partly did the amendment to provide more flexibility for school districts. You know, the common theme that I've been here in the last two weeks, especially when we talk about the education realm, is local control. But it comes off as, but we don't care about the student's opinions or the family's opinions. And it goes back to the whole suspension bill that the school district secretly supported to this today. You know, we wonder why we have issues. It's because we don't encourage involvement. And yes, you could say, oh, some of us do it and some of us don't. My, my point in doing this was it shouldn't be that way. It should be a thing that students are sitting on our school boards. Maybe it's one because of the size of the school district, or maybe it's five because of size of the school district. But in my reality, in how I feel, there should be no school district in the state that doesn't have at least one student sitting on the school board. Because those voices are missed and those opinions are missed when we implement policies that when you go talk to students, they don't make sense. And they can't tell their friends why the cell phone policy is inconsistent because the adults never came and talked to them. So yes, you could say local control. But at the end of the day, those students have a voice too and deserve to be heard and should be heard. And we shouldn't pick and choose when their voices are heard. It's interesting OPS isn't in that statute. I would say I'm surprised, but it's OPS. So I'll just leave it there and take questions.

**MURMAN:** Senator, thanks for bringing this bill. I haven't read the bill close enough. Now, does, does your bill, so it would mandate all schools have a student representative, correct?

**McKINNEY:** It says, yes, they should have.

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**MURMAN:** Does it say one or--

**McKINNEY:** The amendment-- so the original bill was basically said, depending on the number of school board members. I brought an amendment that said they would have at least one and up to five, depending on what the school board chooses to do.

**MURMAN:** OK, so some local control there.

**McKINNEY:** Yep.

**MURMAN:** And does it say how, I know it's there, they would be non-voting, does it, does it how the students would be chosen?

**McKINNEY:** The school districts would come up with that--

**MURMAN:** OK.

**McKINNEY:** --based on the amendment.

**MURMAN:** Thank you. Any other questions? Senator Hughes.

**HUGHES:** Thank you, Chairman. Thank you, Senator McKinney. So I was, I was going to ask you, do you know why Class Vs were not included in--

**McKINNEY:** I have no idea.

**HUGHES:** You have no idea. OK, yeah, I, I-- it's weird. Would you be open to just authorizing them along with the other four as an option perhaps to make it? Yes, you're not mandating it, but it's finally being allowed. I just I find that somewhat confusing that OPS--

**McKINNEY:** Yeah, I would for sure be open to that because it makes no sense.

**HUGHES:** That would be at least a first step. But anyway, well, thanks for bringing it. It's interesting that, yeah, just interesting. Thank you.

**McKINNEY:** No problem.

**MURMAN:** Any other questions? Senator Hunt.

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**HUNT:** Thank you. Someone probably asked this or you said it, and I have one brain cell and I didn't pick it up, but did you introduce this before? Have you done this already?

**McKINNEY:** No. No, I haven't.

**HUNT:** OK, thank you. That's it.

**McKINNEY:** No problem.

**MURMAN:** Any other? Senator Conrad.

**CONRAD:** Thank you, Chair. Thank you, Senator McKinney, for bringing the bill forward. I know that you work with a lot of young people as a coach, and or-- I think the insights that you gleaned from those experiences that you bring to the policymaking arena are always really helpful, because we need to hear from more Nebraskans when we're trying to set policy. And because so much of the legislation before us really impacts young people's lives, but they, of course, are not eligible to vote and can't let their voice be heard in that avenue of democracy, I think it's really important that we try to think creatively about other avenues to let young people have a strong voice and develop leadership skills. Do you find it condescending or conflicting when you hear people on this committee compliment the young people for coming forward, but then undercut their rights to participate? Or you hear schools say, oh, it's great. We want students to be leaders, but we actually just don't want them to have a place at the school board table. If you'd like a chance to respond.

**McKINNEY:** For sure. You know, I get frustrated with it because I'm somebody that promotes involvement at all levels. I would rather have a bunch of voices at a table than a, than a select few. And that's why this session I brought how many education bills.

**CONRAD:** Yeah.

**McKINNEY:** And a lot of them just go to making sure our students are thought about. I didn't bring anything last year because I told-- well, in my head I was like, I'm not gonna do anything because I want to see what the education community is going to do to fix our schools and address the issues that are plaguing our schools. So for a year they didn't do anything to do that. So far this year, they helped push a bill to resuspend five-year-olds. And the voices of kids are still

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being left off the table. That's the frustrating part, is that we say we care about kids and their voices, but we're creating a world for them without their voices. And then we're wondering why so many issues occur. You know, when you think about just simple things as what's being fed, fed in the cafeteria, and wondering why kids are eating or not eating, why kids aren't showing up to school. I saw a horrible stat the other day that a school in my district, only 18% of those kids have had good, good attendance this whole school year. And the high school in my district, I think only 47% of the students are on track to graduate. But there's continuous policies being pushed to address the issue, but you don't bring the kids to the table to address to issue. That's why, partly why, I brought this, because I don't think you could solve a problem without the people who are being-- going to be impacted.

**CONRAD:** Yeah, very good. Thank you, Senator. Thank you, Chair.

**MURMAN:** Any other questions?

**LONOWSKI:** Thank you, Chairman. Thanks once again, Senator McKinney. Would you be open to just amending so that Omaha has to follow the same statute? I know many school districts that already do this, and some, some decide that we don't want kids here tonight, this is going to be a hot and debated school board night. Or, or they just let them sit there, or they have them at the edge of the table beside the board members. And I, I think a lot of times, some of the problems are going to be after students sit through two of those board meetings, they're gonna be bored because a lot of school board meetings are just long, drawn out. And we, we had to rotate our teachers through because it was so monotonous. But I guess my, my, my first point, wouldn't it be good just to amend to, to get OPS into this statute?

**McKINNEY:** Yeah, I would be for sure in support of OPS being allowed to do this because I don't think it makes any sense. But I still will always hold the fundamental belief that they should-- it shouldn't be a "may," it should be a "shall." Now, if I have to work with the committee to get something across, I'm willing to work with y'all. And if that just is allowing OPS to be able to have student school board members, it's a step. It's not everything I want, but I got two more years to figure it out, so I-- yeah.

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**LONOWSKI:** Yeah, thank you. I do know as a teacher if I would let the kids have say so every day, we would have played board games every day. But thank you, I appreciate your, your thoughts on this.

**MURMAN:** No problem. Any other questions? If not, thanks for bringing this bill.

**McKINNEY:** Yep.

**MURMAN:** And that'll close the hearing on LB960 and we'll open the hearing on LB966. If you could leave quietly, please, we'll open hearing on the next bill, LB966.

**M. CAVANAUGH:** Good afternoon, Chairman Murman and members of the Education Committee. I am Machaela Cavanaugh, M-a-c-h-a-e-l-a C-a-v-a-n-a-u-g-h, and I have the privilege of representing District 6, west central Omaha, here in the Nebraska Legislature. And I'm here today to introduce LB966. LB966 picks up where we left off last year. It includes an amendment to talk about-- but not officially incorporate from last year. So LB966 is very limited scope compared to previous attempts for universal school meals. And it does not deal with the complicated CEP or community eligibility program. It does one thing. Students who now qualify for reduced meal pricing would not be required to pay anything for their meals. The portion of their meal not already subsidized by the federal government would now be subsidized by the state. So over the interim in 2024, you held a hearing on LR419, Senator Hughes introduced. One of the transcripts from that hearing gave quotes from Grand Island principal, Whitney Fowl-- Flower. And I want to remind you of what her experience has been at Stolley Park Elementary School. Quote, providing free breakfast and lunch at Stolley Park Elementary has had a significant positive impact on our school community. Students come to class nourished and ready to learn, leading to, leading to improved focus and engagement throughout the day. By meeting the basic needs, we see fewer behavior issue, issues, increased attendance, and a sense of equity among students. As everyone has access to meals regardless of their financial background, this support allows our students to concentrate on learning and fosters a more inclusive, welcoming environment for all, end quote. So, this is, I don't even know, the 6th time I've brought a school meals bill. And as I said at the start, this is something that I was going to bring as a white-copy amendment to LB14 from last session. But I decided that this conversation about

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school meals is so important that I wanted it to have an actual hearing. So that's why I brought it as a standalone bill instead of an amendment to a standing bill. I, I've been trying to get these school meals done for, since 2020, I think. And I'd love to see something happen. This fiscal note is \$1.2 million, and it's significantly less than a full reimbursement program. But it at least will help those families that qualify for reduced lunch, which still is very-- I didn't qualify for free or reduced lunch, and my three kids and their meals, it's expensive. It, it adds up. And so this will be helpful to some families, so.

**MURMAN:** Thank you. To clarify, this bill would provide free meals to everyone that qualifies for--

**M. CAVANAUGH:** Reduced.

**MURMAN:** --reduced. Funding from-- yes. OK, thank you. Any questions for Senator Cavanaugh? Senator Hughes?

**HUGHES:** OK, thank you. Thank you, Chair Murman. So I'm just reading quick that the depart-- the Nebraska department would reimburse the school the next year after the year that they-- right? It'd be like a year in arrears.

**M. CAVANAUGH:** Yeah, I think so.

**HUGHES:** How, like, how do schools then pay for it originally? Just--

**M. CAVANAUGH:** I mean, like anything else, they'd have to do a deficit request.

**HUGHES:** We have to budget it. Yeah, OK.

**M. CAVANAUGH:** So currently, a lot of these are, are unpaid. And so like--

**HUGHES:** Meaning that--

**M. CAVANAUGH:** They don't collect--

**HUGHES:** The families aren't paying for it anyway. It's kind of--

**M. CAVANAUGH:** Yeah, so it's costing the schools--

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**HUGHES:** It's on the--

**M. CAVANAUGH:** And so this would be helping the schools.

**HUGHES:** At least you get that back. Yeah. OK, thank you.

**M. CAVANAUGH:** And in Omaha, we have, I think, Millard School District is sending these to claims collection. So I'd like--

**HUGHES:** I'm just thinking you couldn't anymore though.

**M. CAVANAUGH:** I think--

**HUGHES:** They used--

**M. CAVANAUGH:** They used to-- maybe do they still? No, they don't. OK, great. I'm phoning a friend.

**HUGHES:** I think they used to and then--

**M. CAVANAUGH:** They used to, yes.

**HUGHES:** --something changed that you cannot anymore.

**M. CAVANAUGH:** So this would help because these unpaid reduced lunch.

**HUGHES:** And just for myself, and I think I, I'm pretty sure I get it, the-- you handed out reimbursement rates, which means, for example, with lunch, the feds will, for a free lunch, would give the school \$4.60. For a reduced lunch, they give the schools \$4.20. And if there's a kid paying for lunch, you still get 44 cents. Is that from federal, right, the lunch program, I think?

**M. CAVANAUGH:** No, I, I think-- let me get back to you on that.

**HUGHES:** Yeah, OK, that-- I just wasn't 100% sure on that, and that's fine. We can talk after.

**M. CAVANAUGH:** OK.

**HUGHES:** Thank you.

**MURMAN:** Thank you. Senator Lonowski.

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**LONOWSKI:** Thank you, Chair Murman. Good to see you there Senator Cavanaugh. I have a couple questions. So my first one is, if my, if my kids were receiving SNAP benefits, does that play into the lunch or breakfast program? Like do they withdraw my SNAP benefits to pay for my school lunch during the year?

**M. CAVANAUGH:** No. No.

**LONOWSKI:** OK. So and my second question is have any-- like have there been any studies tied to this that show better grades if--

**M. CAVANAUGH:** When we have universal school meals? Well, I like to talk about the pandemic as the pilot project for universal school meals. So during the pandemic, the federal government paid for all school meals.

**LONOWSKI:** Right.

**M. CAVANAUGH:** And it, it worked really, really well and it did have improved performance and there were some, I can have my office look up the information on that for you.

**LONOWSKI:** OK. Do you know if attendance rates are better? Like, hey, if I want to eat, I got to go to school today?

**M. CAVANAUGH:** I mean yes, I think for kids that are really struggling. And also not everyone who qualifies for free and reduced lunch fills out that paperwork.

**LONOWSKI:** OK.

**M. CAVANAUGH:** Partially because their parents might not be native English speakers, and so they don't understand the paperwork or they might-- there might be fear of being undocumented or something like that. And I imagine that that fear is going to be growing, considering the current political climate, but there's also shame attached to filling out the paperwork. So there are kids that could qualify that are not getting that, and really the school is-- might be the only meal they get that day.

**LONOWSKI:** OK, thank you.

**MURMAN:** Any other questions? Senator Conrad.

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**CONRAD:** Thank you, Chair. Thank you, Senator Cavanaugh. So you might remember, and just to clarify, I remember because it was my bill, but I passed a bill to end the abusive practice of schools turning families--

**M. CAVANAUGH:** Thank you.

**CONRAD:** --over to collections for unpaid school meal debt. Passed unanimously out of this committee, and then was attached to another education package signed by the Governor. So that was just a couple of years ago, just to put a plug in for that one. But Senator Cavanaugh, I know you've worked on this issue really diligently over your time here. And one thing that I think is really noticeable in regards to this proposal you have before us today and the carryover measure you have from last year and then previous iterations is you've narrowed the scope and the fiscal note considerably.

**M. CAVANAUGH:** Yes.

**CONRAD:** I mean, I don't-- I was trying to pull it up quickly, but my internet a little uncooperative today. I think that the universal approach had what, a \$40 or \$50 million price tag?

**M. CAVANAUGH:** I think it was around \$56 million.

**CONRAD:** And this fiscal impact is?

**M. CAVANAUGH:** \$1.2 million.

**CONRAD:** \$1.2 million. Yeah, and I know that, you know, in previous hearings, there was widespread support because of academic, because of student health, because of a host of different policy reasons. Everybody said, that's a great idea. We just can't afford it. That's a good idea, we just can't afford it. So now you've found a path forward that really addresses the fiscal component.

**M. CAVANAUGH:** Yes, thank you. It does. It is very narrow. Obviously, that's why the fiscal component is so small, but also because all of the rest of the meals, we don't get any federal reimbursement for. So that's the full price. So that's why it would be more expensive to reimburse for those kids. But yes, this is a much more narrowed approach. And while I would prefer to do universal school meals--

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**M. CAVANAUGH:** Right.

**CONRAD:** --I think doing something is more important than doing nothing very good. Thanks. Thank you.

**MURMAN:** Any other questions? If not, thanks for the opening.  
Proponents for LB966.

**TIM ROYERS:** Good afternoon, Chair Murman, members of the Education Committee. For the record, my name is Tim, T-i-m, Royers, R-o-y-e-r-s. I am the president of the Nebraska State Education Association, and I am here on behalf of our members to speak in support of LB966. Food insecurity continues to have a profound impact on the children of our state. Its impact on academic achievement and behavior in our schools is well documented. Ideally, school meals should be universally accessible at no cost to the families that we serve, as we just alluded to in the opening conversation. That's why we supported Senator Cavanaugh's LB14 last year, which Senator Conrad, to your question, it was a \$90.8 million fiscal note for last year's bill. We also appreciate Senator Cavanaugh's continued efforts to find ways that we can continue to make gains in expanding food access, given the current fiscal climate, which is why we also support this bill. By providing a state-level reimbursement that would in essence take those families eligible for reduced price meals and make them able to access meals at no cost, this will ensure that food access is expanded for the families that need it most. While it does have a fiscal note, it is again, as we've already alluded to, a far more modest fiscal note than what was asked for last year. We again want to thank Senator Cavanaugh for bringing a bill that is feasible given the current climate because this will have a profound impact on a number of families here in Nebraska. To Senator Lonowski's question that was earlier, I want to remind the committee of a study that was done in 2021 that we referenced at last year's hearing by Cohen, Hecht, McLoughlin, Turner and Schwartz. They looked at 40 different independent studies and, and saw that there was a direct relationship between expanding access to school meals and positive gains on things like attendance, academic performance, diet. But there was also-- there's some additional studies I want to highlight this year that I did not mention last year. There was a 2024 study done by Orta-- Orta-Aleman et al that showed that students responded favorably, meaning they went and asked students what it was like to have expanded access to meals in schools, and how that had an impact on their

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wellbeing and inclusion within the school environment. There was also another 2024 analysis from Spill, Traveldi [SIC] et al that showed that over multiple studies there were reductions in suspension rates, reductions in obesity rates, and improvements in meal participation overall. LB966 is important because educators have observed a wide variety of challenges associated with hunger, including a lack of concentration, an increase in disruptive behavior, a reduction in academic performance, and children getting sick more frequently. This bill represents a modest targeted step forward in our mission to improving our ability to ensure that no child goes hungry in Nebraska. We thank the committee for its consideration, and I'm happy to answer any questions you may have.

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

**TIM ROYERS:** Thank you for your time.

**KATHY POEHLING:** Good afternoon, Chair Murman-- Chairman Murman and members of the Education Committee. My name is Kathy Poehling, K-a-t-h-y P-o-e-h-l-i-n-g. I'm the president of the Omaha Education Association and I'm here to testify today in support of LB966. Currently, Nebraska families living just above the federal poverty line fall in a difficult middle ground. While they qualify for reduced-price meals, even a cost of 40 cents for lunch adds up quickly, especially with families who have multiple children. For a family of four living paycheck to paycheck, these costs can exceed \$200 to \$300 per school year. When a family cannot pay school meal debt, it accrues, which can lead to social stigma or lunch shaming for the student. LB966 is a common-sense targeted investment in our children's success. By providing state reimbursement to cover the difference between the federal free rate and the reduced rate, we ensure academic readiness, financial relief for families, and efficiency for schools. Research consistently shows that well-nourished students have higher attendance rates, better test scores and fewer behavioral issues. A hungry child cannot learn. This bill provides immediate breathing room for working-class families who are struggling with the rising costs of groceries and housing. It eliminates the administrative burden of chasing down small amounts of meal debt and allows school nutrition staff to focus on feeding kids rather than collecting payments. Nebraska's future depends on the health and education of our students. We should not allow a few cents

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to stand between a child and a nutritious meal. I urge this committee to advance LB966 out of committee.

**MURMAN:** Thank you. Any questions? If not, thanks for your testimony.

**KATHY POEHLING:** Thank you.

**MURMAN:** Other proponents for LB966.

**EDWARD T. VENTURA JR.:** Good afternoon, Chairman Murman and the members of the Education Committee. My name is Edward T. Ventura, Jr., E-d-w-a-r-d T. V-e-n-t-u-r-a, J-r. Thank you for the opportunity to testify in support of LB966. As an elementary school librarian, I see every day how hunger quietly reshapes a, a child's school experience. Hunger is not a small distraction, it is barrier of learning. It dulls concentration, heightens stress, disrupts emotional regulation, and steals the sense of safety every child deserves to feel free-- feel at school. When a student is worried about food, their mind is not free to wonder, to question, to imagine, and to learn. LB966 represents a profound investment in Nebraska's children by ensuring that every K-12 student has access to free breakfast or lunch. This policy does not-- does more than provide meals. It provides-- it removes stigma, it supports families facing rising costs, it stabilizes classrooms. It creates conditions where students can focus on being students instead of worrying about whether they will eat. As the National Education Association director for Nebraska, I visit educators across our beautiful state. Their stories are deeply consistent and deeply moving. I would like to thank these educators who provided me with their experiences. My co-workers Stacey and MJ; OPS educators Terri, Wes, Manny, Jen, and Cathy; retired educators Dawn, Tamara, and Mark; Lincoln educators Michelle, Brianna, Sarah, Stephanie, and Jenny; Palmer educator Mary; and Ralston educator Jonathan. Educators describe students who struggle to sit still, not just, not just because they are unwilling to learn, but because hunger is louder than any lesson. One high school educator shared how some children who eat breakfast and lunches later revealed they had nothing to eat the night before. A school counselor dreads weekends and snow days because school meals are the only reliable source of food for their students. My own school counselor spoke of Fridays with visible pain. Children asking if there's anything that they can take home, and the heartbreak of having nothing to give. So many educators, teachers, bus drivers, paraprofessionals, and custodians described stock-- stocking drawers

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with food purchased from their own pockets, doing everything they can to fill the gaps. One educator shared a childhood memory. Growing up, school was some-- sometimes the only place he could eat. Another reminded us that even families with livable wages are struggling, and growing children need adequate, consistent nutrition. Many Nebraskans echoed a simple, undeniable reality: students cannot learn on an empty stomach. School meals are not extras, they are essential to learning. Our children are trying to read, solve, create, and belong while their bodies are asking for something as basic as nourishment. LB966 ensures that every child walks into a classroom ready to learn. Nebraska students deserve a classroom where hunger is not an obstacle to their potential. I urge the committee to advance LB966. Thank you for your time and consideration. I would be happy to answer any questions.

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

**ANAHI SALAZAR:** Hello, good afternoon Chairperson Murman and members of the Education Committee. My name is Anahi Salazar, A-n-a-h-i S-a-l-a-z-a-r, here with-- on behalf of Voices for Children of Nebraska in support of LB966. School meals are as important as student's academic succ-- to students' academic success as transportation and textbooks. Hunger during the school day means that children are unable to learn, more likely to be absent or tardy, and are more likely to have behavioral issues in the classrooms. Voices for Children supports LB966 because it would ensure that more students in our state's schools are nourished during the school day. I-- my testimony is a lot of what has already been said, but I did want to point out a couple things that I have included in the packets that are being passed out. I tried to kind of put a, a number to who these students are based on your-- the district that you represent. So in the, in the back of the packet, you'll find the, the schools within your district and how many students are on the reduced-price school meals and the free school meals, and then both the free and reduced school meals. The ones in yellow are the students that would be targeted with this, with this legislation, making sure that they have no-cost meals. The last three are Douglas, Lancaster and Sarpy just because those counties are a little bit bigger and I couldn't dissect them exactly to your district. Sorry, Senators Sanders, Conrad and Hunt and Juarez, but they are there for you to look at. And again, we-- there our data shows that in 2023 there were about 105-- over 105,000 Nebraska households who were food-insecure, which increased by

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almost 8,000 in one year. I-- we are trying to desegregate data to send you our most updated numbers, but that number is staggering compared to when Nebraska's highest rate of food-insecure households, which was in 2011, was at 112,000 households. So 14 years later, it feels like we're kind of moving backwards. We're seeing more households that are food-insecure. And we, again, the testimony kind of shows that Nebraska families are hardworking. We have 80% of children in our state with all available parents in the workforce. Parents are just trying to make ends meet, and LB966 would help these families that are on the cusp of, of just getting that food to their kids actually receiving that food their kids. So we respectfully urge the committee to advance LB966.

**MURMAN:** Thank you. Any questions? If not, thanks for your testimony. Other proponents for LB966.

**RANDI EZEAFULUKWE:** Hello, Chairman Murman and members of the Education Committee. Thank you for allowing me to share my testimony with you all today. My name is Randi Ezeafulukwe, R-a-n-d-i E-z-e-a-f-u-l-u-k-w-e. I am a mother in a single-income household, but not just one job, including three young children. Today I've appeared before you to ask that you strongly consider supporting LB966. As you know, this bill removes the reduced lunch category for children in our schools, eliminating that cost to families. This bill is important to me because my family is one that now falls under that reduced-rate criteria. Removing this expense would add value to my household and reduce the stress and stigma that go along with food insecurity. Oftentimes in households like mine with only one adult working, funds are completely accounted for-- accounted for to the last penny, and there is rarely any wiggle room for extra expenses. This means that any additional expense can be the difference between a full healthy and nutritious meal multiple times a day for some and not eating at all for others. Often these families like mine are working multiple jobs and are already using community food programs to make ends meet. This means that we often do not have the time or the energy to find ways to generate more income or resor-- research more community programs and services to help with the household's food insecurity. Recently my children have started to attend schools in an area where free meals are provided for the whole school. This program is in place due to the amount of no to low-income families in the areas of these schools. This program has helped me curb the additional expense associated with the reduced-rate meals for my children, but this

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program is not in every school and I'm not sure if it's permanent. Passing this bill would mean that all schools would fall under a similar criteria and families like mine can have stability and comfort in knowing that, regardless of the household's ability to maintain or make income, the children will have daily access to healthy meals. There will be no emergency or surprise expense that would impact any child's ability to have access to at least one healthy and nutritious meal. Children can feel secure and live without the stigma of having-- of not having access to food in relation to their peers, and families can be secure in knowing that their children's ability to eat at school is not dependent upon the family's ability to provide financially. Passing this bill means more security for our families, and that all of our children are being guaranteed access to a basic and highly important need of food access. I ask that you think about the children around you and imagine a world where food insecurity is not a lived experience easily come by. That children's access to food is not dependent upon their familial history or their guardian's capacity to maintain or acquire additional food supports. I ask that you give our children more memories of access, access to food, access to health, access to safety, and access to the possibilities of what can be done with your family and loved ones if food insecurity is not a significant factor in your daily life. Thank you all for your time. I encourage you to support this bill that leads to healthy and happier families.

**MURMAN:** Thank you. Any questions for-- yes.

**CONRAD:** Hi. Thank you so much for being here. I'm sorry. Help me pronounce your name so I don't get it wrong.

**RANDI EZEAFULUKWE:** Randi Ezeafulukwe.

**CONRAD:** I got the Randi.

**RANDI EZEAFULUKWE:** Ezeafulukwe.

**CONRAD:** Ezeafulukwe.

**RANDI EZEAFULUKWE:** It's Nigerian.

**CONRAD:** Very good. Thank you for being here, and I know that there's a lot of barriers that exist to have working families come down in the middle of the day and take off time to petition our government. So

thank you for navigating through those barriers to share your, your experiences, because I, I think they're powerful. And I definitely don't want to put you on the spot because I know it takes a lot of courage for somebody to share their personal experiences in this kind of a public forum, so if you don't feel comfortable answering, that's OK too. But, you know, what, what I heard from your testimony, which I think was really, really well done and impactful, is that working families are finding it really hard to keep their head above water in the midst of an affordability crisis. And this is like one small thing that we could do to, to help address some of that stress that you see when you're balancing your budget or, or you're at your kitchen table trying to figure out how to make ends meet. If you'd like to respond that, please-- please go ahead, and then I do have a follow-up question too.

**RANDI EZEAFULUKWE:** Yeah, so for example, I'm in a single-parent household. I currently have two jobs, and then I try to find ways to get money as much as I can. I utilize food pantries and things like that. Unfortunately, my kids have food allergies, so the pantries are not--

**CONRAD:** Sure.

**RANDI EZEAFULUKWE:** --often accessible to us. But most schools are peanut free, which that's their allergy, so having access to meals is good for them in that. I'll take last year specifically, we were up for having to pay lunch because whatever they had ended. And so I had already did my budget at that time because I had to put the kids in childcare over the summer, and I only had like \$400 left after. And this was my necessity bills, like things that I must have in the home. And then they said, oh, and you'll do reduced-rate lunch. So I know I cannot afford to pay for the lunch every month or every week or anything like that. In my situation, my best bet, because I think it came up to like over \$600 to pay for the full year for three children, breakfast and lunch meals. So in my situation, I would have had to, or what I would've planned to do is, oh, tax season, and then throw all the money on there. But again, that's money-- you know, I just feel like it's money better spent. I also make too much of an income to receive access to other supports, SNAP, things like that. I do qualify for like childcare, but again, I have a family expense, so that adds more expenses. So just not having to worry about the lunch money is, it's one thing I personally do not take for granted. And I'm so

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thankful that my children currently attend schools that have an active program that are covering those expenses for us.

**CONRAD:** Yeah, my, my kids have a community eligibility school too.

We're-- that's where we're at.

**CONRAD:** So, yes, yes, I know exactly, I know exactly what you mean. And I think it, it helps to reduce stigma kind of across the student population, but then it just helps to increase access for everybody. And I know our-- the parents that I talk to at our school find it a lifeline in the middle of an affordability crisis, and it, it makes a huge difference for them.

**RANDI EZEAFULUKWE:** And if I may add just one more piece on that too.

**CONRAD:** Sure.

**RANDI EZEAFULUKWE:** Because our, our-- my budget is so tight, if I do have something that happens at home, oftentimes that is impacting the amount of food I can purchase for my house. So then, you know, my children are stuck and, oh, we had noodles for two nights in a row and stuff. That's not nutritious. They're supposed to have, you know, that expansive access. And at least if I can't provide that at home, I can be sure that they're gonna get that during school. So, yeah.

**CONRAD:** Yeah, and again, I don't want to put you on the spot. And if you don't want to answer that, that's totally--

**RANDI EZEAFULUKWE:** You're all good.

**CONRAD:** --totally fine, because I appreciate it's a tough question. But I don't know if you've had a chance to follow the headlines, but the first act of the Nebraska Legislature this year was to cut and restrain the minimum wage for working families in the middle of an affordability crisis. And we heard from so many colleagues about, you know, the affordability crisis was made up, or they cared more about the business' bottom line than the family's bottom line. What kind of message do you think that sends to working families like yours? By the way, I was opposed to that, but yeah.

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**RANDI EZEAFULUKWE:** Yeah, yeah. Well, it just kind of, without knowing specifically--

**CONRAD:** Sure.

**RANDI EZEAFULUKWE:** --without keeping track of it, it does make, make it kind of feel like as hard as you're working, it means nothing.

**CONRAD:** Yeah.

**RANDI EZEAFULUKWE:** You know, I've worked 17 hours just today. I'll work 17 hours today.

**CONRAD:** In one day?

**RANDI EZEAFULUKWE:** Yes-- again, two days.

**CONRAD:** In one day?

**RANDI EZEAFULUKWE:** Two days, I will work 17 hours. It does not matter that I'm going to work those hours because my budget is so tight. It's what I must do to maintain my budget. Now, would I say that, I guess, I've been living like this for a while, so I wouldn't say that I am drowning. I'm used to drowning. But, you know, that's how tight it is. That's how much of a difference just that small thing can make. And, and low key, it would give me a little bit of pride in myself knowing that the thing-- that I can handle the things around me and give-- and using less energy to find ways to make more money gives me more energy to look into ways to actually grow a bigger financial stability. You know what I mean?

**CONRAD:** Yeah, I do.

**RANDI EZEAFULUKWE:** So.

**CONRAD:** Or not being exhausted to help with homework.

**RANDI EZEAFULUKWE:** You know, ideally, I'd have one job--

**CONRAD:** Yeah, I get it.

**RANDI EZEAFULUKWE:** --and not two, and contract work, so.

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**CONRAD:** You did-- really, really appreciate your testimony. Thank you for helping me--

**RANDI EZEAFULUKWE:** Yes.

**CONRAD:** --work through those important issues. And it's just we hear a lot from high-powered business lobbyists who can come down here and pay a lot of money to get senators to undercut the will of the people and undercut working families. And there's those of us who are down here trying to be a strong voice for that, but obviously we don't have everyday people who can take off of their three jobs and come down and hang around the Legislature all day every day to share that story. So maybe it was too late for that one, or maybe it will change some hearts that should have been changed otherwise when they hear it today. Thank you.

**MURMAN:** Any other questions? If not, thank you for testimony. Other proponents for LB966.

**RENE CARRILLO:** Good afternoon. Hello, everybody. Rene Carrillo, R-e-n-e C-a-r-r-i-l-l-o. Thank you, Chairperson Murman and members of education board. Appreciate your time today. I didn't have anything planned, but I, I did want to speak to a few things and just thank Senator Cavanaugh for working on this diligently and bringing that scope in. And I want to thank all of the proponents who spoke. They presented great points in studies. I'm sure all of you will follow up on that and read up on those studies and kind of come to understand what, what has been presented before. However, I can't say I believe all of you when you say you care about our future of Nebraskans and the youth here when you continue to oppose things like meals for kids, or other things like hearing their voice. But it just doesn't seem like you want all kids fed. That you care about what people are going through to try to get their kids fed. That's really all I wanted to say. I do have a question for Senator Conrad. You mentioned the wage bill. I just have been curious who brought that back, because it was, it was dead last session, right? Who was the one that brought that back, if, if we could answer that?

**MURMAN:** We can't ask questions. We'll take any questions. Yes, Senator Conrad.

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**CONRAD:** Thank you, Chair. Thank you. Mr. Carrillo-- is it-- for being here? So in our process, the testifiers can't ask senators question, perhaps, unfortunately. That might have a, a better give and take. But just since just processwise, I'll just let you know that so LB258, I think it was, was introduced by Senator Raybould last session because there wasn't enough senators here on Final Reading to pass it last year. It naturally carried over. Then Senator Paul Strommen prioritized that measure very quickly this year, and then the majority, 33 senators in the Nebraska Legislature, voted to undercut the will of the people and, and working families just a few weeks ago. So that's the recap.

**RENE CARRILLO:** Cool.

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

**RENE CARRILLO:** Thank you.

**ALICIA CHRISTENSEN:** Good afternoon, Chair Murman and members of the Education Committee. I'm Alicia Christensen, A-l-i-c-i-a C-h-r-i-s-t-e-n-s-e-n, testifying in support of LB966 on behalf of Together, an Omaha-based organization that works to ensure everyone in our community has access to a safe, affordable home and, and enough nutritious food to eat. As we've discussed here, we can all agree that no child should have to struggle through the school day on an empty stomach. Thus we have an effective and efficient system of public and private food security initiatives to ensure that kids have access to the foods they need to be healthy and thrive. Government programs like SNAP, WIC, and school meals assistance work in concert with community-based efforts like Together's Choice Pantry where we offer a variety of fresh and shelf-stable foods so that participants can select the items that fit their household's preferences and their dietary needs. But policy has to adapt to changing circumstances. And right now, too many of us struggle to cover the cost of the essentials. So kind of building off of the prior conversation about individual families struggling to make ends meet, this is kind of the zoomed-out version from Together's perspective in serving our community in this way with the food pantry. So we have seen the ways that families have less money for food, the way that grocery budgets don't go as far because food prices have increased, with the typical grocery run costing about 6% more now than it did last year. We see more families relying on our pantry more often. So to illustrate that,

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in 2024, Together served an average of 257 households per day. Last year that went up to 293 households per day. Greater food insecurity makes school meal assistance all the more important. Research shows that food insecurity causes a host of terrible issues for students' opportunities and learning and health. LB966 would strategically adapt existing policy to meet the current need. By covering the cost of reduced-price meals for low-income families, the Hunger Free Schools Act would bolster families' economic security, improve education, health, and behavioral outcomes for children, reduce strain on the emergency food distribution network, and strengthen our communities. In the end, we all benefit from policies that decrease hunger in Nebraska, and therefore I urge the committee to support LB966 and take a step toward our shared goal of ensuring that all Nebraska kids have the nutritious food they need to reach their full potential. Thank you.

**MURMAN:** Thank you. Any questions for Mr. Christensen? Senator Lonowski.

**LONOWSKI:** Thank you, Chair Murman. Thank you for being here.

**ALICIA CHRISTENSEN:** Yeah.

**LONOWSKI:** Is Mike Hornacek the CEO?

**ALICIA CHRISTENSEN:** Yes. Yes, he is.

**LONOWSKI:** OK, I'm just curious. It's-- according to AI, he makes \$260,000. I'm just saying that'd be sure nice if, if we could do something with our nonprofits helping out, because we--

**HUNT:** AI?

**LONOWSKI:** Yeah.

**HUNT:** OK.

**LONOWSKI:** But I don't think you're allowed to ask me questions. Thank you for your testimony.

**ALICIA CHRISTENSEN:** You're welcome.

**MURMAN:** Any other questions? Senator Conrad.

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**CONRAD:** Thanks, Chairman. Alicia, I don't know if you work in operations at Together--

**ALICIA CHRISTENSEN:** I don't.

**CONRAD:** --or if you focus on advocacy. OK, so you're not familiar with the, the pay structure at your organization. But I know it's a pretty big organization.

**ALICIA CHRISTENSEN:** Yes. We-- not only do we have a pantry in Omaha, we have one in Council Bluffs, we're one of only a couple of pantries in the Omaha metro area that is open five days a week with regular hours. So a lot of pantries will be open, say once a month or, you know, just on periodical hours, like an afternoon, one time a month or something like that. So we try to ensure that our participants have access to the food they need all week long, so they can fit that into their schedule. We also help navigate benefits with them so they could make sure that this isn't-- that they don't have to keep coming back, but they can find a sustainable solution. We also offer a wide variety of housing-related services too to help people exiting homelessness and people facing eviction and housing insecurity as well. So, yes.

**CONRAD:** Yeah. OK, that's helpful and maybe my friend Senator Lonowski was pulling something off a 990 or something there. It's all public information--

**ALICIA CHRISTENSEN:** Right.

**CONRAD:** --where they list compensation for executive compensation and otherwise. But I know as a former non-profit exec that it's a pretty arduous process where you have to do comparables with peers to figure out what's fair in the region, and you have look at the size and scope of the organization and the budget and the complexities and-- of the work, et cetera, et cetera. So I'm not exactly what sure his point was. But nevertheless, you don't work in operations and I don't know exactly how that was relevant to, to the hearing.

**ALICIA CHRISTENSEN:** I don't, yeah, I don't know, and I, I don't know the answer to that question either.

**CONRAD:** OK, thanks.

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

**ALICIA CHRISTENSEN:** Thank you.

**MURMAN:** Other proponents for LB966?

**DANIEL RUSSELL:** Chair Murman and members of the Education Committee, my name is Daniel Russell, D-a-n-i-e-l R-u-s-s-e-l-l. I'm here on behalf of Stand for Schools in support of LB966. LB966 is granting a straightforward and powerful premise. If Nebraska expects students to learn at high levels, we must ensure they are well-nourished. School breakfast and lunch programs are integral to our education system and reinforce what our educators across the state already know, and is backed up by research: hunger undermines attention, behavior, attendance, and academic performance. I don't want to repeat things that previous testifiers already say. I think to the extent I can add to the conversation that's already happened, we've come in in support of Senator Cavanaugh's previous efforts on school meals. But there have also been really great bills coming out of this committee in prior years. So I think LB285, which was a bill maximizing the community eligibility provision from Senator Walz in 2023, and then LB936, which was about local school-- local farm-to-school programs. And so I know that this has been an issue in front of this committee in the past, and we want to work with you to make sure that kids are fed and prepared for school in the best way possible. So thank you, Senator Cavanaugh, for bringing this bill, and I'm happy to answer any questions.

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

**DANIEL RUSSELL:** Thank you.

**ERIC SAVAIANO:** Senators, my name is Eric Savaiano, E-r-i-c S-a-v-a-i-a-n-o. I'm the economic justice program manager for food and nutrition access at Nebraska Appleseed. I would also just mention that a lot of my testimony has been spoken about before, but I'll add to some of the-- I'll add my responses in for the questions that have already been answered. Yes, paid meals, so students who do not qualify for free or reduced-price meals do receive a federal reimbursement in the amount of around 44 cents for lunches and about 40 cents for breakfasts. That can go up with severe need notif-- categorization

and, and et cetera. But that is one quirk of our national school lunch program. I'd also like to bring up that unpaid meal debt. While it has been addressed with Senator Conrad's excellent bill to end collections agencies, the use of collections agencies in Nebraska, there are other options to schools that I'm sure are still happening across Nebraska. There's no clearinghouse for policies that happen in Nebraska or some amount of debt. But some of the things that do happen and, and in some research we've done has shown harsh practices like throwing away food already served, providing an alternative meal like a cheese sandwich, or denying students food altogether. Withholding grades, not allowing students to attend field trips or dances, and requiring work in the cafeteria are other options that are allowed by the federal government for unpaid meal debt. And Nebraska has no rules around those, so students are in danger of having those policies put on them when they do not have the food-- the money that they need to pay for food. I'd also want to add that SNAP participation does impact free and reduced-price meal eligibility. So when a student participate-- their family participates in SNAP, the student automatically receives free meals from that school. So when SNAP participation ends, that means that that student has to jump through a few more hoops to receive those meals, which might include those applications at school. I'd like to-- I think we've heard Senator McCavanaugh has-- McCavanaugh-- Senator Cavanaugh introduced this several times in the past. But I encourage you to think about why now is this more important than in other years. That is because the One Big Bill that was passed by the Congress has resulted in lots and lots of people losing SNAP access already, and SNAP access likely to go down much more severely in the future. Just between January 2025 or December 2025-- sorry, January and December 2025, we've lost 10% of our SNAP population that will not impact students' free meal access this year, that will impact students next year. And it means that students are going to lose access to those free meals. So I see my time is up, but I'd be happy to answer any questions.

**MURMAN:** Thank you. Senator Conrad.

**CONRAD:** Thank you, Chair. Thank you, Mr. Savaiano. Quick question, because I know that you look at this kind of across the state and there's some maybe misconceptions that this is only an urban Nebraska issue or problem. And I know looking at the, the research and data actually shows that food insecurity-- a lot of families in rural Nebraska struggle, struggle with that as well. Could you just help to

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maybe paint a picture for the committee since we represent such diverse districts about kind of how this hits in rural and urban Nebraska?

**ERIC SAVAIANO:** Yeah, definitely. So food insecurity does not discriminate based on race, religion, or urban or rural, suburban areas. There are definitely people across our state experiencing food insecurity. That means folks can-- do not know where their next meal is coming from at some point. We've seen that play out in SNAP participation rates nationwide. Actually, rural districts have a much higher food insecurity rate than urban areas. In Nebraska, it's about even, interestingly, but overall, that's an issue that we see. And we also see it amplified in ru-- rural areas when you do have food insecurity because you often have to travel farther to receive meals or find meals, there's not an infrastructure for food pantries or food banks. And so rural areas may have it even worse in different places.

**CONRAD:** OK, thanks.

**ERIC SAVAIANO:** Thank you.

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

**ERIC SAVAIANO:** Thank you.

**MURMAN:** Other o-- proponents for LB966. Still on proponents.

**CONNOR HERBERT:** Thank you, Chair Murman and members of the Education for-- Education Committee for the opportunity to speak today. My name is Connor Herbert, C-o-n-n-o-r H-e-r-b-e-r-t, and I serve as a staffer with the Nebraska Commission on African-American Affairs. Food insecurity is a growing challenge in our state and it demands urgent attention. Nebraska's food insecurity rate has climbed to about 12.2% in recent years, surpassing the national average of 11.2%. Feeding America estimates that one in five Nebraska children faces hunger, a distressing statistic that highlights the critical need for action. In Lincoln, 44% of public school students participate in the free and reduced lunch program and or alongside the CEP program. While in Omaha, 23% of public school students rely on, you know, free and reduce lunch programs. These numbers illustrate how many families depend on school meals to meet basic nutritional needs. Statewide data from Kids Count reveal that black and Hispanic students are significantly more likely than white students to qualify for free or

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reduced-price meals, underscoring how hunger in schools is deeper-- deeply intertwined with racial and economic inequity. LB966 directly addresses a key barrier by eliminating the cost for students in the reduced-price category, those who often fall just above the free meal cutoff but still struggle to make ends meet. Research and practitioner experience confirm that when students are well-fed, their attendance, behavior and academic performance improve. This bill also supports schools by providing predictable state reimbursement, relieving districts from absorbing unpaid meal debt or restricting access. Investing in school meals is an investment in learning, equity, and long-term health. For these reasons, we respectfully urge you to support LB966.

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

**CONNOR HERBERT:** Thank you.

**MURMAN:** Other proponents for LB966. Any other proponents? Opponents for the LB966. Any opponents for LB966? Neutral testifiers for LB966. If not, Senator Cavanaugh, you're welcome to close.

**M. CAVANAUGH:** Thank you to everyone who came and testified and took time off of work to be here. I very much appreciate it. You know, I was sitting there listening to the conversation and about where we're at financially at this moment in time. And it's actually perfect timing, because our State Auditor just gave us a gift of \$300 billion-- million dollars a year in tax incentives. So \$1.2 billion are of lost revenue from the tax incentives that we have passed in the Legislature. If the Department of Revenue is able to start to recoup that money, we will have \$300 million on average a year in tax receipts, and then we will have money to feed kids. So let's feed kids.

**MURMAN:** Thank you. Any questions for Senator Cavanaugh for close? I should say online there were 115 proponents, 15 opponents, and zero neutral. If there are no further questions, I will close our hearing on LB966.

**M. CAVANAUGH:** Thank you so much.

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**MURMAN:** Thank you, Senator Cavanaugh. If you could exit quietly, we'll start our hearing on LB1034, Senator Dungan. Welcome.

**DUNGAN:** Good afternoon, Chair Murman and the members of the Education Committee. I'm Senator George Dungan, G-e-o-r-g-e D-u-n-g-a-n. I represent Legislative District 26th in northeast Lincoln. Today I'm introducing LB1034, which to put very simply, prohibits school staff from allowing federal immigration enforcement officers to access schools without a judicial warrant. To start, I want to make this incredibly clear, as I've been asked a number of questions as I've introduced this bill. If this were adopted, ICE agents would still be able to perform their duties like any other law enforcement agency by obtaining a judicial warrant. A judicial warrant is an official written court order signed by a judge or magistrate that authorizes law enforcement to make an arrest, conduct a search, or seize property. Based on probable cause that a crime has been committed, these warrants are required to enter private homes or non-public areas. These warrants must be signed by judge or a magistrate, not an administrative official. This is a bill to increase school safety. No school employee, contractor, or agent of a school district shall permit access to students, school employees, school grounds, or school facilities by a federal immigration enforcement officer for the purposes of immigration enforcement unless such an officer presents a valid judicial warrant. An administrative warrant does not undergo the same requirements and scrutiny as a judicial warrant, making it far easier to obtain and falsify. Nothing in this legislation shall be construed to prohibit a school employee from complying with a valid judicial warrant or court order, or from responding to exigent circumstances involving an immediate threat to the health or safety of a student or school employee. By way of background, judicial warrants, which require a neutral judge or magistrate to authorize searches or arrests based on probable cause, have been a foundational principle of our law for over 200 years. They emerged as a direct response to the abusive general warrants and quote unquote writs of assistance that were used in the 17th and 18th century England and colonial America with the legal and later constitutional requirement firmly established by the adoption of the Fourth Amendment in 1791. This bill simply reflects a return to normalcy while increasing school safety. We will have some testifiers speak after me who will provide specific examples and details explaining why this legislation is needed. That concludes my opening testimony on LB1034, and I am happy to take any questions

this committee may have. Before I answer any questions, I, I would like to just say something briefly. LB1034 actually reflects many months of work to try to make this language something that the school districts not only thought was workable, but something that they could actually benefit from. The original version of this bill that I'd originally started working on was about 10 pages longer, and it had very prescriptive requirements for what schools should or shouldn't do in certain circumstances. We decided to workshop that and talk with some school districts about what their current policies are, what their current state of things are with regards to law enforcement and responses to those circumstances. And we tried to strike a balance between making sure that there is this backstop to create this requirement for judicial warrants, which I believe follows constitutional law, while simultaneously ensuring local control and making sure that we're not being overly prescriptive of school districts. Certainly schools have policies as to how to handle law enforcement. That's a long-standing-- not requirement, I guess, but they all sort of have their own local policies on that. But when you start talking to school administrators about what would you do if ICE, for example, just gonna abbreviate it ICE, were to come to your school? What would you do? The answers were disparate. We did not have a clear and concise answer from any of the school districts of what exactly they would do. Some say, oh, we just defer to our law enforcement policy. Others weren't entirely sure it sounded like what that would look like, if ICE falls under that. So what this seeks to do is provide clarity and provide security. This makes it so administrators and anybody on that school grounds who are faced with a federal law enforcement official coming to the school grounds and saying, we want come in and do X, Y, and Z, instead of defaulting to possibly disparate and problematic policies and putting that burden on school administrators, this creates a backstop that says the law in Nebraska is: have to have a judicial warrant, barring any exigent circumstances to enter the school grounds. Schools are not public property. Schools are private, playground school. So in order to get into that property, you have to actually have that warrant, the judicial warrant. One other thing I want to be very clear is this conversation that we had around this is intended to-- then once that judicial warrant is presented, allow school districts to have their own policy of how they handle that. We're not gonna prescribe, you have to have a response team that does X, Y, and Z within a few hours. Every school is gonna have different needs. And we found in talking

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with administrators from some of our more rural areas, such as O'Neill or Lexington, or those areas that have, I know, had immigration interaction in the past, they have a lot of expertise and experience with this. This is seeking to provide that clarity, though, for the administrators in the school districts that maybe don't have that same experience or expertise, and to make sure that students and teachers and administrators all feel comfortable and safe in proceeding to understand how this law works. We know that students perform less well when there is trauma, when they are scared. This is trying to provide a sense of security. This is trying to provide a sense of consistency and stability, so we all know what the law is and that way everybody can follow it appropriately. We want to make sure kids go to school. We want to make sure that when they're in school, they're able to learn. And I think that LB1034 seeks to achieve that goal by creating a backstop while balancing that with local control. With that, I'm happy to answer any questions.

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

**HUGHES:** Thank you, Chairman. Thanks for bringing this, Senator Dungan. What-- OK, you kind of, you said a word and I didn't catch it. What have federal agents, specifically ICE, been using, if they-- what do they call their warrant? Was it--

**DUNGAN:** Well, there's an administrative warrant.

**HUGHES:** An administrative warrant. OK, that's what they're trying to use now, but that does not allow them into these non-public areas.

**DUNGAN:** Correct.

**HUGHES:** But are you saying that some-- because the Fourth Amendment does protect schools right now. Is it just that some schools are not-- some schools saying, oh, an admin warrant works and lets them in?

**DUNGAN:** So let me back up just a little bit here to make sure I'm clear about this. So let's say a police officer, and I'm just using law enforcement as an example, which is--

**HUGHES:** Not ICE but police. Yeah.

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**DUNGAN:** --separate and apart from ICE, yeah, comes to your house and says, can I come into your house? If they don't--

**HUGHES:** I can let them in.

**DUNGAN:** You can consent. If you consent, they're allowed to come in even if there's no warrant.

**HUGHES:** Sure. Right.

**DUNGAN:** So applying that same sort of scenario to, let's say, a school, and let's say ICE shows up and knocks on the door and says, we want to come in. We want to come in because we're looking for little Johnny, and we want to talk to little Johnny about his family, whatever that may be. If the administrator does not know what the policy and practice is, it is possible at that point to put them in a position where they could say yes, they could see no. It creates uncertainty. Is that the same as their law enforcement policy? Is it different? What if they have a warrant that is an administrative warrant, not a judicial warrant? There's all these question marks. And in that moment, there's so many things up in the air, it can be very scary and uncertain for that administrator and certainly students and teachers. So this is saying that, if they were to come, they have to have that judicial warrant to be let onto the property, and then it allows school districts to further flesh out what that policy looks like once they actually do come.

**HUGHES:** OK, so just if I can keep going on that. So then will this supersede-- like let's say they do have a policy with their local police with an administrative warrant to let them come in. Is that just eliminating that completely for everyone?

**DUNGAN:** This wouldn't affect law enforcement at all. So this is federal immigration enforcement.

**HUGHES:** This is-- oh yeah, of course--

**DUNGAN:** And we were very careful in crafting this to make sure that we did not accidentally wrap up law enforcement--

**HUGHES:** Right, OK.

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**DUNGAN:** --with that because, to your point, there's local MOUs with SROs, all sorts of things like that.

**HUGHES:** OK.

**DUNGAN:** This is specifically tailored to federal immigration enforcement that may or may not come to the school.

**HUGHES:** And basically, I mean, this kind of should be happening now, but you're just saying we're going to-- yeah, OK.

**DUNGAN:** That is correct.

**MURMAN:** Any other questions? Senator Lonowski.

**LONOWSKI:** Thank you, Chair Murman. Thank you for the bill, Senator Dungan. Do you know of any cases where this has happened, nationally or even statewide?

**DUNGAN:** I don't have any specific examples of Nebraska. I know that nationally we've heard circumstances of ICE or federal immigration coming to daycares, coming to schools, being around school grounds where they're outside of a school as people are, for example, walking from a bus to the school doors. So we know that it is an area that has been targeted with increased enforcement, increased surveillance. In Nebraska I don't have any specific examples of that happening. But I do think that this is intended to be preventative and to get ahead of the problem, because the last thing we want is for this issue to become a problem out somewhere in Nebraska and not have an answer already figured out. But some folks coming up after me, who I know have looked at this issue nationwide, might have better examples of things that have happened here in the state.

**LONOWSKI:** Thank you.

**DUNGAN:** I see some heads nodding out of my periphery. So possibly that's a yes

**MURMAN:** Any other questions? If not, thanks for the open.

**DUNGAN:** Thank you.

**MURMAN:** We'll ask for proponents for LB1034.

**ALYSSA CAPEK:** Good afternoon, Senator Murman and members of the Education Committee. My name is Alyssa Capek, A-l-y-s-s-a C-a-p-e-k, and I'm a 16-year-old sophomore at Crete High School. CHS has an enrollment of more than 67% minority students, with approximately 62% identifying as Hispanic or Latino. Growing up in Crete has exposed me to beautiful cultural practices from-- with my friends. Such as eating different foods, speaking multiple languages, and further educating me on Hispanic culture or other ethnicities. Our diversity is something I'm very proud of. However, it has also exposed me to a hard truth: the fear surrounding immigration enforcement within our community. Students should not have to be trying to focus on algebra or chemistry while worrying that ICE could show up at the front door of their school. No student should have to feel anxiety when unlabeled vans drive through their neighborhood. Yet I have seen that fear firsthand in the faces of my classmates and friends, many of their parents whom came to the U.S. seeking safety, education, and opportunity. The students that sit next to me in class aren't criminals. They're minors. They're children with goals, talents, and dreams. Students are meant to be-- schools are meant to be a place of education, learning, and safety. Hearing students discuss keeping their citizenship papers in their backpacks just in case is not normal. That is not a conversation that should be happening between minors in a classroom. Allowing immigration officers to enter schools without a judicial warrant raises serious concerns about students' Fourth Amendment rights, which protect against unreasonable searches and seizures. This fear does not only affect Hispanic students, but other minority groups as well, such as my best friend who's Native American [INAUDIBLE] --her certificate of Indian blood and official tribe ID in her backpack in case she were questioned or searched. No student should feel this burden. I'm here today to speak up for my community, the people in it, and for the people who are unable to due to the fear of immigration law enforcement officers. CHS isn't filled with criminals, but students who deserve to feel safe while receiving their education. I respectfully urge you to vote yes on LB1034 and grant communities around Nebraska a breath of fresh air from immigration law enforcement violence. Thank you for your time, and I'm happy to answer any questions you guys may have.

**MURMAN:** Thank you. Any questions? Senator Hughes.

**HUGHES:** Thank you, Chair Murman. Thank you for coming. Is it Chap-pik?

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**ALYSSA CAPEK:** Capek.

**HUGHES:** Capek. Yeah, thank you so much for coming in. And Crete does have a high minority enrollment. Do you know the administration policy or did you talk to anybody about what-- is there a plan or do they have it stated what Crete's going to do?

**ALYSSA CAPEK:** So from what I know, there is no policy for this. I did tell my teachers I will be missing school today for this, and I even told my principal, which he was very happy for.

**HUGHES:** You did a great job, by the way.

**ALYSSA CAPEK:** Thank you. I have heard maybe some speculation. But teachers may not know if it's a, hey, can student XYZ come to the office? Or can they come down? Can they bring their stuff? That could be just ranging from a they need to sign this document, they need have their parent fill this out. But teachers don't know if this is, hey, can they come check in to the nurse or ICE is here to pick them up. So I do not believe there's anything for CHS right now. And I think that is an issue, especially looking at my school's diversity.

**HUGHES:** Thank you, Alyssa.

**MURMAN:** Any other questions? Senator Conrad.

**CONRAD:** Thank you for being here. It's good to see you again.

**ALYSSA CAPEK:** Yes, good to you too.

**CONRAD:** And I don't think you have to be a constitutional scholar, but I know there's a lot of complexities, perhaps, that were present in my friend Senator Hughes' question. But even if your high school had a policy on the books in regards to this, that's not going to have the same sort of force and effect as clear state law, particularly when we've seen significant overreach on the federal level by, by ICE in going into schools, in Minneapolis recently, for example. I know there was news reports about that. I mean, I don't know the, the exact details of it. But I-- even if Crete or Seward or LPS had a policy, which some do and some don't, it's not gonna have the same force and effect as in terms of what we have a sovereign right to do as states under the 9th and 10th Amendment and curbing against unlawful

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overreach. I don't know if you want to talk through any of those things but--

**ALYSSA CAPEK:** Yeah, I just--

**CONRAD:** --perhaps it, it might just be good to put a placeholder in the record so that some other folks can, can sort through that too.

**ALYSSA CAPEK:** I just definitely wanted to speak up especially for my school's demographics. I know someone who may be going to a school with less minorities, I think-- I just thought it'd be good for me to [INAUDIBLE].

**CONRAD:** Well, and I appreciate you sharing your experience. I mean, we've seen students walk out all across Nebraska in recent weeks protesting the overreach--

**ALYSSA CAPEK:** Yes.

**CONRAD:** --and the terror that students' populations are, are feeling about what's happening in our country with ICE overreach in particular. I know my kids and their friends talk about these issues a lot. They're pretty scared about these issue. I know that there's been a lot of behavior changes for students who even are American citizens, who might be Latino, who are afraid to go to school now. Maybe they have a family member who's undocumented, but they're American citizens and now mom and dad don't wanna send them to school and don't want to risk family separation. I mean, it's, it's literally like a daily conversation with my kids and their friends about a lot of these really, really complex issues. So I think the experience that you're sharing from your peer groups at Crete, I mean, they're, they're real and they're, they're happening in every community in Nebraska. So I really appreciate you taking time to be here.

**ALYSSA CAPEK:** Yeah.

**MURMAN:** Any other questions? If not, appreciate you coming in.

**ALYSSA CAPEK:** Thank you.

**MURMAN:** Other proponents for LB1034.

**TIM ROYERS:** Hello again, Chair Murman, members of the Education Committee. For the record, my name is Tim, T-i-m, Royers, R-o-y-e-r-s. I'm the president of the Nebraska State Education Association. I'm here on behalf of our members to testify in support of LB1034. LB1034 would establish a clear, single criteria for fed-- federal immigration activity to take place in our schools: the presence of a judicial warrant. This requirement would assuage a lot of the anxiety we are currently hearing and that you already have been discussing before, both from educators and students, about the possibility of ICE coming onto school grounds. While the recent events in Minnesota have dominated the headlines with the unfortunate loss of life, the specific impact to schools in Minnesota has largely gone under-reported, and this is to allude to Senator Lonowski's question earlier. This past week, while meeting with educators from across the country in Washington, D.C., I was able to talk with educators in Minnesota directly and hear their stories firsthand. Students and staff have been detained across the state. And one thing that those teachers in Minnesota wanted us to take back to you all is, it's not just in the Twin Cities. That communities across Minnesota, they're seeing impacts within their schools. In some instances, staff were detained for more than 12 hours simply for asking agents why they were at the school in the first place. In others, educators were ripped out of their cars on suspicion of being undocumented. In one particular incident, a teacher literally had their passport with them in the car and agents did not permit him to grab it. Not only did they refuse him access to an attorney when he was detained for several hours, they did not even let him notify the school that he was being detained simply so he could arrange a substitute teacher so there would be an adult in the classroom while he was being detained for who knows for how long. I could spend the entire afternoon sharing story after story of what has taken place just a few hours to the north of us. The rights of students and educators are being trampled on with little to no accountability. These actions are an affront to real law enforcement. Another message that educators in Minnesota wanted to make clear was there are a number of teachers who strongly believe in the value of SROs, for example, and the value of local law enforcement keeping communities safe. And one message they wanted to made clear was this is destroyed for a generation of students in Minnesota, any faith and trust in law enforcement. Because they don't differentiate between ICE and local law enforcement, they just see what's happening in their schools. Presently here in Nebraska, local law enforcement agencies

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have assured schools there is no intention to conduct immigration enforcement activities on school grounds. However, that is simply a gentleman's agreement and has no force of law. Given that this is the current practice in our state, let's make it official by adopting LB1034. It will provide peace of mind for our students and staff while still leaving ICE the authority to conduct activity if they have a judicial warrant. Schools should be about one thing: learning. We cannot let the continued threat of warrantless ICE activity impact academic achievement and attendance. Schools must remain the welcoming cornerstones of our communities that they have been for decades. LB1034 is a common-sense solution that has no cost, either fiscally or with political capital. This is bipartisan support from voters across the state. I implore this committee to advance LB1034. We want to thank Senator Dungan for introducing and Senator Conrad for cosponsoring, and I'm happy to answer any questions you may have.

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

**TIM ROYERS:** Thank you.

**MURMAN:** Other proponents for LB1034.

**KATHY POEHLING:** Hello again, my name is Kathy Poehling, K-a-t-h-y P-o-e-h-l-i-n-g. I'm the president of the Omaha Education Association, and I'm here today to testify in strong support of LB1034. Our schools must be a safe haven for learning. When students and their families fear that a routine school day could end in a federal enforcement action, attendance drops and children can't focus. We want our kids to read by the time they're in third grade. But to do that, we have to care for them and their families. They can't come with a fear and learn. Trauma in our brain makes us not remember things. So if children are coming with trauma, including trauma from ICE or fear of deportation, they can't learn. I'm gonna go off my speech and tell you a story about my classroom one day. I worked in a school that was about 92% Hispanic. My students feared every single day they came to school. But I want to tell you about one day after an election. There was an ICE raid. My students were fearful of everything. We couldn't get any learning done that day. All my students were doing all day was crying. They were scared. I was trying to keep them calm. At the end of the day, when I said, it's time to line up, time to go home, let's go, there was no excitement or joy there. My students wouldn't even

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stand up. They refused to get in line to go home, and I couldn't understand why. And when I sat down and talked to them, they told me stories about being afraid to go home because they didn't think their parents would be there. They didn't know if anyone would be home when they got there. One boy told me he had to hide under the floorboards when people knocked on his door. I was horrified. And I stayed until at least 6:00 that night, calling every parent, making sure they were home before their student went home, driving them home if their parents didn't answer. Making sure that somebody was there waiting for them. Now, you guys all know I was a foster parent. My kids knew that I would take care of them. If their parents weren't around, I was going to make sure I could do something to take care of them. So they trusted me. I'm trusting you, and so are the rest of the kids. They want to go to school. They don't want to be fearful. They want to learn. They want make their lives better. And we're trusting you to put this proactive legislation in place to take one fear off the plates for them. Thank you.

**MURMAN:** Thank you, any questions for Ms. Poehling? If not, thanks for the testimony.

**EDWARD T. VENTURA JR.:** Good afternoon, Chairman Murman, members of the Education Committee. My name is Edward T. Ventura, Jr., E-d-w-a-r-d T. V-e-n-t-u-r-a, J-r. Thank you for the opportunity to testify in support of LB1034. I speak not only as an elementary school librarian in a school that serves a predominantly Latino population, but as a Native American and a Latino who sees every single day how fear walks into our schools alongside our children. Schools must be sanctuaries. They must be places where children feel safe enough to wonder, to risk, to learn, to simply be kids. Yet today, many students carry a different reality. They carry worry. They carry uncertainty. They carry fear that a parent may not be there at the end of the day. As a Nebraska National Education Association Director, I've heard from Nebraska's educators, tell me stories about students who dread weekends, court dates, or even the walk home. About families afraid to leave their homes, about parents terrified to bring their children to school. Like President Royers said earlier, in Washington, D.C., this past week, a Minnesota educator spoke to the NEA Board of Directors that they cannot teach effectively when students are afraid. That children cannot learn when their emotional filters are overwhelmed by stress. That schools cannot function as places of growth when they become places of anxiety. Here at home, an, an elementary school

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counselor shared about students crying. About her students asking, will my family be there when I get home? Her elementary-age students are forced to make unimaginable plans. Who will take care of their pets? Their belongings? Their lives? Because they do not know what tomorrow holds. This current climate of uncertainty is harming our children. When enforcement actions occur without clarity or safeguards, the consequences ripple far beyond a single moment. Entire classrooms are shaken, entire communities are destabilized. Learning is interrupted. Trust is broken. This is not politics. This is childhood that is forever influenced and affected. Minnesota teachers, bus drivers, paraprofessionals, custodians, not just in the Twin Cities, are increasingly acting as front-line protectors, patrolling school grounds and adapting procedures to shield students from potential ICE raids. I know our Nebraska educators will do the same for our students, but should they have to? Nebraska students are watching. They are listening. They are depending on us. I want to thank these Nebraska educators for allowing me to share their experiences: Stacey, Eli, Anton, Walta Sue, Manny, Sara, and Judi. I urge the committee to advance LB1034. Thank you for your time and consideration, and I would be happy to answer any questions.

**MURMAN:** Thank you. Any questions?

**HUGHES:** Thank you.

**MURMAN:** Thank you for your testimony. Other proponents for LB1034.

**NATASHA NASEEM:** Good afternoon. My name is Natasha Naseem, N-a-t-a-s-h-a N-a-s-e-e-m, and I'm a senior attorney with the Center for Immigrant and Refugee Advancement, or CIRA, here in support of LB1034. Our organization serves refugees and immigrants across the state by providing free legal representation, social work services, and refugee resettlement. Over the past year, every department of our organization has received questions from clients about whether it is safe for children to go to school for fear of immigration enforcement. While it is in our purview to advise clients and try to reassure them, the reality is that changes to immigration enforcement policies make many public settings, including schools, more vulnerable to enforcement actions than before. This means school officials now have greater responsibility to understand the legal requirements for immigration enforcement officers to validly access schools in order to uphold schools' interest in keeping school safe-- excuse me, students

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safe. LB1034, if implemented, will prohibit school employees from allowing immigration enforcement officers access to a school unless a valid judicial warrant is presented. In other words, schools must ensure that the legal requirement of a valid judicial warrant has been satisfied to permit entry. Immigration-- excuse me, immigration enforcement officers often use administrative warrants from their own agency, the Department of Homeland Security. These warrants lack specificity, often contain inaccuracies, are not signed by a judge, and do not authorize entry or a search of the premises where the warrant has been presented. Judicial warrants, by contrast, are signed by judge-- pardon me, excuse me-- issued by a judicial court based on probable cause, and are signed a judge or magistrate judge, and state specific information regarding the address and timeframe of the search. The requirement of a judicial warrant is not directing school employees to violate any federal law. In fact, in the absence of previous protections that applied to schools, this bill actually follows and maintains constitutional requirements by permitting entry only with sufficient probable cause rather than the pretense of an administrative warrant. Although immigration enforcement patterns and practices are unpredictable, prohibiting access in the absence of a judicial warrant would reduce the current vulnerability and help students and families feel safe, knowing there is a procedure in place. For these reasons, we respectfully urge the committee to advance LB1034. Thank you for your consideration, and I'm happy to answer any questions if there are any.

**MURMAN:** Thank you. Any questions for Ms. Naseem? Senator Hunt.

**HUNT:** Thank you. Thank you, Ms. Naseem. So I'm glad you're here. Can you tell me if I understand this right, what this bill basically does? And I'm not an attorney, but I followed this topic with some interest. And so this is my understanding of this bill. Right now ICE is entering places, including schools, with administrative warrants which comes from their own internal office. This would say, no, you need a warrant signed by a judge, which indicates that some kind of due process has been carried out, that there is ostensibly some legal reason for ICE to go in there at least.

**NATASHA NASEEM:** Mm-hmm. Yeah.

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**HUNT:** And that this is not something that you printed off in your own office and signed with your own hand yourself because you'd like to go snatch the kids. Is that basically--

**NATASHA NASEEM:** Yeah.

**HUNT:** You're just saying you have to have a judge agree that you can snatch the kids.

**NATASHA NASEEM:** Right. Like you're saying, there needs to be that process behind, you know, that supported finding of probable cause to permit them entry. Otherwise, it is just the pretense of they're showing you a piece of paper that might have some relevant information on it. And by seeing that, essentially people are scared into opening that door and allowing them in. And so it is some trickery.

**HUNT:** So coming up to the school with administrative warrant from my office that I printed on my printer that I signed myself that's from my own agency that a judge never looked at or had an opinion about, this is scary to school officials who perhaps don't know the difference between that and a judicial warrant.

**NATASHA NASEEM:** Right.

**HUNT:** OK. So that is something that's used as an intimidation tactic potentially?

**NATASHA NASEEM:** Right.

**HUNT:** OK.

**NATASHA NASEEM:** And the importance of, you know, this bill would be that there's a clear requirement set out rather than it being this question of whether that particular official knows the difference between the two.

**HUNT:** OK. So like many average American citizens, most of my legal education has come from Law and Order, which I've seen most of many times. But you think about all the different scenes that you see where the cop or whoever or the attorney is like desperately knocking on the judge's door at 3:00 a.m. going, you know, Judge, Judge you've got to sign this now. We've got to get them today. You know, and the judge is looking at him. He signs it and he's like, go, God speed, you know?

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That's like-- that's what a judicial warrant is, where the judge signed it, and ostensibly then there's some kind of like, not just due process, but I guess a check and balance--

**NATASHA NASEEM:** Right.

**HUNT:** --in terms of like the courts and the executive branch and, you know, the different departments under the executive branch having the support of the courts in their enforcement proceedings and--

**NATASHA NASEEM:** Right. If I may, I think the thing I'll add to is when we're talking about probable cause in a judicial warrant, these are, you know, processes that, like, associating with Law and Order, we are associating, with, you, know, alleged criminal behavior, right? And investigating that.

**HUNT:** Yes.

**NATASHA NASEEM:** Immigration violations are not criminal inherently. And so that's where you see this sort of separation happening of why they can, like you're saying, maybe print off their own paper and bring it over, because they're not investigating a crime. They're investigating something that's in the purview of their agency, but that is not enough for them to be, you know, entitled to access to a school, right, in the same way that a judicial warrant, where there is probable cause and all of these things that we're talking about, that, that supports that process. And the end-goal here is to avoid unnecessary disruption for schools and students. And so we're trying to make sure that if you're going to let someone in, it's because they have a really important reason to be there rather than just quotas that they might be wanting to meet.

**HUNT:** Thank you.

**NATASHA NASEEM:** Yeah, thank you.

**HUNT:** Thank you.

**MURMAN:** Senator Lonowski.

**LONOWSKI:** Thank you, Chair Murman. And thank you for your testimony, ma'am. So I just want to get this, get this straight, so I understand the difference between a judicial warrant and an administrative

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warrant. Is ICE using administrative warrants to come after teenagers, or is it more like the adults that work in the schools?

**NATASHA NASEEM:** I can tell you anecdotally, it, it doesn't necessarily matter. I've, I've heard from clients who are teenagers that they've been stopped to be questioned for a warrant that was for a relative. It had nothing to do with them, and these were minors. So it is really, particularly with, you know, the pressure that I think we, we are reading about in the news that is on this agency to meet certain standards, there's not a whole lot of discernment happening. It's just executing what, what they've been told to do.

**LONOWSKI:** OK, and when we're talking judicial warrants, I assume we're talking about like a, a felony, correct? Like maybe like, hey, this guy has been dealing drugs, or this guy is--

**NATASHA NASEEM:** I'm not a criminal lawyer--

**LONOWSKI:** OK, OK.

**NATASHA NASEEM:** --so I can't speak to all of it. But yes, it would involve some sort of typically criminal offense that, that would be in need of being investigated, is my understanding.

**LONOWSKI:** OK. Thank you.

**NATASHA NASEEM:** Of course.

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

**NATASHA NASEEM:** OK, thank you.

**MURMAN:** Other proponents for LB1034.

**ITZEL LOPEZ:** Good afternoon. Itzel Lopez, I-t-z-e-l L-o-p-e-z. I serve as the CEO of the Latino Economic Development Council, or LEDC, and I'm here to testify in support of LB1034. LEDC is a community-rooted organization dedicated to advancing economic opportunity, empowering Latino leadership and building a more inclusive future here in Nebraska. Our work is grounded in the belief that safe, welcoming, and equitable environments, especially in schools, are essential for children to learn, grow, and contribute to the state's future. If passed, this bill will keep Nebraska children and learning

environments safe by preventing federal Immigration and Customs Enforcement, ICE, agents from entering schools without a valid judicial warrant, reinstating protections consistent with ICE's own past policy in treating schools as sensitive areas. Senators, research clearly shows that the presence or even the perceived threat of immigration enforcement in school communities can have a measurable, harmful effect on education. A 2025 study found that student absences increased by an average of 22% in school districts back in California following the heightened immigration enforcement activity that occurred there. Young students, especially in preschool and kindergarten through fifth grade, showed the largest increases in, increases in absenteeism, which then reduces instructional time and can hinder academic progress. Broader research also shows that heightened enforcement correlates with declines in test scores and can increase the likelihood of grade retention and school dropout, particularly among children of immigrants. This impact do not occur in isolation. When students miss school, districts lose instructional time, face funding challenges that are tied to attendance, and must divert resources to address trauma and disengagement. Children who are anxious, fearful, or absent are less able to try academically and socially, undermining equitable opportunity for all students. For the Latino families we serve, many of whom are bilingual, multigenerational, and deeply invested in their children's education, this is also a matter of dignity and security. When families fear that officers could enter classroom or question students without a judicial warrant, it erodes trust in our education system. LEDC's mission to foster inclusive growth and community resilience depends on insurance that parents can send their school-- children to school without fear that educational settings could become sites of enforcement action. Safeguarding schools as protected spaces aligns with our commit-- commitment to expanding equitable opportunity and ensuring that all families, regardless of background or immigration status, can fully engage in Nebraska schools and civic life. For those reasons, I respectfully ask that you support LB1034 and help ensure that Nebraska schools remain safe, secure, and centered on learning and belonging.

**MURMAN:** Thank you.

**ITZEL LOPEZ:** Gracias.

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**MURMAN:** Any questions? If not, thanks for your testimony. Other proponents for LB1034.

**JESSICA STALLINGS:** Unfortunately, I left my other copies in my office in Senator Hunt's district. So good afternoon, Chairperson Murman and members of the Education Committee. My name is Jessica Stallings and I am the clinical director for Heartland Family Service located in the Omaha metro area. I am testifying in support of LB1034 today on behalf of the agency, as we provide outpatient and school-based mental health services for children in the metro area. I was formerly a clinician and clinical supervisor in our child and family-based services prior to taking my current position. I want to begin by affirming the importance of schools as places of stability, safety, and learning. For many children we serve, the school building is not just a classroom, but a predictable environment where they receive nourishment, support, connection with peers, and access to caring adults. When children feel safe, their brains are able to focus on learning, social development and growth. Research clearly shows that children's sense of safety is central to healthy development and that the more traumatic events a child experiences, the more challenges they face to healthy developing. When a child perceives a threat to their safety, whether real or anticipated, the body's stress-response system activates. This shifts the brain into survival mode, limiting functions such as concentration, memory, and emotional regulation. This makes it harder for children to engage in school, regulate behavior, and develop supportive relationships. Children who experience toxic stress or prolonged activation of the stress response are at higher risk for anxiety and depression, difficulty regulating emotions, impaired cognitive functioning, and long-term physical health consequences that can be with them for the rest of their life. These effects are well-documented in research on early-life adversity. The National Education Association and other stakeholders have assessed the impact of the presence of immigration enforcement in schools. ICE's presence and actions in schools create fear and anxiety among students, even when students are citizens or legal residents. Fear that a trusted adult might be detained or that a school itself could be a, a site of enforcement leads to increased absenteeism, inability to concentrate, somatic symptoms like headaches or stomachaches, heightened fear and anxieties throughout the school day. These stress responses deter-- undermine both emotional well-being and academic success. In 2017, I was an outpatient therapist working with

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children in private practice. I vividly remember a client, and an American citizen with American citizen parents, that was traumatized by the deportation of a friend's parent. This child experienced the anxiety of his friend without even being directly exposed to immigration enforcement. And yet this child was so fearful that we spent weeks coming back to this situation over and over until he felt safe again. When school environments are perceived as safe, children's stress responses remain regulated, supporting concentration, learning, and healthy development. When the safety is compromised, whether by rumor, fear, or enforcement action, children's brains and bodies respond though in danger, which has short and long-term implications for mental health. LB1034 aligns with our professional commitment to supporting children's well-being and balances school safety, legal processes, and the developmental needs of students by protecting schools as places free from unexpected enforcement actions without judicial oversight. We are investing in the emotional, academic, and long-term health of Nebraska's children. I respectfully urge the committee to vote LB1034 out of committee. I'm happy to answer any questions.

**HUGHES:** Thank you, Ms.-- is it Stallups?

**JESSICA STALLINGS:** Oh, Stallings. And I don't think I spelled my name, so J-e-s-s-i-c-a S-t-a-l-l-i-n-g-s.

**HUGHES:** Thank you. Any questions for Ms. Stallings?

**HUNT:** Thank you.

**JESSICA STALLINGS:** Thank you.

**HUGHES:** OK, thanks for coming in. A lot of good information. Next proponent.

**NICK GRANDGENETT:** Well, good afternoon. My name is Nick Grandgenett, spelled N-i-c-k G-r-a-n-d-g-e-n-e-t-t. I'm a staff attorney with Nebraska Appleseed testifying in support of LB1034. As we've heard today, this is a common-sense public safety policy where, without a judicial warrant, federal immigration agents could not enter a school for purposes of immigration enforcement without that warrant. First, this bill simply reinstates what has historically been ICE's policy. They would not enforce immigration law at certain sensitive locations, which would include schools. So this is simply creating a parallel

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process at the state level. Second, this bill recognizes there are some locations that just have severe critical functions in the community that have to be balanced-- their needs have to be balanced against immigration enforcement. Without a policy such as this, indiscriminate enforcement of immigration law undermines the ability of these locations to function, disrupts classroom learning and has a chilling effect that makes parents, regardless of their immigration status, afraid to take their kids to school. Furthermore, it makes parents apprehensive to attend parent-teacher conferences, sporting events, or otherwise communicate with the school. Such an effect is detrimental not just to the family, but to our whole community in Nebraska. Finally, it's also important to remember that undocumented people or those working through some kind of INA violation, like a visa overstay, are friends, family, and neighbors trying to navigate the system as best they can. They're working moms, dads, and neighbors who make important contributions to our community and our tax base, and who are currently stuck in immigration limbo and trying to navigate that outdated process. Thank you so much, and I'm happy to answer any questions.

**HUGHES:** All right, thank you for coming in, Mr. Grand-gannett. Grand-gennet?

**NICK GRANDGENETT:** Close enough.

**HUGHES:** Grandgenett. Questions for him? OK.

**NICK GRANDGENETT:** Thank you.

**HUGHES:** Thank you. Next proponent.

**SPIKE EICKHOLT:** Good afternoon, Vice Chair Hughes and members of the committee. My name is Spike Eickholt, S-p-i-k-e E-i-c-k-h-o-l-t. I'm appearing on behalf of the ACLU of Nebraska in support of LB1034. You've got my written testimony, so I'm not gonna restate it, but I just wanna make a couple points in response to some of the things that were talked about earlier. First, you've got my written statement, and you've also got a press release from the Department of Homeland Security that was issued back in January of 2025. Mr. Grandgenett just mentioned this. What this bill does, to a certain extent, is mimics the federal preexisting policy of sensitive locations. All the way back to 1993, earlier presidential administrations had essentially

instructed Department of Homeland Security, or now ICE, not to do immigration enforcement in certain areas: schools, churches, hospitals, those kinds of places. In January 2025, the Trump administration proudly rescinded that. And that caused a lot of concern, as you can imagine, nationwide. And that what you saw, particularly in Minnesota, is you saw ICE enforcement, whether you want to call it administrative warrant or simply just walking the streets, looking for suspected people who aren't here as a citizen. You saw that happening in and near schools, and you heard the testimony earlier about the impact that that had. What Senator Dungan's bill does is says that immigration enforcement shall not be done in schools unless of course there's an actual legitimate judicial warrant to detain or question somebody. One thing I wanted to mention that no one's really talked about is that our Constitution guarantees the free education for children ages 5 to 21. That includes non-citizen children, and that's been the law as interpreted by our court for over 100 years. So children have a right to education in Nebraska, regardless of their immigration status. And as you heard before, schools should be a safe place for those children. But there was something else I was going to mention, I can't recall. In response to what Senator Lonowski asked about, you know, when ICE does these enforcements, they are looking for people who they suspect are not citizens and in some violation, whether it's civil or criminal, of the immigration code. They're looking for everybody. In the last year, about 4,000 children have been detained by ICE across the country. So they are detaining children. And it's not just the five-year-old that you all saw what happened in Minnesota. It's other children, all ages. A judicial warrant can be issued for someone who is in a criminal sort of-- has a criminal violation of some sort that will result in their removal, and that can be a variety of things. It's not just felonies. It's just not drug trafficking. It's a variety of things. It could be misdemeanors and a whole host of other things. I'm just kind of getting far afield. You have my statement. I'll answer any questions if anyone has any.

**HUGHES:** Thank you, Mr. Eickholt. Questions? Oh, Senator Lonowski.

**LONOWSKI:** Thank you, Vice Chair. And thank you for clearing that up, Mr. Eickholt. So I-- do you know if they're taking those kids from school that have been detained, or are they-- has it been a variety of places or--

**SPIKE EICKHOLT:** I think they're probably just getting the kids wherever they find them. And the policy was before January of last year that you don't look for those kids at schools. School is a sensitive location. You don't go to the churches, you don't go to hospitals, you don't detain sick people. And our administration, the Trump administration, rescinded that. I suspect some of them probably were at, at their schools.

**LONOWSKI:** And the likelihood is those kids probably don't have anything up to a judicial warrant that's, that's worthy of that, I guess.

**SPIKE EICKHOLT:** I'd say not, yeah. I mean--

**LONOWSKI:** Unless it's-- I mean, I guess if they're still there at 19 or 20, they might have.

**SPIKE EICKHOLT:** That's right. I mean, this whole debate about administrative warrant versus judicial warrant, it happens in other settings. You know, you hear these headlines like, so-and-so was arrested in jail and they let them go. Well, that's just the jail staff and the counties doing the right thing, because you just don't hold somebody in your jail when they're done with a sentence based on an email from somebody or a phone call. You just don't do that. You just don't keep someone housed in a facility unless you have an actual warrant signed by some judge or someone close to a judge or magistrate. So what you see happening, I think, with ICE enforcement is just-- and it's the stated goal of the administration, is to proactively find people, act on your hunches, act on your administrative database, act what you think you know you're doing and don't necessarily seek a warrant.

**LONOWSKI:** Thank you.

**HUGHES:** Other questions? Yes, Senator Hunt.

**HUNT:** Thank you. Thank you, Mr. Eickholt. Can you, can you elucidate for our committee just how do warrants work? Like just the 101 for us to, to understand in context of this bill?

**SPIKE EICKHOLT:** A simple way would be to talk about someone who's committed a state law violation. Someone is here as a green-card holder, as a non-citizen, but they're here legally. But they get

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caught with a small amount of methamphetamine. They get a felony drug possession. They get found guilty of that. They do a term of probation or they do a little bit of jail. And then somewhere along the line, and Senator Dungan has had this situation happen with many of our clients, they get a detainer on them. They get up what they call a hold. There's a judicial warrant for their removal. And what happens, a judge has signed that because someone has filed some sort of a request for that warrant. They have attached the conviction paperwork of the state court. And they got that, so that person is going to be removed now. They were here legally before, but they violated a condition of their status, if you will, being in the country, and they're going to be removed. That's how it works. If they get that, then the warrant is sort of served on the jail or prison where someone is serving. And this has been in practice for a while. And that person basically is turned over to the federal authorities and they were just removed from the country. Sometimes they can contest it or they can argue or request [INAUDIBLE], they can test it. But as a practical matter, especially under this administration, they're going to be removed from the country. There's another way they can do a warrant, and that is somebody could be in the community, but somehow they've learned information about that person and they believe that that person has actually violated a criminal law. And they can get a warrant from a magistrate, a federal magistrate or a federal judge or administ-- or an immigration judge. And then that ICE or sometimes with looking-- working with local law enforcement will go look for that person. And if they find them, then they can detain them. And that's what Senator Dungan's bill exempts for. If you have a legitimate warrant, and children are arrested at schools, they're arrested in state court matters all the time, right? And Senator--

**HUNT:** And they, and they have a judicial warrant for that type of thing.

**SPIKE EICKHOLT:** They have the actual-- that's right, they have a warrant signed by some state court judge for some sort of violation. That's right. And so what Senator Dungan does is to permit that because, as a practical matter, I think, I think the state has to sort of accommodate a federal warrant.

**HUNT:** OK, thank you.

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**HUGHES:** Thank you. Other-- yes, Senator Conrad.

**CONRAD:** OK, thank you, Mr. Eickholt. So just to follow up on Senator Hunt's question, and I know that our friends on Judiciary Committee get to think about these issues a lot and hear about these issues a lot, and kind of the, the intersections with both immigration and criminal law and state policy. We, we don't hear a whole lot about these issues on the Education Committee. So that's kind of striking in and of itself that we're here. But could you also just help us break down at maybe like a 101 level kind of how, and I know Senator Dungan captured some of this in his open, but like how the Fourth Amendment itself applies to immigrants and then applies in schools?

**SPIKE EICKHOLT:** The Fourth Amendment protects everybody. Our constitutional rights protect everyone in the country. I think almost all of them have been understood that way, whether you're a citizen or not. You have a Fourth Amendment right against unreasonable search and seizure, and seizure under threat. You just can't be arrested without probable cause or specifically of finding a probable cause by a judge. I can't remember where else you asked to go on this.

**CONRAD:** Just how it applies in schools.

**SPIKE EICKHOLT:** Oh, so the Fourth Amendment protects you everywhere that you are in this country, including schools. Students are entitled to some sort of privacy rights at schools as well. They just can't have their sort of lockers gone through by school officials or government officials. They can't have their phones seized and searched, if you will, just like other people can't without warrant or some legitimate authorization from a court. And the Fourth Amendment does offer some protection from immigration because it offers protection against government action. So again, I don't know if that was really responsive to what you wanted.

**CONRAD:** No, that, that's helpful. And maybe even just taking a step back. I mean, the whole reason that our founders solidified individual liberties, not necessarily rights-- we talk about them that way, but actual civil liberties in the Bill of Rights, including the Fourth Amendment-- is to guard personal individual liberty against government overreach when you have a liberty interest and a privacy interest at stake.

**SPIKE EICKHOLT:** That's right.

**CONRAD:** That's why we don't allow the executive branch that enforces law to just act on their own accord. We require that check and balance with a member of the judicial branch to say, yeah, you got it right, and there's a public safety issue here, and here's how you're gonna conduct the search and et cetera, et cetera. Or, wow, no, we're not going to let you go in there because your evidence is flimsy and this is really intruding on people's rights. So the warrant process itself has meaning.

**SPIKE EICKHOLT:** Right. The judge is, depending on what type of warrant, whether it's an arrest warrant or a search warrant, whatever it is, the judge delineates the scope of that warrant. And the judge makes that finding or the judicial officer makes that finding based on totality of all the circumstances. Not only that the factual basis exists, but there's also a legal basis for the court to issue a warrant. So you'll see this happen for a lot of people who come, who come across our border and checked in and then have been released on a parole status. This administration interprets that as a violation of the release. They call it abuse of humanitarian parole, and they're sending people out to pick people up. The bench has a different agreement-- or a different understanding of that, and that is they did check in with the federal authorities, they have been in communication with them and their case is still being processed. So a warrant not only determines whether there's an actual legitimate factual basis but whether there is an actual law violation that the court can sort of issue the warrant based on if it's going to be an arrest warrant.

**CONRAD:** No, that's helpful. And then I just have two follow-up questions. So the long-standing agreement that was in place to protect so-called social-- or sensitive locations was negotiated between a bunch of different stakeholders, including the federal government, and was in a place over the course of many administrations, Republican presidents, Democratic presidents, et cetera, basically to effectuate individual civil rights, civil liberties, and human rights--

**SPIKE EICKHOLT:** Right.

**CONRAD:** --just in general, that we're going to declare as off-limit, limit literally sensitive locations, daycares, churches, hospitals, schools, from being ensnared in this government action. So that policy

was purportedly removed within the past year. I know on, at least in terms of application on the religious side, that there have been recent successful challenges by church and faith organizations to stop that, and they have been enjoined by federal courts on First Amendment grounds and Religious Freedom Restoration Act grounds. And there's questions about whether or not that would have applicability or extension to the other sensitive locations that maybe we need to tease out here. But can you talk a little bit about the line of questioning about whether or not a school policy, if it even exists, is sufficient, or why a state law as Senator Dungan proposes is a stronger remedy or not?

**SPIKE EICKHOLT:** Well, kind of picking up what you talked about, the sensitive locations, that was a federal policy where the successive administrations-- and there's been different sort of efforts and stronger efforts at immigration reform, maybe-- or enforcement based on different administrations. But the sensitive location says that when ICE does its job, it doesn't go to hospitals, schools, and churches, and maybe some other-- and courts, and maybe some other places too. I can't recall. Having a state law that provides that random immigration "informance" is not going to be done at schools is a clear line. It's a clear protection, if you will. And it's a clear statement, not subject to, you know, different policies, school district by school district. So that's one advantage of having a state law that's clear. It also provides guidance for school administrators so they don't have to figure out what a policy is. Because even with some of the questions that we've had today for people who make laws about what's an administrative warrant, how can this work, school officials can't be necessarily expected to know all that. So having a state law that is clear on that point helps. And there might be-- schools might have some kind of policy and what do you do when a kid needs to get arrested, and that's probably done with the SRO and it's probably done in conjunction with that. That could still be done because you have an actual arrest thing. You don't have ICE coming in and just questioning kids in the school parking lot or on school grounds. So I think that's the advantage, if you will, having a state law, is just some certainty, and it adopts a clear policy.

**CONRAD:** Right, and then there's probably also some underpinnings in say, for example, states' rights, like the Ninth and Tenth Amendments,

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et cetera, that might guard-- that literally are there to guard against federal overreach.

**SPIKE EICKHOLT:** Right.

**CONRAD:** And may be at play in the present sense. I've seen quite a few law review articles and news discussions trying to perhaps reinvigorate kind of states' rights positions or remedies in the face of this federal overreach and we've seen that tension push and pull over decades regardless of the politics or the inhabitants of those offices-- offices. But there's probably some-- a stronger legal basis there which of course a school wouldn't have the benefit of that legal underpinning.

**SPIKE EICKHOLT:** Right. I think you're right. I mean, the states have an interest in maintaining who goes to schools. We have enough incidents regularly where people try to get on schools and bad things happen. And as you said earlier to one of the questions, this is something that the kids, the student body really across the country, cares a lot about. So the states have an interest to be responsive to it, and I think this bill does that.

**CONRAD:** OK, thanks.

**MURMAN:** I've got a question, and I'm sorry I missed a lot of the testimony.

**SPIKE EICKHOLT:** Sure.

**MURMAN:** But if the parents of a student are being detained, wouldn't it be best for-- to keep the family together, for some kind of law enforcement to be able to come in and, and get the kids, too?

**SPIKE EICKHOLT:** Well, I don't know if it's always that simple, respectfully, because you have families with blended immigration status. You have children who might be here as citizens, their parents are undocumented. So I don't think that there's any legal authority that lets you detain a citizen just to be with some people being held. Second, a lot of these facilities where people are being held and detained, they don't accommodate families. For instance, Director Jeffreys at last week's Approp-- I think it was last week's

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Appropriations Committee hearing was asked if there was any children at the work ethic camp. He said no.

**MURMAN:** Yeah, it's complicated--

**SPIKE EICKHOLT:** Right.

**MURMAN:** --but it would be best to keep the family together as best they can.

**SPIKE EICKHOLT:** That's right. That's one way to look at it. And that's to consider how aggressive we are with our immigration reform, perhaps.

**MURMAN:** Yeah, thank you. Senator Meyer.

**G. MEYER:** Thank you, Chair Murman. I apologize for not being here for the-- most of your testimony. I just have one question. Are, are-- have there been instances where ICE has come into the school and arrested anyone?

**SPIKE EICKHOLT:** In Nebraska or anywhere?

**G. MEYER:** Anywhere.

**SPIKE EICKHOLT:** I-- yeah, there were some earlier testimony talked about what was going on in Minnesota.

**G. MEYER:** Where, where-- just where--

**SPIKE EICKHOLT:** I, in my testimony, I referenced one in Crystal, Minnesota, where a parent was arrested while waiting for their child to come home and--

**G. MEYER:** Arrested-- the parent waiting at a bus stop, but not in a school, according to what I read in your testimony.

**SPIKE EICKHOLT:** Right, right. And I think I cited another one too. And I didn't do an exhaustive thing. I just wanted to mention, if I could have another reference to where immigration was doing enforcement near and at Minnesota schools. Whether there was a child arrested in that, I'm not sure.

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**G. MEYER:** OK, thank you.

**MURMAN:** Any other questions? Senator Juarez.

**JUAREZ:** Thank you, Mr. Eickholt. I have some basic questions about a magistrate. So this is my 101 that I need. Are magistrates at all levels of court systems?

**SPIKE EICKHOLT:** No.

**JUAREZ:** What level do you find a magistrate?

**SPIKE EICKHOLT:** There are some state magistrates in our state, but there are federal magistrates. And they are lawyers, they are appointed, they're somewhere between a full-blown judge and not a judge, I guess is the best way to say it. A magistrate works for the judge as an extension, and they generally process things like warrant requests, some standard pre-trial decisions and rulings. And the judges-- and this is really across the country, issue the actual orders. But magistrates are trained in the law and they're very similar to judges.

**JUAREZ:** And you said they're federal and state.

**SPIKE EICKHOLT:** That's right. We don't have many state magistrates in our system, just because we don't. We have a magistrate, if you will, that does child support enforcement and calculation, that sort of thing, in some of the districts.

**JUAREZ:** OK, my next question about the judicial warrant. Does the judicial warrant have to come only from an im-- immigration judge?

**SPIKE EICKHOLT:** No, it can be from a judicial-- it can be from a district court federal judge--

**JUAREZ:** OK, thank you.

**SPIKE EICKHOLT:** --or a magistrate working for a district court judge.

**JUAREZ:** OK, thank you.

**MURMAN:** Any other questions? If not, thanks for your testimony. Other proponents for LB1034.

**MARIA ARRIAGA:** Good afternoon, Chair-- Chairperson and members of the committee. My name is Maria Arriaga. I'm going to spell it, M-a-r-i-a, Arriaga A-r-r-i-a-g-a, and I serve as the executive director for the Nebraska Commission on Latin Americans. And today I'm here in support of LB1034. So I do my work, I travel across the state year-round, urban rural communities, listening to families, educators, students, organizations, leaders, et cetera. And what I'm sharing today is not just like an idea or it's abstract, it's actually what we are witnessing now. And it's a serious, starting from the-- it's very serious problem of mental health related to what is happening in, in the country in general. So the past year, at the annual statewide Latino Youth Summit, Nebraska Latino Youth Summit which is promoting education and is focused in bringing together juniors, seniors, sophomores from high school to explore scholarships, career pathways, and professional networking, we observe a measurable shift. We always have an exit survey. And in the survey, the students are asked, what are the topics that you want to learn next year? What is the-- your interest? In the previous years of this event that we have, we receive the topics from scholarships, college admissions, internships, career opportunities. But this year, in particular, in 2025, the Nebraska Latino Youth Summit in the survey, the students wrote ICE. They want to know about ICE, they want know about ICE repeatedly, immigration, immigration, immigration. And questions like, what happens if agents come to my school? These were not isolated comments. We received a ton of them. We have over 600 students in our event. And they were consistent across grade levels. So when educational aspiration is replaced by questions about survival and safety, that is a signal we cannot ignore. And national data supports what we are seeing locally. So according to the U.S. Surgeon General's Advisory on Youth Mental Health 2021, Latino adolescents report persistent feelings of sadness and helplessness at rates exceeding 40%, and mental health concerns have worse in recent years. And I can, I can go on and on with data that you have all the resources that I put the point in my, in my testimony. But I just want to mention that when we talk with parents across the state, parents, they belong to mixed-status houses. We are not just talking about undocumented parents, but talking about families. They have maybe a citizen and have undocumented parent or a different status parent. They were asking, what are the standards of the policy procedures in the school system to protect my children? And unfortunately, different districts have different responses. There is no like a procedure established. And that is very concerning, because

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we have some districts that are very proactive, and they have a lot of, let's say, methods and policies in place. There are some others that they, they have nothing. So we've been in different meetings with parents and leaders and community advocates, and they're like, we wanted to know what is gonna happen. We have to have at least a sense of some peace or some assurance that something is gonna to happen. But there is not a standardized method or policy for an offense. So something pretty terrible can happen in one place and something very different can happen in another area in Nebraska. So I think at least, as Senator Dungan mentioned, this at least will standardize, will give some clarity, will have some standardized policy procedures for everyone in the state to be able to follow those regulations. And at least they can tell the parents they represent in this community, this is what is gonna happen and this is where we need to follow, at least. And that's going to give you at least a peace, peace of mind when you have all these things happening across the state and the country that you don't know if your children is going to be safe at school when we supposed to have-- it's supposed to be a safe space for our children to succeed. And I think it should be taking our attention. If we are trying to protect children and it's the slogan of the state and it's something that is so important, we should try to protect all the children, not just some. So thank you.

**MURMAN:** Thank you.

**MARIA ARRIAGA:** Do you have any questions?

**MURMAN:** Any questions for Ms. Aliago [SIC]? Thank you for your testimony.

**MARIA ARRIAGA:** Thank you.

**MURMAN:** Other proponents are LB1034.

**RENE CARRILLO:** Good afternoon. Again, Rene, R-e-n-e, Carrillo, C-a-r-r-i-l-l-o. Thank you, Chairperson Murman and members of the education board for having the hearing. Didn't come fully prepared, but I do have a little bit of stuff I've written down as I've listened, and got some input from other members that couldn't stay the whole time. As someone who deeply believes we need to abolish ICE, I can see this LB1034 as a decent compromise of establishing the state law that provides for some clarity and requirements for that judicial

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warrant before they can go into a place that's supposed to be safe for kids and a place for them to learn and, you know, have fun with their friends. What we have seen in Minnesota is the ICE, the Gestapo, or the "Slave Catchers," as we call them, that are basically terrorizing that city and other places across the country, mainly in blue states. And we call them such, as Slave Catchers and Gestapo, is because when you've commodified incarceration in a way where GEO groups and such have done that, that just puts us back where we were, where we've broken away from. This bill would help bring some feelings of security to youth who have lost their place of sanctuary, where they have fun, learn and play with friends. And the reason I believe in abolishment of ICE is because regulating oppression does not make anyone free. This bill at least frees us from some uncertainty, misunderstanding and fear. Yeah, thank you for your time and I'd answer any questions.

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

**RENE CARRILLO:** Thank you.

**MURMAN:** Other proponents?

**ANAHI SALAZAR:** Hello. Good afternoon, Chairperson Murman and members of the Education Committee. My name is Anahi Salazar, A-n-a-h-i S-a-l-a-z-a-r, here on behalf of Voices for Children of Nebraska in support of LB1034. You have my written testimony. I'm not going to read it. You-- it's a lot of repeated information that's already been said, but at its core, LB1034, LB1034 affirms a simple but powerful principle: schools must remain safe, stable places for children to learn. And by requiring a judicial warrant before federal immigration enfor-- enforcement can access Nebraska schools, this bill establishes a clear, reasonable safeguard that protects students not only legally, but emotionally and academically. So Voices for Children in Nebraska supports LB1034 because it supports the well-being of students, educators, and school staff. Children who experience immigration-related fear and family instability face higher levels of toxic stress, depression, and academic disruption, just like everyone stated before me has said, and we should not compound that harm inside our schools. Schools are for learning, growth, and connection, not fear. LB1034 protects student well-being, educational stability, and constitutional safeguards. It ensures, ensures that every child, regardless of their family's immigration status, can walk through the school doors knowing that they are entering a place of safety. We want

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to thank Senator Dungan for this important legislation, and the committee for your consideration. I also just wanted to note that placing the safeguard for students and those inside the schools has no fiscal note. So that is good to know, and especially in the budget that we have. And for these reasons, I respectfully-- respectfully urge you to advance LB1034. Thank you.

**MURMAN:** Thank you. Any questions for Ms. Salazar? If not, thanks for your testimony.

**CONNOR HERBERT:** Thank you, Chair Murman and members of the Education Committee for the opportunity to speak today. My name is Connor Herbert, C-o-n-n-o-r H-e-r-b-e-r-t, and I serve as a staffer with the Nebraska Commission on African American Affairs. The Nebraska Commission on African American affairs is coming in support of LB1034 as an institution charged with advising on policies that affect the well-being and stability of Nebraska families. Schools are places of learning, growth, and civic formation. They function best when students feel safe, focused, and free from disruption. When law enforcement actions occur on school grounds without clear legal process, it risks undermining that sense of stability, not only for the individual involved, but for the broader student body. Regardless of a student's background or legal status, classroom environments should not become settings of fear or confusion. LB1034 takes a common-sense and legally-grounded approach. It does not interfere with lawful enforcement activity. Instead, it simply requires that school employees be presented with a valid judicial warrant before permitting immigration enforcement officers-- officers to enter school facilities. This aligns with longstanding Fourth Amendment principles and established civil rights practices that ensure due process and clarity of authority before government action is taken in sensitive environments. Requiring a judicial warrant protects school personnel as well. Educators and administrators are not immigration lawyers, and they should not be placed in the position of interpreting complex federal authority in real time. A clear warrant requirement provides certainty, protects staff from liability, and ensures that any enforcement action proceeds through proper legal channels. Nebraska schools are tasked with preparing students for responsible citizenship and productive futures. Stable learning environments are central to that mission. LB1034 preserves public safety, respects lawful authority, and reinforces the constant guardians of the law etched above the north entrance of the Unicameral: Wisdom, Justice, Power,

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and Mercy. For these reasons, we respectfully urge advancement of LB1034 to General File. Thank you.

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

**CONNOR HERBERT:** Thank you.

**MURMAN:** Other proponents.

**JESS PARKER:** Hello, my name is Jess Parker, J-e-s-s P-a-r-k-e-r. I live here in Lincoln within Senator Dorn's district. I'm testifying in support of LB1034. Thank you to Senator Dungan for introducing this bill. Just to preface, I first and foremost-- I'm a mom. I have three kiddos. I have two high-schoolers and one that's in elementary school. In my professional work, I work with parents all across our state in relation to advocacy and early childhood. I'm also involved in a lot of community groups, both here in Lincoln and statewide. But today, I am testifying in my own personal capacity. To answer the question earlier that was asked, just last week I was in a Zoom call with an organization in Minnesota that oversees most of their early childhood programming. That meeting was scheduled for two hours, but we had to quit 21 minutes into the meeting because the director had received three emails that ICE was staged in parking lots of early child-- early-childhood learning facilities. So that's just one example off the top of my head of, yes, this is happening. I know that's a specific example to early childhood, but it is definitely still happening. Ever since the federal administration removed the protection from churches and schools being excluded from immigration enforcement, ICE has, whether purposefully or inadvertently, targeted schools. I know an argument that I hear commonly used regarding ICE in Nebraska is that "it's not really happening here." I would just counter that by saying it's not really happening here in full force yet, like we are seeing in other states. LB1034 is an example of how our state could take a proactive measure to make sure that students, faculty, and families are safe while on school property. I'm in contact with many families across the state, helping with the coordination of mutual aid efforts during this time of uncertainty. I double-checked all of your districts and what areas they cover as I was writing this testimony last night, and I know families in every single one of your districts who are scared, families who are both documented and undocumented. They are scared that they will be simply

targeted because of the color of their skin. Some of these families have asked the school district for a copy or even just information regarding their school district's policy on immigration enforcement. And more often than not, they are told by the district that that's not a public-facing policy and that they were not able to share any further information. Some of this is causing families to keep their kids home from school. Eventually that puts the parents under a spotlight. After so many absences, the parents will receive a letter from the county attorney warning them that they can face legal action because their child has missed too much school. I can attest to that. My kids are often sick and every spring I receive that letter because my kids have missed too much school just for being sick. When kids are not at, at school, they're missing out on learning, education, opportunities and they can easily fall behind in coursework. They miss out on the social-emotional aspect of being surrounded by their peers, trustworthy adults and staff. And I see that I'm out of time, so I'm sorry I didn't get to everything.

**MURMAN:** Thank you. Any questions for Ms. Parker? Thanks for being responsible with the time. Other proponents.

**KATHLEEN VACEK:** My name is Kathleen Vacek, K-a-t-h-l-e-e-n V-a-c-e-k, and I'm speaking on behalf of the League of Women's Voters of Nebraska in support of LB1035 [SIC] because it brings clarity, consistency, and constitutional guidance to Nebraska schools. This clarity ensures fair treatment under the law for all persons, a core component of the league's policy positions specifically related to immigration. By defining what constitutes a valid judicial warrant, and outlining when access to school grounds may be authorized, LB1034 protects Fourth Amendment rights while reducing legal uncertainty for school staff. LB1034 strengthens schools' ability to maintain safe and orderly learning environments. Educators have a responsibility to ensure students feel secure enough to attend school and focus on learning. Reducing chronic absenteeism has been identified as a key priority in Nebraska Department of Education's strategic plan. Among the potential strategies outlined to mitigate this problem include identify and address non-academic barriers to attendance, as well as promote safe and welcoming school environments. Research and national reporting indicate heightened immigration enforcement activity around schools can generate uncertainty and fear, exacerbating chronic absenteeism among students. Policies that reduce confusion and alleviate anxiety around school spaces help advance these attendance

goals. When students trust their learning environment is governed by clear and consistent procedures, they are more likely to attend regularly and engage fully. School officials are responsible for student safety and legal protection across the entirety of school grounds, not only within classroom walls. Areas such as parking lots, athletic fields and playgrounds are places in which school officials remain responsible for students. In other states, unclear authority, especially in these outdoor spaces, has led to confusion and escalation during enforcement encounters. Educators supervising recess or managing after-school activities must have unambiguous legal guidance about when access by enforcement officials is lawful in order to maintain student safety. The League of Women Voters supports legitimate immigration enforcement and due process. This bill does not block legal enforcement activity or challenge federal authority. Rather, it establishes a neutral, transparent standard for authorizing access to school property that respects valid court orders. Having clear guidance and expectations can strengthen coordination, reduce ambiguity, and prevent unnecessary disruption, allowing educators to remain focused on instruction and learning. We ask that LB1034 be advanced to General File because it affirms a core educational principle: all Nebraska students have a right to access education in environments that are safe, orderly, and respectful of constitutional protections. Thank you.

**MURMAN:** Thank you. Any questions for Ms. Vacek? If not, thanks for your testimony. Other proponents.

**VANESSA CHAVEZ JURADO:** Good afternoon, Chair Murman 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 in support of LB1034. LB1034 ensures that no school employee, contractor, agent, facilitates immigration enforcement activities on school grounds absent a valid judicial warrant. As previously discussed, this provides an important distinction between a warrant that is issued by a court signed by a judge and is based on the finding of probable cause versus an administrative warrant that is issued by an executive agency to its own officers. And it was not until recently that immigration enforcement was allowed in schools. In a 2011 Immigration and Customs Enforcement issued its sensitive locations memo, an agency policy of prohibited arrest, interviews, searches, and immigration surveillance in areas deemed as sensitive locations such as schools. This policy is consistent with the 1982

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finding by the U.S. Supreme Court that it is a violation of the Equal Protection Clause for a state to discriminate against undocumented children by denying them access to a state system of free public education. And as previously stated, in January 2025, that federal policy was rescinded. In addition to our work at the Legislature during session, at Stand for Schools we facilitate community engagement by hosting meetings with parents, educators, both current and former, as well as young people to hear about the successes and challenges as they see in their communities and schools. Over the summer and fall, community member feedback indicated that a major concern was uncertainty around how schools would address integration enforcement on campus, as you heard today from young people, educators, and community members. From questions about procedures a teacher would need to follow, to questions on how to find the school policy, it became clear that a universal and standard first step to navigating that process was important in order to provide reassurance that reinforcement is not the responsibility of the school, nor the priority when students set foot into the school day. Indeed, these fears are not unfounded. In April of last year, agents for Homeland Security Investigations, a division within Immigration and Customs Enforcement, attempted to enter two elementary schools in Los Angeles without a warrant or contacting or coordinating an advance with the schools, parents or guardians, or state or local child law for agencies. It must be noted that because there was a policy set [INAUDIBLE] as being proposed today, the agents left after the school leaders refused to share information on the children without a court order or warrant. Beyond this single example, numerous reports over the last year have shown that increased immigration enforcement has become a barrier to education with negative impacts to school attendance, a decrease in parental involvement, and an increase in reported troubling behaviors like increased aggression, separation anxiety and withdrawal. We recognize the importance of flexibility in districts determining their individual policies according to the context of each district, so we can appreciate the bill providing an initial standard first step in providing that flexibility for schools to craft their own policies. Our hope is that LB1034 is an opportunity for schools and families to collaborate to shape policies that address community fears while building a system of trust and transparency. As an organization dedicated to addressing challenges that prevent students from being fully present at school, we're always more than willing to support districts in identifying strong policies that

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immigration enforcement-- so that immigration enforcement does not factor into how or whether students show up to school. LB1034, as previously stated by many speakers today, does not change federal law, nor does it direct school districts to violate it, and it informs public schools on how to navigate the federal law. But then I see I'm out of time, so just wanted to reiterate our support, and we respectfully urge the community to advance LB1034.

**MURMAN:** Thank you. Any questions for Mr. Ward? [SIC] If not, thanks for your testimony.

**VANESSA CHAVEZ JURADO:** Thank you.

**NICK SUTTON:** Hello, my name is Nick Sutton, N-i-c-k S-u-t-t-o-n. I'm here on behalf of just Omaha citizenry, I guess. In my opinion, I strongly agree with LB1034. I don't know what the fiscal impact for this bill is, but if it's not going to negatively impact the state fiscally, then I don't-- this shouldn't even be a discussion. It's going to keep kids safe without the burden of having to always worry about being taken. The kids can focus on learning. And in my opinion, anyone who votes against this bill is OK with children being kidnapped. From what I can tell, this bill stops federal immigration officers from running dragnet-style operations in our schools. It forces them to have an actual purpose to be there. And we have all observed the federal government bending or working around the laws using ambiguous language, and up to flat-out lying to the American people. How far are we as citizens going to let the federal government reach into the state matters and schools? It's bad enough Pillen is trying to put Turning Point USAs in every school.

**MURMAN:** Questions? Senator Lonowski.

**LONOWSKI:** Thank you, Chair. Thank you for your testimony. I just want to comment that your sons have been really well-behaved back here.

**NICK SUTTON:** Thank you.

**LONOWSKI:** Thanks for your testimony.

**NICK SUTTON:** Appreciate it.

**MURMAN:** Thank you.

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**NICK SUTTON:** Thank you.

**MURMAN:** Any other proponents for LB1034?

**DON HOOPER:** I just appreciate the Education Committee and what they do. And my name is Don Hooper, D-o-n H-o-o-p-e-r. I'm married to a pissed-off grandma and she brought some of her friends with her. And I'm a retired educator, 42 years in education. And as an administrator, I always wanted my students to look forward to come to school to be safe, comfortable, warm, participate in the classroom and be successful. I know the learning is why they came to school, but I also believe in having some fun and making some-- their days enjoyable. We did many things throughout the year to have school be fun. And at the end of the day, I wanted them to be excited, feel positive about their day at school and look forward to coming back the next day. I also know, unfortunately, that some students, this is the safest part of their day. They know they'll be warm, they'll be cared for, they'll be fed. And they also know that there are people that they can turn to, listen to, and get help if needed. I strongly support LB1034. I believe as a bill, it prohibits the staff from allowing federal immigration enforcement officers to access the schools without a judicial warrant. This is absolutely the last people we need around our schools. We're talking about wearing masks, dressed in military combat gear, helmets, probable-- probably wearing a gun, and also having large letters on the back that says ICE. This would take a lot of what I mentioned about kids wanting to come to school away. I would go as far as to say, in some situations, students would be fearful of coming to school and want to stay home, as well as parents keeping their students home, which would be terrible. The fear and the anxiety that the federal officers have instilled in our community, our state, and across the nation is terrible. I can't believe what is happening across our country and I'm taking-- I'm talking about some of the agents and things they've done treating children, adults, pregnant women and the elderly. It's totally inhumane and not necessary. I'm grown up, I don't like the word bold, and I've seen and experienced a lot. I remember walking back blocks to school and, no, they weren't both uphill-- uphill both ways. It's just a reminder that being around the neighborhood and playing and having fun was an easy thing to do, and in today's day, things have changed tremendously and not for the good. While I have a moment, I would just like to add that I'm totally against Governor Pilleen's announcement a short time ago of wanting Turning Point in every high school. Also

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opposed to detention centers in McCook and the Governor allowing local police and State Patrol to assist in ICE and immigration operations. I appreciate your time, appreciate what you do, and thank you.

**MURMAN:** Thank you. Any questions? If not, thanks for your testimony.

**DON HOOPER:** Thank you very much.

**MURMAN:** Any other proponents for LB1034? Any opponents for LB1034? Any neutral testifiers for LB1034?

**SCOTT THOMAS:** Good afternoon, Chair Murman and the Education Committee. My name is Scott Thomas, S-c-o-t-t T-h-o-m-a-s. I'm with Village in Progress and USIDHR. The last time I came to testify for this committee, I stay in Fremont where that teenager was hit outside of the school at the ICE protest. The mother was upset. She spoke to the news. She was upset that the school had organized those protests and had the kids make the signs in class. So that was all at direction of the public education system. The Fourth Amendment, I think it deals primarily with private property, but I could be wrong. We heard Mr. Eickholt say the Fourth Amendment protects you everywhere you are, but not in handcuffs. From unreasonable search and seizure, not in handcuffs. It doesn't protect you from unreasonable search or seizure in jail or in custody or in a police car. I have to go to Turkey sometimes for work for these conferences. And when I was in Turkey, I was stopped on my way to the deli about four blocks away. Four times coming and going from my hotel, asked for a passport. I was talking to a colleague out in front of the hotel who took a picture and there were police officers in the background. They approached us and had him delete all the pictures off of his camera roll under threat of arrest. I mean, this is not a police state. That's a police state. OK? So I'm just frustrated by some of the language, and I just wanted to add some perspective. I'm not sure if it was a Nazi Germany reference. We heard that a child was hiding under floorboards. Now obviously there's some accountability to be had there. That child is going to grow up and want to know, whose fault is it? Who's accountable for me hiding under floorboards? And some people want you to blame the president. And some want you blame law enforcement. Federal level, city level, state level, I don't care. Why does everybody want to blame the rules and the laws as opposed to taking accountability? That's beyond me. And, I'm just going to go ahead and say it since everybody feels like saying it. We oppose Pillen's partnership with Turning Point USA too,

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because Jim Pillen is going on his fourth year as Governor and Charlie Kirk's been dead for four months. So why now? That's it.

**MURMAN:** Thank you.

**SCOTT THOMAS:** That's all I got, unless you guys have any questions for me.

**MURMAN:** Any questions? If not, thank you.

**SCOTT THOMAS:** Always a pleasure.

**MURMAN:** Other neutral testifiers for LB1034? If not, Sam Dungan, you're welcome to come up close. And we do have one ADA written testimony, a proponent. And online we have 188 proponents, 27 opponents, and zero neutral testifiers.

**DUNGAN:** Does the ADA testimony have to be read into the record prior to my closing?

**HUGHES:** You have to read the name.

**DUNGAN:** OK.

**MURMAN:** Oh, I have to read the name, I think. It's Angela Cornett is a proponent from ADA.

**DUNGAN:** Thank you very much, Chair Murman. Thank you, members of the committee. I know it's getting late in the day, and I think you maybe have one more bill. I have to get back to Banking. We have a number of bills in there still, so it's gonna be a late night for all of us. I just wanted to address a couple of things. First of all, I, I do think that this really is common sense. As has been indicated by questions and testifiers, what we're seeking to do is provide this clarity of what the law currently is, I believe, with regards to your ability to enter a school with a warrant. The judicial warrant is required, and we're trying to clarify that. There's been some questions about the Fourth Amendment, and I'm happy to talk offline with more people about the Fourth Amendment in schools. And I know we have teachers here and folks who have operated in schools. The Fourth Amendment does extend to schools, there's a whole long list of Supreme Court cases that talk about when you do or don't have rights in schools. Historically, I think Tinker was the U.S. Supreme Court case that talked about this

where they very famously said that you're-- you don't leave your rights at the schoolhouse gates. That being said, there are obviously balances with that. You know, there-- you have to maintain order in the classroom. And so there's always a fine line between where you do or don't have the same Fourth Amendment protections in schools, but it's been long-litigated, absolutely rights against search and seizure. The Fourth Amendment pertains to everybody and does follow you beyond that schoolhouse gate as well. So I just wanted to make that clear. Lastly, I will provide-- I can provide the committee with more of these if necessary, but there's been sort of this question, I think, pervasively about is this happening? Is ICE going into schools? And I wanted to make very clear, the school parking lot and the schoolhouse grounds are included in this legislation because that is school property. So currently, what we know is that across the country, primarily we've had examples in Minneapolis, but it's also been Los Angeles and other places where there's increased ICE presence, ICE is conducting activity on school grounds, specifically in parking lots. I have a list of them right now that I won't read all of them to you, but we know it's happening in elementary school parking lots, you know. Specifically the Fridley Public Schools on January 31st, 2026, DHS agents staged enforcement operations in the parking lot of at least two Fridley school buildings. The Fridley school leadership, including its superintendent and school board members have been followed on school grounds by federal immigration enforcement, which I think is important to note. Roosevelt High School, also in Minneapolis, on January 7th of 2026, there's documented evidence of federal immigration enforcement going on to school grounds right around the time let-out was happening, about 20 minutes away from Fridley as they were dismissing for the day. And people were being tackled, two staff members were handcuffed, there was a release of chemical weapons on bystanders. One window was broken out of a teenager's car, and all of this is happening on school grounds. So this is not just across the street, which we can have a debate about whether that's correct or not. But what we're talking about here is ensuring that on school grounds, when people are going to and from class or to and from school, they feel safe. I don't think it's too much to ask for a signed judicial warrant. Again, we're not trying to impede on legal actions that are being taken. We're simply trying to provide that clarity for school administrators and teachers and parents and students to know what the law is here in Nebraska. So

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with that, I would encourage your green vote on LB1034, and I'm happy to answer any final questions you might have.

**MURMAN:** Thank you. Any questions? Senator Juarez.

**JUAREZ:** Thank you, Senator Dungan, for bringing this bill today. And I just have another simple 101 question for me. On a warrant, will it need to have a raised seal? Do warrants have a raised seal?

**DUNGAN:** I don't-- I can't answer all the specific questions about what the warrant needs to look like. I mean, similar to what Mr. Eickholt said, in my experience working as a criminal defense attorney, what it needs is that signature of a judge. I don't think the actual raised seal is a requirement that's being talked about here, but ensuring that there is a valid signature from either a judge or a magistrate based on probable cause is the important thing here. And as Senator Hunt asked in her questions, it's really about that check and that balance. Making sure that if somebody's presenting evidence to a judge that there is probable cause then to either arrest or search somebody, that that judge looks at that evidence and signs off on that warrant. So it really is about that signature and the acknowledgement that there is that probable cause in the first place.

**JUAREZ:** Part of my concern with the bill is really how we're going to put it into place, how people are going to understand, you know, about an effective judicial warrant. And that's one of my big concerns going forward. Thank you.

**DUNGAN:** Well, and if I could just respond to that briefly, I think that all we're doing here is saying that in order for federal immigration to access the school grounds or interact with a teacher or students, that they would have to, to present that signed judicial warrant. And so the way I imagine that happening, obviously, pretty straightforward, if they came to the school property and said, we'd like to talk to so-and-so, or we're going to be on the parking lot, I would imagine a school administrator most likely would say, well, can I please see your judicial warrant? And if there's any questions about the validity of that warrant, I'm sure that there's local law enforcement that can be consulted or the courts. But currently, right now, without that requirement, what can be presented instead of a signed judicial warrant could be something like we've talked about previously, which is an administrative warrant, which does not carry

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the same weight, nor does it carry the judicial oversight. And so this provides that clarity to administrators, while then still allowing local school officials to train their staff on that and talk about what works best for their individual districts in the event that federal immigration does contact any of their administrators.

**JUAREZ:** OK, thank you.

**MURMAN:** Any other questions? If not, thanks for the bill, and that will close the hearing on LB1034.

**DUNGAN:** Thank you.

**MURMAN:** And we'll open the hearing on LB1207, Senator Juarez.

**JUAREZ:** Hopefully I can get through this. I'm so sorry. Good afternoon, Chairman Murman and members of the Education Committee. I am Senator Margo Juarez, M-a-r-g-o J-u-a-r-e-z, and I'm here introducing LB1207. This bill addresses a growing crisis, not just in Nebraska, but across the entire profession of public education: the mental health of our teachers. LB1207 provides five mental health days for each full-time school employee to use when they need. It does not require a doctor's note. This solution seeks to provide a way for school staff to take care of themselves when needed. We have all heard of the workforce shortages, recruitment challenges, and retention struggles. But beneath those surface trends, lies a deeper issue, the emotional and mental strain that everyday teaching places on those charged with educating our children. Recent national research reveals that more than half of teachers report high levels of job-related stress, and more than half experienced burnout, often at levels higher than comparable professionals. These conditions do not only reduce job satisfaction, they drive educators out of the classroom entirely. Many report considering leaving the profession due to stress, anxiety, or emotional exhaustion-- thank you-- tied directly to the demands of the job, repeated exposure to high-stress environments. Without adequate support, it leads to poor mental and physical health outcomes for educators and nega-- negatively affects students' learning and school culture. LB1207 acknowledges that school employees, teachers, paraeducators, and support staff face mental health challenges as a result of their work. It takes a step toward institutional support. Allowing five mental health days without a doctor's note does several things. It normalizes mental well-being as a legitimate as-- aspect of

healthcare, removing the stigma that surrounds seeking support, prevents small issues from becoming crises, saving school districts long-term costs in turnover, substitute staff-- staffing, and burnout-related absences. This also can mitigate the need to use FMLA or short-term-- I'm assuming that means short-term disability. It strengthens retention by giving educators proactive tools to manage stress before it becomes debilitating. In professions where stress is endemic, whether in education, healthcare, or emergency services, forward-looking employers and policymakers are recognizing that supporting mental health up front is both humane and fiscally responsible. This bill was inspired by a similar one in Illinois that was passed in 2022 while researching for the interim study I hosted this summer. School staff is there for our youth. They guide social-emotional and developmental growth in our students every day. They manage classroom and building-wide behavior, navigate trauma in students' lives and carry responsibilities far beyond the school day. It is time our policy reflects that reality. Providing mental health days without unnecessary barriers is not a handout, it is a workforce strategy, one that promotes longevity in the profession and healthier schools. I urge your support for this policy and for thoughtful consideration of LB1207 as part of our shared effort to support educators, Nebraska's backbone of learning and community. Thank you.

**MURMAN:** Thank you. Many schools already provide paid time off for medical-- for mental health. I think your bill mandates that this would be in addition to what schools already provide. Is that--

**JUAREZ:** Well, I am making sure that all districts do have the option for mental health days, especially if what's currently in place requires documentation. I'm not familiar with the finite details of what may be currently in-place with school boards, and I'm willing to take a look at that. Because it is, I think, an important attribute of this bill that documentation not be required.

**MURMAN:** OK, thank you. Any other questions? If not, thanks for the open. And thanks for your breath-- your voice holding out. It wasn't easy. Proponents for LB1207.

**TIM ROYERS:** I think we're into "good evening" territory at this point. So good evening, Chair Murman, members of the Education Committee. For the record, my name is Tim, T-i-m, Royers, R-o-y-e-r-s, I'm the president of the Nebraska State Education Association. I'm here on

behalf of our members to testify in support of LB1207. Leave reform is the number one non-salary item that educators in Nebraska want to see happen. We want to thank Senator Juarez and Senator Guereca for co-sponsoring this bill that would address one of the topics we hear about the most: insufficient time to address the mental health needs of our educators. In many ways, both good and bad, education is largely in a bubble compared to other industries. School leaders, including in human resources, almost universally start their careers as classroom teachers. So the way that management often approaches salaries and benefits is based on what they themselves were used to over the course of their career. So even as we have seen improvements in access to paid leave in the private sector, school districts have remained incredibly hostile to expanding leave access. For more than a decade, for example, I was involved in contract negotiations in my local school district, and I learned very quickly, improving leave was the third-rail issue for management. And I've learned in my two years as state president, that wasn't just in my district, that's true in districts across the state. At the same time, the mental health challenges of our educators are only growing. As kids bring heavier needs to our classrooms, that also means the impact on our educators is growing as well. For example, I visited with an elementary teacher who has to evacuate their classroom almost every single day. There is no way you can do that and not have an impact on your own well-being. Educators deal with incredibly heavy burdens like death of students, being the individual that discovers abuse that must be reported, the examples are endless. While we try and do our best to soldier on, navigating these events absolutely impacts you. And I think what adds to the challenge uniquely in education is that, you know, your day is highly regimented. I can't even go to the bathroom when I want to, let alone, you know, clear my calendar to recharge after dealing with a heavy incident, you know, to pause and regroup. But I'll give you one example from my own career, and I don't even need to look at my written remarks for this. But one day at the end of home room, I had two kids come up to me and let me know that another kid in my home room was intending to take their life that night. They showed me evidence on their phones to verify that it was accurate. I've got six minutes in the passing period to let the counseling office know that they need to get into crisis mode with this student. And they did, and they did a fantastic job. That student's life was saved. That student is-- now has a thriving, successful career. But I've got to go back and teach world history in five minutes. I don't have time to process

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the fact that I just nearly lost one of my kids that I had been working with for four years. I've got to go and do that job because those kids in second period deserve that education. But there's only so many of those kinds of moments you can take before either you break or you take the time to recharge and recompose. LB1207 will be an excellent way that lawmakers of this state can demonstrate that they value its educators and are willing to get to the heart of one of their greatest needs. This is also a viable way for you to do so since this carries no fiscal note. While we have made progress in addressing the teacher shortage, there are still hundreds of unfilled positions across the state. Even more concerning is the fact that a lot of the progress that we've made in the teacher shortage isn't because we've gotten better in education, it's because things have gotten worse in the private sector and there's suddenly a greater value on stability. So should those challenges in the private sector get resolved, I fear we'd be going in the opposite direction. So I want to thank again Senator Juarez, and I would encourage this committee to vote LB1207 out of committee. It makes mod-- modest progress on this important issue, and I'm happy to answer any questions that you may have.

**MURMAN:** Thank you. Any questions for Mr. Royers? If not, thanks for the testimony.

**TIM ROYERS:** Thank you.

**MURMAN:** Other proponents for LB1207?

**KATHY POEHLING:** So good evening. For the record, my name is Kathy Poehling, K-a-t-h-y P-o-e-h-l-i-n-g. I am the president of the Omaha Education Association and I'm testifying today in strong support of LB1207. Thank you, Senator Juarez. I know you talked to many teachers across the state to find out why we are burnt out, why we feel demoralization is an issue in schools today. Nebraska is facing a critical shortage of educators and school staff. According to recent studies, teacher burnout is at an, at an all-time high, often leading to talented professionals leaving the field prematurely. By providing five dedicated mental health days, LB1207 acknowledges that the mental health well-being of our school employees is directly tied to the stability of our classrooms. We often say that teachers' working conditions are students' learning conditions. When a student or staff member is overwhelmed or suffering from burnout, they cannot provide the high-quality instruction and emotional support our students

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deserve. This bill allows staff to take the time they need to recharge before reaching a breaking point, ensuring they can remain present and effective for their students. This bill prohibits districts from requiring medical documentation, and that is vital. Mental health crisis does not always align with the doctor's schedule. The cost of a co-pay just to justify a day of rest can be a barrier for many. The bill treats school employees as the professionals they are, trusting them to manage their well-being. I know many of you are thinking, we should negotiate this at the bargaining table. Well, we tried this year. And in OPS, we wouldn't even get a discussion from the district about it. We were asking for five days of mental health leave if there was a catastroph-- catastrophic event in a building, like a school shooting, and we still could not get anywhere with that. What people may not realize is teachers don't get paid for holidays, we don't get paid for Christmas or Christmas break. We don't paid for any of the days we aren't in the building. If your contract is for 188 days, you get paid for those days you work. Your amount is divided by 12 and that's what you're paid for. No vacation, no holidays, no anything. We do get sick time. And in my district, we get two personal days, and that's it. So please advance this out of committee. Thank you. Any questions?

**MURMAN:** Any questions for Ms. Poehling? Senator Lonowski.

**LONOWSKI:** Thank you, Chair Murman. Thank you for being here. Can you tell me how many sick days you get a year?

**KATHY POEHLING:** 10.

**LONOWSKI:** And then 2--

**KATHY POEHLING:** Personal.

**LONOWSKI:** PT days? Can you add those sick days up over years if you're diligent in not using them?

**KATHY POEHLING:** Yes.

**LONOWSKI:** OK, thank you.

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

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**KATHY POEHLING:** Thank you.

**MURMAN:** Other proponents for LB1207?

**DANIEL RUSSELL:** Evening, Chair Murman and members of the Education Committee. My name is Daniel Russell, D-a-n-i-e-l R-u-s-s-e-l-l, and I'm here on behalf of Stand for Schools in support of LB1207. LB1207 would require each school district to provide five days of paid mental health leave per fiscal year to full-time employees without requiring documentation from a medical or mental health provider. Strong public schools depend on a stable, supported, and respected workforce. Nebraska schools are facing sustained pressure to recruit and retain educators and support staff. Teacher vacancies, substitute shortages, and burnout remain persistent challenges across the state. If we want to strengthen public education, we must treat educator well-being as a core infrastructure issue, not a peripheral benefit. LB1207 establishes a clear, uniform baseline across districts and ensures that mental health leave does not count against other accrued leave. And that employees are paid their usual salary while on it. Importantly, it also prevents districts from requiring medical documentation to access these days. That provision reflects a practical understanding: mental health support should not require employees to navigate additional appointments, costs, or sig-- stigma simply to take a short period of restorative leave. From a policy perspective, this is a workforce stabilization issue. Research consistently shows that preventative supports reduce long-term absenteeism, reduce turnover costs, and improve job satisfaction. The cost of replacing a teacher, recruitment, onboarding, lost instructional continuity far exceeds the cost of limited preventive leave. We recognize that the fiscal note indicates the cost cannot be precisely determined at this time, in part because employee salaries are fact-- factored into the TEEOSA formula, and districts may incur substitute costs. However, this is not a new salary category, it's a defined allocation within existing employment structures. Moreover, predictable mental health leave is likely to reduce unscheduled absences and longer-term leave usage driven by burnout or untreated stress. Finally, we also recognize that some school districts in Nebraska already provide generous leave for teachers, and LB1207 may interact with those benefits in unanticipated ways. I think our bottom line is we support LB1207's intention to provide a baseline benefit across the state for mental health leave, but we also believe thoughtful implementation can be managed in integrating the concerns

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of school districts and administrators to ensure a smooth rollout. Public schools are complex organizations that depend on adults who are managing increasingly demanding classroom behavioral and community dynamics. Supporting their mental health is not ancillary to student outcomes, it's directly connected to them. Educators who are supported are bet-- better able to build strong classroom environments, maintain instructional continuity, and remain in the profession. So for all of these reasons, we respectfully urge the committee to advance LB1207, and I'm happy to answer any questions.

**MURMAN:** Thank you. Any questions for Mr. Russell? If not, thanks for the testimony.

**DANIEL RUSSELL:** Thank you.

**MURMAN:** Other proponents for LB1207? Opponents for LB1207.

**JACK MOLES:** Good afternoon, Senator Murman and members of the Education Committee. My name is Jack Moles, that's J-a-c-k M-o-l-e-s, I'm the executive director of NRCSA, also known as-- the executive director of the Nebraska Rural Community Schools Association, also known as NRCSA. And on behalf of NRCSA, I'd like to testify in opposition to LB1207. While NRCSA is sympathetic to the issues facing teachers, LB1207 does not provide the best approach to assisting these teachers in our eyes. If adopted, LB1207 would be a glaring example of an unfunded mandate. The fiscal note for the bill does not show any cost to the state. However, when you look at the cost of indiv-- individual districts, the cost would be large. I took a middle-sized school district in our organization, one with about 500 kids. The district has 54 full-time teachers with another 18 full-time employees, including administrators, lunch personnel, office personnel, custodians. LB1207 would require the district to allow those 72 teach-- or employees five mental health leave days. For some of the full-time employees, a substitute is not needed. For 5-- the 54 full-time teachers, though, the district would need to hire a substitute. The district's pay rate for a substitute teacher is \$185 a day. If all 54 teachers took five mental health days, the cost for the pay would be \$49,950, and then you tack on the district's share of FICA, that would add about another \$3,700, so a cost of over \$53,500. I didn't have the information on how to determine the cost for any other full-time staff that need to be-- you need to have a sub. For example, a custodian, maybe an office personnel, food service. But

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again, those would be added cost to the district. Just looking at one mid-size school, you can see the effect on the district's budget. Consider a larger district with many more full-time staff, you know, in Omaha, Lincoln, Millard, like that. But consider also the cost to a much smaller district in a more rural area. Also consider the fact that substitute teachers are very hard to come by. Every district develops a list of possible substitutes. The total of all the substitutes that would need-- be needed to provide it is a cost that the school has no control over. This cost would be mandated by the state with no state funds being provided. Minus state funding, we cannot support LB1207. And at that, I'll, I'll stop and answer any questions you might have.

**MURMAN:** Thank you. Any questions for Mr. Moles? If not, thanks for all those statistics.

**JACK MOLES:** Thank you.

**MURMAN:** Other opponents for LB1207.

**COLBY COASH:** Good evening, Chairman Murman, members of the Education Committee. My name is Colby Coash, C-o-l-b-y C-o-a-s-h. I represent the Nebraska Association of School Boards. We're here in respectful opposition to LB1207. And I don't want to diminish the value of a day off, or the fact that stress is real and that our educators feel that every day. So not to repeat anything that Mr. Moles said, but our, our point is simply this, this extra five days in this bill is a cost. And it will be borne by the district outside of what's already been bargained for in a paid time off and, and the benefits. So the money that's needed to provide for this benefit will need to be budgeted for and it'll need to be raised locally or end up on the other side and provided by the state. So there is no fiscal impact to the state, but the-- there is a fiscal impact to every district if this was put into law. And for large districts, that fiscal impact can be substantial. For smaller districts, it's less so, but it's still a big part of their budget. So we would simply ask this, that the scope of benefits, including paid time off, what they can be used for, remain where they are now, which is at the negotiation table. That happens every year by statute, where the district leaders, including the school board members and the education associations come to the table, they bargain, they talk about pay, they talk about benefits, they talk

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about escalators. All of those things happen annually, and we believe that's the most appropriate place for a discussion like this.

**MURMAN:** Thank you. Any questions for Mr. Coash? Senator Lonowski.

**LONOWSKI:** Thank you, Chair Murman. Thank you, Mr. Coash, for being here. Do you know of any schools now that include, I mean, they probably have like a PTO package. Do you know any that include mental health in the package?

**COLBY COASH:** I, I don't, Senator, but that's primarily because I've never asked. But what I can tell you that I know is that paid time off is, is part of every package, right? And some districts call it just paid time-off, you can use it, you know, it's, it's a set number of days.

**LONOWSKI:** It's more like personal time off.

**COLBY COASH:** And it can be used for anything that the employee wants, right?

**LONOWSKI:** OK.

**COLBY COASH:** And then some, it's more specific, like X amount of days for personal leave and X amount of days for sick leave. So it's kind of bifurcated in that way. But I think the trend is more going towards just here's the number of days that, that the district and the employees have agreed to and how the employee decides to use those days is really up to them.

**LONOWSKI:** Thank you.

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

**COLBY COASH:** Thank you.

**MURMAN:** Other opponents for LB1207.

**SCOTT THOMAS:** Good afternoon again, Education Committees, Senator Murman-- Chair Berman. I'm going to oppose LB1207. My mother is a retired OPS teacher. I spoke to her last night. She agrees with me. She's a math teacher, so she would have said some of it.

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**MURMAN:** Excuse me, you do have to spell [INAUDIBLE].

**SCOTT THOMAS:** Oh, I'm sorry about that. S-C-O-T T-H-O M-A-S. I'm with Village in Progress and the U.S. Institute of Diplomacy and Human Rights. My mother would say a lot of what that guy said, you know, and she would talk about the fiscal aspect of it. But I would say, as a parent, what kind of kicking-the-can-down-the-road solution is this? That, you know, if 5 days would be good, then 10 days would be better, 15 days would excellent. So like when does it end? I'm, I'm concerned, she said mental health-- the senator that introduced the bill said mental is a growing problem in the public education system. I agree to that. But I doubt that the solution could legitimately be five days off and no doctor's oversight. I don't want my kid, my 14-year-old daughter, I don't want the teachers convincing her to run out into traffic in front of the high school and get hit for some ICE protest. I don't want the teacher's convincing her that she's in the wrong body and she needs gender reassignment surgery. I don't want any of that stuff. So what you need to do is you need get the mental health of the people running the schools under control. And let's not be giving Band-aids for like serious injuries here. This is, this is a life-threatening issue, you know? I agree to that. We see school shootings and stuff all the time. You just can't-- I just, I think it's unconscionable for a suggestion to try and solve the problem like this. That's my opinion. I'm sorry, I apologize.

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

**SCOTT THOMAS:** I appreciate you all.

**MURMAN:** Other opponents to LB1207? Any neutral testifiers for LB1207? If not, Senator Juarez, you're welcome to close. And online we had 22 proponents, 24 opponents and 1 neutral testifier.

**JUAREZ:** Thank you very much. I just wanted to briefly state that, you know, what really is important here is, especially based on the feedback that we got is, do people really think that mental health issues with our, with our teachers, with the building staff, is something that's not real? You know, I feel that it is not being taken seriously enough for their needs. There definitely could be adjustments made on the number of days, if that's what the issue is, instead of ignoring the needs of the teachers. That is what should be

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paramount. I wanted you to know that I heard from a student in an email, and you know I love these public school students, because he wanted to know, are they going to get mental health days too? Thank you.

**MURMAN:** Thank you, any questions for Senator Juarez? If not, thanks for bringing the bill. And that'll close our hearing on LB1207. And we will open the hearing on LB1247-- yeah, I read that-- Senator Dover. And we have a--

**HUGHES:** Oh my gosh.

**WHITNEY NOLAN:** I know.

**HUGHES:** Second time.

**WHITNEY NOLAN:** He is currently running a marathon in Banking and Commerce, so I am here.

**MURMAN:** We appreciate you sitting in.

**WHITNEY NOLAN:** Thank you. For the record, my name is Whitney Nolan, W-h-i-t-n-e-y N-o-l-a-n, and I am the LA for Senator Robert Dover. I'm representing District 19, Madison-- it's all of Madison County in the southern half of Pierce. LB1247 aligns scholarship funding with existing statutory expectations for education and workforce data sharing by requiring compliance with memoranda of understanding entered into by the Nebraska Department of Education, the University of Nebraska, the Nebraska state colleges, and the Nebraska community colleges relating to the Nebraska Statewide Workforce and Educational Reporting System. The statutory foundation for this bill dates back to 2010, when the Legislature enacted LB1071. That legislation required the Nebraska Department of Education, the university system, the Nebraska state colleges, and the Nebraska, Nebraska community colleges to enter into the memorandum of understanding to share student data for purposes of research, evaluation, and improvement of student educational pathways. Pursuant to that directive, the participating institutions collectively established NSWERS and as the state's longitudinal education and workforce data reporting system. In 2020, the Legislature reaffirmed and expanded this framework through the passage of LB1160, which provided additional statutory direction for the system, particularly with respect to statewide reporting on workforce outcomes and coordination with the Nebraska Department of

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Labor. Together, these enactments reflect a clear and consistent legislative intent that integrated education and workforce data be used to develop-- to evaluate outcomes, inform policy decisions, and guide the responsible use of state resources. Simply put, LB1160 connected education data by incorporating two key measures from the Department of Labor: what employment a student ultimately secured and whether that student remained employed in the state of Nebraska or have they subsequently left the state. I apologize I didn't edit this. My office, Senator Dover's office, has since informed-- has since been informed, despite having entered into memorandum of understanding, not all parties are fully complying with the agreement upon data submission requirements. While most participating institutions consistently provide the required data, at least one institution has not done so. Testimony before the committee today will address how this lack of full, full participation has resulted in incomplete outcomes within certain areas of statewide analysis. Additionally, the executive director of NSWERS is present in neutral capacity to answer any questions you may have about NSWERS specifically, including clarification on what the system does and does not do with submitted data. Complete and consistent data submission from all parties to the memorandum of understanding is essential to producing reliable statewide longitu-- longitudinal data. Full participation ensures the integrity of education and workforce analysis prevents gaps of-- and inconsistencies in outcomes and allows policymakers to accurately evaluate the effectiveness of state funds appropriated for higher education and workforce development. LB1247 ensures that institutions benefiting from public resources meet their existing commitments, that the Legislature has the information necessary to make informed fiscal and policy decisions on behalf of the state. Thank you.

**MURMAN:** Thank you, and you're let off easy because we can't ask you any questions.

**HUGHES:** Protective shield.

**MURMAN:** Proponents for LB1247.

**PAUL TURMAN:** Chairperson Murman, members of the committee, my name is Paul Turman. That's spelled P-a-u-l T-u-r-m-a-n. I'm the Chancellor of the Nebraska State College System. Been here in Nebraska for a little more than seven years now, and I think one of the things that, as I came into the state, I certainly recognized is a significant lack of a

comprehensive longitudinal data system. I think in my role, I began the process in working with our partners, who or a part of the interlocal, to begin the process of engaging with philanthropic leaders more than six years ago to put a framework in place for us to be able to move forward with the NSWERS as it currently is established. That resulted in not only getting my board to agree to sign the interlocal, but partnering with the other entities that are outlined in the state statute, in addition to putting together an executive council that I serve on, hiring an executive director and the staff for NSWERS, and then really formulating the various bylaws that we have that operate how we move forward. I am really the only consistent executive council member since it has been formed over the last five years. I served as president for two years and I currently serve as the treasurer on that executive council. The real purpose of NSWERS is to provide you all and even our institutions with capacity to really make good, informed decisions with the data that we have. Which means bringing forward all of the players to ensure that we have a comprehensive framework for statistically-driven research, analysis that can be done by NSWERS and by also our own team. I think it also creates an apples-to-apples comparison almost any time that we're trying to evaluate key programs, key initiatives, and the various outcomes that they've identified both for education and workforce-related policy decision-making. When we first began NSWERS, the first project was a proof of concept, which was just really a test to see whether or not we could accomplish the comprehensive goal that we had, taking Department of Education data, tying that data together with all of the parc-- participating post-secondary institutions, and then linking it with the Department of Labor. We successfully were able to accomplish that. And I think it's important to note that every partner that's in that interlocal invested and provided data for that proof of concept, which then drove essentially the data-sharing agreements that we have. I think it's extremely important, and, and I take off my hat as the Chancellor of the State College System in the fact that I believe very much in NSWERS and what it brings forward. I think is extremely important for us to be able to have the types of data analysis that comes from having all of the data sources combined together so that we can drive decision-making in the state. And I would ask that you support Senator Dover's attempt to try to bring all of us together and ensure that we're providing the data that's

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necessary to do what we initially set out to do six years ago. And I'd be happy to answer any questions that you have.

**MURMAN:** I've got a question, I guess, on the fiscal note. This, this data is already being collected and compiled and everything with NSWERS. So why is there a further fiscal note now?

**PAUL TURMAN:** I'm, I'm not sure who indicated that there was an additional fiscal note. Certainly the state colleges did not have additional fiscal impact. We provide and have provided more than 15 years' worth of data to NSWERS in compliance with the data agreements that we have. I have a staff member who's responsible for doing that, much like the other entities. I think we have all committed to continuing to supply that data. We're not asking for anything fundamentally different as a result of the-- what the senator is asking in LB1247.

**MURMAN:** OK, thank you. Any other questions? If not, thanks for your testimony. Other proponents for LB1247? Any opponents for LB1247?

**COURTNEY WITTSTRUCK:** Hi there. Good afternoon, Chairman 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'm the executive director of the Nebraska Community College Association. I'm here to testify on behalf of my member institutions in respectful opposition to this bill. Before I get into my prepared statement though, because Whitney cannot come back up here, I thought I would answer the question that Senator Murman just asked about the fiscal note. It's my understanding, and she can definitely confirm after the fact, but it's my understanding that that fiscal note was an error. It was based on the wrong bill number. There's a new fiscal note, and the new fiscal note is zero. So I wanted to get that into the record, since she won't be able to come back up, and I don't know if Senator Dover will make it to close. OK, so as you all know, NSWERS provides valuable information to policymakers and institutions as they strive to ensure Nebraska's workforce pipeline remains competitive and responsive to the state's economic needs. Nebraska's community colleges recognize the importance of reliable and accurate data in evaluating student outcomes and workforce effectiveness. Our concern with LB1247 is not about the value of data, but rather our concern is about institutional governance and the proper limits of state authority over locally-governed community colleges. LB1247 would withhold Nebraska

Career Scholarship funds for students attending any community college that does not comply with the specific operational data sharing agreement, no matter how well-intentioned. Community colleges in Nebraska are political subdivisions governed by locally-elected boards-- boards of governors under Nebraska law. These boards are entrusted with the legal authority and responsibility to operate their institutions and oversee institutional affairs. This governance model, which lawmakers intentionally codified in statute, reflects a deliberate balance between statewide coordination and local institutional control. LB1247 alters that balance. It would use state financial aid for students as leverage to compel institutional compliance with a specific operational agreement. This represents a significant expansion of state involvement in operational decisions of locally-governed community colleges. This issue is not about whether data is valuable. It is about preserving the existing and effective community college governance structure. Nebraska's community colleges remain firmly committed to serving the needs of our students, workforce, and state, yet Nebraska is not one size fits all. Each community and region has its own distinct economic drivers, workforce demands, and educational priorities, which is precisely why Nebraska law entrusts governance and operational oversight to community colleges' locally-elected boards who are leaders chosen by their communities to ensure decisions reflect local needs, local, local accountability, and local opportunity. It is for these reasons that we respectfully ask you not to advance LB1247 out of committee. Thank you for your time and your consideration, and I'd be happy to answer any questions. And I should note, I do have-- there is another testifier coming up after me that can maybe answer specific questions.

**MURMAN:** Thank you. Any questions? Senator Hughes.

**HUGHES:** Thank you, Chair Murman. Thanks for being here tonight. Now we're in tonight, Ms. Wittstruck. So one, I'm just gonna say, it's funny that you say that we can't do something legislatively against somebody that has a locally-elected board, because we do it all the time. So I mean, talk to any school, any county, any city, all the time. So I think this comes down to, so you're saying that, you know, to hold the funds for something else. There was a-- you mentioned an MOU with the groups to provide this data.

**COURTNEY WITTSTRUCK:** I didn't mention that. Mr. Turman did, but yes.

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**HUGHES:** OK. There was an MOU with the groups who provided this data. Why is there just one group not providing the data?

**COURTNEY WITTSTRUCK:** So that-- there's a testifier after me. I'm testifying on behalf of all of the member colleges of the Nebraska Community College Association. So our president from Central Community College will be up afterwards who can address that specifically.

**HUGHES:** I will save it for then. Thanks.

**MURMAN:** Any other questions? If not, thanks for your testimony. Other proponents for LB1247?

**HUGHES:** No, opponents. You're on opponents.

**MURMAN:** Yeah, opponents.

**HUGHES:** Don't go backward, Dave.

**MATT GOTSCHALL:** Good evening.

**MURMAN:** Good evening.

**MATT GOTSCHALL:** Good evening, Senator Murman and the rest of the Education Committee. My name is Matt Gotschall, M-a-t-t G-o-t-s-c-h-a-l-l, and I'm the president of Central Community College. I'm a third-generation Nebraskan, educated entirely in this state with nearly 30 years in higher education. My wife and I have raised five daughters here and are expecting our seventh Nebraska grandchild. I say that simply to say that I am invested. I am invested both personally and professionally in the long-term success of the state and educational systems and its students. My purpose today is clearly to explain what Central Community College has done, what we have not done, and why, so the-- so the committee can better assess the need for the LB1247. First, what we have done. Central Community College is an active member of NSWERS. We review agreements, participate in forums and training, and provide substantive feedback. Since signing the most recent data-sharing agreement in 2023, CCC has submitted tens of thousands of student records each year, including personally identifiable information for approximately 85% of our credit and non-credit students. That number is not 100% because we notify students that their data will be shared, and we allow them to opt out. We believe this is reasonable. It's allowable under FERPA, and

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consistent with our responsibility to protect student data. We also believe students deserve to know who has access to their personal information, including full Social Security numbers, birth dates, individual courses, and grades taken. Most recently, NSWERS has added an access to start providing expected family income and additional data that we collect through federal financial aid applications. Remember, 85% is statistically sound. And we have made good decisions based on that data. When requested by the coordinated commission for state-administered scholarships, like Access Early College [SIC], we provided NSWERS with specific student-level data going back seven years. To date, there have been no data breaches at CCC or NSWERS. However, we are mindful that this information is extremely sensitive and, under current agreements, may be retained in their database for 20 years. And that reality matters to many of our students. Approximately 15% of our student who choose to opt out-- who choose to opt out of data sharing. They include traditional-age students, adult learners, working professionals like teachers, nurses and law enforcement. They include parents of minor children from private or home schools that are not required to report to NSWERS unless they take a class from us. As written, this bill would place at risk financial support for over 120 Central Community College students annually in high field demands, students who skills Nebraska employers urgently need. To be clear, CCC is willing to obtain releases from Nebraska Career Scholarship recipients without a law just like we have with the ACE. We will get those releases and submit the data. That's not a problem. The NSWERS group is relatively young. We have had multiple revisions of agreements, data requests and leadership changes. So the bill's language requiring compliance with all agreements would need clarification or revision to be workable. So in closing, we support NSWERS and we want it to succeed. We simply ask for the ability to continue to participate in a significant way that respects student choice and upholds our responsibility to safeguard highly-personal data. Thank you for your time, and I'd be glad to answer any questions, including things that might be in the-- in my handouts I gave you.

**MURMAN:** Thanks for your testimony. I assume that the most sensitive data is the Social Security numbers. And maybe you're not the person to answer this question, but could that data be provided and useful without using Social Security numbers?

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**MATT GOTSCHALL:** I, I think the Social Security numbers are where it's used and to track it back to the Department of Labor information. And we, that's something that we have done at Central. One of the handouts you have is our graduate employment outcome report. And we do that already. We've been doing that for several years, of collecting data from the Nebraska Department of Labor. But we do that, we don't send that off to NSWERS to do for us.

**MURMAN:** OK. Senator Hughes.

**HUGHES:** Thank you, Chair Murman. Thanks for coming in, Mr. Gotschall. So do the other community colleges submit 100% of their data to NSWERS?

**MATT GOTSCHALL:** As far as I know, yes. I don't, I don't know, though.

**HUGHES:** So how can they, how can they do that and not have an issue, but you do?

**MATT GOTSCHALL:** Again, I-- again, I'm not-- please understand I'm not saying anyone is doing anything wrong, I am just saying we go the extra step of asking students if they want it shared or not. An example I have given sometimes to my board is that you might have an 80-year-old widow in Arapaho who is taking an art, oil painting class with her daughter and granddaughter. And, and we can just submit their Social Security number and her grade and all that information to the state and they'd be in the workforce database. Or we could ask her, do you want that information sent to the state through this NSWERS group to do research on education and, and, and workforce.

**HUGHES:** Do you share this data with any other groups, 100%? National vendors or anything like that?

**MATT GOTSCHALL:** 100%, no. I mean, NSWERS has been the most, most extensive as far as the amount of data that we share with. Again, we have lots of agreements. We have lots and memberships. This is, you know, the report that the coordinating commission does on higher education, this is-- a lot of that is based off of information that we get from the federal government that we send as an aggregate form. So we have releases that we can to send that information. We do send a lot aggregate data out. We've shared data back with NSWERS on unfunded tuition mandates and other things like that too. But NSWERS is the most complete. And, and again, and nothing wrong with that in terms

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of, you know, for example, if there's a, if there's a new study that comes up or a new question is asked, they may send a request out and say, hey, can you now submit this additional data in addition to the normal data that we send in automatically? They may have a special request and then ask us to send that in too. So it is a very fluid, fluid organization in terms of, you know, what the executive committee, the four-person executive committee may request to be done. All for good reasons, all for legitimate reasons, but we like to-- we are ultimately responsible for our own data, and so we'd like to know how it's being used and things like the ACE scholarships, if it's for the Nebraska Career Scholarships, you bet, that's very legitimate reason. We're gonna send it and they're gonna review it. And then when they're done with it, they can destroy the pieces that they don't need anymore. But we don't need that Social Security number of the 80-year-old widow in Arapaho for the next 20 years in case they might want to use it for something. But again, there's nothing wrong, and I'm not saying there's any-- there's-- I don't think anyone's doing anything wrong by submitting it at all. If that's easier for them to do, it, it obviously takes work from our standpoint to reach out to the students. One of the, the handouts that I gave you, rather than calling people and asking people to come testify or things, I just cut and pasted some of the, the, the quotes that, that students send us about maybe why they're opting out. Sometimes they don't even remember taking a class from us because it might have been a, a one-- one-day recertification to become a water operator. They even forgot they took it or didn't even know it came from us. We have to remember that they took it and, oh, by the way, you OK with us now sending this off to this NSWERS group. And they say, no, I'd prefer not. So they opt out.

**HUGHES:** Well, I look at NSWERS as something that going forward, when we have really good data from it, we look at all the policies we pass against it to say, does what we do in third grade-- how does that affect careers, schooling, whatever beyond? And we've got to have-- good data is what's going to help us make good, hopefully, good policy going forward.

**MATT GOTSCHALL:** Yes.

**HUGHES:** So it's just, I think it's unfortunate that one-- it's just strange that one school is not following it. I don't know.

**MATT GOTSCHALL:** Well, and again, and I, I apologize that we have a different viewpoint on it. But again, we also, again, feel that 85% is statistically valid and, and important, and we can make good decisions on that. Remember, too, that NSWERS do not require private institutions to do that. So regardless of how great we want to make some changes and all that might impact, obviously, public schools, still the information from the private K-12 and, and universities are not there. So there's always going to be a gap, and I think that's important for us, as we look at the data, and you, as you look at the data, to realize that there will always be some gap there. It's not the one-all end-all. Actually that's one of the reasons why some of the post-secondary coordinating commission information I think is very valid too, because they actually do get some information from the private schools, because they also have to submit stuff to the federal government in order to qualify for federal loans. And so, so they have some private school information there that NSWERS doesn't have access to unless they're getting it from us because they may have also taken a public, public school class. So it's kind of another way that they can get access to those, those, those records, is if they take a class from us, which obviously many K-12 kids do through dual credit. So again, we're not saying anyone's doing anything wrong, we're just saying we're doing it a little differently. And we're hoping to be allowed to continue to do that without jeopardizing the 122 students that you have that flyer handout as well, shown in those high career areas that may not get scholarships, if that. Or if for some reason someone else doesn't follow every letter to the law of the memorandum, might be found to be out of compliance, then the university may not get that. Or the state colleges, heaven forbid, might not get that. Or another community college, if they, if they don't follow every piece of the memorandum. So that's where we are, and I apologize to take your time with this, though, too.

**MURMAN:** Senator Lonowski.

**LONOWSKI:** Thank you Chair Murman. And thank you, Dr. Gotschall for, for being here.

**MATT GOTSCHALL:** You bet.

**LONOWSKI:** If 85 is good and 90 is better, correct?

**MATT GOTSCHALL:** Yeah.

**LONOWSKI:** What is the rate you would go down to before you would say this isn't statistically valid? I mean, if for some reason there's a mistrust and we go down 80, is that still OK? Or have-- is that hard to do?

**MATT GOTSCHALL:** Oh, I do have a Ph.D., but it's been a little while since I took that stats class. But I would say I think, I think when we've done some other surveys, if we get a 30% response rate, we feel like it, it could be statistically valid. But again, depending on what it is you're looking at and what the total population is-- but, again, you're looking at, at tens of thousands of data points and individuals there. So 85% is definitely significant.

**LONOWSKI:** It does seem like more people would trust it if they didn't have to give out their Social Security number. But, I mean, if that's a requirement, that's requirement, so thank you.

**MATT GOTSCHALL:** Yeah.

**MURMAN:** Senator Conrad.

**CONRAD:** Thank you, Chair. Thank you, Dr. Gotschall, for being here. And sorry, I had to attend to another matter, so I missed the first part. Sorry if this was covered already. But essentially, I'm hearing your contention to be that individuals own the right to control their data. The government doesn't control the right to control their data. And I think that's a pretty legitimate point of view for a bunch of different reasons. So I'm wondering if perhaps this isn't even a legislative issue or maybe it is. Sounds to me like maybe general counsel from the different entities maybe need to put their heads together. Have they done that? Have you talked through some of the nuances in federal law? I mean, clearly no matter how noble the intent is for better data collection on the state level, we can't infringe upon student privacy rights that are granted on the federal level, right? Like, that's, that's just federalism 101, right? So can you tell me, has there, has there been a discussion amongst the, the different entities' lawyers?

**MATT GOTSCHALL:** Oh yes. Yes, there's been, again, several years' worth of discussions.

**CONRAD:** Yeah.

**MATT GOTSCHALL:** And we've pulled in folks from the federal level as well.

**CONRAD:** Yep.

**MATT GOTSCHALL:** And, and once again, they can't give us any directive until there's been a claim filed or something. But yeah, there has been lots of discussions. And, and once again, I'm not saying that anyone is breaking FERPA by doing this. I'm just saying we are going an extra step and allowing, one, that, yes, the students own that data, they own their personal data. But ultimately, federally, the college is responsible. Each one of us, each one of our colleges is responsible for the data and how it's used. So that's why there's individual agreements with each of us. And if, you know, if someone does end up suing, I mean, they're going to be suing the college, they'll be suing NSWERS, they might sue the state of Nebraska, and we'll see where it goes. But again, I'm not saying that anyone's doing that. I don't want anyone to do it because I think everyone's doing it legally. We are just saying we are also taking an extra step that those who don't want to be part of it don't have to be, it's still significantly significant. I think if it was opposite, that only 15% were participating, then I think we'd have a valid reason of discussion. Maybe [INAUDIBLE] make this required.

**CONRAD:** Right. Well, I don't-- I'm not convinced about the discussion or argument about what's statistically feasible or what the right threshold is there. I think that misses the fundamental point of some of the issues that you're talking about and the legislation is addressing. I mean, ultimately you're taking a conservative risk-averse position to mitigate liability for, for potential data breach. And at the heart of the issue is who owns the data.

**MATT GOTSCHALL:** Yes.

**CONRAD:** And it should be the individual and it should be the student. And if they opt out, as they're allowed to do so under various state and federal laws to protect their data, that's the point. So whether 100% opt out or 50% opt out, that doesn't make any difference to me because it misses the fundamental point, is individual privacy should and does matter. No matter how noble or interested we are in other

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data collection issues, which I think is maybe missed here. But I don't-- if you have guidance from your legal counsel that says this is a legally-conservative, legally-appropriate route to take to protect student privacy, it is.

**MATT GOTSCHALL:** Yes. And, and our board-- and our elected board supports that as well.

**CONRAD:** Yeah.

**MATT GOTSCHALL:** Which again, I realize you can overturn that, Senator Hughes and others. The Legislature has that authority to do that. I understand that, but--

**CONRAD:** Sure.

**MATT GOTSCHALL:** As much as we don't like it.

**CONRAD:** Just a side note, it's so interesting to hear so many colleagues talk about, you know, concerns about Social Security numbers and personal privacy, but all that information is being turned over to the federal government with our voting records--

**JUAREZ:** Thank you.

**CONRAD:** --and I don't think anybody's lifted a finger from that side of the aisle, so thanks.

**MURMAN:** Any other questions? Senator Juarez.

**JUAREZ:** Senator Conard, you just beat me to my punch.

**CONRAD:** Oh, sorry.

**JUAREZ:** You're OK. That's exactly what I was thinking about in this conversation. So I wanted to know, on the Social Security number, can't you just collect, like, have the information of, like, the last four digits instead of the whole Social Security number?

**MATT GOTSCHALL:** Again, I would have to deter-- defer to others. Now, again, and I would also say I am, I am very pleased and happy with the work that NSWERS and their staff do to, to, to be as private and "anomotized" as possible. Again, there's various ways that they, they, they work the data, so that's just not, you know, it's definitely not

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publicly available, you or I couldn't go in there and type in and all of a sudden see someone's Social security number. Again, you couldn't see that. They do have protections in place against the public. On the other hand, that information is still in the-- in there, and even in the NSWERS database. In their policies and procedures, it talks about who specifically has access to that personal-level information and who doesn't, and who needs permission for it. But again, they do a very good job of keeping it very secure. And if we had any concerns about that, we wouldn't be submitting the 85%, and no one else would. So again, it is-- they are very secure. They take it very seriously. And yet there's always, there's still an, an opportunity there.

**JUAREZ:** Thank you.

**MURMAN:** Any other questions? If not, I appreciate the testimony.

**MATT GOTSCHALL:** OK, thank you very much.

**MURMAN:** Other opponents for LB1247. Neutral testifiers for LB1247.

**MATT HASTINGS:** Good evening, Senator Murman, members of the committee. Thank you for the opportunity to testify. I'm Matt Hastings. I serve as executive director of the Nebraska Statewide Workforce and Educational Reporting System, or NSWERS. I'm testifying in a neutral capacity today at the request of the introducer to provide some context around the work for NSWERS. NSWERS is a Nebraska public entity, public interlocal agency created by Nebraska's education system under Nebraska's interlocal cooperation framework. Our partners, schools, post-secondary institutions, and state agencies have designed NSWERS, they govern NSWERS, they direct the evaluation and audit work that we do on their behalf. The Legislature recognized the need for this statewide capacity more than 15 years ago in LB1071. And because education and workforce outcomes inherently cross institutions, they cross sectors and they cross systems, education and workforce pathways have become even more dynamic and interconnected. Today more students earn credits at multiple institutions. They participate in coursework, college coursework while in high school. They transfer across institutions before completing. And there's more and more mobility. So NSWERS exists to provide an integrated view of what's happening so Nebraska can accurately evaluate the impact of public investments. These evaluations we produce, just in the past year as you can see, which we handed out, are on things like the ACE

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Scholarship Program, on dual enrollment in Nebraska, on LR261, an interim study on tuition waivers. They directly inform your oversight for public education in Nebraska and your funding decisions. But high-quality evaluation relies on complete information. When that's incomplete, it introduces what researchers call selection bias into analyses. And so outcome rates or other all stat-- other statistics can appear stronger than they actually are, weaker than they actually are, and findings can become systematically distorted. So it's really not a matter of technical preference, it's one of statistical validity. Now let me shift briefly to another point, this notion about directory information and the opt-out framework. Opt-out provisions apply to public disclosures of the individual information. For example, when a newspaper publishes names of individual students who are on the honor roll or who might be the graduates from a school or an athletic roster with a student's weight and height and those kinds of things, they're publishing individual-level information. NSWERS does not publish individual information. In fact, we're specifically prohibited by law from doing that and our policies don't allow us to do that. We receive data under formal contractual agreements with our partners, and we operate as their authorized agents for audit and evaluation purposes of state and federally-funded education programs. All data is encrypted at all times in transit and upon receipt. It's de-identified for its analytical use. It's stored consistent with U.S. Department of Defense cybersecurity guidelines. And again, it's never publicly released at individual levels. I see that I'm about out of time here, Senator, so I'll go ahead and pause there and offer to answer any questions that you might have.

**MURMAN:** OK, questions? Senator Hughes.

**HUGHES:** Thank you, Chairman. Go ahead and finish Mr. Hastings, whatever you were planning on saying.

**MATT HASTINGS:** Sure. I was just going to give an example of this. The context for this, for example, is the Career Scholarship Act. Right, so typically what you'll see is that you'll require a report from individual institutions or boards to report on the outcomes of career scholarship students in this case. And so you'll get something back around the rates of retention, rates around graduation, or workforce placement rates, something like that. But the, the, the problem with that is it's not really an evaluation of the return on that investment, right? Because you're getting back information on how many

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dollars were spent, how many people actually got a job or actually graduated from college. But what you don't know as decision-makers, whether that's our partners or, or the Legislature, to what degree was that \$20 million, those scholarships actually contributing to the increased rates that you saw. In order to do that, you have to have a system like NSWERS or an integrated information system where you can look at the outcomes relative to similarly-situated individuals that are not receiving the scholarship, right? And that's how you calculate something like the effect of those or the return on investment of that. And so that's how our partners, as you can see in these different resources that we shared, leverage the NSWERS system to understand the impact of different education programs.

**HUGHES:** OK, thank you.

**MURMAN:** Any other questions?

**HUGHES:** I have one more, I think.

**MURMAN:** OK. OK, Senator Hughes.

**HUGHES:** Yeah, thank you, Chair Murman. So previously a testifier mentioned that, well, they give 85% of the data. And it's statistically good enough. Can you speak to that at all or--

**MATT HASTINGS:** Well, you have to understand that when you talk about something like statistical significance in that case, statistical significance is, is estimate-specific. So if you calculate an average, you, you calculate a median, a mean, a percentile, each estimate that you're calculating, your significance is calculated separately. So it's impossible to say just in general, that that's enough or that's statistically significant. It depends on what's being evaluated. Again, what, what the specific statistic you're looking at, what population is being included. So that's-- you just don't know.

**HUGHES:** OK, thank you.

**MURMAN:** Any other questions? If not, thank you for your testimony. Any other neutral testifiers for LB1247? If not, I think Senator Dover--

**HUGHES:** Yep, he is in here.

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**MURMAN:** Senator Dover, you're welcome to close.

**DOVER:** Thank you. I apologize for not being here for the opening. I was over with four bills in Banking, so I think you probably were the lucky ones, if you ask Senator Jacobson and the group. But I'd just like to say a couple of things in my closing. But basically, when someone says that we provide 85% of the data and you're analyzing that, you don't know what's in the 15%. It could be a red flag, but we don't know because we don't get the 15%. There could be something embedded, hidden in that 15% that would really make a change what the Legislature does, what we fund, et cetera. Another thing is just, and I apologize if it was already said, but so they requested 10 years of, of data from Central, and they received 3. Now I don't know, but if anyone's trying to look at historical trends and make decisions, 3 years is not long enough. Especially when you have things like COVID and things like happening, I mean, that are going to skew the data. But if you can have 10 years, you can make an educated decision. So I think that's two things that I just wanted to point out. In closing, the testimony presented today underscores the reason this bill is before the committee. The Legislature has already established a statutory framework for education and workforce data sharing, and participating institutions have entered into memorandum of understanding reflecting that framework. However, the record demonstrates that voluntary compliance alone has not ensured full participation by all parties. The testimony today shows that incomplete compliance with these agreements-- could you please pass out that handout, please? Already, already is he? Is it already out? OK, it's coming out now, good. Sorry, the testimony today shows that in complete compliance with these agreements results in gaps in statewide data and limits the legislators-- legislature's ability to evaluate outcomes and make fully-informed decisions regarding the use of state funds. When participation is uneven, the effectiveness of the entire system is diminished. The example we're passing out now, the LB1117 fiscal note that I'm handing out, is an example of incomplete data is currently affecting the decision-making of this body. And so I, I didn't have extra copies. But if you look at this, it's highlighted, and it says-- start right here. Data does not include Central Community College, who elected not to participate. How can we make informed decisions? How can even look at a fiscal note when that data isn't even included? We don't know. And I would-- and so this actually really goes to the heart of something I experienced when I

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was in real estate. There was a state statute that said with SIDs, you have to provide a statement of where they are with the bond indebtedness on a sanitary improvement district, right? And that's wonderful. So as realtors, when we sell property in a sanitary improvement district, we would go and call the county up and we would get a state of-- we would get a statement of the indebtedness. Guess what? There was never any teeth in it. So guess what? We could never give an updated SID statement because there was no teeth. And that's why I brought this, because I experienced it there and we're experiencing this now. LB1247 provides a reasonable response to that challenge by tying eligibility for Nebraska Career Scholarship funds to full participation in the Nebraska Statewide Workforce and Educational Reporting System. This approach gives meaningful effect to the memorandum of understanding and ensures that institutions benefiting from state resources meet the commitments they have already agreed to. For these-- this reason, we believe the testimony today demonstrates the need for enforceable teeth in statute to ensure full participation. I respectfully ask the committee to advance the bill. Thank you.

**MURMAN:** I realize the extreme importance of the information and NSWERS and all that, but I also recognize the extreme importance of protecting Social Security numbers and personal information. So is there a way to--

**DOVER:** Well, the data is anonymized, right? So basically, this isn't just-- this, this data is actually, NSWERS is this group, they manage the data, it's the data held within themselves. There are other anonymized data that they give out that actually are is mon-- essentially monitored and maintained by third parties that are not part of the state. But that's fed-- that's required by the federal government, but there's no problem getting that out there. I mean, so they're giving this data out, sometimes by data that's not even controlled by themselves, if that makes sense. So this whole excuse that-- it's, it's anonymized. I mean, there isn't-- I mean it's just, this-- it goes through the same rigorous anonymizing, I guess, that all the other data. This isn't just-- there's a lot of data shared with the federal government, that decisions are made on the federal government level and also on the state level. And so I mean, I'm sorry, I don't understand why they can't give this data, but they can give data to other people. I don't, I just don't understand. I think, I think that I can understand that argument, but I think you've

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listened to test-- earlier testimony. Why, why is every other community college able to give that data? And how are we supposed to make wise decisions with state taxpayer dollars for education? In fact, I mean, really community colleges are fantastic state colleges with being able to make sure that we're doing career paths and they're effective. And basically we're able now we're getting, I think-- I'm sure you're all aware of NSWERS. We're now able to track all the way through to the job. As long as they stay in the state, we can find out where they're working and what the zip code is, so we can make sure we're spending our dollars for, I guess, education that will-- where those, those students stay in this state, don't move away, pay property tax, pay taxes, et cetera. I, I just don't-- I think that, at best, it's a lame excuse why they can provide the data to other, others, I guess other databases, but not this one, when they already have a memorandum of understanding.

**MURMAN:** Well, I assume there's some risk when they share the data with the Department of Labor.

**DOVER:** Pardon?

**MURMAN:** When, when the data is shared with the Department of Labor, there would be some risk there in that transfer of data, possibly?

**DOVER:** It's my understanding the data's anonymized.

**MURMAN:** Well, it can't be when it goes to the Department of Labor, because you have to know--

**DOVER:** Well, I guess, I guess I can get an answer to you, I guess. But obviously, the, the, the state, I mean, whether it's zip codes, I mean zip codes-- excuse me, Social Security, there's a lot of data that the state government and the federal government have on us. But the excuse for not providing this data to make educational is it-- I mean, is this fiscal note valid? I don't know. No one knows, because they won't provide it and everybody else does.

**MURMAN:** Yeah, the more complete the better, of course. And then would you be open to amending this bill to from this point forward-- or I'm not sure Central Community College maybe did it three years ago, I'm not sure from the testimony, but from, from a certain point forward--

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**DOVER:** I mean, I'd be, I'd be willing to look at anything as long it, as long as we're provided with that, where we can make the choices on where to spend taxpayer dollars. I don't know why-- I mean here's just a situation. So there was 3 years of data provided, but they had the other data going back 10 years. Why wasn't that provided?

**MURMAN:** I don't think that was complete, if I understand correctly.

**DOVER:** Pardon?

**MURMAN:** I don't think that data was complete going back 10 years, if I understood the, the testimony correctly.

**DOVER:** It's my under-- understanding they could have provided the data, but they didn't for going back 10 years. And they only provided 3 years, so.

**MURMAN:** OK. Any other questions? If not, that will close our hearing on LB1247.

**DOVER:** Thank you.

**MURMAN:** Thank you. And that'll close our hearings for the day.