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MURMAN: Well, welcome to the Education Committee. I'm Senator Dave Murman from Glenvil. I represent the 38th Legislative District. I serve as chair of the committee. This public hearing is your opportunity to be part of the legislative process and express your position on the proposed legislation before us. The committee will take up agenda items. If you wish to testify on the mic today, please fill out a green testifier sheet. Forms can be found at the entrances to the hearing room. Be sure to print clearly and provide all requested information. If-- OK, when it's your turn to come forward, please give the testifier sheet and any handouts that you might have to the page as you are seated. At the microphone, please begin by stating your name and spelling both-- spelling both your first and last names to ensure we get an accurate record. Observers, if you do not wish to testify but would like to indicate your position on an agenda item, there are yellow sign-in sheets in 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 test-- to speak in a neutral capacity. The introducer will then have an opportunity to give a closing statement, if they wish. We'll be using the green-light system for all testifiers. When you begin your "testimony," the light will be green. The yellow light comes on, you have one minute to wrap up your thoughts, and the red light indicates you have reached the end of your time limit. Questions from the committee may follow off-the-clock. A few final items to facilitate today's hearing. Please mute your cell phones or any other electronic devices. Verbal outbursts or applause are not permitted; such behavior may cause you to be asked leave the hearing room. I will now ask committee members with us today to introduce themselves, starting at my far right.

SANDERS: Good afternoon. Rita Sanders, representing District 45, which is the Bellevue/Offutt community.

CONRAD: Hi, I'm Danielle Conrad. I represent north Lincoln.

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

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

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

JUAREZ: Good afternoon, everyone. Margo Juarez, District 5: Omaha.

MURMAN: Thank you. And staff with us today, to my immediate right is committee's research analyst, Jack Spray, and to my far right is committee clerk Connie Thomas. And the page with us is today is Lexi "Budendalok"-- "Bodendalak"-- pretty close. With that, we'll begin today's hearing with LR422.

ROUNTREE: Good afternoon, Chairman Murman, and members of the Education Committee. My name is Victor Rountree, V-i-c-t-o-r R-o-u-n-t-r-e-e, and I represent District 3, which is the western part of Bellevue, eastern part of Papillion, and the lands in between. Thank you very much for holding the late hearing on LR422. This LR urges Congress to fully fund the Individuals with Disabilities Education Act, or IDEA. Congress enacted the Education for All Handicapped Children Act, also known as the EHA, in 1975 to support states and localities in protecting the rights of, meeting the individual needs of, and improving the results for infants, toddlers, children, and youth with disabilities and their families. This landmark law's name changed to the Individuals with Disabilities Education Act, or IDEA, in a 1990 reauthorization. The law was last reauthorized in 2004, and the department has periodically issued new or revised regulations to address the implementation and interpretation of the IDEA. Before this law was enacted, only one in five children with disabilities went to school, and many states excluded children with disabilities, including the deaf and the blind. Since then, we have made great strides in special education in this country. Thankfully, we now realize the importance of providing every student with an education and how every student can thrive when given the opportunity. LR422 asks to build upon that success and to meet the promises that were made by IDEA and the federal government to states. The program is currently underfunded, leaving states with a larger bill for special education, which in our state falls through the property

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tax [INAUDIBLE]. Congressman Don Bacon has written letters in support of this concept in the past, including the 2024 letter that I've passed out. He says: despite the importance of IDEA funding for Nebraskans and Americans, states do not receive enough federal funding to ensure maximum success for this program. Earlier this year, the U.S. Department of Education found Nebraska is one of eight states and territories that has needed assistance for one year in meeting obligations on the Part C-- under Part C. Moreover, only 21 states and territories have been found to meet requirements under Part B, whereas 31 states and territories have needed or needed assistance for two or more consecutive years to meet their obligations. There are testifiers behind me who can speak to more specific aspects of IDEA and the various funding levels. I appreciate the committee's attention to this resolution and dedication to supporting our students. And with that, I would be happy to answer any questions that you may have, but I'll most likely defer to the experts behind me.

MURMAN: Thank you. Are there any questions for Senator Roundtree at this time? If not, appreciate your open.

ROUNTREE: All right. Thank you, Mr. Chairman.

MURMAN: Proponents for LR422.

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 on behalf of our members, I'm here to testify in support of LR422. I do want to say my sincere appreciation for all of you for giving up some of your lunch time, given that you've-- you're coming back for afternoon debate. We usually don't have hearings at this point in the year, so I'm very grateful. That being said, I'll get to the point. When the original version of what we now know as IDEA was passed in 1975, one of the core components of the law was the commitment that the federal government would provide funding to cover a significant portion of the expenses related to special education. The goal was to make sure that the Federal Government specifically covered 40 percent of those expenses. Yet, in the 51 years since the law was enacted, Congress has consistently

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fallen short of that requirement. Instead, we've seen the federal government historically cover, on average, about 15 percent of special education expenses, but actually, recently, we've slipped down to about 12 percent. So, this has been a problem no matter which party controls Congress or the White House. As a result of the federal government not living up to its 40 percent, our local school districts and you all, as state senators, have been forced to pick up the slack. While it is commendable that this body and the governor has committed to covering 80 percent of special education expenses, that would be unnecessary if Congress properly funded the Individuals with Disabilities Education Act, also known as IDEA. Nebraska's actual appropriation for federal IDE funding-- so, what we've actually gotten is \$93.7 million. If Congress had provided the full 40 percent, Nebraska would have received roughly \$291 million in funds instead. It is apropos, I think, that we're having this hearing just a few hours after you approved the budget on Final Reading, because imagine how much different the appropriations would have been if the state of Nebraska had \$197 million more available, because that's how much the funding gap is between what Congress provided and what they should have provided. While there may be additional hearings for appointments or interim studies, Chair Murman, I think it's safe to say this will probably be your last hearing as chair of the Education Committee about an issue of substance while it's in session. And one thing I've come to know, Senator, is you've always been a strong advocate to make sure that students with disabilities receive the education that they deserve. And so, I cannot think of a better topic to serve as the closure of your time as chair than to have a resolution calling on Congress to do right by our state and the youth that we serve by meeting its funding obligations. And the context for us asking of Senator Rountree of this is other states are doing resolutions as well, so this is about joining other states in submitting their resolutions, like our sister state to the south, Kansas, to say that Congress needs to-- no matter the circumstances, no matter the political backgrounds, what we can all agree on is we should be fully funding IDEA. So, I urge this committee and the full body to come together and support this resolution. One attachment that I gave you is, we tried to give you a breakdown by district-- school district within your legislative districts of what the funding gap is. I'm not going to go into it in my

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testimony, but just for you to have further information on how that's impacting your districts in particular. So, thank you, and like I said, I'm happy to answer any questions you may have

MURMAN: Well, thank you. Yeah, I should say, my, my family has definitely lived it, and especially our daughter Whitney, and we're very thankful for the education that she was able to receive as a result of this IDEA. And we did fully fund-- or, we 80 percent funded special ed from the state what, two years ago?

TIM ROYERS: Mm-hmm.

MURMAN: So, I appreciate you pointing out that from the state, we've over-- overdone our obligation compared to the federal government. Thank you.

TIM ROYERS: Yep.

MURMAN: Any other questions for Mr. Royers? Yep. Well, thank you.

TIM ROYERS: Thank you.

CONRAD: OK, now I'm crying in Education for different reasons today.

MURMAN: You're doing what?

CONRAD: I'm about ready to start crying.

MURMAN: No, no.

HUGHES: We don't want Kleenex out here. Good afternoon.

ED VENTURA: Good afternoon. Good afternoon, Chairman, Chair Murman and members of the Education Committee, and happy Autism Acceptance Month. My name is Ed, E-d, Ventura, V-e-n-t-u-r-a. I serve as Nebraska's representative on the National Education Association's Board of Directors through the Nebraska State Education Association, and I'm here to speak today regarding LR422. Imagine being a parent of a child who needs extra support-- speech therapy, specialized instruction, or one-on-one

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help just to keep up. Now, imagine being told that that support exists, but your school is struggling to provide it fully because of funding. Like said earlier, in 1975, IDEA made a promise to cover 40 percent, and today, it is closer to 12 percent. Here in Nebraska, it translates into real dollars and real consequences for our schools. For instance, the following school districts are facing real funding gaps: Seward Public Schools, \$815,000; McCook Public Schools, \$719,000; Hastings Public Schools, \$1.6 million; Lincoln Public Schools, \$35 million; Bellevue Public Schools, \$5 million; Wayne Community Schools, \$439,000; Omaha Public Schools, \$33 million. These are not isolated challenges, they are structural shortfalls that force difficult decisions year after year. And these examples represent just a fraction of what school districts across our state are facing as they work to close the gap. In urban districts where student populations are larger and needs are more concentrated, this shortfall leads to overwhelmed classrooms. Special education teachers carry heavy, heavy caseloads, support staff are stretched thin, students need individualized attention, may not get the time and consistency they deserve. In rural communities, the challenges look different, but it is just as serious. Smaller districts often lack access to specialists like occupational therapists or behavioral experts. Staff must be shared across multiple towns. Services often require long travel distances. The result is delays, fewer options for families, and educators stretched beyond capacity. In both cases, the outcome is the same. Students fall through the cracks, not because educators lack dedication, but because the system lacks adequate funding, and the consequences extend beyond any single program or classroom. When resources are strained, opportunities shrink for every student. I urge this committee to call on the Nebraska Legislature to pass LR422, encouraging Nebraska's congressional delegation to fully fund IDEA at the promised 40 percent. Nebraska should not remain silent. This is an opportunity to send a clear and unified message that the Unicameral stands firmly behind its students, its educators, and its communities. Thank you for your time and consideration. I would be happy to answer any questions you might have.

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

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G. MEYER: Thank you, Chairman Murman. Thank you for coming in today, Mr. Ventura. You may not have this information, and I would, I would ask any-- anybody else that's going to testify. Do you know if we-- if the federal government ever fully funded at 40 percent? Do you have any idea?

ED VENTURA: I do not believe they have ever.

CONRAD: OK. If, if anybody else has any other numbers, I'd appreciate just--

ED VENTURA: And it's been something that, at the NEA level, we've been lobbying for the past 50 years. It's-- I mean, all my predecessors as NEA directors have been doing this to try to--

G. MEYER: [INAUDIBLE] 75, that they have failed ever since then. I'm shocked. I'm just shocked. Thank you.

ED VENTURA: Thank you.

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

ED VENTURA: Thank you.

MURMAN: Other proponents?

COLBY COASH: Thank you. 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, and I kind of want to start where Mr. Royers left off, with, with some gratitude. Thank you to Senator Murman for your advocacy on this the whole time you've been here, and I think it's very appropriate this is your last hearing, this is what we're talking about.

MURMAN: Thank you.

COLBY COASH: But this committee, this Legislature has done its part; the federal government has not. I see glimmers of hope in that. Senator Rountree mentioned that Congressman Bacon from our own delegation has actually led on this. Sad to see him leave

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because I'm, I'm concerned we'll miss that voice on this issue that, that he's been carrying in his time there. But as been said, we're, we're 50 years down the road where the government-- federal government made a promise to the states and to the families, and the promise was if states ensured-- this was our part-- if states ensured a free, appropriate public education for students with disabilities, if we did our part, the federal government would cover up to 40 percent of doing that part. But that promi-- we did part, we kept our promises; the federal government did not. But we do it because it's the right thing to do. But the consequences in our state is that local taxpayers have had to make up the difference. And when IDEA is underfunded, districts are forced to redirect that money away from general education, teacher pay, classroom resources, and property tax relief just to meet those federally mandated services. So, fully funding this is not about asking for anything new; this is about honoring a bipartisan federal commitment that has been on the books since I've been alive. It was 1975, so I know exactly how long they've done this. When IDEA was fully funded, school-- when it's fully funded, schools can focus on intervention, evidence-based instruction, inclusive classrooms that helps kids with disabilities become independent, employed, and engaged community members. So, it's good for students, it's good for families, good for employers and, and taxpayers alike. So, supporting fully funding, it also really reflects our Nebraska values. We value local control, we value fiscal responsibility, and we value fairness. We should expect the same from our, our federal partners. So, with that, I want to end with gratitude for Senator Roundtree-- for Senator Roundtree for bringing this to you. I'm aware that this is happening across the country, and maybe this, we could, we could lead in this area, as a state. And we could lead by saying a state like Nebraska finds this current system unacceptable, and this body can speak to our federal delegation through this resolution, and I hope you advance it for those purposes. Thank you.

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

COLBY COASH: Thank you.

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MURMAN: Other proponents for LR422?

SPIKE EICKHOLT: Good afternoon, 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 Education Rights Council. I'm not, I'm not going to read my statement. I know time is short for you over the lunch hour, but you've got it. I would just echo the earlier testifiers and urge the committee to advance the resolution to the Legislature, to the whole body. And we want to thank Senator Rountree for introducing this. In my statement, Senator Meyer, I cite a report from OpenSky that talks about the history of IDEA funding. Congress has never met the 40 percent threshold in the time of the creation, so that-- just to answer that question you had before. As I said, I don't need to read my statement or summarize or repeat anything that's been said, but I'll answer any question if anyone has any. I would just add that Education Rights Council, the attorneys who work there work regularly with children who have IEPs and families with-- in need of special education services, and funding for that service is very important for the state.

MURMAN: Thank you. Any questions for Mr. Eickholt? If not, appreciate your testimony. Other proponents for LR422?

***TANYA ENCALADA CRUZ:** I am in support of this bill because children with disabilities are being treated as burdens and denied FAPE. They are being placed with over worked teachers, in crowded classrooms and without the proper support to make progress and sometimes isolated in classrooms for only disabled children with no opportunity to socialize or play like other children their age. We need to hire and retain high quality professionals to teach and work with our children and that isn't free. People need to pay their bills.

***MARY ANGUS:** I am representing myself only in this testimony no other organization or agency is involved. LR22 has never been needed as much as it is right now. The actions that Congress is taking via the administration under President Trump, is not the way we should be changing education of students with disabilities. I would be proud to see Nebraska passed the LR22 because of its importance to education for people with disabilities.

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***SHANNON CORYELL:** I urge the committee to support this resolution. It is vital for all children to have access to an education that sets them up for success.

MURMAN: Any neutral testifiers for LR422? Any opponents for LR422? If not, on the electronic, we have 30-- 37 proponents, 0 opponents, 0 neutral. ADA testimony, we have Encalada Cruz, Mary Angus, and Shannon Coryell, and this testimony will be included in the official hearing transcript and the testifiers included on any committee statement that is published. The testimony has also been provided to all members of the committee. And with that, you're welcome to close, Senator Roundtree.

ROUNTREE: All right. Thank you so much, Mr. Chairman. And I just want to thank all of our testifiers for coming and sharing with you today. Thank you for your diligence, and I encourage us to move the bill forward, get a vote, and get it up so we can start funding coming back to Nebraska in this process. Thank you so much.

MURMAN: Thank you. Any comments or questions? Senator Sanders?

SANDERS: Thank you, Chair. Thank you, Senator Rainbow [SIC]. Rainbow.

ROUNTREE: That's all right.

SANDERS: I'm thinking ahead. In my next bill, I've got both of you. Senator Roundtree, thank you very much. So, as a mother of an IEP student, 40 years I've been doing this, fighting for funding for the special education program. And then I get here, and after my fourth year with co-sponsor Senator Conrad, we were able to get 80 percent funding from the state, and then the state would work on getting the rest of the funding from the federal government. And, you know, a few years later, we're still plugging along on that. But thank you for taking up the torch. I think we've maybe got some more movement on it again, and it'd be great that this letter has an impact on this because it doesn't affect every school district. But District 45, Bellevue, you know, has a high rate of IEP students because the word is out amongst the military families that Nebraska does such a great job for their special education programs. So in the

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military, they particularly ask to be stationed at Offutt Air Force Base. We don't want to tell them don't come to Nebraska, but it comes at a higher price, right?

ROUNTREE: Yes, ma'am.

SANDERS: And we welcome them in Bellevue Public School. And I have been to Capitol Hill and, and trying to do this for years, and hopefully, this, is, this is going to help turn that key. So, thank you very much for taking up the torch.

ROUNTREE: Thank you, ma'am. We appreciate it. Thank you.

MURMAN: Any other questions? If not, I-- this committee, the whole committee's done a lot for special ed--

ROUNTREE: Absolutely.

MURMAN: --especially with the 80 percent reimbursement, as Senator Sanders mentioned. And I think this would be a great continuation of what we've done. So, thanks for bringing the bill.

ROUNTREE: I will state for the record that when I first came to the Unicameral, the Education Committee was one of the committees I sought to sit on. So, thank you so much.

HUNT: There's going to be some room.

HUGHES: We've got a short timer right over here.

CONRAD: Let's maybe just thank our chair first.

ROUNTREE: Oh, yes. [APPLAUSE].

MURMAN: Thanks a lot. I appreciate it. And with that, we'll close the hearing on LR422.