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Education Committee
February 03, 2014

[LB692 LB703 LB729 LB835 CONFIRMATION]

The Committee on Education met at 1:30 p.m. on Monday, February 3, 2014, in Room 1525 of the State Capitol, Lincoln, Nebraska, for the purpose of conducting a public hearing on LB729, LB692, LB703, LB835, and gubernatorial appointments. Senators present: Kate Sullivan, Chairperson; Jim Scheer, Vice Chairperson; Bill Avery; Tanya Cook; Al Davis; Rick Kolowski; and Les Seiler. Senators absent: Ken Haar.

SENATOR SULLIVAN: Thank you for being with us today. This is the Education Committee. My name is Senator Kate Sullivan of Cedar Rapids. I represent District 41. I'd like you to meet the other members of the committee as well. We'll start with the Vice Chair of the committee.

SENATOR SCHEER: Hi, I'm Jim Scheer from District 19, which is Madison and a little bit of Stanton County.

SENATOR KOLOWSKI: Senator Rick Kolowski, District 31, from the southwest Omaha area.

SENATOR SULLIVAN: Senator Cook.

SENATOR COOK: I'm Senator Tanya Cook from northeast Omaha and Douglas County.

SENATOR SEILER: Les Seiler, District 33, which is all of Adams and all of Hall except Grand Island.

SENATOR SULLIVAN: We'll have two additional members of the committee joining us shortly, Senator Al Davis of Hyannis as well as Senator Bill Avery of Lincoln. And we have one member of the committee, Senator Ken Haar, who is ill today and won't be able to be here. Also, I'd like to have you meet...to my immediate left is LaMont Rainey who is the legal counsel for the Education Committee, and at my far right is Mandy Mizerski who is the committee clerk who makes sure that everything gets appropriately recorded and accurately recorded. We also have a page helping us today, I think.

SENATOR SCHEER: He's gone.

SENATOR SULLIVAN: He stepped out briefly. Nate Funk, he's just coming in. He's a student at UNL. And then joining him a little bit later is another UNL student actually from my hometown, Tyler Zentner.

SENATOR SCHEER: Excuse me, you didn't say his hometown.

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SENATOR SULLIVAN: Oh, excuse me. Nate is from Norfolk. (Laugh) The tasks we have at hand today...the first thing we'll be doing is we'll be hearing confirmation hearings on three reappointments to the Nebraska Educational Telecommunications Commission. And the first person on that hearing will be calling in at 1:35. So I'll keep talking until then which doesn't seem hard for me to do. We also have at least four bills that we'll be hearing: LB729, LB692, LB703, and LB835. If you are planning to testify for any of these hearings, please pick up a green sheet which should be on the table at either entrance. If you do not wish to testify but would like your name entered into the official record as being present at the hearing, there's a form for you to fill out on the table as well. And both of those will be part of the official record of the hearing. With respect to the green sheet, I would ask that you fill it out in its entirety before you testify. Please print and, as I said, please fill it out completely. When you come up to testify, please hand that completed green sheet to the committee clerk. Again, this will make sure we have an accurate public record. If you do not choose to testify, you may submit comments in writing and have them read into the official record, but please let us know that that's your intent to do so. If you have handouts, we ask that you have 12 copies for the pages to hand out to the committee. And I believe that is our first phone call coming in for our reappointment. And the individual we will be hearing from is Mr. Richard Shoemaker. Mr. Shoemaker, are you with us today? Mr. Shoemaker.
[CONFIRMATION]

_____ : He just hung up. [CONFIRMATION]

SENATOR SULLIVAN: Oh, okay. (Laughter) And we will hope he will call back shortly. Waiting for him to do that, when you do come up to testify, we've been having a few little minor disturbances with the microphones. So please speak clearly into the microphone. And we'll see if we can get reconnected again. Mr. Shoemaker. [CONFIRMATION]

J. RICHARD SHOEMAKER: (Exhibit 1) Yes, this is he. [CONFIRMATION]

SENATOR SULLIVAN: Hi, okay. Mr. Shoemaker, this is Senator Sullivan, and we've just opened the hearing. And I've indicated to those present and the senators here that we'll be holding these confirmation hearings for the Nebraska Educational Telecommunications Commission. So to start with, could you please tell us a little bit about yourself and your background? [CONFIRMATION]

J. RICHARD SHOEMAKER: My background is, is I was formerly a teacher for seven years back in the '70s, got into the cable TV business, then got into the telephone business and now have been doing that for 25 years and now run a company called Pinpoint Holdings based out of Cambridge, Nebraska. [CONFIRMATION]

SENATOR SULLIVAN: So this is a reappointment. How long have you been with the commission? [CONFIRMATION]

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J. RICHARD SHOEMAKER: You would have to ask me that. I have no clue. It's probably been at least 5, 6, 7 years. [CONFIRMATION]

SENATOR SULLIVAN: Any particular things that you'd like us to know about with respect to your involvement in the commission and why you'd like to continue to be a commissioner? [CONFIRMATION]

J. RICHARD SHOEMAKER: Sure, absolutely. I mean, my focus on the NET Commission has basically been to make sure that we have good programming out in the rural areas as well as good transmission systems within the rural areas. And so that really has been my number one focus all through the tenure of as long as I've been there. [CONFIRMATION]

SENATOR SULLIVAN: So you are located in rural Nebraska. I see you're from Cambridge, Nebraska. [CONFIRMATION]

J. RICHARD SHOEMAKER: That is correct. That's where I live. [CONFIRMATION]

SENATOR SULLIVAN: Okay, okay. Very good. Senators, any other questions you have for Mr. Shoemaker? Yes, Senator Cook. [CONFIRMATION]

SENATOR COOK: Thank you, Madam Chair. Thank you, Mr. Shoemaker, for agreeing to continue your service. What do you see as the top issue facing Nebraska Educational Telecommunications network or the issues that are presenting themselves as you work on that commission now? [CONFIRMATION]

J. RICHARD SHOEMAKER: I think it's terribly important that we...that the Nebraska Legislature continue the support that you've been supporting the entire system for the last umpteen years since it was built. I think that's critical quite honestly. The other thing that I think is really important is the programming aspect, maintaining the high-quality programming. I do know that throughout probably the last four or five years that the committee has been told by the staff of the NET organization the importance of keeping and maintaining the equipment...and the reason...in this technology era, and the reason why is because the equipment continues to evolve and change rapidly. And I think that is...we want to make sure that we stay on the forefront. Nebraska is really one of the finest public broadcasting systems in the entire country and is well respected that way. And so I think we need to think to keep that up and as a matter of fact I think as a commission we've done a very nice job of the transition between the change in leadership between Rod Bates leaving and also Mark Leonard coming on board. [CONFIRMATION]

SENATOR COOK: Thank you. [CONFIRMATION]

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SENATOR SULLIVAN: Mr. Shoemaker, your comments make me think about, with respect to the infrastructure and towers and all of that out in rural Nebraska, are we in good shape there? Are we in need of some improvements? [CONFIRMATION]

J. RICHARD SHOEMAKER: I think, you know, as I kind of travel the state, and I know there's been some areas...I would tell you the signal may show a good strength let's say in southwest Nebraska around somewhere in the McCook area. I do think that probably we could add a translator in the McCook area. My understanding now is talking with somebody the other night and they were talking about around the Superior area. But I think by and large it really is a fine, fine system because it covers...it is the only statewide network that we have in this state. And, you know, you can always tweak things. And I realize that's always a budgetary consideration, but I would tell you by and large it's really one of the best in the country. [CONFIRMATION]

SENATOR SULLIVAN: All right, thank you very much. Any other questions or comments for Mr. Shoemaker? Seeing none, thank you again for your service, Mr. Shoemaker, and also for calling in today for this hearing. [CONFIRMATION]

J. RICHARD SHOEMAKER: Okay, very good. Thank you. [CONFIRMATION]

SENATOR SULLIVAN: All right, the next person that we have for reappointment to the commission is Kenneth Bird. Welcome, Mr. Bird. [CONFIRMATION]

KENNETH BIRD: (Exhibit 2) Thank you, Senator Sullivan. Greetings, everyone. [CONFIRMATION]

SENATOR SULLIVAN: Could you please tell us a little bit about yourself and your service on the commission? [CONFIRMATION]

KENNETH BIRD: Thank you. Again, my name is Ken Bird. This is my third...starting would be my--if reappointed--my third term on the commission. I'm currently chair of the commission. I served on the foundation board prior to my involvement with the commission. I think it's one of our gems of Nebraska, and I'm pleased to continue supporting our programs and NET. [CONFIRMATION]

SENATOR SULLIVAN: Thank you very much. Can you speak specifically...I know you've been involved in education for many years... [CONFIRMATION]

KENNETH BIRD: Thank you, ma'am. [CONFIRMATION]

SENATOR SULLIVAN: ...specifically about NET's role there? [CONFIRMATION]

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KENNETH BIRD: Thirty-eight years in public education, retired as superintendent of the Westside Community Schools, my last five years I have been involved in setting up a program to serve unserved, underserved young people in poverty in the Omaha area helping them finish high school, go to community college, and get jobs. All of that for me ties to work on the commission. The role of the commission is a robust communication system across our state helping our young people and our educators do a better job is critical. And NET is well-positioned to do that. Thank you. [CONFIRMATION]

SENATOR SULLIVAN: Okay, very good. Any hopes for the future I guess in that respect? [CONFIRMATION]

KENNETH BIRD: Well, from a personal standpoint with the program I have great hope for what we're doing. I think we're identifying programs and services for our young people that are going to help position our workforce for this state in a way that we wouldn't be able to do without total support across the community. The young people that I'm working with particularly, 100 percent of them are on free and reduced lunch and have I think in many ways been overlooked in our programming. And we really have a good focus on that now. And thank you for the question, Senator. [CONFIRMATION]

SENATOR SULLIVAN: Okay, any other questions for Mr. Bird? Senator Scheer. [CONFIRMATION]

SENATOR SCHEER: Yes. Could you possibly give us just a list of where all the transmitters are for the...? [CONFIRMATION]

KENNETH BIRD: Well, I do have that right here for you, Senator Scheer. No, I...(laughter) That was not fair but, you know, I know two people in the audience that are here that could. But Senator Kolowski has that also on the tip of his tongue. [CONFIRMATION]

SENATOR SCHEER: When he gets up, I'll ask him too. [CONFIRMATION]

KENNETH BIRD: All right. Thank you, Senator Scheer. [CONFIRMATION]

SENATOR SULLIVAN: Any other questions for Mr. Bird? [CONFIRMATION]

KENNETH BIRD: Senator Cook, how are you? [CONFIRMATION]

SENATOR SULLIVAN: Well again... [CONFIRMATION]

KENNETH BIRD: Thank you, all. [CONFIRMATION]

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SENATOR SULLIVAN: Okay, thank you for your service. [CONFIRMATION]

KENNETH BIRD: Yes. [CONFIRMATION]

SENATOR SULLIVAN: And thank you for being here today. [CONFIRMATION]

KENNETH BIRD: You're welcome. Thank you. [CONFIRMATION]

SENATOR SULLIVAN: All right. Our third appointment is Frederik Ohles. Welcome. [CONFIRMATION]

FREDERIK OHLES: (Exhibit 3) Thank you. [CONFIRMATION]

SENATOR SULLIVAN: And could you please tell us a little bit about your background and your service on the commission? [CONFIRMATION]

FREDERIK OHLES: Gladly. Thank you. I'm Fred Ohles spelled F-r-e-d O-h-l-e-s. I serve as president of Nebraska Wesleyan University. I've held that role and been a Nebraskan, lived in Lincoln here since 2007, and it's been my honor to serve as an NET commissioner since the fall of 2011. I've lived most of my adult life in the Midwest and on the Great Plains. By training I'm a college history professor. I taught European history for 4 years and have served in administrative roles in higher education for the past 28 years. [CONFIRMATION]

SENATOR SULLIVAN: Very good. What particular role do you think NET plays in higher education? [CONFIRMATION]

FREDERIK OHLES: NET provides an excellent public service across the board to Nebraska and for higher education it's very beneficial that we have such superb original programming on both television and radio. NET cooperates in many forms with independent higher education providing services and curriculum. And I'm delighted that NET is also so active in the K-12 arena which supports the preparation for the work that we do in higher ed. [CONFIRMATION]

SENATOR SULLIVAN: As you begin a potential reappointment, are there any particular goals or ideas that you'd like to carry forward as a commissioner? [CONFIRMATION]

FREDERIK OHLES: I would say that NET is challenged by rapidly changing information and communications technologies, and it's important that we pay attention to being current in those areas. And we all know of the constraints on public expenditures that are apparent all through our state. And I think we need to pay careful attention to how we use our resources in those circumstances. [CONFIRMATION]

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SENATOR SULLIVAN: Okay, very good. Thank you, Dr. Ohles. [CONFIRMATION]

FREDERIK OHLES: You're welcome. [CONFIRMATION]

SENATOR SULLIVAN: Any other questions for him? Seeing none, thank you for your service and desire to continue serving. [CONFIRMATION]

FREDERIK OHLES: You're welcome. Thank you. [CONFIRMATION]

SENATOR SULLIVAN: One thing I failed to do with all three appointments...probably should have done it individually, but is there anyone wishing to testify in support of any of these appointments? Anyone wishing to speak in opposition, or in a neutral capacity? Well, then that closes these confirmation hearings. Wanted to see if I had forgotten anything in terms of some housekeeping details; I did hear one little sound. So just as a reminder if you have cell phones with you or pagers, if you would kindly shut them off, put them on silent mode so that they aren't serving as a distraction when we have testifiers. The introducers for each of the bills we have before us will make the opening initial statements, followed by proponents, opponents, and those in a neutral capacity. And closing remarks are reserved for the introducing senator only. We'll be using the light system today, and each testifier, not including the introducer, will have five minutes to make their comments. So when the yellow light comes on, you should be wrapping up your comments. And when the red light comes on, that's the end of your five minutes. So, as I said, we will be hearing four bills today. And the first one we will start with is LB729 being introduced by Senator Kolowski to create the Task Force on Expanded Learning Opportunities for School-Age Youth. Welcome, Senator. [CONFIRMATION]

SENATOR KOLOWSKI: (Exhibits 1 and 2) Thank you. Good afternoon, Chairwoman Sullivan and members of the Education Committee. My name is Senator Rick Kolowski, R-i-c-k K-o-l-o-w-s-k-i, and I represent District 31 in southwest Omaha. Over the interim, my office and a team of experts worked on LR211 to study and define the need for increased access to quality expanded learning opportunities for K-12 children in Nebraska. Expanded learning opportunities, ELOs, include a broad range of programs that provide children with academic enrichment and/or supervised activities beyond the traditional school day and beyond the traditional school year. I have included the Nebraska Board of Education's policy statement in your handouts which goes into further detail about the importance of ELOs in our educational landscape. From LR211, our team concluded that the next step is to develop a Blue Ribbon Task Force to undertake a two-year process of information gathering activities, internal discussions, and policy recommendations about ways to increase support for expanded learning opportunities. LB729 creates this task force with the goal of addressing the following: meeting Nebraska's unique rural needs while at the same time continuing to sustain our quality urban programs, exploring how ELOs fit into our plans to address poverty,

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developing statewide quality standards for ELOs in a way that incentivizes school-community partnerships, reviewing our current funding sources to determine whether they are supporting quality programs, determining ways to create sustainable funding sources with public-private partnerships, and finally, developing a statewide grant program to enhance the range of 21st Century programs. We have made significant changes to the appointment process in LB729 since it was introduced. I have included a rough draft of the amendment that turns this into a resolution. After speaking with Speaker Adams and Senator Sullivan, we decided to transform this bill into a legislative task force similar in structure to the Beatrice State Development Center Task Force several years ago and Senator Lathrop's LR424 investigative task force this year. In the amendment, the Executive Board would appoint five senators to the task force. This five-member task force would reach out to experts and gather the necessary information to report back to the Legislature with recommendations for policies that would support expanded learning opportunities. I believe the task force is an appropriate first step to increase access to expanded learning opportunities for all of Nebraska's Youth. We have a great group of experts testifying today, so I will conclude my testimony and ask that you hold questions until my conclusion. Thank you very much. [LB729]

SENATOR SULLIVAN: Thank you, Senator. We will now hear proponent testimony on LB729. And by the way, Senator Davis from Hyannis has just joined us. So welcome, Senator. [LB729]

SENATOR DAVIS: Thank you. [LB729]

JEFF COLE: Good afternoon. My name is Jeff Cole, J-e-f C-o-l-e. Thank you, Senator Sullivan and members of the committee, for the opportunity to testify today for this important topic. The network I lead, Beyond School Bells, is a public-private partnership at the Nebraska Children and Families Foundation that works with expanded learning advocates and practitioners to build partnerships and support policies that lead to more high-quality sustainable ELOs for more Nebraska youth, especially for youth from some of our state's highest-need communities. Several of our key partners from across the state are here with us today. So we're excited to be here in support of this bill. We're excited about the unique timely opportunity that the proposed task force would create to launch an in-depth study of the key issues related to ELO programs and are fully committed to working with the task force to develop a high-quality report. Why do we feel this study is so important for you to authorize at this moment? As you have heard in an earlier hearing in December, ELOs are a research-based, reality-tested solution to many of the challenges we are facing in helping to provide the next generation of Nebraskans the things they need to learn the multifaceted responsibilities of citizenship. The State Board of Education's September 2003 policy statement that you have on ELOs give us a solid foundation to launch this more in-depth study. Building on that policy statement in November, in partnership with UNL Beyond School Bells hosted a statewide summit

that began a discussion of some key ELO issues. At the summit, we reviewed emerging national research and had small-group discussions where we found that ELOs are having a dramatic impact on youth development in Nebraska. Specifically the research in these discussions showed that regular participation in high-quality ELOs leads to better attendance, fewer disciplinary issues, and better course work and grades. ELOs support and enhance but don't duplicate the learning and growth that takes place in our state's high-quality public schools. ELOs help address the opportunity gap dividing high-poverty and high-income youth in both urban and rural settings. ELOs create opportunities for youth to get the engaged, hands-on, STEM learning experiences that are so essential for their futures. ELOs help both our parents and law enforcement to provide safe enriching spaces for youth to go when their parents are at work. ELOs are based on assets that exist in almost every Nebraska community, strong public schools and diverse public and private organizations and volunteers that want to support the youth in their communities. And finally, ELOs powered by school-community partnerships are cost efficient, but as a novel approach to education they face challenges, especially around sustainability. Because of this growing body of local, state, and national research in best practice and the State Board's policy statement supporting ELOs, we feel that the timing for this task force could not be better. Beyond School Bells believes that in-depth research on the seven items identified in LB729 will provide this committee and leaders from across the state with much needed up-to-date information that can be used to grow high-quality, sustainable ELO systems in our Nebraska communities. If realized, the research and outreach that the task force will conduct as this report is developed will help to identify those common principles of quality that can drive ELO program development statewide. It can identify existing resources available to support ELO programs and opportunities for public-private partnerships to build sustainable programs in communities of all sizes. Explore opportunities for data sharing and to promote better alignment between the array of programs both school and community based that are already involved in this important work. And perhaps most importantly, to identify strategies that Nebraska communities of all sizes can use to ensure that all children and families, especially those facing the most challenging educational environments, have access to high-quality ELO experiences. In closing, as you consider the array of activities that you can take to support educational achievement for all Nebraska youth in this short session, we hope that you make establishment of an ELO task force a priority as it is a vital, low-cost step this committee can take this session that will have profound, far-reaching effects. Why do we see the potential for such far-reaching impact? In this era of national education reform that is in the minds of many education stakeholders out of step with Nebraska's education realities, if successful in creating state and local policy that can grow and sustain high-quality ELO programs, we are convinced that Nebraska will emerge as a high performing, comprehensive, statewide education system that the rest of the nation can learn from. We can show how--with thoughtful attention to time, opportunity, and the vital role of school-community partnerships--ELOs can help address the opportunity gap and provide the lifetime array of supports both in school and out of school. We know

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that all children need to be well-educated, productive citizens. Authorizing this task force study would be an important step in realizing that long-term goal we all share. Again, thank you for your time. [LB729]

SENATOR SULLIVAN: Thank you, Mr. Cole. Both you and the senator mention the importance of high quality. In the work that you've been doing thus far, how have you assured or ascertained if in fact the program being offered is quality? [LB729]

JEFF COLE: Right, well, that's a key question that I think the task force would be well-positioned to answer. One of the things that we look for is close alignment with the school day program so that we know there's some continuity, not duplication of what's going on during the school day but continuity with the academic content that Nebraska schools are teaching. We would also look at the opportunity to bring in youth development professionals, folks who have a different skill set than the school day teachers to again complement and provide those hands-on learning experiences. So looking for alignment, looking for active learning, hands-on learning, those are some of the key benchmarks. But we know we need to do more to develop a common kind of statement of principles about what quality ELO constitutes. And that's really one of the reasons we're very excited about working with this task force. [LB729]

SENATOR SULLIVAN: I think you mentioned in your testimony something about this approach being not only important but low cost. What do you base your opinion on? [LB729]

JEFF COLE: Yeah, I think one of the things when you think about expanded learning opportunity programs emerging nationally is this concept of extended day programs, where you're extending the school day for the entire body of students. And when compared to an extended day program, an expanded learning opportunity program where you're working with a targeted group of young people, not the whole school population; and bringing in a second shift of youth development professionals, not the existing school staff; and bringing in community partnership dollars to leverage those public dollars, it becomes a much, much more cost effective strategy. What we've seen nationally...Massachusetts is probably the best example of a state that's doing both extended day and expanded learning opportunities, and you see about a six-to-one differential. You can run six expanded learning opportunity programs for the cost of one extended day program. And the research based around expanded learning is much more solid than the very beginning research around extended day success. [LB729]

SENATOR SULLIVAN: Any other questions for Mr. Cole? Okay, thank you for your testimony. [LB729]

JEFF COLE: Thank you again. [LB729]

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SENATOR SULLIVAN: Welcome. [LB729]

KAREN STEVENS: (Exhibit 3) Thank you. Speaker (sic) Sullivan, members of the committee, I'm delighted to be here today to talk with you too. I'm Karen Stevens, K-a-r-e-n S-t-e-v-e-n-s, at the Nebraska Department of Education. I'm the director of the 21st Century Community Learning Center program which is a federally funded competitive grant program that's been administered by the department since 2001. We at the department are pleased to support this bill and the possibility of a task force to explore some opportunities to ensure quality access to these kinds of programs throughout Nebraska. I passed out two things to you today. On the top is the letter Jeff mentioned earlier, that our Board of Education had passed some quality principles last fall. I'm pleased to tell you that last Monday they voted to support the resolution. And so I was authorized to hand carry over and express on their behalf our State Board of Education's support for this particular bill. Underneath that is a little handout that describes our 21st Century program in a little more detail that I thought you might like to have. Our 21st Century program is based on a school-community-family partnership. And as I said we've been doing this now for about 12 years. But there's some undergirding principles that I wanted to share with you because some of you already have some of these CLCs in your own communities now. And they're quite different from community to community because they reflect that community's interest and values. Today I wanted to emphasize some of the things that we think are commonalities among all of them. And that is that every grantee that receives some of our funds has to address three overarching goals. One of them--and they're on that sheet--is increasing academic success. One is increasing positive behavioral supports. And one is engaging the family. Those are researched statewide in every one of our programs. Some of our CLCs have other objectives, but in the effort to ensure quality on those three, that goes with all of our programs. There's also an emphasis on the principles of quality, and Dr. St. Clair had supported this when she came to talk to you earlier about the various ways that we look at quality. We would welcome that opportunity to discuss this further with members of the task force; some things that we've tried, some things that we're interested in trying, the variety of methods on bringing about quality toward those three objectives in our after school program. So to that end, I would like say that the Department of Education and the State Board of Education are very pleased that you're considering this possibility. And in whatever manner your task force operates, we would be delighted to work with you on that. [LB729]

SENATOR SULLIVAN: Thank you, Mrs. Stevens. A couple of questions just with respect to the grants you administer now, is it a matching grant? [LB729]

KAREN STEVENS: No, the first five-year grant is not required to be a match. It's a direct grant. We put \$5,385,000 a year into those grants. After five years, they're welcome to compete for what we call a sustaining grant. And then we do require an

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in-kind from either the school or the partners or usually both. [LB729]

SENATOR SULLIVAN: And how many schools are participating? [LB729]

KAREN STEVENS: We have over 100 sites, 37 communities. [LB729]

SENATOR SULLIVAN: So then you're dealing with lots of different sizes of school districts. [LB729]

KAREN STEVENS: Yes, ma'am. [LB729]

SENATOR SULLIVAN: How do you base the size of the grant depending upon the size of the school? [LB729]

KAREN STEVENS: Well, the applicant in the competitive grant is free to support...to apply for what they would like to have, but we have kind of a formula in our grant application. We're right in the middle of an application right now, and there's a formula on-line based on the number of students they intend to serve 30 days or more and the number of dollars that we think is an appropriate framework for that activity. And it runs about \$7.50. My grant manager will not be happy that I'm talking to you about that because she's the one that handles all of it. But it's about \$7.50 per student per day when we're getting them started. But we're having a really difficult time determining...when people say, how much does it cost? I can divide the numbers of the 16,000 students that are being served with our \$5 million, but it's not an accurate reflection of the money because we're only putting in about 25 or 30 percent of the dollars once they start going with in-kind community support, schools donating various things. So I think as you talk to the people that are coming up after me, each one of them can probably talk to you more specifically about the cost of the program. But for our grants and to get them started, we have kind of a formula on how much we think it takes to provide that framework those first five years. [LB729]

SENATOR SULLIVAN: And does that include quality criteria? [LB729]

KAREN STEVENS: Yes, it does. Yes, it does. We start off the first year with observation surveys, teacher gathering information with those programs. And we do that every year. In order to receive the money, they will participate in our evaluation, as well as do their own evaluation if they want to go into some other areas. [LB729]

SENATOR SULLIVAN: Okay, any other questions for Mrs. Stevens? Senator Scheer. [LB729]

SENATOR SCHEER: Thank you, Senator Sullivan. Nice seeing you again. Welcome. [LB729]

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KAREN STEVENS: Hi. [LB729]

SENATOR SCHEER: Just out of curiosity, in looking at your pamphlet I noticed that the number of your CLCs reduced this year for the first time. Can you...is it just some were phased out of the bonding dollars, or was there consolidation to the extent that maybe two sites merged into one? Or... [LB729]

KAREN STEVENS: I don't think the consolidation is the one that affected that. We had one community who chose not to continue. [LB729]

SENATOR SCHEER: Oh, okay. [LB729]

KAREN STEVENS: We also have...and I think she's in the audience...not this year but several years ago, one that wasn't eligible to compete for those dollars even though they wanted to compete because we have to have a 40 percent free and reduced lunch count rate in the building in order to apply. And it was good news for their community. They got just a little bit higher than that. They weren't eligible to apply again. [LB729]

SENATOR SCHEER: Okay, thank you. Thank you, Senator. [LB729]

SENATOR SULLIVAN: Any other questions for Mrs. Stevens? Thank you for your testimony. [LB729]

KAREN STEVENS: Thank you. [LB729]

SENATOR SULLIVAN: Welcome. [LB729]

KYLE MCGOWAN: (Exhibit 4) Good afternoon, Senators. I'm going to apologize in advance for my cough drop that I have in my mouth and a little bit of a cold I'm fighting. My name is Kyle McGowan; I am superintendent of Crete Public Schools, K-y-l-e M-c-G-o-w-a-n. Crete schools has been a benefactor of the expanded learning opportunities. We're in favor of LB729 and the possibility of doing a more in-depth study of the advantages of extra time for students. If you're not familiar with Crete, we're just southwest of Lincoln about 30 miles, and we have an enrollment of 1,850 students. Within that group of students, some of the expanded learning opportunities that we already take advantage of is with preschool, early childhood services. We serve today about 180 children birth through age 4. We have before and after school programs at our elementary and our middle school. We have programs after school for high school students to help them prepare for college entrance exams. We have over 350 students in summer school programs each summer. So that's just a few of what I would consider expanded learning opportunities. When we talk about factors that influence academic success, two things that we can control are the quality of the program, of the instruction

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and the time on task. So when we talk about expanded learning opportunities, I see that as an opportunity for schools to provide more time on task and to make sure that we have quality programs which the other speakers have already mentioned. Extending the traditional school calendar, whether we talk about the 8:30 to 4:00 or the 9 months of instruction, really takes advantage of facilities that we already have. I mean I would argue certainly in small town Nebraska your school might be the most expensive buildings that you have. And for them not to be used 12 months out of the year, may be not an efficient use of your resources. I would also argue it's an opportunity for teachers to make some more money. So I know that we pay our teachers \$22 an hour for after school work with kids and during the summer. So this bill, LB729, would be a step in...let's look at the research, let's look at programs that are working and maybe programs that aren't working and see if we can direct our funds to get the most for our shopping dollar. Thank you for your time. [LB729]

SENATOR SULLIVAN: Thank you, Dr. McGowan. So your ELO programs primarily use your current staff. Is that correct? [LB729]

KYLE McGOWAN: Our summer schools programs...yeah, I would say that would be accurate. We have what I would say on any given day what we would call support staff to the number of about 15 to 20 staff members that aren't necessarily certified teachers. But within the entire staffing for before and after school programs, we would have at least 3 or 4 of those teachers that have chosen to teach in this expanded learning opportunity that are certified educators. And in the summer school, they're all certified educators other than the support staff that we hire as aides. [LB729]

SENATOR SULLIVAN: And so then the summer school lasts just a portion of the summer I presume. [LB729]

KYLE McGOWAN: Last year it has been 20 sessions for us. [LB729]

SENATOR SULLIVAN: Okay. [LB729]

KYLE McGOWAN: And since you brought it up, we really looked at expanding that to 35 sessions. And frankly we're having a hard time finding certified teachers to staff it during the month of July. [LB729]

SENATOR SULLIVAN: And then you mentioned an after school program for teenagers. [LB729]

KYLE McGOWAN: Yes. [LB729]

SENATOR SULLIVAN: How do you select the pool of students for that? [LB729]

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KYLE McGOWAN: We offer it to any student who wants to participate. And it's been really well attended by our Hispanic students and students that would be first time college goers, and it's been very well received. And again, a part of that quality is having quality teachers working with those kids after school. [LB729]

SENATOR SULLIVAN: Okay, any other questions for Dr. McGowan? Senator Scheer. [LB729]

SENATOR SCHEER: Somewhat of a comment, I guess ultimately a question because the first testifier talked that those that would be providing services for an after...normally would be noncontractual staff ultimately. In your particular instance you are using those. And I guess personally I was somewhat glad to see that because I think that offers a broadened perspective because if we're looking for certified people to come in, especially in rural areas, they just may not be available. And so it simply opens the door. And the question--getting around to it--is, do you then see any type of falloff from any of that staff during their regular instructional day that would cause you to have concern about doing that more on a broader basis? [LB729]

KYLE McGOWAN: Yeah, I think that's a great question because I think every staff member, every teacher has to answer that for themselves if they have children at home, if they feel that they can't give another 100 percent for an extra hour or two hours a day, and some can't. During the school year, we would only have 3 or 4 teachers that would participate in that before or after school program. In the summer, in June and July, that would primarily be staffed by those teachers. [LB729]

SENATOR SCHEER: Okay. Thank you, Senator. [LB729]

SENATOR SULLIVAN: Thank you, Senator. Senator Kolowski. [LB729]

SENATOR KOLOWSKI: Thank you, Madam Chair. Dr. McGowan, thank you very much for your testimony and for being here and for the excellent job you do in your district. I wanted to ask you if you have any fees at all that are charged to the students as far as usage, any cost that they have to incur for materials or anything else outside of the regular opportunity of taking that particular experience. [LB729]

KYLE McGOWAN: None for those programs, and in fact there are pieces to each of those programs that, you know, that we've learned that we just have to account for. And we talked about the after school program for college-going high school students. And we have no money for snacks, so our teachers send out an e-mail to all of our staff members saying, hey, if you have something extra, can you leave it off? And it makes a little difference for students, who spend there six, seven hours, and have a little something to snack on. Transportation is incredibly important for preschool because in Nebraska both parents are working. And so when we have an early childhood program,

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we have to have transportation as a part of it. Now, the before and after school programs don't offer any transportation outside of our regular bussing service which doesn't account for very much of what's available but does have some positive impact; otherwise, no fees. [LB729]

SENATOR KOLOWSKI: And do you have curriculum community support as far as business industry assisting and those things? [LB729]

KYLE MCGOWAN: Yeah, we have great support particularly from our hospital, the county extension agent. Really I would have to say anyone that we ask for to share their talents, whether it's some senior citizens showing how to tie blankets. We did that not too long ago and so great support. [LB729]

SENATOR KOLOWSKI: Thank you. [LB729]

SENATOR SULLIVAN: Any other questions? Thank you, Dr. McGowan. Welcome. [LB729]

LEA ANN JOHNSON: (Exhibit 5) Thank you. Senator Sullivan and members of the Education Committee, my name is Lea Ann Johnson, L-e-a A-n-n J-o-h-n-s-o-n. As the director of 25 CLC schools, I am here to support the development of a task force for expanded learning opportunities and the key activities as outlined in LB729. Lincoln CLC stakeholders are appreciative of Senator Kolowski's passion to ensure Nebraska's most valuable and vulnerable children and youth have access to high-quality ELO programs. I have had the distinct pleasure to work with a broad base of community-based stakeholders and ELO providers who contribute both financial support and program services to children and youth at 25 of our highest-need schools. Over the past 14 years, we have learned many lessons about the important role ELO provides to children, youth, and their families in our community, lessons we believe can serve as a springboard to an ELO task force in their efforts to improve program quality and accessibility of ELO to all of Nebraska's children and youth. I welcome the opportunity to briefly share a few of the lessons from Lincoln that are likely not uncommon to many of my colleagues in Chadron, Sidney, North Platte, Kearney, Columbus, and Omaha. Lesson number one: It takes strong school and community partnerships to ensure positive results and outcomes for students. Partnerships focused on shared vision, shared leadership, shared operating principles, shared resources are the cornerstone of our work. Lincoln CLC student data shows that when involved with ELO programs, students' achievement is positively impacted. Over the past two years, students who attended CLC after school programs consistently outperformed CLC non-after-school-student attendees on all NeSA assessment tests. Lesson number two: It takes multiple funding streams to support high-quality ELO programs. No one system can impact student success alone or in isolation. When we effectively and efficiently braid our limited resources, not only do we support student capacity to succeed, but we

also strengthen our partner's capacity. In 2012-2013, Lincoln community-based organizations provided over \$2 for every 21st Century dollar received. However, we still have CLC sites where we have a waiting list and where students' needs may go unmet. As you are aware, balancing budgets, whether it is your family's, your school district's, a community-based organization, private foundation's, or even our state budget, it's a daily challenge. Our community nonprofits' capacity is being tested, and financial support for ELO programs must move beyond client fees, child care block grant funds, and limited 21st Century dollars. Lesson number three: Families living in poverty continues to grow in our community. Today our district experiences 44 percent free and reduced lunch participation among our students. Based on Lincoln's newly released Vitals report, 12,500 children are living in poverty; 77 percent of Lincoln's children have working parents. Parents who are working hard, often working two jobs which increases the need for ELO programs. We know poverty and the issues related to poverty impact our students in the classroom. Our CLCs have been able to provide ELO opportunities which align and connect to the school day offering more time on task while engaging students in enriching ways and keeping them safe during those after school hours. Lesson number four: We borrow from our early childhood friends. The attention to research, program quality and staff professional development is essential for high-quality services. ELO providers must challenge themselves to mobilize and respond to the changing needs of students, families, and schools. They must become fully prepared stakeholders in meeting the needs along a continuum of care for our students that are school age. And finally, we've learned there is much work to be done as we continue to improve the level of ELO quality and accessibility in our community and communities across the state. Lincoln Public Schools and our community-based partners are excited to work with the proposed task force. We thank you again for championing our children, our youth, and our families. Expanded learning programs offer an effective, affordable way of helping young people realize their full potential. Thank you for your time. [LB729]

SENATOR SULLIVAN: Thank you, Mrs. Johnson. A couple of questions: You mention in your testimony that some of the things you're doing are not unlike other locations, Chadron, Sidney, North Platte. So is there a network or is there communication and collaboration among these CLCs and the ELOs? [LB729]

LEA ANN JOHNSON: Yes, there is in several different ways. Definitely through the Nebraska Department of Education, through the 21st Century grant opportunities, we have opportunities to get together as project directors, conference calls, meetings on an annual basis. And then also with the Beyond the Bells network that Jeff Cole is the director of, we are frequently brought together. And we are currently looking at the coalition of schools that I had identified...communities that I had identified in coming together on a regular basis to share, you know, what's working, what's not working, what's the research showing us, what do we know, and what are we hearing from national trends? [LB729]

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SENATOR SULLIVAN: You mentioned also in your testimony that in some of your Lincoln sites you have waiting lists and also unmet student needs. What exactly do you mean by that? [LB729]

LEA ANN JOHNSON: What I mean is we have waiting lists for students to participate in our after school programs. We have partners who are at capacity in their ability to hire staff. We have...sometimes it's a space capacity, licensing capacity because many of our elementary programs...all of our elementary programs are licensed. And so with those barriers, we have students that aren't able to get into programs. [LB729]

SENATOR SULLIVAN: Okay. Do you see that there is the potential for either overlap or certainly the need for coordination in terms of ELOs and our efforts in early childhood education and programming? [LB729]

LEA ANN JOHNSON: I see it is important that we are in constant dialogue and working as partners. I don't know that there is overlap. The early childhood years, which go typically from birth to grade three...we have to have a continuum of care for our young people. And as we are preparing our youngest children and giving them the supports and the resources they need to be successful when they come to school, we don't want to see any of that drop off when they reach the school door. They will continue to get quality education through the school day, but there is still going to be a need for those out-of-school, expanded-learning hours to be filled. And they need to be filled with high-quality programs so we do not see that drop off. So I see early childhood and the expanded learning opportunities and providers really needing to work together collectively to create that continuum of care for our young people. [LB729]

SENATOR SULLIVAN: But finally, as you said as you attempt to do these things there are limited resources, whether it's on the part of the school district, the state, or even the nonprofits that participate. So I guess my questions is, what are your thoughts in terms of sustainability for these kinds of programs? [LB729]

LEA ANN JOHNSON: My thoughts on that are we have to continue to find ways to braid those resources like I had said. In Lincoln we have a number of funding streams that come in to help support those ELOs. It can't just be one system. And so I don't believe that it's going to be just the state that can fund this. I firmly believe that there is a place for our community-based partners. There is a place, in some cases, for client fee. There is a place for the districts to help support. It is the braiding of those resources that is going to make it accessible for all students. [LB729]

SENATOR SULLIVAN: Thank you. Any other questions. Senator Scheer. [LB729]

SENATOR SCHEER: Thank you, Senator Sullivan. And you may not be able to answer

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this because it may...but it just sort of caught me off guard. You said that 77 percent of the parents are...of the children have working parents. Is that...that just seems like an odd number. I would have thought it might be higher, or are we talking about a different subsection of parents or...and if you don't know, that's okay. It just seemed that was a little odd. [LB729]

LEA ANN JOHNSON: I would want to check the Vitals report before I respond to that to make sure I'm giving you the right information. But, yeah. [LB729]

SENATOR SCHEER: Okay, that would be fine. Thank you. [LB729]

SENATOR SULLIVAN: Any other questions? Thank you, Mrs. Johnson. [LB729]

LEA ANN JOHNSON: Thank you. [LB729]

SENATOR SULLIVAN: Welcome. [LB729]

LISA KASLON: Good afternoon. My name is Lisa Kaslon, L-i-s-a K-a-s-l-o-n, and I work for the University of Nebraska-Lincoln Extension Program. For the past 17 years, I have been located in a county office working directly as a provider of expanded learning opportunities through the 4-H program. Most recently, I now serve as the northeast district 4-H coordinator overseeing and helping staff in 28 counties to develop more opportunities through the 4-H program for their youth. Let me first say that 4-H and Extension are committed to the idea and vision for expanded learning opportunities. It is what we have been doing through our work for over 100 years in Nebraska. As many of you know, 4-H is a community of young people ages 5-18 across Nebraska and America who are learning leadership, citizenship, and life skills. 4-H empowers youth to reach their full potential, working and learning in partnership with caring adults, and by using a learn-by-doing approach through several different delivery methods. In Nebraska, 4-H is present in all 93 counties across the state. So why am I here if this is the work that we already do; because we are not only providers and believers in expanded learning opportunities but are completely committed to the idea that Nebraska's schools, communities, and families must work together to provide these multiple opportunities for healthy growth, development, and academic success for our kids. We in 4-H are pushing ourselves to do more to serve audiences we haven't served in the past, to adapt our programs to meet today's needs, and to work more closely with all the partners that are committed to helping our youth in our communities. We support the increased awareness of expanded learning opportunities, the development of new opportunities, and the vision for a state in which we all work together for the betterment of kids regardless of the time of year or time of day. One example of this partnership is in the Platte County 4-H program in Columbus. We reached out to obtain grant dollars from 21st Century to help us fund after program for both elementary and middle school students. After school is one delivery method of the 4-H program. So our involvement

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and partnership with our school and other community partners made sense to all of us and is making a difference with over 400 youth on a daily basis in our community. In addition, I am here to represent existing investment and commitment of all the other community partners and ELO providers that have already been doing this work but who all know that we can't do it alone. It is important that these groups, those such as Girl Scouts, Boy Scouts, YMCA, 4-H, and others, are drawn into this conversation to bring their knowledge and work in this fold. What they have done in their expanded learning programs has provided a wonderful foundation for us to move forward, and they should be acknowledged for that work. Our world, our families, and our kids, everything has changed. And working together to make sure all kids have expanded learning opportunities has become crucial to our state and nation's success in the future. My challenge to everyone is how do we continue to support all Nebraska kids and their need for expanded learning opportunities? How do we give everyone the same opportunity for success? How do we maximize our resources? How do we leverage ourselves for the benefit of youth? And how do we better cooperate as youth development providers across the state? These are questions we all wrestle with as we want to do what's best for our state's youth. I think that by coming together as partners committed to this vision we are taking the first steps in finding those answers and making that commitment to our kids. Thank you for your time. [LB729]

SENATOR SULLIVAN: Thank you, Mrs. Kaslon. You said you work with 28 counties in northeast Nebraska. Do you know if the remaining counties have similar programs? [LB729]

LISA KASLON: Absolutely, so 4-H is a part of the university. We run a very similar program with several delivery methods. I mean, you're very familiar probably with our traditional club program, but many people do work with what we call school enrichment, enriching the school day events after school, special interest, camp. And many people are operating those same types of programs and curriculums. Many of our programs are connected to a 21st Century site. In our case, there was a community needs assessment which said, we need to do something after school. And at the time, I applied for actually grant dollars outside of 21st Century. I had CYFAR grant, Children Youth and Families at Risk, that is an extension grant from USDA. And I led that partnership to get that grant dollars to start after school programming. When those dollars ran out, we went to 21st Century. 21st Century requires that the school partner with community partners, that a school doesn't do that grant alone. We're unique in the fact that 4-H led that partnership and continues to lead that in Columbus. In other communities, 4-H provides programming, curriculum, resources to those 21st Century sites. [LB729]

SENATOR SULLIVAN: Do you make an attempt to align your programming with the in-school day curriculum? [LB729]

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LISA KASLON: Probably not as much as...our goal of the 21st Century, because that's a piece of that, we provide and cooperate in that goal. As you know, 4-H is focused on life-skill development, citizenship, leadership around projects. And so we develop kids in that project base. Does that all fit together eventually? Absolutely, you can't do woodworking without knowing math. So we try to make sure that we make those connections, and we know that the success in many ways of our students is connected to helping them succeed in the school day. So 4-H recognizes that. We also have our own established outcomes in which we're trying to provide. In the end, we're all youth development professionals working in the best interest of kids. [LB729]

SENATOR SULLIVAN: And lastly, in your after school programming does that ultimately, if ever, lead to the development of 4-H clubs during the summer? [LB729]

LISA KASLON: Absolutely, in our case we're pushing for that, right, because we want them to be committed to our program in other ways. So we do have some 4-H clubs as a part of the program. We do some of the 4-H project material as a part of our program, as well as other sites do that too. But because of that connection with us, we push harder for our traditional pieces to be a part of that. But any kids that I work with are considered 4-H members, whether that's through 21st Century or through another avenue because we have all those different delivery methods that we report to. [LB729]

SENATOR SULLIVAN: Okay, any other questions for Mrs. Kaslon? Thank you for your testimony. [LB729]

LISA KASLON: You're welcome. [LB729]

SENATOR SULLIVAN: Welcome. [LB729]

KRISTIN WILLIAMS: Thank you. Senator Sullivan and members of the Education Committee, my name is Kristin Williams, K-r-i-s-t-i-n W-i-l-l-i-a-m-s, and I'm the director of community initiatives at the Sherwood Foundation. The Sherwood Foundation is a private family foundation that's located in Omaha, Nebraska. We do giving all over the state. And really our focus is on low-income families and supporting communities to kind of become their best self. So we do everything from the early childhood work I'm sure you're familiar with--our principal is Susie Buffett, and she does that through the Buffett Early Childhood Fund--to civic endeavors like the Durham Museum. We've done grocery stores in McCook, all sorts of fun things. About six years ago, we started investing in enrichment opportunities and expanded learning opportunities for youth because we saw poverty was really creating an opportunity gap for kids. And I don't really want to repeat what all the wonderful things everyone else has said, and much of what they said is why we continue to do this work. It's been about \$12 million worth of investment over the last 6 years. And I don't see that going away. It's been interesting as philanthropy has changed in Omaha in particular, we are seeing other foundations

come on board with supporting these expanded learning opportunities. They see it as a chance to support not just the safety of kids between the hours of 3:00 and 6:00 p.m. It's obviously a support to families and parents who are working who don't have anywhere else to put children. But the more that we can come together as a state and really kind of set a larger context for this work, we're going to be giving a voice to the work that's been happening for a number of years on the ground floor where you might have someone coming in teaching kids knitting lessons or taekwondo. These are opportunities that lower-income families don't have the chance to give to their children, and they do enhance the brain development and how we think about the world and how we engage with the world as adults. And that ultimately obviously affects their academic performance. We've been in Omaha working really hard on building systems and working with the school district to try to tie the curriculum. So you may have an after school program where they've connected with the math teacher, and so in the cooking class, they're going to teach fractions in the way that the math teacher teaches just to enhance that work. I would also offer that doing a task force like this is going to help us connect better the data that we're getting on a day-to-day basis with the areas where we need to make changes in programming just to continue improving the work that we're doing. So in addition to exploring the opportunities to continue to blend funding, and I think we're going see more and more opportunities to do that, which is part of why private foundations come to the table, it's because we see public dollars there and public interest. It's just kind of an exciting time to really take a look at what's happening and where the opportunities to grow exist. [LB729]

SENATOR SULLIVAN: Thank you, Mrs. Williams. In the foundation's work supporting ELOs, does that extend to summer programming as well? [LB729]

KRISTIN WILLIAMS: Yes, absolutely. We do extend year-round because we know that parents need that support. They're still working in the summertime, and it's really expensive to do some of the different kinds of opportunities that...like summer camps. So we try to have school-based opportunities for kids to get tutoring. They can catch up on their work. And then some of the fun stuff like swimming and going to the zoo. [LB729]

SENATOR SULLIVAN: Okay, and in your work reaching out across the state, how do you identify communities to work with? [LB729]

KRISTIN WILLIAMS: You know, we are blessed in that we work with the Nebraska Children and Families Foundation. So we have funded them and ask them to bring the provider communities together that they see the most opportunity with. And they're doing that support. [LB729]

SENATOR SULLIVAN: You mentioned that it's important to collect data to assess how you're doing and identify changes that need to made. What have you seen thus in terms

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of improving what you're already doing? [LB729]

KRISTIN WILLIAMS: Well, I'll tell you we've really seen that getting that data is a huge challenge because in order to make corrections to the work, we really need real-time data. And just in Omaha, it's been a bit of an uphill battle to try and get that. But we're at a point where we can get daily attendance data which maybe sounds small, but it's actually quite a big deal. Oftentimes the programs that are operated after the school day are what keep youth engaged during the school day. And so we can have our site directors now go and find youth if they aren't showing up maybe three or four days to a program or to school and try to find out what that problem is and do some problem solving. So that's one small piece of data. What we're working toward is getting some of the academic data so we'll know if Youth X is not performing in math, that maybe what they need is to head to the math tutor first before going to a program, oh, let's say like, a theater program where they're engaged, and they're having a lot of fun. We use that as a carrot in essence to keep students engaged. So that's really basic. My guess is my friend Jeff Cole at Nebraska Children and Families Foundation can give you a much broader view of his hopes. But on the micro level, those are the little teeny things that make a huge difference for the students. [LB729]

SENATOR SULLIVAN: Very good. Any other questions for Mrs. Williams? Thank you for your testimony. [LB729]

KRISTIN WILLIAMS: Thank you. [LB729]

SENATOR SULLIVAN: Welcome, John. [LB729]

JOHN BONAIUTO: Thank you. Senator Sullivan, members of the committee, John, J-o-h-n, Bonaiuto, B-o-n-a-i-u-t-o, representing Nebraska Association of School Boards and the Nebraska Council of School Administrators here to support the bill. And I'll keep my testimony brief because you had such excellent testifiers. I will look at the nuts and bolts of the bill, and I also want to support Senator Kolowski's amendment because it looks like he's going to pare this task force down to a little more manageable number. I looked at the numbers on this, and I thought, wow. My organizations like to be named in legislation, but they also will participate when senators invite them to the table. The school board members and school administrators will come and talk about these important programs without being named. And we were worried that having a fiscal note to support a task force of that size would be problematic. So Senator Sullivan, you hit on the key phrase, sustainability of resources. And I'm hoping this task force will be able to look at some multiple funding sources to keep these vital programs available for students across the state. With that, I will conclude my testimony and thank you. [LB729]

SENATOR SULLIVAN: Thank you, John. Any questions for John? All right, thank you

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for your testimony. [LB729]

JOHN BONAIUTO: Thank you. [LB729]

SENATOR SULLIVAN: Welcome. [LB729]

JAY SEARS: (Exhibit 6) Thank you. Good afternoon, Senator and members of the committee. I'm Jay Sears, J-a-y S-e-a-r-s, representing the Nebraska State Education Association. And my written testimony and my oral testimony is very brief. NSEA supports the task force and the amendment that Senator Kolowski is bringing. As you can see by just the testimony from the people who are providing the extended learning opportunities, there's lots of data out there for us to collect to find out what good programs are doing, how we can combine our resources, public and private, nonprofit and the whole process because of the uniqueness of Nebraska and trying to serve all of Nebraskans across the state. Bringing together and finding out what the data tells us and what are good programs and how we might leverage all kinds of programs no matter whether they're in the urban area, the suburban area, or in our rural areas. So NSEA is prepared to support your task force and provide any information that you'd like from us. So thank you very much for the opportunity to testify. [LB729]

SENATOR SULLIVAN: Thank you, Mr. Sears. Any questions for...all right. Thank you for your testimony. [LB729]

JAY SEARS: Thank you. [LB729]

SENATOR SULLIVAN: (Exhibits 7 and 8) Anyone else wishing to speak in support of LB729? I would like to read into the record that we have a letter of support from Lynn Johnson, director of the Lincoln Parks and Recreation Department. And Dr. McGowan, I failed to mention earlier that you had also brought a letter on behalf of the STANCE group in support of this legislation. Okay, anyone wishing to speak in opposition to LB729? Anyone in a neutral capacity? Senator Kolowski. [LB729]

SENATOR KOLOWSKI: Senator Sullivan, members of the committee, thank you very much for this opportunity today. And I want to thank all those who gave testimony for their time and effort and wisdom that they shared with us. I think one...just a couple of ending comments on a few things that were mentioned and to encapsulate this within the context of our times and what we're trying to get done as far as where we are in the state at this time. One of the speakers mentioned the six or seven hours a day that students might be in school. The flip side of that is, what's the 17 or 18 hours, the rest of the day, wherever they might be and what are they doing with themselves. We know from a safety standpoint, 3:00 to 6:00 p.m. are the most dangerous times of the day for many students as they get out of school and get into whatever activities they might be getting into on the street or in different places. I know in my own work as a high school

principal in my past the second curriculum of our school was the activities and athletic program as a whole. And having students involved in as many things as they could handle in a school is a great testimony to student connection and involvement of learning leadership skills, problem-solving skills, decision-making skills, and character-building skills over time. And that's a great connectivity to where they are and what they're doing. We heavily use the 40 developmental assets--you might have heard of that somewhere--a program that...assessment that is very, very handy to see where kids have deficits as well as where their strengths are. And that tool, along with many others, became very important for us as we moved along. In our own experiences...right now in Nebraska...I appreciated the Nebraska ed television, the people that were here this afternoon and our reestablishment of their continuity in the future, we hope, with what's going on in that particular phase. The connectivity to the potentials and what might happen with our curriculum development in the state as a whole, be it Common Core or any other directions we might go, tied to the state assessments. There's a great potential of things that can happen in that particular process. As we're looking at a visioning process with the Education Committee, tying that back into not just expanded learning opportunities, but in the district I had served in, we called ELOs essential learner outcomes as well. And so I think there's a great overlap there that we have the connectivity take place during the day with the schooling the students are receiving and the after and before and weekends and summers experiences that students can also experience. This will take coordination. We have to have some commonalities. We need to talk the same language, and the greatest commonality of course is caring about our kids. And as we carry that forward, I think this has tremendous potential and we look forward to your assisting us in moving this ahead. Thank you very much. [LB729]

SENATOR SULLIVAN: Thank you, Senator. One question, and it was kind of prompted by what Dr. McGowan had said about the fact that they have expanded learning for their teenagers. [LB729]

SENATOR KOLOWSKI: Yes. [LB729]

SENATOR SULLIVAN: So what's your concept of expanded learning opportunities, all the way from preschool to the end of high school? Or do you target certain groups? Or what are your thoughts? [LB729]

SENATOR KOLOWSKI: Well, I was speaking from my own experience of a high school program that had about 140 percent of the kids in the building actively involved in an activity program or athletic program. That means some kids were in more than one as they went on, and that led the state during my time as principal that we had that kind of involvement. So that's dealing with high school kids and all the way down to preschool. Yes, I think it's a great opportunity for us to have a broad reach in our community and great trust from our parents. A number of speakers talked about the dual-income working families, the mothers and fathers both. We lead the country in that from the

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statistics I've seen. And that's a very important piece of what we're trying to do as our parents are working so hard to try to make ends meet in their families. Any community support that could help them with the responsibilities in assisting them with raising...having activities to help raise their kids then I think is a great asset. The 4-Hs, FFA, Boy Scouts, Girl Scouts, all the things across the board need to be considered when we're looking at the opportunities that could be there for all of our students in every situation... [LB729]

SENATOR SULLIVAN: Thank you. [LB729]

SENATOR KOLOWSKI: ...no matter what the age. [LB729]

SENATOR SULLIVAN: Okay, any other questions? Thank you, Senator. [LB729]

SENATOR KOLOWSKI: Thank you so much. [LB729]

SENATOR SULLIVAN: All right, we will now move on to our next bill, and I will have to turn it over to Senator Scheer. [LB729]

SENATOR SCHEER: Thank you, Senator Sullivan. We will now have a hearing on LB692 introduced by Senator Sullivan. And if you can wait maybe 30 seconds while we make the changes necessary in the format of the room. I won't say you know how to clear a room but...and, Senator Sullivan, it is yours. [LB729]

SENATOR SULLIVAN: All right. Senator Scheer and members of the Education Committee, for the record, my name is Senator Kate Sullivan of the 41st Legislative District; that's K-a-t-e S-u-l-l-i-v-a-n, here today to introduce LB692. LB692 is a bill that was brought to me by the Nebraska Educational Telecommunications Commission to make changes to statutes that govern the power and duties of the commission. LB692 changes technical and programmatic references which are quite frankly inaccurate or obsolete. LB692 updates technology references to recognize Federal Communications Commission mandates regarding digital broadcasts. It acknowledges the emergence of distribution venues involving streaming government and educational content over the Internet, and updates terminology regarding technology and educational telecommunication services. For example, changing "film library" to "digital archives." LB692 also eliminates language regarding programs and facilities that have been eliminated. This includes: number one, a reference to the NET distance learning system which no longer exists under Section 79-1317; secondly, satellite and transponder references under Section 79-1319; and three, the requirement that educational telecommunication services be limited to in-class instruction also under Section 79-1319. Finally, under LB692 four statutes are proposed to be eliminated entirely: 79-1321 which pertains to the now defunct NEB*SAT Cash Fund, and 79-1323 through 79-1325 which supported educational initiatives within the Department of Education and

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contractual services at NET that were eliminated in budget cuts over a decade ago. With the passage of LB692, we will essentially clean up our statutory references as they pertain to NET as well as provide a more accurate reflection of what NET does for and within the state of Nebraska. I ask for your support in advancing this bill to the full body of the Legislature. And I will say that Mark Leonard from NET will follow me in testifying and can provide more technical or definitive answers to the questions you may have regarding this bill. Thank you for your time and attention to this matter. [LB692]

SENATOR SCHEER: Thank you, Senator Sullivan. Any questions of Senator Sullivan? Thank you. We will now open the hearing to those proponents, those in favor of the bill. Welcome. [LB692]

MARK LEONARD: Thank you. Thank you, Senator Sullivan and members of the committee. My name is Mark Leonard, M-a-r-k L-e-o-n-a-r-d, and I am the general manager and CEO for NET, and I am here today on behalf of the commission that this proposed legislation defines. As Senator Sullivan's introduction to the bill stated, LB692's purpose is to update technology terminology, clarify service descriptions currently provided, and eliminate programmatic references that no longer exist. Special care was taken to update the statutes but not alter the legislative intent of the original language. Much of the wording that is proposed to be changed dates back over 50 years. We believe it is publicly responsible to recommend these changes promoting transparency and accuracy when describing the commission's roles and responsibilities. The proposed changes were reviewed by the Nebraska Educational Telecommunications Commission at its December 5, 2013, public meeting and were unanimously approved for recommendation to the Legislature. We hope that you will support and approve LB692. And in deference to the committee's time and responsibilities, that concludes my testimony. [LB692]

SENATOR SCHEER: Thank you. Are there any questions? Senator Davis. [LB692]

SENATOR DAVIS: This is a question that doesn't even really relate to what you've brought because I think this is a well-thought-out proposal. But really enjoyed the tour that we took the day we were at NET, and I just wanted to ask you who it was that took us on...actually took us on the tour themselves. [LB692]

MARK LEONARD: That would have been Phil Hammar. [LB692]

SENATOR DAVIS: Phil Hammar, because my cousin is...my half-brother is his cousin so I wanted to let my brother know that I'd seen him. [LB692]

MARK LEONARD: Excellent. Glad you enjoyed it. [LB692]

SENATOR DAVIS: So, Phil Hammar. Thank you. [LB692]

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SENATOR SCHEER: Thank you, Senator Davis. Any other questions that would be relevant to this? [LB692]

SENATOR DAVIS: Senator Chambers does this all the time. [LB692]

SENATOR SCHEER: I understand. I understand. Thank you, Mark. [LB692]

MARK LEONARD: Thank you. [LB692]

SENATOR SCHEER: Are there any other proponents? Seeing none, are there any opponents to the bill? And are there any testifying in a neutral position to this bill? Seeing none, Senator Sullivan. She waives closing, and this ends the hearing for LB692. [LB692]

SENATOR SULLIVAN: We will now move on to the next bill and in so doing, Senator Avery, I forgot to introduce you as a member of the committee earlier when you came in. So my apologies. [LB692]

SENATOR SCHEER: Now that everybody has left. [LB692]

SENATOR SULLIVAN: And this is the hearing on LB703 to change the Nebraska Optometry Education Assistance Contract Program. Senator Avery. [LB692]

SENATOR AVERY: Thank you, Madam Chair. For the record, my name is Bill Avery, B-i-l A-v-e-r-y. I represent District 28 here in Lincoln. I bring to you LB703. This relates to the Optometry Contract Program. You may remember that we went through a process two years ago to trim our budget, and this program of assisting optometry students with tuition was ended with LB334 which was a part of the LR542 process. We were forced to make some very difficult decisions you will remember. And after much deliberation by this committee and the full Legislature, we did end the Optometry Contract Program in which students were allowed to get tuition assistance. We did however in that bill...we have allowed participating students already in the program to finish their schooling. Those students are now in their third year. So this would be a good time to reassess that decision. LB703 amends Section 38-2622 to reauthorize the Optometry Contract Program for 7 students per year at \$15,000 per student. The fiscal note you will notice calculates the total number of students at any given time to be 7, and the related fiscal impact for 2014-15 and 2015-16 totals \$90,000. If after all the students currently authorized to graduate do, then the program would have a fiscal impact of \$105,000. Essentially, we are paying a portion of the out-of-state tuition for students from Nebraska who meet the criteria to participate in this contract program with an optometry school that the University of Nebraska does recognize. We do not have such a school here in this state. Currently, optometry is the only health profession in the

state of Nebraska that does not have any state funding to assist with education. According to the Association of Schools and Colleges of Optometry, the average out-of-state optometry student will spend \$21,500 to \$51,500 per year in getting their training. This bill just makes a dent in their overall expenditures. When the program was authorized, the university joined 28 other states by engaging in academic contracts with only 7 of the nation's 21 schools of optometry. We work with the University of Houston, Indiana University, University of Missouri-St. Louis, Northeastern State University in Oklahoma, Pacific University in Oregon, Pennsylvania College of Optometry, and the Southern College of Optometry in Tennessee. I believe we have a graduate of that program here to testify today. The contract program was quite demanding and it continues to be so. It is geared to very serious students. Undergraduate preparation for the study of optometry requires a strong foundation in the sciences including biology, organic chemistry, general physics, and microbiology as well as a background in mathematics, literature, and psychology. These are serious students who work very hard. Most optometry programs require the completion of at least 90 semester hours. Many require a completed bachelor's degree. Students are also required to take the Optometry Admission Test and score favorably on that. There are about 340 licensed optometrists in the state of Nebraska. About three-fourths of them are in the Lincoln, Omaha, and Norfolk triangle area. And as with most other specialized medicines, we are suffering an alarming shortage of professionals west of Lincoln. And this would help us meet that need. As with most health-related issues, we're getting worse as a nation. And in Nebraska, particularly the rural part of the state is suffering the most. Over the next ten years, the number of Americans diagnosed with glaucoma will increase by more than 1 million people according to the American Optometric Association's most recent consumer survey. We are an aging population, and there is already an increase in diabetes which also can have implications for eye health. Our professionals are reaching the age of retirement. We are going to continue to have shortages of certified healthcare specialists if we don't hold on to our own students. So we should help minimize the cost of their education and encourage them to set up shop in Nebraska and hopefully in western Nebraska. Currently, we do not have a law that absolutely requires them to return to Nebraska following graduation, but I would certainly be open to exploring that option, particularly having them agree to locate in the rural parts of the state. As I said, we have some people here from the Nebraska Optometric Association to help me with this testimony. Thank you. [LB703]

SENATOR SULLIVAN: Thank you, Senator Avery. There were 11 students before. When the support was in place how many students did it support? [LB703]

SENATOR AVERY: It supported seven, I believe. [LB703]

SENATOR SULLIVAN: Originally? [LB703]

SENATOR AVERY: Yeah, I think this is just a reinstatement plan. [LB703]

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SENATOR SULLIVAN: Okay, all right, very good. Any other...Senator Scheer. [LB703]

SENATOR SCHEER: The question I was going to ask you handled within the last 12 seconds of your testimony to the extend that there's no requirement for them... [LB703]

SENATOR AVERY: Right. [LB703]

SENATOR SCHEER: ...to come back to the state. And certainly that would be something that I think would be of interest to myself, perhaps others, in trying to secure that type of commitment. A lot of different agencies require that. And more specifically if we are truly trying to pinpoint those returning to certain segments of the state that is underrepresented by those that might be part of it as well from the vantage point of getting the best bang for our buck again for those funds. [LB703]

SENATOR AVERY: I don't know how bad the situation is in western Nebraska, but I suspect it can be rather severe. You probably have enough optometrists in Norfolk. I know in Lincoln we have a fair number, and Omaha. But we are not the only people in the state. We're not the only people that need to be served by this profession. [LB703]

SENATOR SCHEER: Okay, thank you. [LB703]

SENATOR SULLIVAN: Senator Davis. [LB703]

SENATOR DAVIS: Basically, right along those lines of Senator Scheer's questions, but I was wondering if there was a way that it could be...we could have tuition forgiveness sort of process, if people came back and practiced for five years in Nebraska or something like that. [LB703]

SENATOR AVERY: Sure. [LB703]

SENATOR DAVIS: And if that were the case, would you want a committee amendment to do that? [LB703]

SENATOR AVERY: I would be happy to have that. You might want to speak...question the representative of the optometry association to see what their position is. I haven't discussed it with them. [LB703]

SENATOR DAVIS: Okay. [LB703]

SENATOR AVERY: But I like that idea, and I was...in preparing this testimony, my LA and I discussed that as an option. [LB703]

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SENATOR SULLIVAN: Senator Kolowski. [LB703]

SENATOR KOLOWSKI: Thank you, Madam Chair. Senator Avery, I have the same feelings I guess. As you heard, on a payback basis either...I know the district I served in, when I went on a half-paid sabbatical it was payment back over three years if I didn't return to that district, so one-third, one-third, one-third for every year I came back or didn't come back. I was forgiven or had to pay back. If we made that one-fifth or whatever you would want to do, I think it's a very wise move. We're trying to get them back here and that's... [LB703]

SENATOR AVERY: Yeah, that's...one-third, that could be a lot of money to a... [LB703]

SENATOR KOLOWSKI: Stretch your dollar over five, one-fifth. [LB703]

SENATOR AVERY: But those are all good ideas. [LB703]

SENATOR SULLIVAN: Thank you, Senator. [LB703]

SENATOR AVERY: Thank you. I think I'll stay and...I might close I mean. [LB703]

SENATOR SULLIVAN: I was expecting you to. (Laughter) [LB703]

SENATOR AVERY: I got lucky in that I was quick across the hall. [LB703]

SENATOR SULLIVAN: Welcome. [LB703]

RICHARD POWELL: (Exhibit 1) Thank you. Senators, my name is Richard Powell, R-i-c-h-a-r-d P-o-w-e-l-l. I live in Lincoln, and have practiced in Lincoln optometry for about 40 years. I was born in Sidney, Nebraska, and raised in a small town in Dundy County called Benkleman. I went to McCook Junior College and attended the University of Nebraska for my undergraduate degree in preoptometry. I am past president of the Nebraska Optometric Association and current member of the American Optometric Association. I have had some experience. I was appointed by Governor Kerrey many years ago to serve on the State Board of Health. I served in that capacity for four years. I have been an adjunct faculty member of the University of Missouri College of Optometry in St. Louis and Southern College of Optometry in Memphis, Tennessee, and served eight years on Southern College of Optometry's board of trustees. And so I've become very familiar with the educational background of optometry students and their trials and tribulations. I also served...I was appointed by Governor Johanns to serve on the Board of Education Lands and Funds in Nebraska, abbreviated as BELF, which manages all of the trust lands in Nebraska whose income from goes to the K-12 education in our state. The history of the optometric state tuition subsidy as I call it was at about 30 years ago, 25-plus years ago Nebraska started this contract program with

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several colleges of optometry in order to help pay for the out-of-state tuition portion of the tuition that's being charged by...for example, in Tennessee there's a college. The people that come from...non-Tennessee students were being charged more to go to school there. So do you understand that concept? And I was interested at that time to help get that law passed, and we worked with the University of Nebraska in implementing it. And at those days it was about ten students. It wasn't fixed at ten, but it was up to ten students at \$15,000 a year or approximately \$600,000 for all 4 classes. So you've got...each class has up to ten students and if you take that times four classes--it's four-year educational process--that gets you to \$600,000. These contract seats guaranteed Nebraska spots in optometric education across the country. So we would not then have to deal with the issue of, we don't have an optometric college in Nebraska and we're not large enough to obviously economically make that feasible. And this was...this program was cancelled three years ago and since they've reviewed that with you. All other health professions today in Nebraska receive some sort of state assistance; M.D.s, nurses, physical therapists, dentists, med techs, pharmacists, pharm techs. They're all educated with help from Nebraska taxpayers. What sparked my interest in particular with this is, sure it was cut back a few years ago, and at the time I thought, well, you know, optometry should help this tax...I mean, help with the distressed economy in Nebraska. But then I read just recently not too long ago that the veterinary medicine program is going to be started in Nebraska and we have been subsidizing that through K-State and Iowa. And now they're going to build a \$100 million--as I read the paper a few months ago--veterinary medical facility in Nebraska. And I said, it's time that we reinstate this for my profession. We just need...we would like to be treated equal to our sister colleagues in other professions. And I can tell you this, that those...status that it is now, it's seven students at \$15,000. That's \$420,000 per year. There are 31 states that don't have optometric colleges, have similar programs like the one we're asking to be reinstated here. Our sister states, Kansas, North and South Dakota, Wyoming, and Colorado all have programs like this. And the amount per year per student is all...they're all very similar, about \$15,000. So the average student debt that graduates from an optometry colleges across the country is \$130,000. We're at...these colleges are in Chicago, Memphis, St. Louis, Oklahoma, Houston, Alabama, Ohio State, Indiana, Minnesota, Massachusetts, Oregon, Pennsylvania, three in California, Oregon, Florida, West Virginia, New York, and Michigan. And if this is passed, we obviously won't have a student in each one of those but if we could get this funding reinstated to help the students get their optometric education it would be beneficial to rural Nebraska certainly. Thank you. [LB703]

SENATOR SULLIVAN: Thank you, Dr. Powell. Just to clarify a couple of things, if this were reinstated would we identify just certain colleges of optometry for which it would be recognized? You mentioned quite a number of them. [LB703]

RICHARD POWELL: Right. [LB703]

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SENATOR SULLIVAN: But would they all be or would...? [LB703]

RICHARD POWELL: Well, the way it would probably be the easiest is to let it be known that there's seven students per year that are going to get this money. And once they're accepted to an accredited college of optometry, they could then make applications for that subsidy funding. And up to seven, so once the seven are picked for that year then no more. And you go to the next year. But you could do it that way or in the past they have...the university, when they ran the program they had I believe six or seven colleges and they would say, okay, Houston, you get one. Memphis, you can have two. Indiana...at least that's the way they did it. [LB703]

SENATOR SULLIVAN: Do you know, when the program was going, how many of the students, Nebraska students that went elsewhere with this subsidy came back to Nebraska to practice? [LB703]

RICHARD POWELL: I don't have those figures. I can tell you that when I was adjunct professor and a lot of Nebraska's students would come back and intern in my office. Probably 60 to 70 percent came back to Nebraska, but I don't have those figures to know for sure. [LB703]

SENATOR SULLIVAN: And do you know if the...in this case the university as well as your association...when you know that there are students going into optometry, is there any way you encourage these students once they finish their schooling to come back to Nebraska? [LB703]

RICHARD POWELL: Well, I don't know about the term encourage. [LB703]

SENATOR SULLIVAN: Or at least are you making them aware that there is a need... [LB703]

RICHARD POWELL: Oh, yes. [LB703]

SENATOR SULLIVAN: ...and also positions available in rural...in Nebraska? [LB703]

RICHARD POWELL: Right, yes. I'll let the executive director for the state association...but I do know this, that there are programs in place right now through the association and through the state to let the students that are graduating know where the opportunities are. And it worked good for me when I was graduating many years ago. I was available, needed one available right here in Lincoln. [LB703]

SENATOR SULLIVAN: Thank you. Senator Scheer. [LB703]

SENATOR SCHEER: Thank you, Senator Sullivan. You were sitting while we had the

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discussion with Senator Avery and his introduction. Would you have a problem with a program that was exclusively geared towards those that were going to return to Nebraska as either a earned dollar amount back for years that you stay here which is not uncommon in a lot of the medical fields and more importantly and you made...that you thought that it would help rural this way. It would specifically help those underserved areas. Would you have a problem with either of those? [LB703]

RICHARD POWELL: No, I think that's a good idea. You know, having come from small-town Nebraska, you know, Benkleman, there's 1,500 people there. When I grew up I had 27 in my high school graduating class. Programs like that wouldn't hurt. I don't know how you could manage it because here you are. The student has graduated, they've received the subsidy to help them...out-of-state tuition, now they graduate. They come back. Would you put together a program so...will you continue the subsidy for five more years if they come back to Nebraska? I mean, I just don't know how that would work. [LB703]

SENATOR SCHEER: Well, no at least what I'm envisioning and I think what the other senators are envisioning, they're receiving X amount of dollars over their four years. Over a five year period, essentially that's a loan. And so if you are here for one year and you leave, you only have to repay 80 percent of those dollars. If you stay here for five years, then that total amount then is forgiven and you have no debt on that money from the state. However, if you choose not to come back to the state at all, then those funds would still be an obligation for you to pay back the state of Nebraska. [LB703]

RICHARD POWELL: Yeah, now I suppose if you structured it that way, in the past...it was never structured as a loan. It was structured only as a contract between Nebraska and the educational institution to provide a spot for a Nebraska student. [LB703]

SENATOR SULLIVAN: Senator Davis, did you have a question? [LB703]

SENATOR DAVIS: I've got several. First of all, I want you to know I think it's probably a good idea and something I support. How many students are in a typical freshman class at one of these schools? [LB703]

RICHARD POWELL: How many Nebraskans? [LB703]

SENATOR DAVIS: No, how many students would there be? [LB703]

RICHARD POWELL: Various sizes, I would say some of the smaller colleges have 50 up to 150. Southern College of Optometry, which I was on the board of trustees for eight years, their class size is 130 per student...per class. [LB703]

SENATOR DAVIS: Would you be able to put together the number of optometrists in

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Nebraska, where they're located, and their age? [LB703]

RICHARD POWELL: Uh-huh. [LB703]

SENATOR DAVIS: I think that would be helpful to us in trying to figure out how to formulate this loan repayment process. And so then we can sort of have...we could say, over the next ten years, we're going to need people here. So maybe we can target... [LB703]

RICHARD POWELL: Right. [LB703]

SENATOR DAVIS: ...those students somehow. Are these optometry schools, are they at land-grant universities or are they...? [LB703]

RICHARD POWELL: Out of 21, most all are public institutions. I think there are...I'll give you an example. The University of Alabama, University of Houston, Southern California College of...you know, there's three or four private. The Southern College one that I was on the board of trustees, that's a private institution. And a lot of Nebraskans go there because it's relatively close. Nebraskans tend to pick Indiana, Ohio State, Chicago, Memphis, Houston. Yeah, those five. [LB703]

SENATOR DAVIS: Well, you know, the reason I ask that question I thought maybe the University of Nebraska could work an arrangement with some of those other schools so that they could get in-state tuition which would help them a lot. It's just something to look at. [LB703]

RICHARD POWELL: Right. [LB703]

SENATOR DAVIS: And you said the university used to run the program before this grant was eliminated or... [LB703]

RICHARD POWELL: Right, right. It was... [LB703]

SENATOR DAVIS: So would envision putting it back within the university system? [LB703]

RICHARD POWELL: Yeah, I think that would work. Another one that Senator Avery mentioned to me was, what about the Postsecondary Coordinating Commission and whoever wants make it...let it fit within, you know, their domain. It's a pretty small program. You're talking about 7 kids, but 7 students that times 28 total, you know. [LB703]

SENATOR DAVIS: I just thought I'd ask that question. Thank you. [LB703]

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SENATOR SULLIVAN: Any other questions? Thank you, Dr. Powell. [LB703]

RICHARD POWELL: Thank you. [LB703]

SENATOR SULLIVAN: Welcome. [LB703]

DAVE McBRIDE: (Exhibits 2 and 3) Good afternoon, Senator Sullivan, members of the committee. My name is Dave McBride, D-a-v-e M-c-B-r-i-d-e. I'm the executive director for Nebraska Optometric Association and appearing on their behalf in support of LB703. I'm passing out a couple of things just sort of for background information and some of the information on here you've heard referenced already. So maybe I can spend my time here trying to amplify and clarify some things that were questions earlier. This program was established in 1974, so it was 37 years old at the time that it was defunded. We actually, the program actually provided funding for up to 15 students per year for a maximum of 4 years. And in many years there were that many that were under contract. It has been administered by the University of Nebraska. The schools that were under contract have changed periodically during the course of the 37 years that this program was in place. And our association worked with the university in the considerations and recommendations as to schools that were in the contract program. There were seven schools in the program at the time...in 2011 when this program was...when the funding was discontinued. We had indicated...our association had indicated at the hearing that this committee had in 2011 at the time you were considering eliminating the funding, some of the things that have been questions here in terms of restructuring the program. Ultimately the committee decided simply the choice was to eliminate the funding but a couple of the points on here on the handout that I would draw your attention to that haven't been referenced so far. You can see on the handout here it provides the range of tuition and fees for nonresidents which all of our Nebraska students would be. There are 340 optometrists practicing currently in Nebraska which is a statistic I think you heard earlier. It indicates here approximately 25 percent of the practicing ODs in the state right now have been supported through the contract program. Now there are...when you do the math on that, there are more that have been through the program. Some have been in the state for a time and moved on. Some have since retired since being in the contract program. But of the practicing ODs currently, there are about 25 percent, one out of every four, that have been supported through this program. There's also a bullet point here that talks about the need for optometrists in the state and the recent growth and the numbers would certainly seem to support that. You can see the numbers here in terms of the increase in licensees over the last 10 years. Our association which has historically represented consistently between about 78 and 83 percent of licensed ODs in the state, our membership over the last 25 years has gone up about 72 percent. So there's obviously a growing need and market for optometrists in the state of Nebraska and we think that will continue to grow. And then the statistic here about the Bureau of Labor Statistics in terms of the

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profession of optometry in general as a profession with growth opportunities, we feel that there are certainly going to be an increased number of students interested in optometry as a career for a variety of reasons. And so the opportunity for those students to get financial help so that they can go to optometry school and be able to practice certainly is important going forward. I guess I'm going to run out of time here pretty soon anyway so maybe I'll stop at that point and see maybe if I can...if you'd like me to try to respond to or address any further...or some of the questions that the committee had earlier, I'd be glad to try to do that. [LB703]

SENATOR SULLIVAN: Thank you, Mr. McBride. Questions for Mr. McBride? Senator Scheer. [LB703]

SENATOR SCHEER: I'll be glad to ask him again. As far as being more pinpointed, I'm assuming you're talking about pinpointing the scholarships to perhaps the underserved area as far as more of a forgiveness-type loan rather than a grant I guess perhaps is what we might be talking about. Is that what you were wanting to respond to? [LB703]

DAVE McBRIDE: Well, that would certainly be a possibility as far as we're concerned. I don't know what the arrangements are with the state's funding that's provided for students in other healthcare professions. I don't know whether the loan structure and the tie to practicing in the state is common frankly or not with regard to other professions. So I would hope that optometry would get considered generally the same as we are with other health professions. But notwithstanding that, I think we're certainly open to some sort of an arrangement working with the committee on how to put together some means of incentivizing if you will people to come back to the state of Nebraska. My guess is we can't...we aren't able to research this completely over the course of 37 years, but it would appear from the numbers we've looked at that there are probably around 60, 65 percent of the students who have been supported through the contract program that have come back to Nebraska at some point in time. Now some stay for a year, a couple years, five years or more, move on, whatever. But historically, as I say, it appears from the research we've done that we're getting about 60, 65 percent that have been coming back to the state. So if the committee wanted to either incentivize or require that further, we're certainly open to working with you on how we could do that. I know there was a question earlier about whether there is an effort made to encourage Nebraska students to come back to the state of Nebraska. I would tell you that our association regularly reaches out to all of the Nebraska students in any optometry school across the country, not just the contract program students. But we regularly reach out to all the Nebraska students across the country in optometry school. The majority of them are student members of our association which there's no charge for. As a result of that, we communicate with them regularly, invite them back here regularly to our educational programs at no charge. We do everything we can to try to promote them coming back and practicing in Nebraska and part of that is to try to make it easy for them to get information about career opportunities, practice opportunities

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here in the state. We maintain a job-placement Web site, a job service, have a number of inquiries every year about that. So at least from our association standpoint we're very actively trying to encourage people to come back here and practice. [LB703]

SENATOR SULLIVAN: That makes me wonder. I think Dr. Powell said something about an internship. Do students have to do an internship or residency to earn their...? [LB703]

DAVE McBRIDE: Residencies are not required in the sense I think you're thinking of it. And they...there are some externship sites in Nebraska and they come back as part of their four-year degree to...they do an externship. Many of them will do it in Nebraska. So, yeah. [LB703]

SENATOR SULLIVAN: Okay. And does the association do anything with high school and elementary students encouraging them to go into optometry? [LB703]

DAVE McBRIDE: To some degree. We don't have a successful means of formally doing that or doing that in an organized basis. I know a number of our members across the state go in at the request of their local schools and make presentations about that and participate in local career fairs, high school fairs, things like that. There are at least...there are preoptometry clubs in place. Well, at least there used to be. I can't say for 100 percent certainty they exist today, but pretty sure that there are preoptometry clubs in place at both UNO and the University of Nebraska-Lincoln and I believe at Creighton. And so we do have periodic contact with the students in those programs who already are interested in optometry as a career. So we do promote it as a career opportunity to the degree we can. [LB703]

SENATOR SULLIVAN: Okay, all right. Senator Davis. [LB703]

SENATOR DAVIS: Thank you, Mr. McBride, for coming, and Madam Chairman. You say you've got 400 members today. [LB703]

DAVE McBRIDE: Four hundred licensees in the state, yeah. [LB703]

SENATOR DAVIS: Four hundred, up from three hundred and seven. So does it look like we're already meeting the needs? [LB703]

DAVE McBRIDE: There... [LB703]

SENATOR DAVIS: Or can we tell that without doing a sort of study? [LB703]

DAVE McBRIDE: There's nothing real conclusive about that. I will tell you that there is a national Manpower survey that is being completed now nationally that will break down

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some of that information on a state-by-state basis that our national association is part of. I'm not sure what the time frame is for release of the data. We haven't seen it, but there presumably will be a more definitive answer to your question from that data. Just empirically, I think we would generally say that there is likely to be an ongoing need based on the demographics of our membership. And I think you asked about this earlier. We have not studied this in the detail that I think you were hoping, although we could look at it more. But I can tell you just in general being aware of the age demographics of our membership, we've got a significant number of people in the 50 to 60, 65 age range. So over the next five to ten years we're going to have a significant number of the current number of the current practitioners that are going to be retiring. And so even if you assume that there would be no growth in the need for number of practitioners, that still is an ongoing need for new licensees coming back here. The state has averaged in recent years probably about 9 to 12, sometimes as many as 14 or so new licensees every year coming to Nebraska. So the number seven that's in this bill, if that's the number that stays in there, would arguably cover maybe half of the students annually that we're having come into the state right now. [LB703]

SENATOR DAVIS: Well, I'm thinking if we ended up putting this in place as a loan forgiveness bill, the fiscal note could be cut and you could probably increase the number of scholarships that would be available. And I'm...the other question I was going to...of those 400, I suppose some of them are retired optometrists who just maintain their membership with you. [LB703]

DAVE McBRIDE: Correct. There are about 340 practicing ODs in the state right now that live and practice in Nebraska. There are about 400 licensees. [LB703]

SENATOR DAVIS: Do you think you could put together sort of a demographic locational sheet for us so we'd have an idea of how to structure this loan document because we're probably going to need that? [LB703]

DAVE McBRIDE: We can sure make an attempt at it. I won't guarantee it would be 100 percent accurate based on information we've got available to us, but we can sure take a pretty good run at it, yeah. [LB703]

SENATOR DAVIS: I think that would be helpful. And then the other thing I was going to suggest, and maybe you already do that but, you know, the state colleges have the RHOP program. And I'm not familiar enough with that as to how it works. And that's essentially a loan repayment deal also. [LB703]

DAVE McBRIDE: Uh-huh. [LB703]

SENATOR DAVIS: But it might be worthwhile visiting with them too. [LB703]

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DAVE McBRIDE: Be glad to. [LB703]

SENATOR SULLIVAN: If this program were to be reinstated, do you have an opinion on how it should be administered? Previously, apparently it was with the university. [LB703]

DAVE McBRIDE: As far as our association is concerned, I mean, there wouldn't be any reason or need to change that. We have worked throughout the course of the program with the people at the university to administer this. I know our doctors across the state are used to referring students who have questions about the optometry program to the university. And as far as I'm concerned that would be as effective as anything and just continuing to have them administer it. But it certainly isn't mandatory as far as we're concerned. [LB703]

SENATOR SULLIVAN: Okay, very good. Any other questions? Thank you, Mr. McBride. [LB703]

DAVE McBRIDE: Thanks. [LB703]

SENATOR SULLIVAN: Welcome. [LB703]

KAREN ARMITAGE: Good afternoon. My name is Dr. Karen Armitage, K-a-r-e-n A-r-m-i-t-a-g-e. I'm an optometrist from Omaha. I have a private practice, Clarity Eye Care which I started in 2003. I graduated in 1993 from Indiana University School of Optometry. I was awarded a Nebraska contract to attend IU along with two other classmates from Nebraska. We all returned to Nebraska to practice. Dr. John Paloucek is in private practice in Ogallala, and Dr. Jeff Saum is in a group practice with offices in Albion, Columbus, and Fullerton. Until it was discontinued in 2011, the Nebraska Optometry Contract has allowed many Nebraska students to pursue an optometric education without having to incur the high debt of nonresident tuition. This is very important. Most other health professions, training is available to Nebraska residents in state. As said earlier, these include medicine, dentistry, nursing, physical therapy, pharmacy, and many others. By providing an optometry education contract, we would be providing students who are considering the career of optometry to make a decision to apply for a school knowing that a contract seat may be available to them to help cover tuition. A four-year optometry degree can cost \$150,000 or higher as a nonresident which is significantly higher than a four-year medical degree at the University of Nebraska Medical Center. It is very important that we as a state are able to send students to optometry school, out of state of course, with financial help in order to assure that we will have optometrists returning to Nebraska to practice. The optometry aid allows our students to become debt free sooner which allows them start or purchase practices sooner and become important eye care providers and healthy businesses in their communities. Please consider reinstating the support of our optometry students by advancing and passing LB703. [LB703]

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SENATOR SULLIVAN: Thank you, Dr. Armitage. Any questions for her? Thank you very much. [LB703]

KAREN ARMITAGE: Thank you. [LB703]

SENATOR SULLIVAN: Welcome. [LB703]

DIANE BOLIN: Good afternoon. My name is Diane Bolin, D-i-a-n-e B-o-l-i-n, and I am a mother of a current optometry student. She was a member of the class that was the first one who did not receive assistance. I grew up in Cedar Rapids, Nebraska, went to high school there, am a UNL graduate. And she attended UNL and was very pleased with how well she was prepared for college but...or for optometry school. Once she had passed the OAT to enter and had been accepted she found out that there was not any tuition assistance and made her think twice about whether or not she was going to enter the field. She spent many hours job shadowing. She knows Dr. Powell who also testified and many other optometrists. She comes home and job shadows while shes here. She just job shadowed a number of doctors over Christmas. And she's working part time, and she's doing many things to try to alleviate the debt that's she's going to accumulate during this time. But with the amount of hours required to study and practice her skills, it is quite an undertaking to anticipate that much debt. When she gets done she'd love to come back to Nebraska, but there's also probably financial incentive and pay scale that could lead her elsewhere if...when she takes into consideration the number of loans she has since there is not an in-state option. So I just would like to encourage you as the parent of a current student to support that field. So thank you very much. [LB703]

SENATOR SULLIVAN: Thank you very much for your testimony. So is it fair to say that as she is getting close to ending her education that she's weighing some alternatives, one of which might be to return to Nebraska but then again, maybe not? [LB703]

DIANE BOLIN: Absolutely, absolutely. She is looking. Right now she is exploring those options for externships that was mentioned and there are a few in Nebraska. And she would love to return to Nebraska because all of her family is here in Boone County and in Cass County. And so she spent the summer working for an optometrist here where this is a doctor that is close to retirement and she would love to return here and make that investment in her community. And if she has a huge debt, you know, that investment of buying a home or buying into a practice and all that is a little bit more limited. [LB703]

SENATOR SULLIVAN: Okay, all right. Thank you. Senator Scheer. Oh, Senator Seiler. [LB703]

SENATOR SEILER: Maybe I didn't hear. What college did she go to for OD? [LB703]

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DIANE BOLIN: She...oh, I didn't mention that. She is at the Southern College of Optometry in Memphis, Tennessee... [LB703]

SENATOR SEILER: Thank you. [LB703]

DIANE BOLIN: ...and likes it very much. [LB703]

SENATOR SULLIVAN: Thank you for your testimony. [LB703]

DIANE BOLIN: You're welcome. [LB703]

SENATOR SULLIVAN: Anyone else wishing to testify in support of LB703? Welcome. [LB703]

MELVIN BAUMFALK: Good afternoon. I'm also a parent, and my son graduated in 2003. [LB703]

SENATOR SULLIVAN: Could you state your name and spell it please? [LB703]

MELVIN BAUMFALK: Oh, okay. Mel Baumfalk, B-a-u-m-f-a-l-k. He graduated in 2003, and he did return to Nebraska and there was no incentive other than family. He's in a very good practice. And he did receive the tuition assistance which weighed heavily because our kids graduate with such high debts now. And even though it's only \$60,000 it makes a...it would make a big difference. And I helped as much as I could, but now that I'm looking at, you know, a fixed income soon it's going to be a lot tougher to help my second child who is...our third child. He's in Southern College right now in Tennessee. And he did not get the tuition because it was not available. And I do think it would be a good idea to have them somehow return to Nebraska because I spent 25 years in the National Guard and they paid out anywhere from 25 to 100 percent of your tuition. And I never did think it was right that these people could go anywhere they wanted to. None of my tax dollars came back to me. And at least this way if you did tie it to western Nebraska, wherever they're needed, give them some choices obviously but they ought to have to return if they want to get it, their tuition paid or part of it or whatever. [LB703]

SENATOR SULLIVAN: Thank you. So you're raising a family of optometrists? [LB703]

MELVIN BAUMFALK: Yeah, I was hoping for a lawyer but...(Laughter) It's not happening. [LB703]

SENATOR SEILER: I think you'd be better off just to stop talking. [LB703]

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SENATOR DAVIS: Be careful what you wish for. [LB703]

MELVIN BAUMFALK: I don't know. [LB703]

SENATOR SEILER: Having...being a retired lawyer, I understand that. [LB703]

SENATOR SULLIVAN: Any questions? [LB703]

MELVIN BAUMFALK: It'd be a big burden off me and all parents. [LB703]

SENATOR SULLIVAN: Sure, sure. Okay. [LB703]

SENATOR DAVIS: So you're saying as a taxpayer you think this loan forgiveness program would be a better approach than just a grant. [LB703]

MELVIN BAUMFALK: Definitely. Somehow, no matter how you word it or whatever you do, somehow make them come back to Nebraska at least for a few years. [LB703]

SENATOR DAVIS: Thank you. [LB703]

SENATOR SULLIVAN: Thank you for your testimony. [LB703]

MELVIN BAUMFALK: Thank you, ma'am. [LB703]

SENATOR SULLIVAN: Any other proponents for LB703? Anyone wishing to speak in opposition? Or in a neutral capacity? Senator Avery for closing. Senator Avery waives closing. This closes the hearing on LB703. We'll move right into LB835. Thank you, Senator...welcome, Senator. (Laugh) Thank you, too, for being here. [LB835]

SENATOR AVERY: (Exhibit 1) Good afternoon, committee. My name is Bill Avery, A-v-e-r-y. You can spell Bill. I represent District 28 here in south-central Lincoln. I have a handout here for the page. Hello. LB835 reauthorizes--this must be my day for reauthorizing--reauthorizes the ACT pilot program. You may be familiar with that. This is for participating school districts that have been involved in this program now. We want to...with this bill we want to extend it for another two years. The program was first authorized under an amendment that I offered to LB637 in 2011. The program is a pretty good one, and that handout that you have there is a report on its success. It began in the 2011-12 school year for eight participating districts in a pilot program. Those districts were spread throughout the state: Lincoln Public Schools, Hastings, Alliance, Sidney, South Sioux, Columbus, Gering, and Scottsbluff. For each, its first two years it has been administered to just under 4,000 junior high...high school juniors. I am asking here for a two-year reauthorization of this program so that the Coordinating Commission for Postsecondary Education can have a bit more time to continue

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collecting data and analyzing the results before funding runs out all together and the pilot program sunsets without a comprehensive final report. The first round of results are in for the 2011-12 administration of the act. And I have a copy of the commission's final first annual report to the Legislature for your review. The Coordinating Commission for Postsecondary Education was given the task of analyzing the results of the first two features of the program. The first feature was to determine if the ACT could be utilized as an alternative to the current assessment of 11th-graders which is known as NeSA. We required that under 79-760.03. NeSA created a statewide testing program assessing student learning and reporting for school districts and learning communities in grades 3 through 8 and the 11th grade. It has not yet replaced NeSA for the 11th-grade testing, but a number of people that I've talked to do think that it is an adequate if not a superior test for that level of achievement. The other objective was to increase the rate of college-going students, especially those in groups who have historically not considered college in the past. If you were a kid that you come from an underprivileged family, you probably don't think a lot about college because you think it might be beyond your reach. You might even think that perhaps college is something you can't do. If you can take the ACT and have it paid for by this program and you get a good score, that's encouraging and it does boost the confidence of these kids. And many of them are starting to say, hey, I think I can do college. After all, I got a 28 on my exam. So I think reauthorization under this bill would be a good thing for us to pursue as state policy. The actual cost of an ACT test is \$36.50, but because the state purchases these tests in bulk we pay about \$32. So the actual costs that you see in the fiscal note is a bit less than the \$145,000 predicted there. The ACT has been testing high schoolers for around 40 years, testing students on their knowledge of English, math, reading, and science. A perfect score is 36. Not a whole lot of people get that score but many of our students come very close to that. Some of them actually do hit the 36 mark. Students can take prep courses through their schools, through independent entities, they can retake the test as often as they like. As a matter of reference, the University of Nebraska and Nebraska Wesleyan University require a minimum composite score of 20 for admission. Creighton happens to have a median ACT of 27 which is pretty high. Last year, 1.8 million graduating seniors took the test. That's 54 percent of all seniors nationwide. In 2011-2012, 16,600 graduating seniors in Nebraska took the ACT. And in 2012-13 that number rose to 17,750, or 84 percent of all graduating seniors. That's a 10 percent increase over previous year. So we'd like to think that this program had an impact there. The most important takeaway is that we are exposing more students, especially minority low-income students, to the possibility of college. Student counselors are encouraging students to take college prep courses in areas of interest based on test results. They have that final senior year to specialize in something they've found they're really good at. Ultimately, they are finding that their future might be in a four-year institution. It might be a two-year junior college. It might a beauty school. It doesn't matter because for the first time for a number of these students their planning for the future includes a career including some form of higher education. And the future offers them more financial stability. Nebraska's current college-going rate is around 70 percent

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of our graduating high school students. That's pretty good, but we want this number to go up. We want our kids in college for the benefit of them and their families and the benefit of the Nebraska economy and here's why. A high school degree or a GED equivalent usually produces about \$29,000 in earning potential per year; a bachelor's degree can earn \$54,700 potential per year; a master's degree, \$67,900; a doctorate, \$92,900; professional degree, \$119,000. So there is a story here. There is something here that we can take some pride in. The program that we've just completed is a pilot program. We want to continue that. The fiscal note indicates what that might cost. We are anticipating some growth in our student population in the state, and that growth of course would be reflected in these numbers. I would like to actually contemplate, as the Chairperson of this committee and I have done, what it would mean for the state if we were to expand this to all schools rather than just the nine pilot programs. I think that would be a worthy goal, and I think that we would not be wasting our time if we started looking at finding the funding for that now. Maybe it could continue to come out of the Education Innovation Fund; that's lottery money. Maybe we have other ways to pay for it, but we know it works, or at least the indication is that it works and that it's working well. You'll have some people following me who have been in the trenches. They'd have hand-on information about how this is working in their schools. We talked to a principal from Columbus I believe it was in Senator Sullivan's office just the other day. He was very enthusiastic about this program. Anyway, the Department of Education is in full support of this, and we have a number of the participating schools obviously support it. We had a story in the Journal Star just recently of a Lincoln Northeast High School junior who was thinking about going to Southeast Community College. He took the ACT test as a part of this pilot project. He scored well above the minimum to get into the University of Nebraska. He's qualified for a federal Pell Grant and a Collegebound scholarship that will pay for four years of tuition. So this program prompted a kid who may have had a casual interest in higher education, gave him an opportunity to succeed. And he did. And that's the kind of success story that we hope to see repeated over and over and over. Thank you. [LB835]

SENATOR SULLIVAN: Thank you, Senator Avery. You mentioned the report from the Coordinating Commission. [LB835]

SENATOR AVERY: I just passed out a copy of it. [LB835]

SENATOR SULLIVAN: You did? Oh, did I miss it? [LB835]

SENATOR AVERY: The page did that. It just came out. [LB835]

SENATOR SULLIVAN: Oh, you mean this. Okay. [LB835]

SENATOR AVERY: Yes. [LB835]

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SENATOR SULLIVAN: Okay. Part of that. Okay, gotcha. [LB835]

SENATOR AVERY: That's the report. And it is based on limited data, but the indications are that this program works and does exactly what we had anticipated and hoped that it would do. [LB835]

SENATOR SULLIVAN: Okay. [LB835]

SENATOR AVERY: So we...if we were to renew it, that would be great. If we were to expand it to all 11th-graders, that'd be super. [LB835]

SENATOR SULLIVAN: Okay, thank you. Senator Scheer. [LB835]

SENATOR SCHEER: Thank you, Senator Sullivan. Senator Avery, I think you're on target, and I appreciate your support of this. This is something that was instituted when I happened to be serving on the State Board of Education with the help of yourself and several others. [LB835]

SENATOR AVERY: The idea came from your...from the board. I can't claim authorship. [LB835]

SENATOR SCHEER: Well, I mean, I know Senator Chambers doesn't think we do much right over there, but we have done some things correct. But having said that, a couple things just to add...one of the reasons we looked at this as well when talking to high school people in taking the 11th-grade NeSA exam, kids didn't see the pertinence of it. They didn't take it as a serious test, and unfortunately the results would make you believe that Nebraska might be doing pretty poorly on an educational basis on a high school level where in fact the kids, if they have another test or something the next period will just simply fill in the dots because there's absolutely no recourse to doing well or doing poorly on it. They just need to take it and once they're done with it they can either start studying for something else or do whatever else they want. So there was a disconnect in the high school testing results, at least at the department. And several of us thought simply because of lack of effort on the part of those, and in relationship to your trying extend it now to all, you know, the students...the public students in Nebraska, you know, it may not...it won't be as high perhaps as one would think because the department right now is spending some funds instituting the NeSA tests in 11th grade and the cost of reevaluating that and upgrading it as well as just providing the test. If you were to substitute that for that, I think you'd find most districts would like less testing and going to a singular test, as well as the expense might not be as much as you think to offset it, but just a couple comments on that. [LB835]

SENATOR AVERY: Good idea. I kind of didn't think about that. [LB835]

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SENATOR SULLIVAN: Senator Cook. [LB835]

SENATOR COOK: Thank you, Madam Chair. Thank you, Senator Avery. Is there a reason why it's just the ACT and not the SAT? [LB835]

SENATOR AVERY: That is the most widely accepted precollege exam, and it is used almost exclusively in the state of Nebraska--not exclusively. But it...most colleges will accept either the ACT or SAT, but I think that there's a move toward greater efficacy assigned to the ACT. You know, when I was preparing for college, I took the SAT and it seemed to be okay at the time. But now the ACT is much more prevalent. [LB835]

SENATOR COOK: Okay, thank you. [LB835]

SENATOR SULLIVAN: Senator Kolowski. [LB835]

SENATOR KOLOWSKI: Senator Avery, was there any reason why the Omaha metro schools were not touched on this in any way? You have a lot of different geographic locations and all the Lincoln high schools but nothing in Omaha. [LB835]

SENATOR AVERY: You know, I didn't have anything to do with the picking of these schools. I think it was the Board of Education. [LB835]

SENATOR KOLOWSKI: Thank you. [LB835]

SENATOR SCHEER: Well, for clarification, Senator Kolowski, we asked for districts that wanted to participate on a test basis. And essentially these were sort of it. There were a few smaller ones we tried to get geographic locations all across the state, but as I recall, I do not believe OPS or any of the other units within that area applied for that test. I could... [LB835]

SENATOR KOLOWSKI: They didn't apply from the Omaha area? [LB835]

SENATOR SCHEER: I do not believe so, but I could stand corrected. I think there might be somebody else that will testify later... [LB835]

SENATOR KOLOWSKI: Okay. [LB835]

SENATOR SCHEER: ...that might be able to help. [LB835]

SENATOR KOLOWSKI: Thank you. [LB835]

SENATOR AVERY: This is proving to be a very, very innovative and successful program. Why keep it confined to nine school districts and the students there? Why not

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make it available to all? [LB835]

SENATOR SULLIVAN: Thank you, Senator. Proponent testimony, please. [LB835]

BRIAN HALSTEAD: Good afternoon, Senator Sullivan, members of the Education Committee. For the record, my name is Brian, B-r-i-a-n, Halstead, H-a-l-s-t-e-a-d. I'm with the Nebraska Department of Education. And the department along with the State Board are in full support of LB835. As Senator Scheer indicated, this idea first started at the State Board back in 2011, and Senator Avery was kind enough after the session started to carry an amendment to start the pilot project for three years to look at the ACT test as being one, a test that could be used for both federal and state requirements for testing in the high school, and number two, increase the college-going rate. At the time, the department was looking for school districts that wanted to volunteer to do this and at the same time making sure that the demographics in total who were using this would match or mirror the demographics of the state of Nebraska. So as such, with metro Omaha, the Omaha Public School District, if you selected them you couldn't get any more to counter balance the shift of the demographics. Lincoln was the largest school district whose demographics worked very well, and they volunteered. We have a number of the other school districts. And again, when you look at the big picture, the demographics of the students in 11th grade who are taking this mirror the demographics for the entire state. So that was a key feature of why it was done the way it was done. It was not to exclude anybody in metro Omaha. It's just the numbers, as you get so large, overwhelm. And Lincoln volunteered and their numbers tended to match the state demographics to begin with. And as such didn't throw the balance out in that regard. The other thing is that when this was originally thought of, the college-going rate...we didn't quite think about the fact it'll take two years beyond the last year of your juniors taking the exam before you'll know about college-going rate. This year right now, the '13-14 school year is the last year for which funding is available. The final report from the Coordinating Commission on Postsecondary Education, because that's who the State Board contracted with to do this study, is not going to be available for two more years and from just the reality it seems to be working. We would suggest you continue funding it for the eight right now. We'll continue to collect data for two more years that in the future may help us with more longitudinal data and study uses on it in that regard. So we're wholeheartedly here in support of LB835. And in closing I'd like to note for the record that the department has no problem with the language in LB692 since I was out of the room when Senator Scheer closed that. But we had no problem with Senator Sullivan's bill for the...NET. [LB835]

SENATOR SULLIVAN: Can I ask a...thank you, Brian. A couple of things just to clarify. With those schools that are participating in the pilot, they offer the ACT to every single one of their juniors. [LB835]

BRIAN HALSTEAD: All of their juniors can take the test. There isn't... [LB835]

SENATOR SULLIVAN: How many times, once? [LB835]

BRIAN HALSTEAD: Once, and there is a particular day that ACT does this. So if you're a junior and you miss that day, you miss out on that opportunity. But it is a school day when this is done as opposed in my era you had to go in on a Saturday and take the ACT. ACT sets a day during the school week when students in the 11th grade at all the high schools in Lincoln and all the other pilots can take the ACT test. [LB835]

SENATOR SULLIVAN: And do you know if some schools who are not participating in the pilot offer the ACT? [LB835]

BRIAN HALSTEAD: The Ralston School District does that and pays for it, and I believe Millard is now going to do that themselves or they've talked about doing that. So there are more who are seeing the value and they are able to fund it themselves. The price for the test has gone up. It was \$35. ACT just recently informed us it's going to cost \$36.50. [LB835]

SENATOR SULLIVAN: Even with the bulk rate that you get? [LB835]

BRIAN HALSTEAD: That's what they tell us. So the numbers in the fiscal note reflect the number of sophomores this year as reported on fall membership and the number of 9th-graders on fall membership for the pilot districts currently doing it which gets you back to about \$140,000 for the first additional year and \$146,000 the second additional year. But since there's...in the both years we can carryover the excess fund to cover if there are more. But that's how we projected the fiscal note on the bill was based on ACT telling us it's now \$36.50 and the numbers that are currently enrolled as sophomores and 9th-graders this year. [LB835]

SENATOR SULLIVAN: Senator Davis. [LB835]

SENATOR DAVIS: We heard Senator Avery talk about the NeSA tests and the ACT. Can the ACT be used as a substitute for the NeSA test? [LB835]

BRIAN HALSTEAD: For purposes of federal requirements, that's an open question because a number of states like Michigan tried using the ACT and the U.S. Department of Education says, you're not measuring all of your standards. So Michigan had to add questions to the ACT in order to get it approved by the U.S. Department of Education. Now that the U.S. Department of Education has been promoting college- and career-ready standards, there may be a change in thought at the U.S. Department of Education on how stringently they're going to hold you accountable for your assessment to measure all of your standards in English, language arts, math, or science. So that's an ongoing...it's not just simply ACT because No Child Left Behind requires you to

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measure by assessments all of your standards and the ACT may not be perfectly aligned currently to the language arts and math standards that Nebraska has. We are in the process of updating and revising the language arts standards. You may have heard that we have postsecondary education both the public university and colleges working with us and the private colleges in Nebraska working with us on updating and revising the language arts standards and the math standards. So it would ideally be great if you could just use one test. We'll wait and see as to what the study from the Coordinating Commission ultimately says on that question and where federal law is at the end of the study in two years. [LB835]

SENATOR DAVIS: So we'd have to wait another two years for that to happen, Brian? [LB835]

BRIAN HALSTEAD: For the final report from the Coordinating Commission, I think it's going to be... [LB835]

SENATOR DAVIS: On this... [LB835]

BRIAN HALSTEAD: On this. Absolutely. The question as to what the U.S. Department of Education will allow or not, we haven't yet pushed that issue since we're in the middle of a pilot on this to see how well it works and how well it aligns. So we were kind of hoping to get at least another year's worth of data. The Coordinating Commission has produced the first report. I haven't had a chance to look at it. It may still be in a draft format as staff is looking at it and everything. But that's only going to be one year's worth of students in Nebraska. You'd like to have a couple years so you know it's trend data that's dependable as opposed to, we picked the one 11th-grade class who all were going on to college anyway so this wasn't. I don't think that's the case, but that's why you do it for multiple years. [LB835]

SENATOR DAVIS: You know, the reason I ask the question, it seems to me if we were able to take the ACT and use that as our NeSA standard test that that would certainly be the way to go for a number of reasons, one of which is, you know, all I hear from teachers is, we never get a chance to teach because we're constantly testing all the time. [LB835]

BRIAN HALSTEAD: Well aware of that. You've gotten a lawyer's response to you, Senator Davis. There might be an assessment expert who's going to follow who can do a better job telling you what the assessments can and can't do and some of the nuances of NeSA at the 11th-grade and the ACT at the 11th-grade. She may be able to better inform you on that than I can. [LB835]

SENATOR DAVIS: And I'll make one other comment. I am disappointed to see that there are no small schools in this mix. That was an oversight that I think was a poor

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decision. Thank you. [LB835]

SENATOR SULLIVAN: Senator Kolowski. [LB835]

SENATOR KOLOWSKI: Thank you, Madam Chair. Brian, one of the things that disturbed me in the past with the World-Herald reporting of ACT scores by high schools has always been and they have changed on this and I commend them for that. I always ask the question, what percentage of the kids in that senior class were taking the ACT? And you were very careful with your language earlier and I wanted to ask you, of the kids that are giving...that are taking the test on that given date, are all kids encouraged to be in school that day? Or is it a situation that could happen that all of a sudden I tell my SPED kids to stay home that day, I tell my lowest achieving kids to stay home that day? Not that that happens, I'm just saying, things could happen. You know, what's your assurance and what do you do about the percentage of kids that are in the class, in the school that are taking that test, and how do you report that out? [LB835]

BRIAN HALSTEAD: And, Senator, I can't ask that because I haven't looked at any of the data from any of the pilot districts. I am sure there will people from the pilot districts here who can better answer that than I can at the department. But the concept of, I'm going to encourage certain kids not to take the test clearly sounds to me to violate several ethical standards that the State Board has set for educators and how they work with children. So... [LB835]

SENATOR KOLOWSKI: I don't disagree with you. I just know what's happened in the past. [LB835]

BRIAN HALSTEAD: Yeah, I'm not looking for business in the other domain, but we'll certainly deal with it if we have to. [LB835]

SENATOR KOLOWSKI: And all I'm asking for is an even playing field... [LB835]

BRIAN HALSTEAD: Yeah, absolutely. [LB835]

SENATOR KOLOWSKI: ...because people put a lot of weight in that when 1 school has got 92 percent of its kids that are taking the test and another is 56 percent. And it's a significant difference. In fact, I'll go so far as telling you that counselors, if you're going to a community college, you don't have to take this test because it's not a requirement for entrance in a community college. So don't. [LB835]

BRIAN HALSTEAD: We may need to change the thinking of adults in more ways than we've all realized because they sometimes are the biggest barrier to student achievement today. [LB835]

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SENATOR KOLOWSKI: And that all said, I'm not opposed to the idea, and I think it's a very good idea. I just think we need to be careful about what we're doing. [LB835]

BRIAN HALSTEAD: And I'd suggest anybody from a school district that's a pilot coming up, ask them what they're doing to ensure that all of their students get to participate. [LB835]

SENATOR KOLOWSKI: Thank you very much. [LB835]

SENATOR SULLIVAN: Thank you, Brian. Welcome. [LB835]

LESLIE LUKIN: Welcome. Senator Sullivan, members of the Education Committee, my name is Leslie Lukin, L-e-s-l-i-e L-u-k-i-n. I currently serve as the director of assessment and evaluation for Lincoln Public Schools. So we are one of the pilot schools. I really appreciate having the opportunity to come and speak in support of this bill. A number of years ago when Lincoln Public Schools was approached and asked if we were willing to serve in this pilot, when my superintendent came and spoke to me I said without a moment's hesitation, absolutely, 100 percent. This is something we need to do. That opportunity to have all of our juniors take the ACT not only at no cost to the family, but on a Tuesday as opposed to trying to find a way to come in on a Saturday and take the test was just seen as a very positive opportunity for the students. The other thing that I get really excited about, and I worked in this field--I have my doctorate in educational measurement from University of Nebraska-Lincoln back in 1989. One of the things I really love about the ACT is that not only is it accepted by every college and university that requires a college entrance exam here in the United States, so it's accepted anywhere that the SAT is accepted. Also in addition to the scores they have college-ready benchmarks. This is a fabulous piece of information for students, for their families, and for the teachers that serve those students. For each of the four content areas, there's a benchmark which is established empirically. And the benchmark essentially suggests that if a student scores at this level or higher then they have a certain percentage chance of achieving a B or higher in general education courses once they actually register at a college or university. So basically saying empirically that the student is prepared for college-level course work and is not only going to go to college, but is going to graduate from college in four years. That's really important. Just getting a student to college isn't what this is all about. It's making sure that they stay and that they actually are awarded a degree. So that's real important. The college-ready benchmarks...there's also lots of supplemental materials that comes from ACT that really allows us to begin to talk about if a student has a score at a particular level, let's say on the reading test; what kinds of things are they likely able to do, and what kinds of things are they going to struggle with, what kinds of additional instruction would be very beneficial for that student in order to increase those skills so that they're more likely to be successful when they go to college. I worked extensively with Brenda Leggiadro who works at Lincoln Public Schools and supervises the counselors in all six of our

comprehensive high schools. So that's terrific information. It's better than just a test score. It's really information that we can use for instructional planning. It's information we can use to encourage kids to take one more advanced math class or one additional English class while they're still in high school. In terms of the implementation...let me add one more thing. Despite the fact that we knew when we agreed to participate in the pilot that we'd be dealing with logistics of giving one more test to all students, we still saw it as being extremely beneficial. So we were willing to add a test to our testing calendar because we understood the benefits of this particular test. The implementation, there was a lot of concern and a lot of motivation to approach the first year of implementation carefully to make sure that this went well and was a good experience for our students. And I'm here to tell you that the implementation has been overwhelmingly positive. Kids came. If you give the test, they will come. We had one of the highest attendance rates the first year that we gave the ACT test to our juniors when you looked at the junior class. That's incredible, that's incredible. In this day and age where kids don't want to come and take assessments, a lot of them understood the benefit of taking this particular test. We had as I mentioned record attendance. We had lots and lots of positive feedback from students, from the families of students, many stories from our counselors about the day of testing and then subsequently what happened when students began to receive test scores. As we look at the ACT and having that opportunity to participate and get a test score and look at where you stand in terms of college-ready benchmarks, there's really a couple of things I think that comes out of that. First of all, and several people have already spoken about this, kids who may not have considered college suddenly see college as a possibility. Not only do they see college as a possibility but if they reported their scores to a number of different institutions, those colleges and universities will begin to contact the student, actually reach out, recruit, help them figure out what's the next step if I want to actually apply and enroll. Also, and no one has spoken about this yet, we do have dual-credit courses in Lincoln Public Schools as do many districts across the state. A dual-credit course is a course that a student takes for high school credit but at the same time they're actually earning college credit for that course. We offer dual-enrollment courses in conjunction with Southeast Community College and also with Nebraska Wesleyan University. Having a certain level of performance on ACT actually encourages and in some cases qualifies students for those dual-credit courses. One of the most powerful predictors of students going to college and actually graduating is having some dual credit courses when they head off to college. They've had that college-level opportunity, that experience. They've learned that they are capable of working at that level and it really helps. And I'm sorry about that. [LB835]

SENATOR SULLIVAN: Okay, all right. [LB835]

LESLIE LUKIN: I get excited about this. I don't even look at the lights. [LB835]

SENATOR SULLIVAN: All right, thank you, Dr. Lukin. [LB835]

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LESLIE LUKIN: Yeah. [LB835]

SENATOR SULLIVAN: Just a couple clarifications. One is, in the pilot project... [LB835]

LESLIE LUKIN: Yes. [LB835]

SENATOR SULLIVAN: ...the ACT is not in lieu of the NeSA. They still take it. [LB835]

LESLIE LUKIN: It is not. [LB835]

SENATOR SULLIVAN: Okay. And then even though the pilot pays for one time, do you still have students taking it more than once? [LB835]

LESLIE LUKIN: Yes. [LB835]

SENATOR SULLIVAN: Okay. And you indicated that there's a lot that "happens" after the test scores are received. Elaborate on that a little bit. [LB835]

LESLIE LUKIN: One of the most important things is that the counselors and the department chairs and the teachers, particularly in English, math, and science work with kids in terms of thinking about next courses that they might want to enroll in their senior year. They also are highlighting some of those skills that they know may be areas of need and they're building within the courses that are being offered. [LB835]

SENATOR SULLIVAN: So is it fair to say that it might potentially alleviate some of the eventual need for remedial education? [LB835]

LESLIE LUKIN: Absolutely, yeah. [LB835]

SENATOR SULLIVAN: Okay, all right. Thank you. Senator Kolowski. [LB835]

SENATOR KOLOWSKI: Doctor...thank you, Madam. What month do you usually get the test done? [LB835]

LESLIE LUKIN: We actually have a choice of two different dates. This is part of the ACT's District Choice in School (sic--State) Testing that we're conducting the pilot. There's usually a March date and an April date. In Lincoln Public Schools we always offer the April date. It works better with our calendar. And it's a Tuesday in April. [LB835]

SENATOR KOLOWSKI: That's usually past the registration time for the next year if you're dealing with juniors and looking at your seniors. You then come back with those students when you see a spike in something that we're...they could do better by a

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change of schedule and work with them on that? [LB835]

LESLIE LUKIN: Absolutely. It's past the initial registration. [LB835]

SENATOR KOLOWSKI: Absolutely. [LB835]

LESLIE LUKIN: And in high schools there's lots and lots of additional work and cleanup that takes place after initial registration. [LB835]

SENATOR KOLOWSKI: Just wanted to ask. Thank you. [LB835]

LESLIE LUKIN: Yeah, absolutely. And to answer the question you asked earlier, we had...really 100 percent of our graduating seniors had participated in that ACT. [LB835]

SENATOR KOLOWSKI: In all six buildings? [LB835]

LESLIE LUKIN: Yep, it was incredible. Yeah. [LB835]

SENATOR KOLOWSKI: Very good, thank you. [LB835]

SENATOR SULLIVAN: Any other questions? Thank you, Dr. Lukin. [LB835]

LESLIE LUKIN: Sure. [LB835]

SENATOR SULLIVAN: Welcome back. [LB835]

KYLE MCGOWAN: (Exhibit 2) My name is Kyle McGowan, K-y-l-e M-c-G-o-w-a-n. I am now representing STANCE which is an organization of 12 midsize schools that have formed together with some like-minded legislative ideas. STANCE stands for Schools Taking Action for Nebraska Children's Education. And I hate to tell you, but I'm the junior varsity at this discussion because we were hoping to have two of our superintendents that actually were part of the pilot project. And I have a feeling they're getting a head start on the weather tonight on me. But I'm happy to speak about this topic and STANCE's supporting LB835. I have spoken with both Columbus superintendent and South Sioux superintendent and they're very excited about the project. They tell me that their students are motivated and they like the opportunity to put their students in a position to be ready to enter college. I will tell you that Crete was interested in being a pilot school. We have four times the number of ELL students. We're not a pilot school. To give you some specifics for Crete Public Schools and the ACT, we had about 75 percent of our graduates take the ACT. We're slightly above that...the state average I think for a composite score is like 21.4. We're a little bit above that. We do a lot to encourage our students to take the ACT again to put them in a position to make a decision. Now when I say that 75 percent, 90 percent of our

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graduates went on to either a four-year college, a trade school, or the military. So I do hesitate to say that there's more than one way to be successful, a successful citizen in addition to going to a four-year college. The data that's collected from the ACT and this project we think is important. We think it puts, again, students in a position to further their education and by having the ACT taken during a school day will really increase our numbers and support the idea of being college and career ready. So with that, I would try to answer any questions. [LB835]

SENATOR SULLIVAN: Thank you very much. Any questions for Dr. McGowan? Thank you for your testimony. Welcome. [LB835]

JOHN BONAIUTO: Thank you. Senator Sullivan, members of the committee, John, J-o-h-n, Bonaiuto, B-o-n-a-i-u-t-o. And the Nebraska Association of School Boards, the Nebraska Council of School Administrators both support LB835 in reauthorizing this pilot for another two years for all the reasons that Senator Avery gave in his opening. We also appreciate the observation that Senator Scheer made that, you know, if at some point this could be expanded that it would be excellent if this could be the test in place of the NeSA for many of the reasons you heard the previous testifier from LPS give as far as the good information that's given to the students and the counselors and the teachers and the students themselves on the ACT. With that, I'll conclude my testimony. Thank you. [LB835]

SENATOR SULLIVAN: Thank you, John. Any questions? Thank you for your testimony. Anyone else wishing to speak in support of LB835? Welcome. [LB835]

JAY SEARS: (Exhibit 3) Madam Chair, thank you, and members of the committee. I'm Jay Sears, J-a-y S-e-a-r-s, and I'm representing the Nebraska State Education Association, and we are in support of the extension of the ACT pilot program proposed in LB835. I'd like to take the opportunity to thank Senator Avery for bringing the bill and its reauthorization journey through the Education Committee. You've heard all the reasons why. One of the discussion pieces that you started with Senator Avery as he did his opening...is intriguing to our organization also is we look at the lottery funds and what they're going to fund and the fact that we're going to get a couple more years data if you pass the reauthorization of the ACT Act to help us determine good public policy. And in fact the NSEA would be glad to explore that opportunity, use the Education Innovation Fund in some manner to do that...also if it's going to pay dividends for us. Might mention that currently a lot of the testing program that's going on through NeSA is federally funded. And we're going to have to look statewide at how we take over some of that funding process when the federal funds run out on the NeSA testing and all of the testing across the nation. But...well, you also have a bill coming up soon about visioning in Nebraska and how we're going to do all of that. And so that might be a good thing to put in the mix also. But again, we support the extension of the ACT pilot and look forward to seeing the data in the next couple years. So thank you. [LB835]

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SENATOR SULLIVAN: Jay, is there a time line actually when we know the federal funds will be going away for NeSA testing? [LB835]

JAY SEARS: I'm not sure. And I'm sure someone at the department can help us understand that process. But my understanding is the building of all the testing and things have partly been funded or mostly been funded by federal funds in that process. So that's another cliff to look at as we come down the road, so... [LB835]

SENATOR SULLIVAN: All right, very good. All right, thank you for your testimony. Any other further proponent testimony? Anyone wishing to speak in opposition to LB835? Anyone wishing to speak in a neutral capacity? Welcome. [LB835]

CARNA PFEIL: (Exhibit 4) Thank you. I'm Carna Pfeil, C-a-r-n-a P-f-e-i-l, and I'm the interim executive director of the Coordinating Commission. And I thought I...we sent a letter in just talking about this, but I thought maybe I'd clarify a few things since you were talking about the reporting. What you have before you that Senator Avery provided was the first and we call it the baseline because the first students who took the test in the pilot, all of those pilot schools, that was '11-12. And they were juniors so they needed another year to graduate. So they graduated in spring of 2013. We always give them at least one semester, and we like to do two semesters, so that they can get into college so that we know that they are in college somewhere whether it's a four-year, a two-year, a private career school. They may be going to get...to a hairstyling school. So we give them that time so the first time that we'll be looking at that pilot, that first year of the pilot will be this year. And we run it in April of 2014. As soon as that is run then we will do the comparisons to see how those students stacked up against what you have as your baseline, okay? And that's what you have right now before you that Senator Avery gave you is the baseline. This will then be compared to that baseline because those are students that have taken...that are going on to college and some have taken the ACT and some have not. But those are the ones that we have in our system that we did before the pilot. Once we do that pilot...and we will be giving that to the department probably toward the end of April, and that will show the first year. The second year, and those are the students who took it in '13, they just graduated or will be graduating in '14, and so we won't look at them until the 2015 April. I will...and we hope, you know, that we're going to have more students going on to college. One of the things that we wanted to provide for you in the letter was that things have changed. Those students who are taking the test in '14, which is those juniors taking the test this April, while they are in the pilot...and before we...the information they're getting is we compare the pilot to all of those other high schools that were not in the pilot to see if those pilot schools...if more kids went on to college because that was really the basis. We thought that more kids would go on to college. Because those that are not in the pilot have decided this is a good idea and they have now paid for their juniors to take the test in 2014, you'll find a lot more schools. I think we were notified there are 13 more high schools providing

funding so all of their juniors can take the test. We have a bit of an issue if we are comparing now because it isn't apples to apples anymore. We aren't truly comparing a pilot to those who didn't pay for all of their juniors to take it. So because we do a lot of research, we're kind of uncomfortable about this type of thing. We can't tell you...and I honestly think it's going to show that that comparison may not be as strong. It'll show that because you have more of them taking that, it could be less of an issue. I also have the correlation and Brian mentioned that to you. We just finished that. There was some data...there were some errors in the data, and it took us a long time for the Department of Ed to get us the valid data. We have that now. The correlations are very strong. And we looked at the correlation between NeSA and the ACT on three areas: math, reading, and science. You look at a correlation and it's zero to one. And anything above about .75 is a good correlation. We have a majority of them that are .75 or above. So there is a correlation between the NeSA and the ACT, so I think...I don't know how the department is going to use it. I assume they're going to use it to say, we probably can substitute those tests because there's a correlation. That's what I wanted you to know, that although you could pay for the funding for the commission to do two more years and it might be good information so we can see how many kids are going on to college. We provide that information anyway. That's part of what we do in our progress report. And so I don't know if you want to pay for the extra. But I can tell you that comparing to the pilot to the nonpilot just isn't going to very valid information. So that's all I have. [LB835]

SENATOR SULLIVAN: Thank you, Carna. Is there any way that...because you probably, or at least the department knows the school districts that are offering the ACT that are nonpilot, could they be put into your study, then compare the other districts that aren't offering it, or is that not...? [LB835]

CARNA PFEIL: We could, but then you'd have a much larger pilot group if you wanted to put those in. You could take out those, but Millard is a very large school district. And if they're paying for their juniors to take it, then I'm not sure that you want to take those out. [LB835]

SENATOR SULLIVAN: No. [LB835]

CARNA PFEIL: You could, where you're just comparing those that are not paying for their juniors and those that are paying for their juniors. [LB835]

SENATOR SULLIVAN: And I don't suppose...or do you know if those nonpilot schools who are offering the ACT are doing any surveying and following the students? [LB835]

CARNA PFEIL: I don't know that they are. [LB835]

SENATOR SULLIVAN: Okay, all right. [LB835]

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CARNA PFEIL: Now we follow all students from when they graduate and they go into college, and we follow them to find out did they actually go on to college. And it's wherever they go. It's not just in Nebraska. It's across the country, and it's all types of institutions. [LB835]

SENATOR SULLIVAN: I thought about asking this when Brian was talking because...is there another reason to continue this pilot not so much what you're trying to do but in meeting some of the stipulations or requirements from the federal program? [LB835]

CARNA PFEIL: And I can't answer that. I would assume there is. But I think... [LB835]

SENATOR SULLIVAN: Okay. [LB835]

CARNA PFEIL: ...from what we have looked at, and we are just going to be getting the data on those who are going on to college, but I think you're going find that paying for...and I tend to agree with Senator Avery. There are a lot of them now who see the value of paying for their juniors to take this. And out of the nonpilots, they're seeing the values of that. And so maybe it's time to just move to that point and pay for all juniors. [LB835]

SENATOR SULLIVAN: Okay. [LB835]

CARNA PFEIL: Just an observation. [LB835]

SENATOR SULLIVAN: Thank you. Any other questions for Dr. Pfeil? Senator Scheer. [LB835]

SENATOR SCHEER: Carna, I know we always got copies as a State Board. Is it possible for committee to get a copy of the report as well? [LB835]

CARNA PFEIL: Of the correlation? [LB835]

SENATOR SCHEER: Yes. [LB835]

CARNA PFEIL: As soon as...we just got that finished because of the problems with data. I am reviewing it right now. And once I've made my corrections and we get that, I would say before the end of the week that we will have it at the department. And we need to give it to them first because they're paying for us to do this. [LB835]

SENATOR SCHEER: Sure. [LB835]

CARNA PFEIL: But as soon as they have it, you know, I'm assuming you can ask for it

Transcript Prepared By the Clerk of the Legislature
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February 03, 2014

and they will look at it. But... [LB835]

SENATOR SULLIVAN: Will it be posted on your Web site eventually or not? [LB835]

CARNA PFEIL: No, because we are doing this as a contractor so it's really the Department of Ed that will have that data and they will make it available... [LB835]

SENATOR SULLIVAN: Okay. [LB835]

CARNA PFEIL: ...however they do and what they want to make available. We are just contracted to give them that information. [LB835]

SENATOR SULLIVAN: Okay. Very good. Thank you. All right, any other questions for Carna? [LB835]

CARNA PFEIL: Thank you. [LB835]

SENATOR SULLIVAN: Thank you for your testimony. Anyone else wishing to testify in a neutral capacity? Senator Avery. [LB835]

SENATOR AVERY: It's always nice to be associated with a winning program, and I appreciate all the people who came in and testified. And if there is anything I have learned around here in eight years it's, know when to take yes for an answer. Thank you. (Laughter) [LB835]

SENATOR SULLIVAN: All right. Thank you very much. This concludes the hearings for today. [LB835]