

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee March 13, 2023

**MURMAN:** [RECORDER MALFUNCTION]-- Nebraska. I represent the 38th Legislative District. I serve as Chair of the committee. The committee will take up the bills in the order posted outside of the hearing room. The list will be updated after each hearing to identify which bill is currently being heard. Our hearing today is your public part of the legislative process. This is your opportunity to express your position on the proposed legislation before us today. We do ask that you limit handouts. This is important to note: if you are unable to attend a public hearing and would like your position stated for the record, you must submit your position and any comments using the Legislature's online database by 12 p.m. the day prior to the hearing. Letters emailed to a senator or staff member will not be part of the permanent record. You must use the online database in order to become part of the permanent record. To better facilitate today's proceeding, I ask that you abide by the following procedures: please turn off cell phones and other electronic devices. The order of testimony is introducer, proponents, opponents, neutral and closing remarks. If you will be testifying, please complete the green form and hand it to the committee clerk when you come up to testify. If you have written materials that you would like distributed to the committee, please hand them to the page to distribute. We need 11 copies for all committee members and staff. If you need additional copies, please ask a page to make copies for you now. When you begin to testify, please state and spell your name for the record. Please be concise. It is my request that you limit your testimony to three minutes. If necessary, we will use the light system. Green for two minutes; yellow for one minute remaining; red, please wrap up your comments. If your remarks are reflected in previous testimony or if you would like your position to be known but do not wish to testify, please sign the white form at the back of the room and it will be included in the official record. Please speak directly into the microphone so our transcribers are able to hear your testimony clearly. I'd like to introduce the committee staff. To my immediate right is legal counsel John Duggar. Also to my right at the end of the table is committee clerk Kennedy Rittscher. The committee member-- the committee members will use-- with us today will introduce themselves, beginning at my far right.

**SANDERS:** Good afternoon. I'm Rita Sanders. I repretent-- represent District 45, which is the Bellevue-Offutt community.

**LINEHAN:** Good afternoon. I'm Lou Ann Linehan. I represent Elkhorn and Waterloo.

**ALBRECHT:** Hi. Joni Albrecht, District 17.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee March 13, 2023

**WALZ:** Hi. My name is Lynne Walz, and I represent Legislative District 15 and Valley.

**BRIESE:** Good afternoon. Tom Briese. I represent District 41.

**CONRAD:** Hello. My name is Danielle Conrad. I represent north Lincoln.

**MURMAN:** And I'd ask the pages to stand up and introduce themselves and tell us what you're studying and where you're studying.

**MATAYA DOUTY:** I'm Mataya, and I study political science at UNL.

**MURMAN:** Thank you. Please remember that senators may come and go during our hearing, as they may have bills to introduce in other committees. Refrain from applause or other indications of support or opposition. For our audience, the microphones in the room are not for amplification, but for recording purposes only. And we will start today's hearing with LB748. Senator McDonnell.

**MCDONNELL:** Thank you, Chairperson Murman, members of the committee. My name is Mike McDonnell, M-i-k-e M-c-D-o-n-n-e-l-l. I represent Legislative District 5, south Omaha. I'm here to speak to you in favor of this bill that makes studies towards bettering the educational environment to-- for many adults across our state. LB648, otherwise known as the Workforce Diploma Act, would provide further opportunities for adults, dropouts and those who were unable to complete their high school education. I will also be introducing AM814, which addresses some of the concerns for the Department of Education and community colleges on implementing this program and reallocates cash funds from NDE and has been unable to spend. This program will offer services such as recruitment and learning, plan development, proactive coaching and mentoring, assistance with employment opportunities, and, ultimately, the chance to gain a high school diploma. The need for this program is clear. According to the National Skills Coalition and the Bureau of Labor Statistics, Nebraska has over 90,000 unfulfilled or soon-to-be-created middle-skilled jobs that it does not have the workforce qualified to fill. At this time, Nebraska has over 100,000 adults who lack a high school diploma or high school equivalency. It is my hope that, by providing these individuals with an opportunity to gain their high school diplomas, we can address both issues simultaneously. Additionally, I believe that these services will also lead to higher wages for LB648 participants because they will become more marketable in today's job climate with their diplomas. Moreover, LB648 will bring economic gains to our state. According to the Columbia University's economist, Henry Levine,

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Education Committee March 13, 2023

over the course of a working career, the average dropout costs the state \$258,240 in today's dollars due to an increased use of social services, higher incarceration rates and reduced income tax-- from taxes. Combined with the lost wages and the cost to the federal government, it has been estimated that total economic opportunity cost per dropout is \$755,000. Again, discounted-- discounting to the net present value in today's dollars. By providing individuals who were unable to complete their education with an alternate path for attaining their diplomas, we can reduce these numbers significantly. In conclusion, in conclusion, I urge you to support this as an important step towards closing the gap between those who have access to higher education and those that-- who don't-- who have not. This bill would, would open doors to new job opportunities for local dropouts, reduce economic losses for the state and create a more prepared workforce. I have presented this committee with a cash fund that has gone unused as a result of our overly restrictive statute and lack of eligible providers. With the-- with this bill, it is our aim to "recidify" this issue and allocate these funds accordingly. Also, just wanna make sure I emphasize again that LB648 and AM814, which you do not have in front of you-- I don't have it back, but that is the agreement between the community colleges and the Department of Education to make sure that we, we harmonized the agreement and, going forward, that we'd be looking at the individual in three ways. There's the soft skills. There is the idea of the-- a, a, a skill, and then, of course, getting their education that they lack. So for example, if someone had a, a lack of math skills and they, they, they decided to drop out of school before they graduated, our workforce diploma is only-- not only counted on those math skills, but it's also accounting for their lack of possibly the soft skills and then the, the skill for the, the, the job site. So looking at those and that, that option, looking at-- right now, the reason this has a zero fiscal note is because there's money sitting in Program 158 of, of the Department of Education under Agency 13. So trying to bring those people together with their-- the potential employers, which we know we're going to have 90,000 openings. We have over 100,000 adults right now in the state of Nebraska. It seems like if we can get those people together with those employers, we can put a lot of people to work and, and, and solve our problem. Again, it's a workforce diploma act, and it's not-- just has to do with just the GED. Not taking anything away from the GED in the past, but the-- we think we're adding to it with those, those skills and then those soft skills.

**MURMAN:** Thank you, Senator McDonnell. Any questions at this time? Thank you. Proponents for LB648? Any proponents for LB648?

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee March 13, 2023

**BRIAN HALSTEAD:** Good afternoon, Senator Murman, members of the Education Committee. For the record, my name is Brian Halstead, B-r-i-a-n H-a-l-s-t-e-a-d. I'm deputy commissioner with the Nebraska Department of Education. As Senator McDonnell indicated, several years ago, the Legislature enacted some additional funding to be made available for adult learners. The way the statute was written, it had to go to a very specific type of nonprofit entities to carry out that work. At the time, there was the hope that there was a couple of nonprofit entities in Nebraska that wanted to do this work. Unfortunately, they no longer existed by the time the bill became law. So these funds had been sitting in the account. They do earn interest, thanks to the investment of the state of Nebraska on that. And Senator McDonnell, as he has indicated, all this bill with his amendment is attempting to do is tweak some of that language so that funding can go to the current institutions who provide adult education to do the very specific things to help make and provide additional services to adults who did not earn a high school diploma. So with that amendment, we're fully supportive of what Senator McDonnell is attempting to do to allow us to access funds that are already sitting, that have been in our budget for several years. It clearly did not help to have a pandemic in the middle of this also, so it was a little tough to even try to find people or make this the top priority. So I'll stop there, see if you have any questions.

**MURMAN:** OK. Any questions for Mr. Halstead? Senator Linehan.

**LINEHAN:** Thank you, Chairman Murman. Thank you very much, Mr. Halstead, for being here. So, so community colleges could use it now?

**BRIAN HALSTEAD:** Well, if you don't change the law, no. They were excluded from this specific cash fund. And what Senator McDonnell's amendment, as we understand it, attempts to do is remove the limiting language on the use of these cash funds so that all of the adult education providers in Nebraska, which are the community colleges and I believe two school districts who still provide adult education, could utilize or have access to those funds to help more adult learners get their diploma, plus also skills in areas. Because many of these individuals are currently working. They are working for employers who are looking for higher skill employees. So it's a way to build off of already what's there. What has happened is the statutory language from seven years ago is restrictive. It does not allow a community college to access or be a grant recipient of these funds.

**LINEHAN:** So if the bill passes, they would be included.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee March 13, 2023

**BRIAN HALSTEAD:** Yes, absolutely. They would be, as would, I believe, the two school districts who are currently providing adult ed services in their communities.

**LINEHAN:** And the money goes to the institution, not to the student?

**BRIAN HALSTEAD:** Correct. That's the way I, I understand the amendment. But the amendment would specify how the institution would use it to assist those students.

**LINEHAN:** Thank you very much.

**BRIAN HALSTEAD:** Sure.

**LINEHAN:** Appreciate it.

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

**BRIESE:** Thank you, Chair Murman. Thank you for your testimony. How, how much is in that fund? Has anyone said here?

**BRIAN HALSTEAD:** It's a little over \$450,000. I, I want to say it was, like, \$458,000. It was-- it started with a transfer of \$400,000. So it has earned a little bit of money, so--

**BRIESE:** OK.

**BRIAN HALSTEAD:** --your investment council does a good job to make sure that monies not used is still making money for the taxpayers.

**BRIESE:** OK. Thank, thank you.

**MURMAN:** Any other questions? Thank you for your testimony. Oh. Senator Linehan.

**LINEHAN:** Just a follow-up. Thank you. So the Department of Ed would run the program?

**BRIAN HALSTEAD:** Yes. And we, we currently do provide all the grant funding for adult education in Nebraska. Yes.

**LINEHAN:** OK. I got it.

**BRIAN HALSTEAD:** Yeah.

**LINEHAN:** Thank you very much.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee March 13, 2023

**MURMAN:** Any other questions? Thank you. Any other proponents for LB648? Any other proponents? Any opponents for LB648? Anyone want to testify in the neutral position for LB648? Good afternoon.

**COURTNEY WITTSTRUCK:** Hi there. Good afternoon, Chair Murman and members of the Education Committee. My name is Courtney Wittstruck, C-o-u-r-t-n-e-y W-i-t-t-s-t-r-u-c-k. And we are only testify-- I, I represent the Nebraska Community College Association, I apologize. And we're only testifying in the neutral because I hadn't seen the amendment yet. And I know we've been working very closely with Senator McDonnell's office and they've been great to work with as far as the language in the bill. The-- before seeing the amendment, as the bill is written right now, we would not-- community colleges would not have access to those funds. So that's the only reason I'm testifying in the neutral. But once I see the amendment and knowing the back and forth that we've had with the senator's office, I'm sure we would be in support of it. So that's the only reason we're in the neutral position right now. But again, we thank the senator for bringing this bill. And we look forward to supporting it. Thank you.

**MURMAN:** Any, any questions for Courtney Wittstruck? If not, thank you for testifying.

**COURTNEY WITTSTRUCK:** Thank you so much.

**MURMAN:** Any other neutral testifiers LB648? If not, Senator McDonnell, you're welcome to close.

**MCDONNELL:** Thank you. Just to follow-up on a couple of questions from Senator Briese. It's \$458,000 that's currently in the, that program. Senator Linehan, the-- with the community college, using them as an example, it's-- everyone's going to have skin in the game because you're only going to be paid if the person is successful. So that's something else. And we break it down in, in the bill. Upon, you know, different aspects of accomplishing, you get paid different, different amounts. But again, it's basically a clean-up bill. And it's also to, of course, help these 100,000 people that, for whatever reason, never did receive a high school diploma. But it's going to be bigger than that. It's going to be that workforce diploma. It's going to have that soft skills and that technical skill with it and that coaching aspect that I think everyone needs at times. I'm here to answer any of your questions.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee March 13, 2023

**MURMAN:** Any questions for Senator McDonnell? OK. I also should say there were 0-- in the online comments: 0 proponents, 0 proponents-- or, excuse me. 1 opponent, 0 neutral. Thank you.

**McDONNELL:** Thank you.

**MURMAN:** And that will close the hearing for LB648. And we will open the hearing for LB724. Senator Vargas. Good afternoon.

**VARGAS:** Good afternoon, Chair Murman, fellow members of the Education Committee. For the record, my name is Tony Vargas, T-o-n-y V-a-r-g-a-s, and I represent District 7 and the communities of downtown and south Omaha here in the Nebraska Legislature. Today, I'm happy to introduce LB724, which is a familiar subject matter to many of you, which would remove the basic skills test requirements for teachers and administrators, which is fulfilled through the Praxis Core exam. I do have a, a one-pager I'd love to hand out just so that you can reference. A little background information on the Praxis Core exam. To receive a passing score, an applicant must achieve four different, achieve four different metrics across three separate portions of the test: 156 or above in the reading, 150 or above in mathematics, 162 or above in writing and a composite score of 468 or above, with no single portion being more than one point below the specified minimum scores. The Praxis Core exam can also be rather expensive for our soon-to-be educators, costing \$150 for the combined reading, writing and mathematics tests. And it doesn't account for the years of work and preparation these students have already put into their field. In addition to the Praxis Core, prospective teachers must also take the Praxis Subject Assessment exams, a teaching endorsement in their intended subject area. And LB724 would not eliminate the Praxis Subject Assessments exam. So that would still be a, a requirement. Now, before I get into the details of LB724, I want to emphasize that teachers go through a lengthy process of coursework, specialized certifications, student-teaching and preparation before entering their own classroom. Having gone through this process myself, I can tell you it is not all that easy. Standardized testing is a barrier for many students, whether they have trouble with the time portion, English is their second language or they're missing the requirement by just a few points. The Praxis Core exam is an expensive hurdle that is not serving our prospective teachers, our students or our education system. A standardized test does not and should not determine what type of teacher they will be for our students. Many of you sitting here today have worked in classrooms or with other students in other settings. As you reflect on all your coursework training in preparation for these positions, I would like to ask

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee March 13, 2023

yourselves if another step in the process, a timed, standardized test, would have made the difference in your abilities to serve the students in our state. There are testifiers behind me that could speak more about the barriers the Praxis Core exam presents and the need to remove this requirement. With that, I'll be happy to answer questions. Just a couple of things I wanted to make sure to just get on the record. One, thank you to this committee. It has been working on this in the past. It's not the first time you're hearing this. This isn't a brand-new idea. You've also probably heard the Board of Education has voted to exempt, you know, Rule 23. They have to work on a couple different other changes in some of the other rulemaking. But my hope is, regardless of that, which I, I'm really proud that that is moving in the right direction. They've been listening to the survey responses for years from teachers. There's still more that we can do to make sure that we codify this into statute once that is fully pushed through. At the end of the day, I do want to thank the committee. Carol Blood-- Senator Blood and Senator Walz have worked on this issue as well. Iowa just recently removed this barrier. And I think what we saw during the pandemic is a lot of different states were temporarily making this, this easement possible because they wanted to make sure that they were getting more people into the teaching profession during that time. And many states have moved towards just removing the exam altogether, following in suit with what we're seeing in many different states. So New Mexico is on its way to doing it. New Jersey has done a pilot program removing this. Louisiana recently removed it. And like I said, Iowa was the most recent, just about a month ago. This is about just removing barriers for teachers; and they still have to jump through all these other barriers to make sure they demonstrate they meet the course requirements, they're meeting the hours of requirements for mentor teaching. And I, I humbly ask for your support for this bill. And I'm happy to answer questions.

**MURMAN:** Thank you. Any questions for Senator Vargas this time?

**VARGAS:** This time.

**MURMAN:** Thanks. Any proponents for LB724? Good afternoon.

**JOY ABSALON:** Hi. My name is Joy Absalon, J-o-y A-b-s-a-l-o-n. I am here to testify in support of LB724, and want to thank Senator Tony Vargas for introducing this to the legislation. I graduated from Lincoln High School in 2007 and earned my associate's degree in early childhood education from Southeast Community College in 2013. I taught Head Start in Crete for seven years. I was laid off during the months and had-- during the summer months and had to pay my health insurance



Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee March 13, 2023

premiums out-of-pocket for those months. In 2017, after years of low pay and working several jobs to support my family, I decided to go back to college to earn my bachelor's degree in early childhood education. I started at Peru State College. I took all the classes I could. However, I needed to pass all three sections of the Praxis Core to be accepted into the teacher education program before I would be allowed to take more of the required courses. In 2020, I transferred to UNK to finish my degree. I was finally admitted to the teacher education program last semester after the elimination of the Praxis Core requirement. I will student-teach this fall and will graduate in December. However, I still need to pass the writing portion of the Praxis to get my teaching certificate. I currently have a GPA of a 3.6. I took the reading and math portions of the Praxis at least five times before passing. I have used most of-- multiple resources and tutors, but I still need to pass the writing Praxis. And the next time I take it, it will be my sixth attempt. I have spent more than \$1,000 out-of-pocket taking the Praxis. I am a nontraditional student. I am a mom of four children. I adopted my twins from foster care at the age 10, and they are now 19 years old. I also have a 7-year-old and a 2-year-old. Currently, I am working part time in a child care center, as well as subbing for LPS while finishing school and supporting my family. My dream and my goal is to be a preschool or kindergarten teacher with Lincoln Public Schools. I love teaching children, and my seven years as, as a Head Start teacher prove that I am and will be an outstanding certified teacher. I know I am not alone in believing that the Praxis tests are an unnecessary barrier to becoming a certified teacher. No studies indicate that passing the Praxis ensures that teachers can positively impact student learning, nor do these exams predict teacher effectiveness. Sadly, the Praxis is keeping potentially great teachers from finishing Nebraska's teacher education programs. It's contributing to the teacher shortage, and that is hurting children. Please support LB724 by advancing it to the full Legislature. Thank you.

**MURMAN:** Thank you. Any questions for Joy Absalon?

**CONRAD:** Thank you.

**MURMAN:** If not, thank you for testifying.

**JOY ABSALON:** Thank you.

**MURMAN:** Any other proponents for LB724? Good afternoon.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee March 13, 2023

**DE TONACK:** Good afternoon. Hello, Senator Murman and members of the Education Committee. For the record, my name is De Tonack, and I am here today representing the Nebraska State Education Association in support of LB724. There is a reason that you have extra copies to take home and work on. If you have a pencil, you might take it out here. I have my master's degree in mathematics and my Ph.D. in administration and curriculum. I have taught math and physics at various levels for 40 years. I believe math is everywhere and important, but perhaps too often it is used as a sieve. Did all of you have success in calculus? I have tutored several students and, in particular Joy, who just testified-- these are two sample questions we worked on-- and she did eventually pass the math portion. Below are sample questions from a Praxis practice. Oh, you're looking ahead at the answer. Wait a minute. Wait a minute. OK. So here is the first question. And you might have had this in eighth grade. The first question-- you're supposed to just be looking at the first page. OK. In your geometry or high school geometry-- and you could probably do this one with making some guesses, although they warn you on this kind of test, don't go by how it looks. OK. So you-- think you can maybe figure this out. Now turn the page. I do have the answer there below, kind of in the middle of the page. Now look at what I-- it's question 18. Now, this is a probability question. What is the probability that, in a group of five friends at least two share the same astrological sign? And there are 12 astrological signs. Now, probability is now being taught more in high schools, but I would guess-- I'm looking around, guessing at the ages. Maybe you would be OK. But I don't know if you had much probability. I know that in-- on the floor we keep trying to talk statistics. I am not going to give you the answer to 18. I will say it's the same probability that, in the floor of 49 senators, there's only a 3 percent chance two of you don't have the same birthdate, not year. That means there's a 97 percent chance that two of you have the same birthdate. In fact, if you take in all your staff, there's a 99.99 percent that somebody, two of you at least have the same birthdate. I could maybe say, hey, if you vote for this bill, I'll give you the answer. So my point is the Praxis is not a good measure of ability. It's an expense that is burdensome for the student and gratifying for the test company. Thank you for your time. Are there any questions other than the answer to the second question?

**ALBRECHT:** Yes, I would like to ask her a question.

**MURMAN:** Any questions here?

**ALBRECHT:** Thank you, Chair Murman.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee March 13, 2023

**MURMAN:** Senator Albrecht.

**ALBRECHT:** Thank you for being here today. This is eye-opening. How long has the Praxis been the same test [INAUDIBLE]? How many years?

**DE TONACK:** You know, I'm going to need to refer to somebody who knows how long it has been around.

**ALBRECHT:** Yeah. We'll wait. But I think it's important for us to have a little history on these tests to find out-- you know, things have changed.

**DE TONACK:** And--

**ALBRECHT:** The way we teach our children math today is not the way I was taught and not the way others have been taught in years past. So it would be interesting to--

**DE TONACK:** Responding to that about calculus. There are many ways to teach calculus. It's one of the few times that you can say, take up that graphing calculator. Or, hey, look at a formula. Or-- there are many ways, but it's not always taught that way. Of course, back in my days, there was only one way to do it: memorize the formulas if they worked. When I got my degree, I had to-- I, I don't know that I passed any tests except all those I did in a classroom. My daughter and son passed something from UNL, but it certainly wasn't the Praxis. But you'll have to check out how long this has been around. But we've been trying to fight it for quite a few years. Appreciate your support.

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

**BRIESE:** Thank you, Chairman Murman. Thanks for your task-- and I apologize-- or, excuse me-- for your testimony. I apologize for cheating there, but--

**DE TONACK:** That, that's all right. If you were in my classroom, I probably wouldn't have given you the second page here.

**BRIESE:** Well, I'm glad you wouldn't have. But why was this provision put in statute to begin with, the requirement of, of basic skills competency?

**DE TONACK:** And that-- you know, the next presenter in support might be able to answer that from the UNL's point of view. So--

**BRIESE:** OK.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee March 13, 2023

**DE TONACK:** I think--

**BRIESE:** You don't, you don't have an opinion on that, though?

**DE TONACK:** How long it has been around?

**BRIESE:** No. Why it was put in to begin with.

**DE TONACK:** Well, if you look at our whole education environment-- now, now I'm not speaking for Nebraska State Education Association. I'm just De Tonack. We're drowning in tests. And Omaha Public School system, kindergartners, first and second graders are taking tests even though that's not part of the federal requirement. I, I believe in accountability, but this assessment thing-- and think about how much money-- in fact, I was on a committee one time and we were trying to find out how much money was being spent K-12 in public schools for tests. And it was hard to find, not because they were hiding it, but it's all over the place. It's too much money for something-- I believe in accountability. When I-- my last full-time teaching was at the Science Focus Program under LPS, the Zoo School. Sure, we only had 100 students, but we did portfolios. For math, they had to tell me what was the big idea and "so what?" Who was going to use it? I talk too much, perhaps. But it-- the assessment is a bigger issue. We believe in accountability, but how we do it needs to be challenged.

**BRIESE:** OK. Thank you.

**DE TONACK:** Thank you for your question.

**MURMAN:** Any other questions? Thank you. Other proponents for LB724?

**SARA SKRETTA:** She's a hard act to follow. This won't be quite as difficult. There's no test for this one. Good afternoon, Education Committee and Chair Murman. My name is Sara Skretta, S-a-r-a S-k-r-e-t-t-a, and I'm the senior director of Accreditation, Placement and Licensure at the University of Nebraska-Lincoln. I'm here today representing the Nebraska Association of Colleges for Teacher Education, or NACTE, and we're in support of LB724. There are 16 educator preparation programs in the state, and you can see those listed here. You heard a lot of, of what I'm going to say, but addressing the teacher shortages in our schools is one of the most challenging workforce development problems we face. During the 2021 Nebraska Educators Shortage Summit, one of the top priorities identified, and for which a task force was developed, focused on the Praxis Core exam, which is currently the only state-authorized means of demonstrating basic skills competency. The evidence over many years

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee March 13, 2023

demonstrates that Praxis Core exam is not linked to teaching effectiveness, and research shows that pass rates on Praxis Core are significantly lower for students of color. With each attempt at the exam costing between \$90 and \$150, this also places a financial burden on many students. College students who graduate from low-performing high schools and adults who are returning to pursue a second career often struggle to pass the Praxis exam even after multiple attempts, as might be evidenced by the exam questions that you just saw, potentially. At UNL, for example, between 2015 and 2017, there were almost 200 students interested in being teachers that were prevented from pursuing their endorsement program or a degree in education merely due to failing all or a portion of the Praxis Core exam. This was despite many of these same candidates having GPAs of at least a 2.75, which equates to approximately 200 less teachers ready for the workforce in 2019. NACTE supports the State Board of Education Action that they move to repeal Rule 23 in hopes that that continues through the process. There are already safeguards with NDE regarding basic skills competency through the completion of bachelor's degree programs, content-specific coursework and pedagogy. NACTE knows that preparing effective teachers is more than standardized exams. And there was a study published by REL Northwest that, that shows standardized tests and effective touch-- teaching, which revealed that teacher certification assessments may be culturally biased and are inequitable obstacles that make it challenging to increase the number of teachers of color in schools. This same study showed that black and Latino students pass these exams at lower rates than their white peers. There's little evidence that testing translates to better teachers, and most research has determined that certification exams do not predict teaching effectiveness. In fact, studies show that a pre-service teacher candidate's collegiate performance is a better predictor of teaching effectiveness. Our state education preparation programs prepare teacher candidates for the classroom, and these students leave our programs with the skills, knowledge and experience required to be effective teachers. We would appreciate if you would support LB724. And we appreciate Senator Vargas bringing this to the committee. I'm happy to answer any questions if you have any.

**MURMAN:** Thank you. Any questions for Ms. Skretta? Senator Albrecht.

**ALBRECHT:** Thank you, Chair Murman. And thank you for being here talking about this. So if this went away, do you feel confident that the students that are wanting to become teachers in our schools, in all subject matters, whether they decide to be a kindergarten teacher, a fifth grade teacher, a junior high science teacher-- I mean, how,

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee March 13, 2023

how do you decide where they go on with, with-- I mean, tell me a little about how that would be--

**SARA SKRETTA:** A student who comes to an institution of higher ed to be a teacher comes and selects what area, area they want to teach. So if they want to be a kindergarten teacher, they pursue that coursework. If they want to be a secondary teacher, they pursue that coursework. The Praxis Core exam is a reading, writing and math exam, and it is listed as a-- it's considered a basic skills, which higher ed would argue are skills that if someone graduates with a diploma from a Nebraska Department of Education approved or accredited high school, they should walk out with. Institutions of higher ed, in terms of educator preparation programs, we don't teach per se how to read, how to write, although they're writing a lot, and, and math skills. Like, I went through-- we have a, a family member going through a program right now. Not going to be a math teacher. Had to take one math class, though, to graduate. But should have had those skills coming in. Had to meet the requirements of the postsecondary education to get in. Had to meet the additional requirements of that program. Then had to meet all of the requirements as set out by the Nebraska Department of Education to finish the knowledge of how to teach the content requirements. If you're a secondary teacher, you have number of hours in, say, math, you have to have this many hours in. And in social science, this many hours. And then you're able to be a teacher. So our perspective would be this exam is a test to see how well you can read, write and do math. And those are extremely important, but I would argue those are also important for an accountant, and they don't have to take an exam to get into a program to try to be an accountant. We have a lot of students who, if they aren't ready to be teachers in our programs, then we remediate or we help them find other careers. But that does not occur because of a singular test, which is what this Core does.

**ALBRECHT:** So, so here's-- first year on Education. Have a lot to learn, but I appreciate all of the testimonies that we get because I'm piecing things together. Do you feel like, before they leave high school, they should have some basic skills in those three areas?

**SARA SKRETTA:** I would say--

**ALBRECHT:** And do you feel like, do you feel like we are meeting those goals in our state?

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee March 13, 2023

**SARA SKRETTA:** I feel like yes and yes. And having been a parent of multiple children through high schools, yes, they do. So I think we're meeting those goals.

**ALBRECHT:** I guess I look at-- the investment that they're going to make with the universities or the community colleges or whatever the case may be, and then they get to that point where they really do want to become a teacher and they need to pass these tests-- you know, maybe it's time to rewrite the test or to simplify it. I come from an area in northeast Nebraska with the largest Tyson Food company in the, the nation, right? So we have a lot of Eng-- English language learners that would love to be teachers. So is one test, you know, fits-all kind of option just obsolete, needs to go away? Do we need to redo the whole idea of making certain that, that they really do grasp what they have to go back and teach our children?

**SARA SKRETTA:** And, and I would say, from NACTE's perspective, we believe that anyone who wants to be a teacher should be given the opportunity to try to meet the requirements. So from my institution at the university, you have to meet the University of Nebraska-Lincoln requirements to get in. Once you've done that, then you have to apply for your particular education program, whether, whether it be elementary or secondary. Meet their requirements. Then you have to get in. Now you're in, and now you have the opportunity to learn content knowledge, to learn how to teach, to learn how to assess, how to remediate. And then at the end, you get to go practice that through student-teaching, a clinical experience, an internship, however you want to call that. And then you go out and you're a teacher. This exam doesn't relate to any of that. This exam-- so-- because in order to be successful in higher ed, you have to be able to read, NACTE would argue, at an above basic level. You have to be able to write at above a basic level. And in math at a postsecondary institution, I would argue, if you can get in, it's beyond a basic level math even if you're not a math teacher or a math major.

**ALBRECHT:** So would you say that your organization-- did they, did they bring this bill to Senator Vargas, or have you, have you realized that, my goodness. All these people are paying so much money and not being-- I mean, I think that would kind of ping your confidence level if you just couldn't seem to get past these tests. Why have we been doing it like that for so long?

**SARA SKRETTA:** So, so we did not ask Senator Vargas to bring this bill, but we're greatly appreciative that, that he did. It does not, actually, I don't believe-- and I can't speak for every institution--

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee March 13, 2023

but at the University of Nebraska-Lincoln, we don't feel badly about that, because we teach our teacher candidates how to be effective teachers. And in order to do that, they have to be able to read and write at an above basic skills level in order to pass our classes, in order to advance toward degree completion, and in order then to have that culminating student-teaching experience. And so without that skill set, they wouldn't be able to advance through our programs. So, so that's why we would argue this exam is unrelated to being a good teacher and to having a good teacher preparation program. We're not concerned because, quite honestly, if you're a second career person and you went back, you would have difficulty and you would have to study. It is not necessarily something that you could walk out-- I didn't take-- I took geometry as a sophomore in high school. Even if I took that between my senior year of high school and when I started college-- I'm not a math person. I can write anything you want, but math is hard. I would have to study. So when you have students come and they don't take an exam for three years after that and math isn't their thing, say, or writing isn't their thing, then you have to go back and prepare. So I have all the confidence in all of our educator preparation program candidates that they are demonstrating these skills in these specific areas far above basic skills in order to get through our programs and get those degrees.

**ALBRECHT:** Thank you.

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

**LINEHAN:** Thank you, Chairman Murman. I'm going to ask a question I think Senator Briese asked, asked a previous testifier. When did we start using the Praxis?

**SARA SKRETTA:** And that's going to be a question for the Nebraska Department of Ed.

**LINEHAN:** OK.

**SARA SKRETTA:** I'm not sure when that went in. There have been a diff-- some different iterations. So they do adjust the exams. They, they tweaked the math test. But I'm not sure when they started using that exam.

**LINEHAN:** OK. Thank you very much.

**MURMAN:** Senator Conrad.



Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee March 13, 2023

**CONRAD:** Thank you so much, Chair. Good to see you again, Doctor. And I was going to-- also, I think there's a lot of curiosity about the timeline here, so we'll definitely flag that for future testifiers. I know that this was a bill that we had during a mock session for new senator orientation last fall, which was really fun to see new senators kind of take up these issues. And one really compelling point that a senator brought forward in relation to this timeline question was he said he got a great public education when he was in school in Nebraska many moons ago and that it was-- his, his teachers weren't required to have a Praxis because it was a fairly new requirement. And he's like, I got a great education. My teachers didn't have Praxis. Why do we require it today? So I felt that was compelling. And I think maybe it's something that the, the senators are trying to figure out on the timeline. The other question I had-- if you know. When I was preparing for the hearing, I saw that maybe now a majority of our sister states have moved away from the Praxis for different reasons. Do you know-- have there been any follow-up studies in those states to show if there were impacts on student achievement or teacher quality?

**SARA SKRETTA:** And I don't know if--

**CONRAD:** OK.

**SARA SKRETTA:** --any other states have had those studies because some of those moves are in recent responses--

**CONRAD:** Yes. OK.

**SARA SKRETTA:** --to the educator shortage. So I can't answer that question.

**CONRAD:** OK.

**SARA SKRETTA:** I do know that students who are prevented from getting a certificate here could go to one of those border states, get a certificate, and then come back and be a certified teacher.

**CONRAD:** Oh, interesting.

**SARA SKRETTA:** So there's a, a number of-- so, so in all honesty, we don't, we don't want our students to have to play the game. And we think that our students perform very well and at high levels in these areas and make outstanding teachers for the students of Nebraska. And to prevent someone from trying or having the ability to get that certificate because of a singular standardized test, we don't believe is, is the right educational thing to do.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee March 13, 2023

**CONRAD:** That's very helpful. Thank you. And I know that Senator Linehan has brought forward measures, other members have, to really try and put a fine point on this teacher crisis that we have in the state of Nebraska. I think this could be one piece of that puzzle. Do you happen to know from your vantage point-- I was reading some recent headlines as well that some schools in Nebraska were moving to four-day weeks because they had a teacher shortage. And I, I know that this can have perhaps particular impact for rural schools. Do you have any sense from your vantage point about how this might help address teacher shortage in rural, rural schools?

**SARA SKRETTA:** Well, as you heard from a previous speaker, you have a number of teach-- probably a lot of teachers who were in the pipeline trying to progress through that would be able to serve those communities but have been prevented from getting their license because of this exam, so then are unable to help, whether it's in a substitute capacity or a full-time capacity.

**CONRAD:** Thank you very much.

**MURMAN:** Senator Albrecht. Another question.

**ALBRECHT:** I just have another one.

**SARA SKRETTA:** No, that's fine.

**ALBRECHT:** So do you want--

**SARA SKRETTA:** This is your time.

**ALBRECHT:** [INAUDIBLE]. Thank you for being here to answer. So are you part of the UNK College of Law-- UNL. Are you--

**SARA SKRETTA:** Yeah, I'm, I'm, I am only the certif-- I'm only the certification officer at UNL, but I'm here representing all of the education colleges, which would include the other university.

**ALBRECHT:** UNK?

**SARA SKRETTA:** Yep.

**ALBRECHT:** OK. So the previous gals had said that-- was able to get through. In 2020, she transferred to UNK and finished her degree. I was finally admitted to the teacher education program last semester after the elimination of the Praxis Core requirements. So do some schools--

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee March 13, 2023

**SARA SKRETTA:** So the Praxis Core exam used to be a requirement to get into a college educator preparation program. So you couldn't even start until you passed that exam.

**ALBRECHT:** So, so that's no longer--

**SARA SKRETTA:** Right. Now, it is just a licensure exam. So a, an institution of higher ed could require that as part of their entrance requirements. And if they don't, a candidate still has to pass all three portions of the exam to get their full regular initial license.

**ALBRECHT:** OK. Thank you.

**SARA SKRETTA:** Um-hum.

**MURMAN:** Any other questions? I guess I have one. I'm not quite clear on it. So there's a general Praxis test that-- that's the one you're talking about eliminating.

**SARA SKRETTA:** Right. The basic skills, the reading, writing and math.

**MURMAN:** OK.

**SARA SKRETTA:** Or the combined, which is all three of them at one time.

**MURMAN:** And then there's another Praxis test that's specific to what the--

**SARA SKRETTA:** Correct.

**MURMAN:** --the teacher's going to be teaching--

**SARA SKRETTA:** Correct.

**MURMAN:** --or, the prospective teacher will be teaching.

**SARA SKRETTA:** That's correct.

**MURMAN:** OK. And that one we're going to keep-- or, we're not talking about eliminating that.

**SARA SKRETTA:** Correct. We're, we're-- correct.

**MURMAN:** OK. OK. Any other questions? Thank you very much.

**SARA SKRETTA:** Thank you.

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Education Committee March 13, 2023

**MURMAN:** Any other proponents? Any opponents for LB724?

**LINDA VERMOOTEN:** Good afternoon, Senators.

**MURMAN:** Good afternoon.

**LINDA VERMOOTEN:** My name is Linda Vermooten, L-i-n-d-a V-e-r-m-o-o-t-e-n, and I stand in opposition to this. I was listening carefully to the previous testifier and-- many of our professional practices require exactly this, a Praxis test. So, for example, when I trained as a nurse, would you not want me to have my final practical exam, my-- which is a written form-- to know that I am competent to be a nurse? When I completed my licensed mental health degree, I was required to take the same kind of test. When I completed my independent mental health practitioner, the same, et cetera this. And I have another license as well. Each time, I am required to complete a written competency examination. So I was a little concerned as I was reading through this bill as an educator saying, are we not being dummy dowing-- dumbing--

**CONRAD:** Weakening.

**LINDA VERMOOTEN:** Weakening.

**CONRAD:** Weakening.

**LINDA VERMOOTEN:** There we go. --the, the requirements for our teachers? And that, that really concerns me in Nebraska because I was looking at some of the recent scores in Omaha, which were quite low for our state although we have more of the money up there. Our standards in schools were very-- kind of lower compared to some of the other states. And I'm like, I would caution us to say are we now going to remove an examination, because they were also saying you need to be competent in reading and writing and arithmetic and mathematics. But if you cannot pass a test that proves that you are competent, how do we know that you are competent? No, it doesn't prepare you, but it's, it's a level playing field that everyone has to take, just like other professionals. They had referenced somebody that's doing a CPA. Well, they also have a standardized examination that they have to complete prior to being allowed to practice. Yes, it is an obstacle. It is a cost. All of us that have different professions have had that examination to pass. It is an obstacle, but it's the only way that we can standardize it equally so that we know every teacher is equipped when they come to the classroom. Because I don't want us to say, OK. Let's just remove that because it's an obstacle to someone. We have a

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee March 13, 2023

crisis. What will the effect be on our students in the future? I mean, I talked to some high school graduates and they can barely read now, and they have a high school graduation. So if we're going to lower those standards, is that going to weaken our effectiveness? There is a book entitled *The Race to the Bottom*, which kind of concerns me as I'm watching some of the trends in America. We used to lead the world. We used to lead the world in mathematics and inventions and space, and now we are falling further and further behind. So I would hate for us in Nebraska to even go further and further behind in our great state. But to, to say, well, well, there has to be some way that we have to evaluate equally everybody. Now, I know some people have difficulties with testing, but that's the standard mechanism for most professionals. So I would ask that we do not advance this bill. Thank you very much for your time, Senators.

**MURMAN:** Thank you. Any questions for Linda Vermooten?

**CONRAD:** Thank you.

**MURMAN:** Thank you for testifying. Other opponents for LB724?

**FRANCIS KUHLMAN:** Good afternoon. Francis Kuhlman, Lincoln, K-u-h-l-m-a-n. The problem is not input. Open the floodgates. Let anybody and everybody in to teach, and what are you going to find? Within a few years, they're going to be leaving the teaching profession too. The problem is the outflow. And why are they leaving? Because you throw them to the lions, because of a lack of discipline in the classroom. I've read somewhere that up to 6 percent of teachers have been physically assaulted in America. This bill is an attempt to address our teacher shortage by reducing or eliminating proficiency requirements currently needed to obtain a teaching certificate. Why are teachers leaving their profession? That is the real reason for the teacher shortage. According to a survey done by Chalkboard Review, student behavior was the overwhelming first choice why teachers have left the classroom. Student behavior. This reason was given way above salary concerns. What do you do with the few in your class who are mentally or behaviorally challenged and continue to disrupt your class every day? Well, it's usually due to poor discipline at home. What is the solution? Don't let the unicameral even try to solve this problem. You guys should not even have to deal with it. Let free enterprise solve this problem. Open up all dollars spent on public schools to private schools too. It's called school choice. Let the dollars follow the student and not the school. Let parents choose whatever school they want their kids to go to and have the approximately \$15,000 per year spent on each student go to that school that its parents have

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee March 13, 2023

choosen-- whatever that school may be: public or private. The schools themselves will solve this problem on their own, not you, the legislators. Some schools will get a reputation for maintaining good discipline and order. Remember the good old days when you had nuns with rulers in hand? Some private schools, knowing that they are not smarter than God, will follow Proverbs 13:24: "he who spares his rod, hates his son. But he who loves his son, disciplines him promptly." Or Proverbs 23:13: "do not withhold discipline from a child. Although you strike him with a rod, he will not die." Proverbs 22:15-- this is the last Bible verse-- "foolishness is bound up in the heart of a child, but the rod of discipline drives it far from him." Discipline at school? Yes. I'm talking up to and including corporal punishment. Oh, no. You can't do that, the NEA will say. You'll get sued by the parents. Well, that's right. Unless the parents give their prior-- private approval, like in the old days when public education actually worked because it still used some Christian principles. Now, what does Senator Lynne Walz-- LB516-- what is her solution? One of the things that LB--

**MURMAN:** Excuse me. Excuse me. The red light is on.

**FRANCIS KUHLMAN:** Oh, I'm sorry.

**MURMAN:** But I'll let you continue your thought.

**FRANCIS KUHLMAN:** They want to hire school psychologists and licensed mental health practitioners to the tune of \$5 million. So, yeah. Offer parents that, that, that option. You can let your kids-- sign the waiver and let your kids have corporal punishment. Or you can pay into this fund-- and, and, and you got to pay the total tab, or this \$5 million, whatever your percent is for your child, and we'll give him counseling and, and we'll talk to him about his behavior. Offer him those options.

**MURMAN:** OK. Thank you.

**FRANCIS KUHLMAN:** Sure.

**MURMAN:** I don't think you spelled your first and last name.

**FRANCIS KUHLMAN:** Sure. Francis with an I, c-i-s.

**MURMAN:** Thank you very much. Any questions for Francis?

**CONRAD:** Thank you.

**FRANCIS KUHLMAN:** You bet.

**MURMAN:** Thank you for your testimony. Any other opponents for LB724?

**JEFF STALLWORTH:** Chair Murman, members, thank you. My name is Jeff, J-e-f-f, Stallworth, S-t-a-l-l-w-o-r-t-h. I'm a retired public school teacher and I'm here to voice my opposition to this bill. I know the focus has been predominantly on the conversation about the Praxis test. But in addition, there are-- is language about removing basic skills and content knowledge as well. Currently, the criticism of public education is widespread. The old adage "those who cannot do, teach" has become common, oftentimes among people who have little to no education beyond high school. One can presume a number of people who would become new teachers would not be formally educated at a high level unless the opportunity is presented to them. Many people believe that teaching is easy. In addition to the Praxis test, which I and I'm presuming others who had to become teachers years ago had to take, study is required. There's nothing wrong with studying for a test in a profession that you want to embark upon. An important part of teaching is credibility. Teachers should know their stuff and be able to teach a variety of learners in today's schools. Teacher education programs can provide only so much pre-instruction advice or knowledge. Content knowledge comes from knowing what you are going to teach. The teacher shortage is a crisis that cannot be fixed by lowering standards for prospective teachers. Teachers should know content. Imagine a government teacher being asked by a student how many amendments there are in the United States Constitution and not knowing. There are many laypeople who don't know American government. Or that same teacher being asked, "what are the three most significant cases in the history of the Supreme Court of the United States?" and the teacher not being able to answer. That's where content knowledge comes in, and many prospective teachers would have to know that content knowledge to be effective teachers. Credibility is essential. The requirements to be successful in any occupation or career, career demands certification standards be set. Standards and requirements in any profession should never be lowered. We understand we are in a crisis in this country with teacher shortages, but this is not the remedy. Passing a test on content knowledge is also a requirement that should not be abandoned. We need to have teachers in our schools who know what they are teaching. I was criticized and asked, "do you teach CRT?" CRT is not something that's a part of the curriculum, but the belief in many instances is anything and everything is fair game as far as teaching and instruction, so teachers should be prepared before they teach. Thank you.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee March 13, 2023

**MURMAN:** Thank you. Any questions for Jeff Stallworth?

**CONRAD:** Thank you.

**JEFF STALLWORTH:** Thank you.

**MURMAN:** Thank you for testifying.

**JEFF STALLWORTH:** You're welcome.

**MURMAN:** Any other opponents for LB724? Any, anyone want to testify in the neutral position for LB724? If not, Senator Vargas, you're welcome to come up and close. And while he's coming up, we had-- online we had 4 proponents, 69 opponents, and 1 neutral.

**VARGAS:** 69 opponents. OK. What I will do-- well, a couple of things. I want to thank you very much, Chairman Murman and members of the Education Committee, for engaging in this conversation. As a follow-up, what I'll do is I will share with you the document that I have in front of you. I don't have, I don't have copies for it, but this is just nationwide use of Praxis Core and Subject Assessment exams. So a couple of things to clarify on the record. The intent-- and if we need to clarify that on what we're removing, we are intending to remove the Core Praxis exam, not the Subject Matter Praxis exam. So if the term "content" is getting in the way of that in the language, we will remove that. That's fine. There are 20 states that only use the Subject Matter Praxis exam and not the Core exam; 20 states across the country right now, including many in the Midwest: Iowa, Kansas, Missouri, Montana, and so on, and Colorado as well. The reason I want to frame that is because we're not talking about lowering the standards. We're talking about making sure that there's not a barrier in place for teachers that have gotten into school, chosen their major, figured out their requirements to then meet their certification and their major, took coursework, went to a higher education institution and completed that coursework. Many, many hours. Homework, tests, assessments within this higher education framework. Did hours of, of, of some sort of practicum in the classroom. In many instances, also had to do some sort of, a some sort of an analysis of all of the work that they've done and put that together and demonstrate that to their higher education institution. And after all those hours and hours of education, they take a test, and the test is one of the barriers for them. Or at some point in this, they've taken a test that's a barrier for them to be able to enter the career. Bear in mind that there is one key part that is really important that we have not talked about. A principal in a school district is selecting



and hiring somebody. They're going through an additional level of scrutiny and whether or not that individual meets the needs of what that school is looking for. There's another added level of evaluation that's happening. We're not talking about lowering the level. And I'll speak to that. I, I was a-- I studied science in college. I took a Praxis content equivalent exam. So I passed that. We're not talking about lowering the standard for what it would require for me to be able to teach a higher specific content area. We're talking about whether or not this test, which is not a test that was created by us, by the way. This test was created by a private company that is being utilized all over the country. And over the last decade, states have slowly been removing the requirement because they don't feel it's an accurate measure of whether or not somebody can be a good teacher. But what I do-- what I am encouraged by is higher education institutions, the association believe that the quality of what they're doing is the best barometer of whether or not they're a good teacher. Now, I want to put a caveat, because we're not having this conversation. But nobody, especially me-- for those of you that have heard me say this-- nobody is saying that we cannot and should not do a better job of elevating the teacher workforce and the standards. I have passed or introduced bills and have talked on the mic about the need to increase the standard for education in our classrooms. We're not talking about that in this instance. This test is not about raising or lowering the standard. It's about removing a barrier that's put in place that we put into place in statute at some point in the Legislature for an outside company's test that's not-- test-- it's, it's a reliable, valid test that they put in place at some point to assess the value of the workforce that we need. We need to remove these barriers to be able to begin to address more of our workforce shortages. And I think we saw this in the one-pager: 800 students from 2014 to 2020 had composite scores on average that were high enough to be able to pass this. But because they failed one or more of the subsections, that means they failed. We're talking about addressing this, that there's 800 teachers in that six-year time span that could have been in the classroom right now and had to jump through those hoops, a principal would have hired them, and they would have been in our classroom. This is a really important piece of legislation. And we-- I would say we are behind the ball. We probably should have passed this last year or the year before. Because at this point, if we want to talk about elevating our standards, maybe the state of Nebraska should focus on our own internal assessment of what it takes to be a teacher. Nothing is stopping the, the state of Nebraska for creating their own independent assessment for what they want to do. Maybe it could be a portfolio. Many states are going down that route as well. Or, or

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee March 13, 2023

figuring out what we can do in collaboration with higher education institutions on how do we continue to elevate the standard of teaching while they're actually being educated in the practice. But a test should not be a barrier when it is assessing many of the basic things that we have seen being removed from many other GRE or even SAT or ACT requirements for entering. These are just basic, standardized tests that are not measures of whether or not they're prepared for the workforce. So I urge your support on this bill. We'll fix that, that sort of small language that we just mentioned, and I appreciate you for engaging in this conversation.

**MURMAN:** Any questions on the close? Yes, Senator Linehan.

**LINEHAN:** Thank you, Chairman Murman. Thank you, Senator Vargas, for bringing this. Could you get us a history?

**VARGAS:** Yeah. I'll get you, I'll get you all a history.

**LINEHAN:** OK.

**VARGAS:** I'll get you all a history.

**LINEHAN:** From the department because I know we've talked about it before, but I just don't have it.

**VARGAS:** Yep.

**LINEHAN:** I think it would be helpful.

**VARGAS:** It will.

**LINEHAN:** Thank you.

**VARGAS:** Yeah. Absolutely.

**MURMAN:** Any other questions? Yeah, I have one. I think it's the same thing. But the, the Praxis test-- I guess this test has been in effect since probably the '80s-- or, we're not sure exactly when, but--

**VARGAS:** Probably.

**MURMAN:** --is it the same-- it's pretty much the same test or has the test changed?

**VARGAS:** So, I'll be kind of flippant about this. At some point-- look. At some point in history, every state made decisions to go with some, some entity that made the tests. And then over time, people were like,

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee March 13, 2023

why are we still doing this? And then just eased up on it, which is why we now have 20 states that don't require the Core Praxis exam at all. We had this conversation four years ago with the GR-- the, the high school equivalency exam. We also utilize an arbitrary high school equivalency exam because-- the, the question is, are these valid tests that assess what we hope our teachers and the skills that we want them to have? They may test some of the core subject knowledge of writing and reading and math, but I would venture to say that they passed reading, writing and math when they finished their higher education institution. That is what we expect of them. So I'm happy to get some more of the history for you and for the, the committee. And appreciate the question.

**MURMAN:** And then-- I guess kind of a related question is, if it's about the same test or the same company or whatever, what percent, you know, passed it back in the '80s or '90s and what percent are passing it now? So, it's just kind of the same thing, I guess.

**VARGAS:** Well, I can't speak to that. But I can tell you some of the national data shows that, on average, about 50 percent of people fail that core exam the first time. And when you dig into the data more, about 20 percent may not even-- don't take the test again after they failed it. And there are a lot of careers that do require entrance exams-- or, some sort of assessment of skills. But usually, it's a content skill, right? So, usually-- if it's nursing, it's very content skill based, or architect or something else. We're talking about not content skill. We're talking about basic set of skills that we would expect them to be able to achieve in higher education.

**MURMAN:** And then just one more question. The State Board of Education is the one who made [INAUDIBLE] the test. I suppose even though that's happened, the Legislature can overrule them and keep the test. We could have a bill to keep the test, so.

**VARGAS:** I mean, we can. My hope is that we don't.

**MURMAN:** Or we can agree and, and do this bill and eliminate it also [INAUDIBLE].

**VARGAS:** You know, so either way, it's encouraging that the State Board of Ed has gone down this route. It's also encouraging that, you know, we're getting some traction. However, it's still necessary for us in my belief that we pass a statute-- statutory change that removes this requirement. These, these proposed rule changes are rules. And I think we have, we have a responsibility to listen to many of the teachers.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee March 13, 2023

And I, and I really appreciate the individual coming and testifying on failing these exams. It's not-- it takes a lot to say that you failed an exam and not and to-- [PHONE RINGING] it takes a lot to be able to come up to a committee and say that you failed an exam, and it's one of the reasons and barriers for you to enter a workforce that you dearly love and you want to take part in, and, and do that publicly. And so I commend that person for it. We need to listen to more of these stories and address this, this need.

**MURMAN:** OK. Any other questions for Senator Vargas? OK. Thank you very much. So that will close the hearing on LB724. And there's been a change in the schedule. Senator Wayne had to leave for a while, so we are moving up Senator Walz's bill. And that is LB238-- or, excuse me. Is that right?

\_\_\_\_\_ : LB522.

**MURMAN:** LB522. Good afternoon.

**WALZ:** Good afternoon, Chair Murman and members of the Education Committee. My name is Lynne Walz, L-y-n-n-e W-a-l-z, and I represent District 15, which is made up of Dodge County and Valley. Today, I'm here to introduce LB522, which states the, the Legislature's intent to increase the weight of poverty students in the TEEOSA formula from 1 to 1.33. Poverty places additional stress on students and negatively impacts students' ability to succeed in school. Students living in poverty oftentimes have fewer resources and opportunities at home to complete homework, study or engage in activities that help equip them for success at school. Whether it's hiring additional staff to better facilitate learning or paying for extra supplies that students would otherwise not be able to afford, schools with high amounts of students in poverty need additional investment. The goal of LB522 is to take into account that issue by weighing poverty students at 1.33 and providing additional dollars to schools with high poverty. I know this does not address the issue of not enough equalized schools, but it does take into account that even our equalized schools with more complex students need additional resources. So what I'm really trying to do with this bill is to push the conversation that poverty students have additional needs that should be addressed. I know that this would not be a standalone bill. And if this committee decides to advance LB522, it would best fit with either Senator Brandt's LB320 or the Governor's plan. I believe that more schools should be, should be equalized and take into account the additional needs they have. Raising how students-- raising students pov-- raising how students in poverty are weighted within the TEEOSA formula shows that the state is

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee March 13, 2023

willing to make that investment and is ensuring our school systems are able to better, better meet those needs. With that, I would be happy to try and answer any questions.

**MURMAN:** Thank you. Any questions for Senator Walz? Senator Linehan.

**LINEHAN:** Thank you, Chairman Murman. And thank you, Senator Walz, for bringing this. I don't actually understand how it works now. I thought I did, but now I think I don't. Right now, we count them-- they get something for each child, don't they?

**WALZ:** It's a formula within the formula, I believe. So they're weighted at-- poverty students are weighted at-- or, poverty is weighted at 1, and we want to increase that to 1.33.

**LINEHAN:** OK. I thought it went up so much until it got to-- OK. All right. I agree that we don't do enough. OK. So I'm not-- but I, I thought one of the things was we stopped at 30. You get the same amount. If you have 30 percent poverty, you're weighted the same as if you have 80 percent poverty. But we'd have to get the-- maybe it's in the bill. I don't know.

**WALZ:** I can look through the bill while I have other people come up and talk about it.

**LINEHAN:** Yes. OK. That, that would work.

**WALZ:** Maybe somebody else could work through it.

**LINEHAN:** Thank you very much.

**WALZ:** Yeah.

**LINEHAN:** It's complicated.

**MURMAN:** Any other questions at this time? OK. If not, thank you. Proponents for LB522?

**DAVE WELSCH:** Caught me off--

**MURMAN:** Good afternoon.

**DAVE WELSCH:** --caught me off guard by moving it up here a little bit. But glad I came in a little early. My name is Dave Welsch, D-a-v-e W-e-l-s-c-h. I'm school board president at Milford Public Schools. And I appreciate the opening that Senator Walz had this morning-- or, this afternoon. She's exactly right. This-- by increasing the allowance for

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee March 13, 2023

poverty students, it will mainly go to the schools that are currently equalized. And we only have 86 schools in our state that are currently equalized. So we've got two-thirds of the schools in our state that would not benefit from this, and that's what I'm here to address today. And, you know, I've-- she mentioned both LB320 and LB583, the Nebraska plan and the Pillen plan. And what you have before you is-- again, you've gotten this before from me. But it has been a month since I've been here. I thought I'd remind you again since you haven't voted a bill out yet on school funding. So just wanted to emphasize that under LB583-- if you look at the chart there on the upper left side. As LB583 was introduced, we'd actually lose 22 more equalized schools. So they would not benefit from this increasing poverty allowance. If we combine both of those bills, LB583 and LB320, we could actually double the number of equalized schools so more poverty students could benefit from this type of bill. So, yeah. I mean, you've seen these numbers before. The graph on the right just shows how we can bring levies down and bring them closer together by combining LB583 and LB320, which is the intent of TEEOSA, is to create property tax equity across the state, which means that the levies should be more similar than they are now. And you can see that in the bottom left-hand chart. The current levy that schools have under both the Pillen plan and the combined plan, pretty much a \$0.10 drop under the Pillen plan. But then under the combined plan, the high levy districts actually get more resources, so they can potentially lower their levy even more. So that's the main thing I wanted to talk about this morning. I guess I'm on the yellow light, so thank you for this opportunity to come in and talk to you again. We do need to address poverty in our state, but we need to address poverty all across Nebraska, not just for a third of the schools. So thank you. And I'd be happy to take any questions.

**MURMAN:** Thank you. Any questions for you Dave Welsch? Yes, Senator Conrad.

**CONRAD:** Thank you, Chair Murman. Good to see you again, Dave.

**DAVE WELSCH:** Thank you.

**CONRAD:** Thank you for being here and for your consistent, clear, strong advocacy. I know that it really means a lot to all members of the committee and, and we really appreciate the information that you always bring forward. But just a quick question, if you happen to know. What-- tell me a little bit more about the demographics at your school district in Milford, generally speaking: about maybe how many

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee March 13, 2023

kids, how many families on free and reduced lunch, if, if you know, generally.

**DAVE WELSCH:** Yeah. Yeah. As I've worked on these different plans, I usually look at 244 school districts. I don't look at Milford specifically because I'm, I'm trying to create a plan that works--

**CONRAD:** Sure.

**DAVE WELSCH:** --for all of Nebraska. But, yeah. Milford, we've got a little under 800 students total, K-12. I know on the SPED numbers, we've actually-- in the last seven years, our SPED numbers have doubled from about 75 to 150.

**CONRAD:** OK.

**DAVE WELSCH:** And that's a real challenge for us. We've lost our SPED director and a SPED teacher, and it's really hard to find those right now, so.

**CONRAD:** Yeah.

**DAVE WELSCH:** As far as poverty, we generally don't have a very high poverty level. I'm not sure why that is. We are close to Lincoln, so we do get-- we're, we're more mobile now than what we were, you know, even 20, 30 years ago. So we have a lot more turnover. But it doesn't seem like we necessarily-- I, I hate to even guess what our percentage is.

**CONRAD:** No-- no problem at all. And I, I can look it up too. I just-- I thought-- and I know that you are always looking big picture. I didn't mean to put you on the spot about Milford, but--

**DAVE WELSCH:** I did look at our poverty allowance before I came in, and it was, like, \$178,000 or somewhere in that ballpark. So it's not very high compared to our peer schools by enrollment, so.

**CONRAD:** All right. That's really helpful. I, I appreciate it. And to your point, and I think to Senator Walz as well, you know, poverty is definitely not an issue in terms of just being regulated to certain communities, but it faces, I think, different communities across Nebraska in different ways. And sometimes it's a little bit more hidden or presents itself in different ways. And I, I was just trying to get a little bit better picture. I, I know what the landscape looks like in my home county of Seward, but over there in, in Milford-- but

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee March 13, 2023

it has been a while since I had a chance to drill down on the numbers. So, just really appreciate it.

**DAVE WELSCH:** Yeah. Thank you.

**MURMAN:** Any other questions for Dave Welsch? I guess I have one.

**DAVE WELSCH:** OK.

**MURMAN:** I know you study the TEEOSA formula inside and out and are very knowledgeable on it. Do you have any more insight as to how the poverty allowance works now and how it would change with this bill?

**DAVE WELSCH:** Yeah. I, I probably know about as much as what Senator Walz introduced. I tried to study it a little bit, and I've, I've looked at the fiscal notes and, like, what NDE reported and the LFO, and they came up with some fairly dramatically different numbers on what this fiscal note would be. And I, I think that might be in part because it's not a real simple calculation within TEEOSA, but. I-- Senator Walz, this bill, as I understand it, rather than those poverty students just being a, a 1.0 factor, which means 1 student and 1 student, they'd elevate it-- it was either 1.3 or 1.33, which would give potentially more dollars going to the schools that have those poverty students, which is really all schools in the state, I would guess, have poverty students. It's just that a lot of them don't code their expenditures as poverty because they don't get any equalization aid, so they don't get compensated for that and they don't want to be subject to a separate audit on the poverty component of their numbers. So it's, you know, this might-- if we can get more equalized schools, then I think they'll participate more in these types of programs and we can get more dollars to the poverty students that need it.

**MURMAN:** OK. Thank you. Any other questions? Senator Linehan.

**LINEHAN:** Thank you, Chairman Murman. Thank you, Mr. Welsch, for being here. I think the way it works now, it's a stepped-up basis. Like, if you have-- well, if you, you have the green copy there, on page 2, line 21.

**DAVE WELSCH:** Right.

**LINEHAN:** So it-- and I assume this language was written in '89. One of the-- I can't-- I, I-- from what I had read, the more kids you have in poverty, the bigger your problems. Like--

**DAVE WELSCH:** Right.



Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee March 13, 2023

**LINEHAN:** Basically, if you have half the kids have books in their house, their friends-- but when you get to, like, 80 percent, it's really horrific. That's when-- it's the hardest schools, that would be OPS. So have you looked at anything where-- because this stops at 30 percent, so a lot of schools are going to have 30 percent free and reduced lunch. But have we have look-- have we-- and I'm talking to you, Senator Walz, at the same time here-- have we looked at anything that goes up to, like, 70 percent? So you get more-- the more poor kids you have, the more money you get. Have you, like, studied that at all?

**DAVE WELSCH:** I, I have not studied that a lot just in the last day or two. And I agree. The numbers that you just pointed to-- you know, if you only have 5 percent poverty kids, you're only going to get a 0.0375 factor. And as you keep building up-- and-- just trying to catch if it exceeded the 30 percent on the--

**LINEHAN:** I'm guessing that when they first wrote the bill, 30 percent was high.

**DAVE WELSCH:** That--

**LINEHAN:** And now it's not.

**DAVE WELSCH:** Right. Yeah. More poverty in the state. It looks like on-- I believe it's page 3, line 11 and 12 in there, It's multiplied by the poverty students compr-- comprising more than 30 percent of formula students. So I don't think there's a cap there at 30 percent. The factor of 0.225 is for all those students that are-- make up the 30 percent level and higher. So I don't believe there's a cap there.

**LINEHAN:** No, I didn't mean a cap. But I think-- my thought has always been on this, that we should-- the 0.225 should go up. If they're at 40, it should be another bump--

**DAVE WELSCH:** Keep graduating that up.

**LINEHAN:** 60, another bump. But I don't know what the fiscal note would look like, but.

**DAVE WELSCH:** Yeah. I'm, I'm assuming the way this is written, that the higher percentage of poverty that you have, the more expensive it gets to educate a larger body of students that are in poverty. So yeah, I, I hear what you're saying, and that sounds like a reasonable way to go about it.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee March 13, 2023

**LINEHAN:** Thank you very much for being here.

**MURMAN:** Any other questions? And if not, thanks for testifying.

**DAVE WELSCH:** OK. Thank you.

**MURMAN:** Any other proponents for LB522? Any opponents for LB522? Anyone testifying in the neutral position for LB522? Senator Walz, you're welcome to close. And while she's coming up, we have 3 proponents online, 1 opponent and 0 neutral.

**WALZ:** I really don't have much more to say except for, Senator Linehan, I do have a chart here that I can show you when we're--

**LINEHAN:** OK. Yes. OK.

**WALZ:** It's pretty in-depth, so.

**LINEHAN:** Yeah.

**WALZ:** Any other questions? I can write them down and get you answers if I don't have it.

**MURMAN:** OK. Any other questions? Senator Linehan.

**LINEHAN:** Have you worked with the Department of Ed on this as far as-- which is fine if you have not.

**WALZ:** No.

**LINEHAN:** I think it will be interesting with the Department of Ed, because I do think it's something we could talk about, whenever we push Senator Sanders' bill up, what the poverty and what would change if you increase poverty. Because you get Lexington, Hastings, South Sioux City, Minatare, OPS, they're all, like, above 75 percent. Well, I don't know about Hastings for sure, but the rest of them. So it might-- because I-- you, you are definitely on the right track here. There's something wrong when we stop at 30 when you got schools at 75.

**WALZ:** Yep. And that's where it ends here on this chart, is the 30, so.

**LINEHAN:** Because that's the current law.

**WALZ:** Yeah. And, you know, the other point that you made about maybe stairstepping it up might be something that we look at as well.

**LINEHAN:** Thank you.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee March 13, 2023

**WALZ:** Thank you.

**MURMAN:** Any other questions? I've got one. Well, where most rural schools are unequalized and have, you know, similar poverty to the urban schools. But they don't-- the rural schools don't get any state aid now. Would, would this be-- I mean, you'd have to put it outside the formula to, to get any money to the rural schools. That's what I'm thinking about, right? Because otherwise it's going-- the extra funding goes to property taxes and, and unequalized schools.

**LINEHAN:** Can I ask you a question?

**MURMAN:** Yeah, go ahead.

**WALZ:** Or a statement.

**LINEHAN:** Senator Walz, don't you think that if it was written that way, that more schools-- it would increase their needs?

**WALZ:** It would increase their needs. Correct.

**LINEHAN:** So it might not catch everybody, but you would get more to some schools.

**MURMAN:** But if it went-- if you were an unequalized school--

**LINEHAN:** Well, if your needs, if your needs-- Senator Walz, if your needs increase, your chances of being equalized increase.

**WALZ:** Yes.

**MURMAN:** That's correct. But, but if you're still unequalized, it would-- still wouldn't help.

**WALZ:** However, you would be addressing the needs of the school and the students that attend.

**MURMAN:** But it would be funded by local property taxes rather than the state.

**LINEHAN:** Not necessarily.

**MURMAN:** Any other questions for Senator Walz?

**SANDERS:** [INAUDIBLE] taxpayers either way.

**WALZ:** We just went into an exec session.

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Education Committee March 13, 2023

**MURMAN:** Or it just wouldn't be funded. I'm not sure, but go ahead. Any other questions? If not, thank you for bringing the bill. And I think--

**LINEHAN:** Do you have letters?

**MURMAN:** Senator Wayne is not back.

**ALBRECHT:** She has another one.

**MURMAN:** Pardon me?

**ALBRECHT:** She has another one.

**SANDERS:** Yep. LB516.

**MURMAN:** So we will move on to the next bill from Senator Walz, and that's LB516.

**WALZ:** All right. Good afternoon, Chair Murman and members of the Education Committee. My name is still Lynne Walz, L-y-n-n-e W-a-l-z, and I represent District 15, which is made up of Dodge County and Valley. Today, I'm introducing LB516, which is the result of really a lot of hard work by the Department of Education, law enforcement officials, city leaders, public and private school educators and concerned parents. After the Uvalde shooting last year, I requested that Commissioner Blomstedt pull together a task force to take a look at the school safety gaps in our state. The response during and after the shooting in Texas really put a spotlight on safety, security and preparedness practices. The fact of the matter is that none of us want to believe that something like this will happen here. But we have had a few incidents, and we need to be prepared for future ones. According to the Naval Postgraduate School Center for Homeland Defense and Security, between 1970 and 2021, there have been 1,924 school shootings in the United States, and that comes out to about 37 a year. To help address future concerns, the task force put together four different recommendations, which are reflected in LB516. First, the bill creates regionally focused specialists to assist schools and to increase the availability of training and provide tailored technical support for the unique needs of each region and serve as a central point of contact for school districts. This employee would be placed under the direction of the school safety security director. Through the task force meetings, we determined that four directors would be appropriate. So there would be one director for northeast, southeast, central and western Nebraska. Each region is unique in their needs, wants and desires to what it takes to make their school community

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee March 13, 2023

safe. The door-- the directors would help us better meet individual needs and help us be in compliance with the emergency operation plans and best practices. Second, the bill continues Senator William's amazing work on the Safe2Help Nebraska report line. This report line is an anonymous-- anonymous reporting system which allows students, teachers and others to report concerns about someone planning to harm themselves, others or property. This is extremely important to changing the path of potential incidents in our schools and bring about safer environments for all community members participating in this invaluable resource. Since this became operational on September 1, 2021, there have been over 2,000 calls to the hotline. By the end of this year, 70 percent of the state's student population will be covered by that program. I handed out a one-pager from Boys Town that gives more statistics. And there's another handout that shows the school districts that have opted into the program. I would like to note that in December of last year, a tip that was sent to Safe2Help identified a student in Bennington that brought a gun to school and was pointing it at other students in the parking lot. At Norris Schools, a friend submitted a tip about an individual who was in the process of trying to take their own life. An intervention occurred, and the student was helped immediately. This program has saved youths' lives in our state. When this passed in 2021, we required that the Department of Education utilize federal funding that was available at the time, which I believe was the CARES dollars. Those dollars will be running out at the end of fiscal year 2023-2024. So the Safe2Help piece in this bill continues the funding for the program from general funds after those federal funds run out. Third, the bill creates a grant program for security-related infrastructure projects. It appropriates \$15 million to make our schools more resilient to potential threats. The dollars can be used for surveillance equipment, door locking systems and double entry doors, among other things. One of the issues that the task force heard was that the schools, oftentimes in rural areas, do not have the appropriate infrastructure. That means that we are potentially leaving some schools in greater Nebraska behind when it comes to safety. Finally, throughout the task force meetings, mental health was the number-one issue that was talked about. The CDC released data from 2021 that said 29 percent of our high school students had experienced poor mental health in the last 30 days, and 22 percent of high school students seriously considered taking their own life in the last year. We need to do everything that we can to provide them the resources they need and show them that we hear them. In Section 4, we're creating another grant program that appropriates \$5 million to the public health departments or ESUs to hire a mental health practitioner

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee March 13, 2023

or school psychology-- psychologist. This is to help both students and communities at large. We know attacks on schools can come from the community, so this allows us to concentrate our efforts in getting further resources out into our communities. Additionally, there are some ESUs that have only one or two school psychologists and maybe one LMHP. We should make sure that we're assuring-- or, that-- we should assure that there are an appropriate number of mental health resources available to the number of students in an area. I also passed out an amendment that ensures nonpublic schools are included in these opportunities. Private schools worked incredibly hard in this tas-- on this task force. And unfortunately, unfortunately, because we were running up on the clock on the bill introduction, the introduced bill did not fully incorporate them. The amendment is a white copy amendment meant to replace the bill. In Section 1, we are ensuring that regional specialists also oversee nonpublic schools. Section 3 maintains the infrastructure grant program. However, to make this available to nonpublic schools, we're committing ESU to work with them to help them obtain those grants. And finally, in Section 4, we're just making clear that mental health supports are also being provided to our state's nonpublic schools. I've been very focused on ensuring that nonpublic schools are included here because I don't want to see them unv-- or, vulnerable in unsafe situations. Every student in our state deserves to be safe, and that's what this amendment is doing. I know that that was a long opening, but this is a very, very important piece of legislation to ensure the safety of our students. I also know that the price tag on this bill is a bit large, but we are in a, in a unique position to make real investment in our students' safety. As we know, attacks on schools are becoming more and more common. I have always felt that we work better as a body when we are being proactive better than reactive. I believe this is an important bill, and I will most likely be prioritizing this bill because it's something that, again, we worked on all summer, and student safety should be our priority. So with that, I'd be happy to answer any questions.

**MURMAN:** Thank you. Any questions for Senator Walz at this time?  
Senator Linehan.

**LINEHAN:** Thank you, Chairman Murman. Is this a one-time thing or is this an annual \$20 million?

**WALZ:** I believe it's two years. Oh, one time. OK. I was thinking of something else.

**LINEHAN:** OK. So it's a one-time. So it's-- put it out there. Do you remember-- because I don't remember. On the QCPUF, wasn't that

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee March 13, 2023

supposed to be the extra \$0.03 or whatever they could use for-- OK. We just need to figure that out. OK. All right. Thank you very much.

**WALZ:** I will tell you that, just throughout the conversations that we had-- and we actually had another safety task force meeting this morning before I got into-- on the floor. But really, to prioritize this, I would say that the Safe2Health is top priority for this task force. And then the infrastructure was-- they're all priorities, but I think that those were the two top priorities.

**LINEHAN:** OK. Break, break that down again. I'm sorry.

**WALZ:** So the Safe2Help--

**LINEHAN:** The line.

**WALZ:** Yeah.

**LINEHAN:** --the line to continue. And that isn't that much, is it? \$2 million? Oh, no. And it's not even a million. It's--

**WALZ:** \$7-- is it \$700 and--

**LINEHAN:** \$807,000.

**WALZ:** OK. Yeah.

**LINEHAN:** OK. It's all broke down in the fiscal note. Thank you.

**WALZ:** OK.

**LINEHAN:** Yeah.

**MURMAN:** Any other questions for Senator Walz? If not, thank you. That will be your close, I assume.

**WALZ:** Sure.

**MURMAN:** Any proponents for LB516? Good afternoon.

**DIANA SCHMIDT:** Good afternoon, Senator Murman and members of the Education Committee. My name is Diana Schmidt. That's D-i-a-n-a S-c-h-m-i-d-t. And I'm the Safe Schools manager for Boys Town. I am before you today to testify in support of LB516. On behalf of Boys Town, I would like to thank Senator Walz for introducing this bill. LB516 amends the duties of the State Department of Education, Commissioner of Education and State Board of Education, and revises

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee March 13, 2023

the role of state school security director. The bill also creates a process for making grants available to school districts for security-related infrastructure projects and to educational service units and local health departments to hire public psychologists and licensed mental health practitioners. Additionally, LB516 proposes that, beginning in the fiscal year, 2024-25, this School Safety and Security Reporting System would be supported by using general funds. Boys Town sees these provisions as providing critical resources for strengthening school safety for Nebraska students, staff and school communities. Boys Town administers the Nebraska Safe2Help Anonymous Tip Reporting System in partnership with the Nebraska Department of Education. As many of you are aware, the project began as a pilot program in Douglas County and was expanded to include all Nebraska schools in the fall of 2021 through the School Safety and Security Reporting System Act, LB322. There have been over 2,000 tip reports since Safe2Help Nebraska's inception. We are currently serving 48 percent of the entire state's population, with the goal of serving 100 percent. 38 percent of our tip reports come from high schools, 12 from elementary schools, and 50 percent from our middle schools. More than 80 percent of our tip reports are submitted online, and 17 percent telephonically. The top three event types are bullying, suicide and drugs. Notably, 82 percent of suicide threats were handled without having to engage law enforcement. The response by our school district has been phenomenal. To share with you just how valuable and lifesaving Safe2Help has been, there are a few brief statements that I'll share, but also they are included in the full testimonial in the attachment. Safe2Help has dramatically improved school safety, decreased bullying and helped combat vapes and drugs in our schools. We thwarted potential school violence regarding firearms and knives. Without these tip reports, these threats would have gone unnoticed. Another said, in my 36 years of public school employment, I believe setting up our district to utilize Safe2Help online has been the best thing I have ever done in education. Nebraska got this right when the legislators voted to adopt this system free of charge to schools. Another said, I have spent 30 years in education. I can tell you from my personal experience, the Safe2Help Reporting System is money well spent, and it can and will be a benefit to all Nebraskans. By advancing LB516, you can give students and school staff the peace of mind that will allow them to focus on learning and ensure parents can feel confident that their children are safe in our schools. I urge you to consider this lifesaving legislation. I'd also like to update you that I will be onboarding Lincoln Public Schools in the near future. So that's an exciting update. Thank you for your time and attention.



Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee March 13, 2023

**MURMAN:** Thank you. Any questions? If not, thank you very much. Good afternoon.

**JASON WIESE:** Good afternoon. Good afternoon, Chairman Murman and members of the Education Committee. Thank you for the opportunity to speak in support of LB516. My name is Jason Wiese, J-a-s-o-n W-i-e-s-e. I'm privileged to have served as a social studies teacher and coach at Arlington Public Schools for 24 years. I now serve as an organizational specialist for the Nebraska State Education Association. And today, I am speaking on behalf of the NSEA and its 28,000 members. This past fall, I had the honor to serve on the Nebraska School Safety Task Force that was chaired by Senator Walz and former Commissioner of Education, Dr. Matt Blomstedt. The task force was composed of a variety of education stakeholders from across the state that included state officials, city officials, school board members, school administrators, school security personnel, school nurses and educators. Our task was to review current school safety, security and preparedness practices and identify areas to update necessary infrastructure and best practices to keep schools safe. Key areas that were quickly identified to help support schools across the state included creating regional security specialists, funding for security infrastructure projects and funding for mental health practitioners and school psychologists. LB516 reflects the research and expertise that education stakeholders believe are needed to continue to provide a safe public education for every student across the state of Nebraska, whether they are in Omaha, Lincoln, Bellevue, Elkhorn, Holdrege, Pender, Albion or Fremont. By creating regionally focused security specialists to assist schools, security measures can be consistent across the state while ensuring technical support for the unique regions of our state is meant for both urban and rural schools. The task force discussed that, across the state, there is a wide range of what school safety means. By creating security specialist positions in coordination with Nebraska Department of Education, we can create security continuity for school districts throughout the state. By providing a grant program for security infrastructure, all schools will have the opportunity to provide quality safety devices, such as security cameras and self-locking doors that are proven to help create safe schools. Finally, by providing funding via grants to schools for mental health practitioners or school psychologists, schools will be able to provide the much-needed mental health care we know our students desire and need. Research shows mentally healthy students are more likely to go to school ready to learn, actively engage in school activities, have supportive and caring connection with adults and peers, use

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee March 13, 2023

appropriate problem-solving strategies, have nonaggressive behaviors and add to a positive school culture. Our Nebraska students deserve that support. In conclusion, I urge the committee to support LB516. As Governor Pillen has stressed in his remarks throughout the legislative session, Nebraska's students and schools are important to the state, and we must make an investment that supports them. He has also highlighted the importance of mental health and more health specialists across the state when he testified in favor of LB276. Thank you for your time. And I'd be happy to take any questions that you may have.

**MURMAN:** Thank you. Any, any questions for Jason Wiese? If not, thank you for testifying.

**JASON WIESE:** Thank you very much.

**ERIK WILSON:** Chairperson Murman and members of the Education Committee. My name is Erik Wilson, E-r-i-k W-i-l-s-o-n, and I'm testifying today in my role as a director of student services and safety for Norfolk Public Schools in support of LB516. The 2015 Sandy Hook Commission report provided a detailed analysis of what happened and gave recommendations on safe school design and operation. The very first recommendation in that report is that all classrooms in K-12 schools should be equipped with locked doors that can be locked from the inside by the classroom teacher or substitute. The second recommendation in that report is that all exterior doors in K-12 schools be equipped with hardware capable of implementing a full perimeter lockdown. At Norfolk Public, every building in our district has exterior doors locked throughout the school day. Visitors are screened and vetted through a single, secure front entrance. And this is a great practice that is recommended by safety professionals across the nation, like the I Love U Guys Foundation. The issue with this, though, is human error and complacency. Uvalde showed us what could happen when an exterior door is not completely secured. Two of the top recommendations from safety professionals around the country do not exist in many Nebraska schools today, not because building administrators don't think those things are issues, but because our state hasn't made them-- those items a priority and provided a funding mechanism to allow schools to address these costly safety failings. The priorities within LB516 provides a funding mechanism for schools across Nebraska to meet these recommendations that the Sandy Hook Commission made over eight years ago. I have the privilege of having "safety" be part of my title. That is because our district and our school board understands the importance and enormity of what that entails. This allows me to attend trainings, like take classes, become

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Education Committee March 13, 2023

a certified in district-- different aspects of school safety, and participate with the Safe2Help program. Not every school in Nebraska is lucky enough to be able to have all those opportunities for a staff member. LB516's directive to create regionally focused specialists will allow for all schools to have access to safety specialists to help drive safety changes within their district. In 2021, the Norfolk Public Schools Board of Education recognized a growing need in access to ESSER funds to hire three licensed mental health practitioners to serve our high school, junior high and middle school students. We are able to meet the students' needs in crisis situations, provide a parent-approved response without waiting for insurance acceptance and we are connecting families to community sports-- supports beyond the school if needed. This is another added expense to the General Fund, though, once ESSER's expenditures are completed. Without an opportunity to apply for grants to offset these future General Fund expenditures, we may not be able to sustain this level of support for our students. In closing, LB516 is a bill that would provide an opportunity for Nebraska schools to rise to a safety standard that was established years ago but has been out of reach for many Nebraska districts. I hope you will continue to support school safety and prioritize it at the top of what we provide to our students, our families and our communities. I'll answer any questions you have.

**MURMAN:** Thank you. Any questions for Erik Wilson? Senator Linehan. Sen-- I already called Senator Linehan, so.

**BRIESE:** There you go.

**LINEHAN:** Do you know how QCPUF works? I don't know if I'm thinking the right thing. It's an extra-- it can be above the \$1.05, right?

**ERIK WILSON:** I think it is above the \$1.05, but it's also, like, for a special building project-- or certain qualified projects, projects. I don't know if our safety, like interior locks, falls into that category.

**LINEHAN:** I think that's why it got passed. But I'm--

**ERIK WILSON:** But in, in the same sense with that one-- like in our district, I know it's another way that constituents feel that we're going around bonding by using QCPUF dollars to purchase or complete projects that worked.

**LINEHAN:** So you use QCPUF--

**ERIK WILSON:** We do use them for some, yes.

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Education Committee March 13, 2023

**LINEHAN:** Right. That's what I thought. OK. Thank you very much.

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

**BRIESE:** And thank you for your testimony. You used QCPUF for some of these types of things?

**ERIK WILSON:** Our business director is in charge of that kind of stuff. So, for sure-- specifically, which one we have done: we have done some front entrance remodels, some of our older buildings to provide that safe and secure entrance, kind of harden that front door. That's about it.

**BRIESE:** But, but that's typically used with code violations, as did accessibility issues--

**ERIK WILSON:** I believe so.

**BRIESE:** --and environmental issues. I'd be skeptical that it would work here. What's the enrollment in Norfolk Public?

**ERIK WILSON:** About 4,400.

**BRIESE:** 4,400. And what is the extent of your needs relative to infrastructure?

**ERIK WILSON:** So we've, we've done quite a bit over the last few years trying to chip away at what we see are issues and what things have come up on our safety audits. We've done safe and secure entrances. We've done phones in every classroom that can dial 9-1-1. But we have a couple of buildings left that we still need safe, secure entrances, interior locking mechanisms so doors could be locked from the inside the classroom, not on the outside. And then exterior doors is the next one we're going after.

**BRIESE:** And any prediction or any estimates of the cost?

**ERIK WILSON:** I could probably do door locks, interior and exterior, around a little over \$500,000.

**BRIESE:** OK. And then beyond that, what else did you say you would need?

**ERIK WILSON:** Safe and secure entrance at one-- we have one building left. We need to work on the front vestibule.

**BRIESE:** What would that cost?

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Education Committee March 13, 2023

**ERIK WILSON:** We're talking a couple million dollars of construction there in that project.

**BRIESE:** OK. And this, this \$15 million we're talking about here, if that was pro-rated equally, if every school applied for it, it might be \$4,500 bucks a kid. And you'd get \$200,000 out of this deal then.

**ERIK WILSON:** Correct.

**BRIESE:** So you're still way short--

**ERIK WILSON:** Still proj-- still waiting--

**BRIESE:** --way short of where you want to be.

**ERIK WILSON:** Correct. But way closer to getting--

**BRIESE:** Yes.

**ERIK WILSON:** --yeah, you still start keep chipping. And we haven't done these over the last seven years for nothing. We've been chipping at this for a while. This just could be another mechanism to help us chip it that further.

**BRIESE:** We don't know statewide what the needs are.

**ERIK WILSON:** From the School Safety Task Force, it seems like a lot of schools had the same, like Senator Walz said, interior door locking mechanisms, making sure we have safe and secure entrances.

**BRIESE:** But based on Norfolk-- what Norfolk Public has--

**ERIK WILSON:** That's--

**BRIESE:** --that's going to take a whole lot more than what we're talking about here across the state, probably.

**ERIK WILSON:** That is correct.

**BRIESE:** OK. Thank you.

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

**JEREMY EKELER:** Good afternoon, Education Committee. My name is Jeremy Ekeler. I'm the associate director of education policy at the Nebraska Catholic Conference. Jeremy Ekeler is spelled J-e-r-e-m-y, and Ekeler is E-k-e-l-e-r. On behalf of our 112 schools, 2,500 educators and

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Education Committee March 13, 2023

27,000 students, the Conference supports LB516. Today, I'd like to provide some context for the evolution of this bill and its components. In 2021, the Conference joined a coalition of public education groups in support of LB322, Senator Matt Williams' Self2Help hotline. During this process, it became clear to me that the statewide supports concerning school safety were lacking. In my time as an educator, I have been part of multiple school emergency situations, including a shooting outside of our schools and an intruder in our building. I also helped create emergency response and trauma response teams at diocesan and school levels. This is all to say that school safety was already a passion for me when then-Commissioner Matt Blomstedt and Senator Lynne Walz asked me to join dozens of other educators following the tragedy in Uvalde, Texas on May 24, 2022. Those initial meetings progressed into a statewide school task force of roughly 35 people. I represented nonpublic schools. Task force conversations continue to be fruitful, wide ranging, and a model of how education can and should be focused on all students. Officer Joe Wright facilitates these meetings. There are none better in the business than Joe. He travels the country helping with districts and schools. And I knew this from our time together when I was principal and worked with Joe. Also, a new state security director, Dr. Jay Martin-- Mr. Jay Martin is a member. Jay has incredible experience in the field and has been a lifeline for our nonpublic schools. I actually just got off the phone with him. This is all to say a tremendous amount of experience and breadth of input went into what Senator Walz is presenting today in LB516. First, it commits state dollars to the Safe2Help hotline. We already talked about the genesis for this, and you heard from Boys Town as well. For nonpublic schools, this program is still finding its legs, and we hope more schools will take part because of its potential to save lives. I trust Jay to help us get up to speed so Safe2Help maximizes its potential. Section 3 creates a grant program based on successful models used in places like Michigan and Connecticut and maintains local control by schools, but also understands two important things about school safety. Number one, it's more like layers of Swiss cheese than the panacea; and best practices are always evolving. Section 4 addresses the important layer of that Swiss cheese, the preventative portion, which is the mental health crisis. Prior to the pandemic, we had a mental health crisis. And now, as we know, it is much faster than we even realize. This portion of the bill provides grants to health departments or ESUs to hire mental health professionals who support all schools in that area. In closing, the Catholic Church prioritizes taking care of the vulnerable in society. We must take seriously our duty to keep the children in all of our schools safe. The team around this bill

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee March 13, 2023

certainly does. And I appreciate Mr. Joe Wright, Mr. Jay Martin, Mr. John Skretta, former Commissioner Blomstedt and Senator Walz for including the conference in all of the conversations. Thank you. And I'm available for any questions you might have.

**MURMAN:** Any questions for Jeremy Ekeler? If not, thank you for testifying.

**CONRAD:** Thank you.

**JEREMY EKELER:** Thank you.

**MURMAN:** Any other proponents for LB516?

**JOHN SKRETTA:** Good afternoon, Chair Murman, members of the Education Committee. My name is John Skretta. That's J-o-h-n S-k-r-e-t-t-a. I am the administrator at Educational Service Unit 6, headquartered in Milford. I am here today representing a number of education coalitions. So I'm going to give you the acronyms: ESUCC, STANCE, NCRSA, GNSA, NCSA, and NASB. I'm looking into getting embroidered logos on a jumpsuit so you can just see who all I'm speaking for when I come up here. The informational sheets there describe those organizations. Broadly stated, what I'd say is that this bill, LB516, has the unanimous support of the K-12 education representatives. Specifically, I want to talk to the references in utilization of regionally focused specialists to assist schools in training and technical support and ESUs providing for mental health practitioners and school psyches to provide support to students. These are really key components of LB516. ESUs in Nebraska are long-established leaders in equipping our schools with highly qualified mental health and behavioral specialists and in delivering expert training to help teachers teach more effectively and help schools continuously improve. This bill would bring needed resources and structure to support the delivery of these services to schools across the state. I also want to emphasize and reiterate something you heard prior, which is this reflects the outcome of a collaborative, deliberative process from a diverse stakeholder group that Senator Walz and the Nebraska Department of Education under then-Commissioner Blomstedt assembled in the wake of the tragic Uvalde, Texas school shootings. And so these recommendations reflect excellent consensus input from leaders with diverse perspectives in schools. I've also been advised and have had correspondence with Jeremy, who testified just prior to me, and Amanda in Senator Walz' office that we know the pending amendment language would provide a clear intent to inclusively support all schools and students, both public and nonpublic, on the principle of providing and

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee March 13, 2023

prioritizing the safety of all students and reflecting the diverse stakeholder input of that task force. The ESUs are ready to serve in that capacity however we can, and it's not unfamiliar territory for us. And I gathered some initial input from our nonpublics in the area relative to their needs to address that if that's of interest. In closing, you have a, a separate handout here in addition to the verbal testimony I provided that summarizes a variety or range of these school safety supports that ESUs, multidistrict ESUs in Nebraska provide and which ESU 6 offers supports into our 16 member districts. Thank you.

**MURMAN:** Thank you. Any questions for John Skretta? If not, thank you for testifying.

**JOHN SKRETTA:** Thank you.

**BRIAN HALSTEAD:** Good afternoon, Senator Murman, members of the Education Committee. For the record, my name is Brian Halstead, B-r-i-a-n H-a-l-s-t-e-a-d, deputy commissioner with the Nebraska Department of Education. We are a big supporter of the Safe2Help hotline that has been created. We appreciate Senator Walz including the language in this bill to have that-- the intent of the Legislature to pay for that once the federal funding runs out. And it is a budget issue that we did submit to the Governor and the Appropriations Committee. And our budget hearing is on Wednesday. So if you want to tell your colleagues on Appropriation what you've heard here today about how successful that is, we'd clearly appreciate that. So I'll stop there. You've heard a great deal about a lot of these topics, so I'll take any questions you might have.

**MURMAN:** Any questions for Brian Halstead? If not, thank you for testifying. Other proponents for LB516? Any opponents for LB516?

**SCOTT THOMAS:** Good afternoon, Senators. My name is Scott Thomas, S-c-o-t-t T-h-o-m-a-s. I'm with Village in Progress. And I have some serious concerns about the utility of the innovative ingenuity on the left at this point. It's seriously concerning to see Democrats working to stop school-to-prison pipelines and then also simultaneously working to potentially build school-to-prison pipelines. Since legislation is essentially all hypothetical because it's not dealing in the judicial or the establishment of what has happened is-- it's dealing with the potentiality of everything, I'll speak in the hypothetical. And since everybody makes it personal to them, I'll make it personal to me. And I work in the humanities sector. It's extremely leftist leaning. And I'm a Christian. And I have had my faith mocked,



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Education Committee March 13, 2023

my God referred to as an imaginary friend, a delusion. And I see nothing in this bill to prevent-- my children are Christians. And I see nothing in this bill to prevent the same religious persecution from happening to them at school. And until I could see the language changed to ensure that that doesn't happen, I would object-- I would testify in a negative capacity, and I would say that it violates the First Amendment of the U.S. Constitution, religious protections, and Article 18 of the UDHR for the same reason.

**MURMAN:** Thank you. Any questions for Scott Thomas? If not--

**SCOTT THOMAS:** Thank you, Senators.

**MURMAN:** --thank you.

**SCOTT THOMAS:** Appreciate it.

**MURMAN:** Any other opponents for LB516? Anyone want to testify in the neutral position for LB516? Senator Walz, you're welcome close. And while she's coming up, there were 11 proponents, 1 opponent and 0 neutral online.

**WALZ:** Thank you, Senator Murman, Chairman Murman, and thank you to all those who came today to testify on LB516. As a parent, as a teacher, as a policymaker, I really take the safety of our children as a serious issue. As a reminder-- I know that you've already heard, but I want to go over maybe a couple things. LB516 is a group of recommendations from the School Safety Task Force that was made up of law enforcement, parents and teachers. It does four things. And I want to talk a little bit about the four regional school security specialists that it puts in place in western Nebraska, central Nebraska, southeast Nebraska, and northeast Nebraska. I asked the task force this morning what kinds of things the specialists would be doing to assist schools and, and increase the availa-- availability of training. Some of the things that they talked about that were most important to them was to help them provide threat assessment training to schools on safety protocols, coordinate with first responders and, and resources. The other thing that they felt was important was that they would be able to review the plan they have regarding the EOS and identify infrastructure priorities such as secured facilities and entrances, as well as mental health practices. Senator Hansen also has a bill. It's LB673, that would provide grants to schools to update maps so when first responders are going to schools, they have available mapping within the school so they know where rooms are, offices are, gyms are, et cetera. But I just wanted to talk a little

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee March 13, 2023

bit about that, why those are-- how those specialists would be utilized. The other thing I wanted to briefly touch on was the, the grants to schools for security-related infrastructure. I know-- Senator Briese, thank you for asking that question. It, it's not enough money, but they felt that there would be a, a priority. So schools that didn't have anything-- and there are a lot of schools, especially in rural areas, that you can just walk into without, without having, you know, to stop in the office. And some of the offices were located in areas away from the, the entry. So it would be prioritized in the schools that needed secure entrance, entrances first, I think. And then, finally, it provided grants to ESUs and public health departments to bring on more school psychologists and mental health professionals. So I do appreciate-- I know that, you know, we lost an hour of sleep over the weekend, but I do appreciate the engagement that we had regarding a really important issue, and that's keeping our kids safe.

**MURMAN:** Thank you. Any questions for Senator Walz on close? Thank you very much.

**WALZ:** Thank you.

**MURMAN:** OK. We'll take about a 7- or 8-minute break before the last bill.

two bills.

**Speaker 1:** To get to.

**Speaker 10:** The nine should be very short.

**Speaker 2:** And don't look.

**Speaker 7:** At the clock.

**Speaker 4:** Yes, I know.

**Speaker 1:** I heard that.

**Speaker 7:** We should get the pages like we want to stand on their shoulders.

**Speaker 4:** Which is not.

**Speaker 7:** An easy thing to do.

**Speaker 3:** Do you hear that? No.

**Speaker 1:** I want to talk to the guys. This other training.

**Speaker 3:** We are. So that's.

**Speaker 1:** Why I definitely feel like I'm.

**Speaker 3:** Qualified to say that I think we can get it done.

**Speaker 10:** I mean, sexual. It's not even. So, yeah, we'll see what I think.

**Speaker 1:** Because that's how we meet. Wee wee wee wee wee wee means.

**Speaker 10:** Our criminal justice package. Yeah. And so these are they're having those dreams are goals. Yahoos are maybes, but I need to know where to start.

**Speaker 3:** Get a green.

**Speaker 7:** Copy.

**Speaker 3:** Yeah, I was missing that. Oh, yeah. Thank you.

**Speaker 1:** Not awesome, because I did that with everybody.

**Speaker 3:** I got me behind this place. Did anything else for you? Yeah. No, I was. I was actually. You know, I have to think of something that was in their budget.

**Speaker 10:** So I suppose you could.

**Speaker 3:** Put it to you. I'm missing one of.

**Speaker 10:** I go through or start crossing.

**Speaker 3:** I said, Oh, it was wonderful. Right.

**Speaker 10:** So I just started ruminating these things.

**Speaker 3:** Oh, forgot.

**Speaker 10:** 522 at the end of the year. It's a shit show.

**Speaker 3:** And every question is.

**Speaker 10:** Can move something across good even further. Right.

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Education Committee March 13, 2023

**Speaker 3:** Yeah. Five, six, five, six. OK. Thank you. Thank you. Sort of got to figure out who was missing here.

**Speaker 5:** And this was.

**Speaker 9:** Earlier.

**Speaker 1:** This month.

**Speaker 10:** Yeah. So this week I thought the meeting with her. Write the background of the camera. I get Grant came in and turn them off because we had a hot mark.

**Speaker 3:** Off the camera, so it was a hour hook.

[BREAK]

**LINEHAN:** What bill are we doing, LB475?

**MURMAN:** Yeah. LB475. Senator Wayne.

**WAYNE:** Thank you, Chairman Murman and the Education Committee. My name is Justin Wayne, J-u-s-t-i-n W-a-y-n-e, and I represent Legislative District 13, which is north Omaha in northeast Douglas County. What you have today in LB475 is a concept. We would have to take a couple amendments. I'm trying to figure out how to make it work for everybody. But what you'll notice on the thing that I just handed out-- and there's a lot of numbers-- that's the proposed amount would be under this bill that each school district would get compared to the change. I, I added two columns that I was going to finish, but I did not get done. It was a special education allowance underneath Senator Sanders' plan outside the formula, and then a, a growth factor that I think needs to happen if there is an amendment. This bill is not ready for prime time. But the reason why I brought this bill is pretty simple. I think we should treat every kid, from a state's perspective, the same at a baseline, and there should be only a few factors. But even underneath this formula, it will probably have to have an exception for many of our-- for, like, South Sioux City and for many of the school districts that are in, in tribal land. Just because the way the funding works, they still would lose, so I'd have to figure out an exception there. But here's my overall point to this part of the funding. We have income tax relief. We have property tax relief, two funds that are almost at \$1 billion. We have a bunds-- a billion set aside fund in the Governor's proposal. And we have TEEOSA. We are just funding education multiple different ways in order to secure property tax relief. And I just think we should call it what it is:

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee March 13, 2023

we're going to fund the local school districts this amount. They, they lower their property taxes by a set amount. We can have a soft cap in, but-- we won't be 49th in the country, even though I don't agree with that figure all the time, if we were actually just to combine our property tax refund and inject that directly into education along with the new proposal underneath Senator Sanders' bill. Let's just put it all underneath property-- I mean, underneath education because that seems to be the driving force of our local taxes. That just is the easiest way to explain it. Part two of this bill is actually some standards that I wouldn't mind trying to amend on the floor to some bill, and it's about-- it's classroom sizes. It actually has the pre-K through third grade, 20 pers-- per class. And if you have 16 to 20, you should have a para in that class. And the point of that is, is-- I keep hearing over and over that classroom size is one of the biggest ways to close the achievement gap. Well, let's step up and do something about it. Now, I know if we were to pass this without funding and just have the classroom sizes, we may hear that there's not enough room. We may hear there's not enough teachers. That doesn't bother me at all. I just think we should, we should put that in statute and make sure that it's actually being governed that way. So that's kind of my thought on it. Obviously, it'll be a big fiscal note if this were to pass: \$900 million. But again, we have a funding source and the property tax relief fund. We can still provide property tax relief by giving this directly to the schools and go from there. So that's my thought. I know it won't happen this year, but I think we have to have a serious conversation about how we fund education over the next year and get something done.

**MURMAN:** OK. Thank you. Any questions for Senator Wayne?

**LINEHAN:** Yeah.

**MURMAN:** Senator Linehan.

**LINEHAN:** So do you have any visibility on how many K-3 grade classes we have with over 20 kids in it now?

**WAYNE:** I do not have a number on that.

**LINEHAN:** And you think if they've got over 16 they'd need a para as well as a teacher?

**WAYNE:** Correct.

**LINEHAN:** And you're, you're funding-- you include the average amount per child?

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee March 13, 2023

**WAYNE:** No. So I started with the baseline amount of \$4,700-- \$40,750 per kid. There will be an additional \$1,600 dollars for free and reduced lunch kid-- student. And then there will be an additional \$800 if that school has over 50 percent free and reduced lunch. Because studies have shown over and over that the culture changes and there needs to be some more supports. And then I have a sparsity of \$500 to help rural Nebraska. And then I have English as a second language learner, \$1,600 per student. That's the current bill. I would like to add special education and growth factor to that.

**LINEHAN:** And what do you do-- do you let the schools-- do you push down the valuations or push down their maximum levy?

**WAYNE:** Push down their, their current levy. And some-- and I understand for some districts they might only have a \$0.60 levy. But from a state's perspective, we're treating all the kids the same. Now, locally, if they want to have a special dual language program, then their taxpayers are paying for that. Any specialty programs outside of that that cost above what, what it would take for us to, I would say at a baseline, fund schools through local property taxes take that.

**LINEHAN:** So you throw the whole resources, local resources, kind of--

**WAYNE:** Correct.

**LINEHAN:** OK. Thank you, Senator Wayne.

**MURMAN:** Any other questions for Senator Wayne? Senator Briese.

**BRIESE:** Thank you. And thank you, Senator Wayne, for bringing us. I have kind of a lead into my question. Wouldn't be any equalization aid per se?

**WAYNE:** No. I think part of the problem with equaliza-- well, I try to make up for that on the poverty, right? Like, when we first passed TEEOSA, poverty wasn't even mentioned in the bill. It isn't until later down where we started changing it 25 out of 27 times. But-- so, no. There wouldn't be an equalization. We are treating everybody-- I do think, to answer your-- you-- honestly, there would probably be a smaller equalization for our most impoverished districts, like South Sioux City and them, just because I can't make the numbers work right just because they're, they're, they're landlocked and so-- impoverished in needs. So those would be what we would have to tweak. But my overall thought, again, conceptually is TEEOSA is doing what it's designed to do at a fundamental level. And every other thing that we do to tweak TEEOSA doesn't change the fundamental purpose of

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee March 13, 2023

TEEOSA, and so we're always going to have school districts who aren't receiving funds from the state. And I think if we have a constitutional obligation, there has to be a minimum we give every kid.

**BRIESE:** Well, thank you.

**MURMAN:** Any other questions for Senator Wayne? Well, thanks a lot. Any proponents for LB475? Any opponents for LB475?

**CONNIE KNOCHE:** Senator Murman and members of the Education Committee. My name is Connie Knoche. It's C-o-n-n-i-e K-n-o-c-h-e, and I'm the education policy director for OpenSky Policy, and we're testifying in opposition to LB475. But first, we'd like to commend Senator Wayne for his efforts to direct more state dollars to K-12 education. I know he has put in a lot of work and he's still working with his formula and that there will be changes as he goes forward, and we really appreciate that he's doing that. OpenSky has long believed that most-- the most sustainable mechanism for providing property tax relief would be for the state to increase its commitment to K-12 funding. However, we're concerned about the long-term sustainability of this particular proposal. When we modeled it, the effects of LB475, if it had been in place for the '23-24 state aid certification, total calculated aid would have increased, in my model, by \$751 million. And I understand that there was an amendment to the fiscal note that changed how NDE was modeling it. So I'm sure some of that is changing too. But in our model, we found that there were 26 school districts that received less state aid in this provision than they did in the '23-24 certification. And those included the Native American school districts who don't have a way to make up for that lost revenue. All the school districts receiving less state aid would be forced to increase their levies to make up for lost revenue, and 11 of the 26 school districts that were losing funds were already at their maximum levy. So, ultimately, we conclude that LB475 terminating the current, current TEEOSA formula to replace it with the new Nebraska education formula is, at best, a mechanism to temporarily direct funds to-- more, more funding to K-12 education. We also have concerns about what the additional funding is intended to achieve in terms of student outcomes. It directs more dollars to all of the school districts-- or, most of them. But it doesn't-- and there will be property tax reductions because of that. But we don't have any measures of the adequacy of the funding-- for example, to achieve national average outcomes; or the equity of funding, acknowledging that some school districts are going to need additional dollars to meet these outcomes. We also don't have any estimates of what it would cost our education system to meet these

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee March 13, 2023

outcomes across all the spending and-- at state and local levels. So we encourage the Education Committee to invest time in exploring these measures and to bring better ideas into the debate, possibly study the state aid formula as opposed to just throwing stuff out and seeing what happens. So we believe that it should-- the committee should invest time-- invest wisely and for the long term in the manner that centers on children and their learning needs. So I'm happy to answer any questions you have.

**MURMAN:** Any questions for Connie Knoche? Yes, Senator Linehan.

**LINEHAN:** Thank you, Chairman Murman. Thank you very much for being here. So the fiscal note says it's going to be another \$917 million.

**CONNIE KNOCHE:** Then there was an amended fiscal note, and that said \$70 million.

**LINEHAN:** \$70?

**CONNIE KNOCHE:** And that's--

**LINEHAN:** Because it does away with equalization?

**CONNIE KNOCHE:** No, because of the two-thirds guarant-- guaranteeing two-thirds of what you had certified. If, if what you were getting under the-- this Nebraska model is less--

**LINEHAN:** So what's the fiscal note as it's written right now?

**CONNIE KNOCHE:** It's \$951, I think.

**LINEHAN:** I'm sorry?

**CONNIE KNOCHE:** I think it's \$951, something like that.

**LINEHAN:** Thousand?

**CONNIE KNOCHE:** Million.

**SANDERS:** Million.

**LINEHAN:** I mean, yeah. \$951-- what? [LAUGHTER] wouldn't there be savings in TEEOSA? I'm confused.

**CONNIE KNOCHE:** Well, it's replacing-- it's, it's eliminating the current TEEOSA formula.



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Education Committee March 13, 2023

**LINEHAN:** And it would still cost \$900 million? Because that's a billion.

**CONNIE KNOCHE:** Yeah.

**LINEHAN:** So is it a billion plus \$900 million?

**CONNIE KNOCHE:** It's whatever-- that's on top of what was certified. What was certified, I believe, was, like, \$978 million. So this would be on top of that. Isn't that right? With the-- that's why--

**LINEHAN:** OK.

**CONNIE KNOCHE:** So that's why he's still working on it and everything.

**LINEHAN:** All right. Thank you.

**CONNIE KNOCHE:** And it's evolving, and we understand that. But we think it's a good idea to study the formula and, and maybe figure out what the best way to do that--

**LINEHAN:** OK. We'll study it. Thank you.

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

**BRIESE:** Thank you, Chairman. Thanks for your testimony. But hasn't OpenSky always advocated that the solution to-- or, the-- yeah, solution to the property tax crisis is more state aid to schools?

**CONNIE KNOCHE:** Yeah. And state aid would go down if you gave them another billion dollars in state funding.

**BRIESE:** Yeah. But, but anyway, I've--

**CONNIE KNOCHE:** Yeah.

**BRIESE:** But--

**CONNIE KNOCHE:** Yeah.

**BRIESE:** Thank you.

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

**CONRAD:** Thank you, Chair Murman. Thank you, Connie. Good to see you. You know, one thing that I think Senator Wayne has been really consistent about this session and pro-- probably during the course of

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee March 13, 2023

his service is, you know, just making sure that we have some big thinking around school funding and trying to ensure that we're not too myopic in our approach and we're thinking about those other revenue streams that exist to support education and how it shows up in our budget. Because sometimes, it's easy to pick one stream and leave out some of the others kind of thing.

**CONNIE KNOCHE:** Right.

**CONRAD:** Can you tell me-- and I know that you've looked at this for a long time and are one of the foremost experts in the state. We, we have had a lot of study, interim studies and a lot of study commissions. I think maybe even Senator DeBoer has worked on putting together a broader study group over the last recent-- few recent years. I mean, isn't the reality is beyond careful study, which is always good to sound policymaking? It really becomes a lack of perhaps political will to make major changes in the existing structure. I mean, if you would care to respond to that or kind of where you see kind of where we are today and where we head.

**CONNIE KNOCHE:** Well, the current formula was generated about 30 years ago.

**CONRAD:** Yeah.

**CONNIE KNOCHE:** And at that time, they had someone come in and, and really look at what the funding mechanisms were in Nebraska, what the needs were of the school districts, and that's how that was recommended. And so we've promoted doing that again to, you know, see what you need to do for education as opposed to, you know, just picking pieces and parts because it does change frequently. And, and you're not sure at the end if it's really addressing what you want it to or not, so.

**CONRAD:** If you-- and I know this is kind of a big question. But from your expertise or your vantage point, if we started from scra-- or, let me-- should we start from scratch? Is it a question of reforming and updating TEEOSA? Or should we be looking to a different formula to address both needs?

**CONNIE KNOCHE:** I think it should be a different formula. I think equalization aid has been-- 30 years ago, that was the thing to do.

**CONRAD:** Yeah.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee March 13, 2023

**CONNIE KNOCHE:** But now it's more based on student outcomes, what their needs are, what you need to do. And, and I think there may be some other ways to do it that would address the needs of kids.

**CONRAD:** I, I appreciate your candor. That's really helpful, actually. And that was something that I was trying to grapple with in regards to the Governor's plan, for example, as well. Is this actually a transformation or is this a first step to abolishing TEEOSA? And whatever it is, I just want to have a clear answer on that so I know kind of where the policy direction is headed and what those implications are, so that--

**CONNIE KNOCHE:** I think that we feel the same.

**CONRAD:** OK. All right. Very good. Thank you.

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

**CONNIE KNOCHE:** OK. Thank you.

**MURMAN:** Any other opponents for LB475? Any neutral testifiers for LB475?

**BUD SYNHORST:** Good afternoon. My name is Bud Synhorst. That's B-u-d S-y-n-h-o-r-s-t. President and CEO of the Lincoln Independent Business Association. Today, I'm here to testify in a neutral capacity on LB475. First of all, I want to thank Senator Wayne for bringing LB475 so we can continue having a conversation about school funding. Whenever this-- there's conversation surrounding property tax, the school funding piece is always one of the topics that comes to the top of this discussion. There are aspects of this bill where we see positive strides, and we have a few questions around the bill leading to our neutral testimony. I appreciate Senator Wayne coming up with a funding formula to help schools all across Nebraska and creative ideas for how the funding will be disseminated. Further, this bill provides accountability measures for the school districts for filling enrollment and other-- or, filing enrollment and other data to the State Auditor and providing ways in which districts can receive funding from the state, which would hopefully reduce the property taxes across the state. We'd be interested in seeing some sort of language connecting this funding formula for schools with the levy lid for schools. For instance, on numerous occasions, when we talk with the local school district, we receive a message from them that they cannot lower their levy this year because we need to make sure that they have money for their savings account or because we

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee March 13, 2023

never know when they may need it. This is frustrating on many levels when the district openly takes an additional couple of million dollars because they don't want to lower the levy merely by a half a cent. Last year, we asked them to lower the levy at Lincoln Public Schools by a half a cent because valuations and, and such from the assessor came in at about \$2.5 million above what they had budgeted. And, and, frankly, the response was, well, we just need that money. Now, this year, with preliminary evaluations out there in Lancaster County with 20, 30, 40 percent valuation increases, that, that raises a concern with me that even with the new formula, will these school districts continue to keep their levy up there just to take that money? I appreciate the part where Senator Wayne in his bill talks about allowable reserves. Also, I thought there was a creative component of Senator Wayne's bill talking about paraprofessionals in classrooms. We've watched as Lincoln Public Schools has actually hired high school seniors to serve in some of those roles, which was a creative way to address the workforce shortage. However, as we've seen with our business owners and school districts and everyone across the state, workforce shortage is a big deal, and so how do we fill those? So I'm not saying it's a bad idea, Senator. I like, I like the idea. What I'm saying is hopefully we'll be able to fill those roles in schools. And so, again, I appreciate you, Senator Wayne, with this bill and having this conversation. I appreciate the ability to look at it. And I would point out that you always give me a hard time, Senator, that I'm always against your bills. And I want to go on record here in the Nebraska Legislature saying I am not opposing your bill today. Thank you for your time. And I would answer any questions you may have.

**MURMAN:** Thank you. Any questions for Bud Synhorst?

**BUD SYNHORST:** Thank you very much for your time.

**MURMAN:** Thank you. Any other neutral testifiers? If not, Senator Wayne, you're welcome to close. And while he's coming up, no online comments.

**WAYNE:** Thank you. I, I introduced the same bill-- actually, a little more complicated. I was raising internet sales tax and everything else to pay for it back in 2018, and I actually lowered the amount of the baseline. But somehow, it's still \$100 million more than, than the previous fiscal note. So I, I don't know what I'm doing, but I'm doing something right. I'm spending more money, so I guess that's a good thing. Anyway, I'll answer any questions.

**MURMAN:** Any questions? Senator Linehan.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee March 13, 2023

**LINEHAN:** Do you know if OPS pays insur-- other paraeda-- paraeducators? Do they qualify for health insurance?

**WAYNE:** Yes.

**LINEHAN:** But that's not consistent across the state--

**WAYNE:** No.

**LINEHAN:** --I don't think.

**WAYNE:** No. Some of them-- no. Not all of them do. If you worked under 32 hours, you don't. And some of our paras don't work that much.

**LINEHAN:** OK. All right. Thank you.

**MURMAN:** Any other questions for Senator Wayne? If not, thank you very much.

**WAYNE:** Thank you. Look forward to execing on this. This will be a priority bill tomorrow.

**CONRAD:** That joke is not going to work after tomorrow.

**WAYNE:** No. [LAUGHTER].

**MURMAN:** That will close the hearing on LB475.

**CONRAD:** Quick, get as many execs in as you can.

**WAYNE:** Right.

**MURMAN:** And Senator Wayne can stay in the chair because we'll open the hearing on--

**WAYNE:** Thank you.

**MURMAN:** --LB238.

**WAYNE:** Thank you, Chairman Murman. My name is Justin Wayne, J-u-s-t-i-n W-a-y-n-e. I represent Legislative District 13, which is north Omaha in northeast Douglas County. This is a bill that comes back every year like Groundhog Day. I've been introducing this bill prior to me being in the Legislature when I was on the school board and we first passed allowing our school district to have a virtual school-- not virtual school-- an online school/virtual students who would take classes online and then go to school for a day or two. So

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee March 13, 2023

prior to me actually being in the Legislature, we would have this bill introduced. So it's a-- it never moves anywhere. But all it does is say if their, their fall membership would be included as real if they are there 50 percent of the time. Because they're online, they're not physically there. There's an argument that we have every year about it catches up on the, on the three-year averaging. But to me, we shouldn't have to wait until it catches up. So, yeah. It's one of those days today.

**MURMAN:** Any questions for Senator Wayne?

**LINEHAN:** Did [INAUDIBLE].

**WALZ:** I'm sorry I was difficult. That was a quick introduction. I was still looking at this thing, so I completely-- what did you say?

**SANDERS:** [LAUGHTER] "What did you say?"

**WALZ:** What was your bill about?

**WAYNE:** Thank you for allowing me to testify today. This is for-- it changes the calculation for fall membership. 50 percent or less is not counted as a-- will be counted as a full-time person if they're doing virtual students. Again, I know they make it up on the three-year averaging, but I just think it makes sense to count them and not have to worry about it. That's really all I said.

**WALZ:** Thank you.

**MURMAN:** OK. Any other questions for Senator Wayne?

**WAYNE:** We're not even drinking. This is rough today. Everybody's losing their mind. Hi, Sanders-- Senator Sanders.

**SANDERS:** It has been a long week.

**WAYNE:** It has.

**SANDERS:** And it's only Monday afternoon.

**LINEHAN:** We're ready for four days.

**SANDERS:** Um-hum.

**WAYNE:** Yeah.

**LINEHAN:** So can I ask questions?

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee March 13, 2023

**MURMAN:** Yeah. Go ahead.

**LINEHAN:** So they're in school half-time and you count them as half a child?

**WAYNE:** At the beginning. But they're counted in the, in the spring as full membership-- I mean, at the end of the school year is your actual membership. So you catch up on the three-year averaging adjustment but you don't have a first year and a half. It has kind of lagged because you can't count them.

**LINEHAN:** Are these students in the building?

**WAYNE:** So that's the issue. They're in the building-- well, they used to be. I don't know if they still are, but they're in the building at least one day a week, if not two. Most of the time, two.

**LINEHAN:** How many students do they have that are doing this?

**WAYNE:** I don't know. I mean--

**LINEHAN:** You do know.

**WAYNE:** No, I don't. Actually, I don't.

**LINEHAN:** OK. Well, could you find out for the committee?

**WAYNE:** I will find out for the committee. I just know when I-- two years ago, they were at capacity. I just don't know since COVID how it works, how it has been. That's the issue.

**LINEHAN:** OK. That's fair. OK. Thank you.

**WALZ:** I just have another--

**MURMAN:** Yes, Senator Walz.

**WALZ:** Thank you, Chairman Murman. So why are the students not in the building?

**WAYNE:** So the-- so when I was on the school board, there were parents who wanted an option-- we did a needs analysis in 2013. 2014, there was a conversation around-- there were kids who did not do well in school when they're in the social environment. Some were around autistic. Some just didn't do well. But then there was actually very high-end parents who were doing-- sending their kids who were competing in national piano. And, and there was just-- wasn't an

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee March 13, 2023

alternative to do online school. And so between the, the different feedback we got of different segments of parents who were, were wanting an online option, we started an online school internally at OPS. But one of the requirements were they had to go to school, a physical school, two days out of the week. That used to be at the Do Space. And I think now it's at the TAC building.

**WALZ:** Did it include kids that were-- that had to leave school because-- I'm sorry. It is-- what? Yeah, behaviors, for example.

**CONRAD:** Expulsion or something.

**WAYNE:** No, it didn't. Any parent could apply to opt in their kid to that program. It was a program. And so if a parent wanted to, for behavioral reasons, which some parents did because when I was there-- but it was more about they didn't function very well in the, in the learning environment. They just were-- I don't want to say antisocial because that's not the right word, but the social part of the school. So they did a lot better online. And so we were just giving them a different platform to do their education, and it has been successful.

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

**WAYNE:** Thank you.

**MURMAN:** Proponents?

**WAYNE:** I'll waive, waive closing.

**MURMAN:** Oh, OK. Proponents? A little early for that. Proponents for LB238? Opponents to LB238? Neutral for LB238? OK. 1 proponent online, 0 others. 0, opponents, 0 neutral. And that will end our hearing for the day. Thanks, everybody.