

Transcript Prepared by Clerk of the Legislature Transcribers Office
Education Committee February 6, 2024

MURMAN: Good afternoon, and welcome to the Education Committee. I'm Senator Dave Murman from Glenvil, represent District 38, and I serve as Chair of the committee. The committee will take up the bills in the order posted. This public hearing today is your opportunity to be part of the legislative process and to express your position on the proposed legislation before us. If you are planning to testify today, please fill out one of the green testifier sheets that are on the table at the back of the room. Be sure to print clearly and to fill it out completely. When it is your turn to come forward to testify, give the testifier sheet to the page or to the committee clerk. If you would like to have your position known but not testify, at the front desk there is a yellow sheet next to the green sheets where you can state your name and position for the permanent record. When you come up to testify, please speak clearly into the microphone. Tell us your name and spell your first and last name to ensure we have an accurate record. We will begin each bill hearing today with the introducer's opening statement, followed by proponents of the bill, then opponents, and finally anyone in the neutral capacity. We will finish with a closing statement by the introducer if they wish to give one. We will be using a 3- minute light system for all testifiers. When you begin your testimony, the light on the table will be green. When the yellow light comes on, you have 1 minute remaining and the red light indicates you need to wrap up your final thought and stop. Questions for the committee may follow. Also, committee members may come and go during the hearing. This has nothing to do with the importance of the bills being heard. It is part of the process as senators may have bills to introduce in other committees. A few final items to facilitate today's hearing. If you have handouts or copies of your testimony, please bring at least 11 copies and give them to the page. Please silence or turn off your cell phones. Verbal outbursts or applause are not permitted in the hearing room. Such behavior may be cause for you to be asked to leave the hearing. Finally, committee procedures for all committees states that written position comments on a bill to be included in the record must be submitted by 8 a.m. the day of the hearing. The only acceptable method of submission is via the Legislature's website at nebraskalegislature.gov. You may submit a written letter for the record or testify in person at the hearing, not both. Written position letters will be included in the official hearing record, but only those testifying in person before the committee will be included on the committee statement. Please note that due to the similar topics addressed by two of the bills today, they will be heard in a combined hearing. This means that you'll be able to testify on one or both at the same time. This is to ensure that everyone who wants to

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testify will have the opportunity to do so. When we move to the combined bills on the agenda, I will announce the bills, and they're LB899 and LB1146. At that time, please move to the front if you wish to testify on one or both bills. When it is your turn, you will announce in your opening which bills you are testifying on and your position. Please complete a green testifier sheet for each bill you wish to testify. When all testifiers are done, we will then call the introducing senators to come up for their closing remarks. I will now have the committee members with us today introduce themselves, starting on my right.

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

LINEHAN: Good afternoon, I'm Lou Ann Linehan and I represent Legislative District 39.

ALBRECHT: Hi, I'm Joni Albrecht, District 17, northeast Nebraska.

MEYER: Fred Meyer, District 41, central Nebraska.

MURMAN: Also to my right is committee counsel Jack Spray, and to my far right is committee clerk Shelley Schwarz. Our pages for the committee today are Isabel Kolb and Kristen Perez. And I'll let them stand up and introduce themselves and tell us what they're studying.

ISABEL KOLB: I'm Isabel. I'm a political science major at UNL.

KRISTEN PEREZ: I'm Kristen. I'm also a political science major at UNL.

MURMAN: And thank you very much for helping us out today. And with that, we will begin today's hearing with LB1391. Senator Ballard. Welcome.

BALLARD: Thank you. Thank you, Chair Murman and members of the Education Committee. My name is Beau Ballard. For the record, that is B-e-a-u B-a-l-l-a-r-d, and I represent District 21 in northwest Lincoln and northern Lancaster County. I'm here today to introduce LB1391 in conjunction with the Smart Heart-- Smart Heart Sports Coalition, comprised of 26 member organization, including all the major sports leagues, the Red Cross, American Heart Association, and others. LB1391's goal is to prevent death in athletes from sudden cardiac arrest. It does this in 3 steps. First, it requires an emergency action plan for each high school athletic venue that are widely distributed, posted, rehearsed, and annually updated. Second,

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it requires clearly marked AED machine-- AED defibrillators within 3 minutes of the venue of high school practices and competitions are held. Finally, it would require AED training for coaches. There is an amendment that your clerk has that would also require CPR training for coaches. As many of you know, there was a sense-- a serious and sudden cardiac arrest that was on display on national television January 2, 2003 [SIC], when Buffalo Bills player Damar Hamlin was treated on this field for almost 20 minutes, including CPR and AED. Thanks to the plan put in place by medical teams and the proper and timely use of CPR, Hamlin was not able to-- was not only able to survive, but returned to play for the Bills this season. Sadly, this is not the case for, for some young athletes that go into cardiac arrest. This is why schools need to invest in training and equipment to save lives from athletes that suffer cardiac arrest. As we saw on national television, proper training and quick action and the right equipment can save lives. So with that, I'd be happy to answer any questions that the committee might have.

MURMAN: Thank you. Are there any questions for Senator Ballard at this time? Senator Linehan.

LINEHAN: Thank you, Chairman Murman. Do you have any idea what this would cost? Like, what the equipment costs?

BALLARD: Yes. Depending on the equipment, it's between \$1,000 and \$3000 per AED machine.

LINEHAN: OK. Thank you very much.

MURMAN: Any other questions at this time? If not, thank you for the open.

BALLARD: Thank you.

MURMAN: And we'll ask for proponents for LB1391 to come forward. Any proponents? And if you plan on testifying for LB1391, either pro or opponent, please move up to the front row-- couple rows if you can, if possible. Good afternoon.

BRIAN KRANNAWITTER: Good afternoon, Mr. Chairman, members of the Education Committee. Excuse me, I'm a little out of breath. My name is Brian Krannawitter, and I'm the government relations director for the American Heart Association. My name is spelled B-r-i-a-n, last name is spelled K-r-a-n-n-a-w-i-t-t-e-r. Thank you for the opportunity to provide-- excuse me, provide testimony on LB1391, which would require an automated (external) defibrillator placed in

an easily accessible area within a high school's athletics facility, and require each high school to establish a written athletics emergency action plan. Sudden cardiac arrest is the leading cause of sudden death in young athletes, and most commonly occurs during or just after physical exertion while engaged in practice sessions, organized competition, or other sports activities. With only seconds to react and every minute crucial, having an appropriate plan in place during a sudden cardiac emergency can make a difference in survival. Thank you. The American Heart Association supports the submission of cardiac emergency plans, including ADE access and all school athletic events and practices. The establishment of this plan will empower and train school personnel on providing lifesaving care between the time when the victim collapses and emergency medical services arrive. Each minute following sudden cardiac arrest, survival decreases. However, when treated with defibrillation within 3 to 5 minutes, survival rates increase 50 to 70%. During cardiac arrest, CPR can double or triple a person's chance of survival. Although a school's primary mission is to educate, they have the responsibility to keep our kids safe and be prepared in case of emergencies such as fires and tornadoes. Emergency response plans are designed to enhance safety for students, staff, and visitors at school. To be effective, these plans need to be coordinated, practiced, and evaluated. The American Heart Association applauds State Senator Ballard for introducing this important legislation. Over the years, I have met many survivors of sudden cardiac arrest, including here in Nebraska, and each of them has told me about the role timely interventions played in their survival. On behalf of the AHA, I respectfully urge advancement of LB1391. Sorry about-- been a little under the weather lately, so I'm sorry about being out of breath. Just a couple of things I wanted to mention. We also do support, and I've talked to you State Senator Murman about this and others on the committee, making sure all of our students are trained in CPR. Nebraska is 1 of about 10 states that doesn't have this requirement of having training of CPR before they graduate from high school. And needless to say, we strongly support this. Multiple states have already addressed athletic emergency cardiac plans in states and there's several other states, including 25 that already have intradate-- legislation introduced, expecting 5 more states to introduce legislation as well. Kansas and Missouri have legislation introduced similar to Nebraska. And with that, I'd be happy to try to answer any questions you may have.

MURMAN: Thank you. Any questions for Mr. Krannawitter? If not, we really appreciate your testimony.

BRIAN KRANNAWITTER: Thank you.

MURMAN: Other proponents for LB1391?

MICHEAL DWYER: Good afternoon,--

MURMAN: Good afternoon.

MICHEAL DWYER: --Senator Murman and members-- make sure I get this right-- of the Education Committee. It's been a long week. My name is Micheal Dwyer. Spelling, M-i-c-h-e-a-l D-w-y-e-r, and I'm here to testify in support of LB1391. Thank you, Senator Ballard, for introducing LB1391. I'm a 40-year veteran of the Arlington Volunteer Fire and Rescue and 2,600-plus calls. I'm a former board member and board president of Arlington Public Schools. And with those perspectives, I would like to speak of the practical advantages of LB1391. First, beginning in May in preparation for the Governor's-- Governor Pillen's, excuse me, volunteer first responder summit, I began research around the status of EMS in Nebraska. To date, I've conducted 66 interviews with over 140 people across Nebraska and across the nation around EMS. The copy you have is the third version of that, and includes information on what Nebraska and 11 other states are doing and could do around volunteer-- particularly, volunteer fire and EMS shortages. One of those ideas is strengthening our community citizen response option. Typical-- my typical response-- the typical response from calling 911 is oh, God. And not too often, that's just not quick enough. Iowa is pioneering Iowa First Aid-- excuse me, Iowa United First Aid, modeled after a program in Israel called United Hatzalah. The goal is to shorten the time from the first call to 911 and when someone is there to help. Volunteers are trained in publicly available, noninvasive, do no harm techniques, including CPR and the use of AED, stop the bleed techniques, and basic first aid. Lincoln, Nebraska, has pioneered Pulse Point, an AED and CPR initiative that has increased survival rate for nontraumatic cardiac arrests in Lincoln to 18.4%, which is twice the national average. The response of an EMS agency is typically somewhere between 5 and 12 minutes, depending on the distance to the scene. A patient in cardiac arrest or from a serious bleed just doesn't have that much time. Bystander CPR and AED are the critical pieces in the chain of survival. Schools in rural areas, like mine in Arlington, are often our community's largest employer, our cultural center, and the place of the largest gatherings. As a community member, a former board member, and an EMT who has performed CPR 39 times with only 2 saves, I-- it seems logical to me that we would use these-- provide these invaluable tools for these locations.

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Again, thank you to Senator Ballard, and I would be happy to take any questions.

MURMAN: Thank you. Any questions for Mr. Dwyer? I have one.

MICHEAL DWYER: Sure.

MURMAN: The high school athletic events that I'm most familiar with, there usually is-- I'm thinking mostly football games, but I think it's probably through basketball and track and other events also. There's, there's always an ambulance on standby. So would this all be-- I mean, is that-- number 1, do you know if that's mandatory or do the schools just do that on their own?

MICHEAL DWYER: It's my understanding from talking to people across the state that it's not mandatory. I've never seen a statute that speaks to that. But I think it's fair to say it's good practice. It's general practice. I know that urban areas have struggled perhaps a little bit more just because the paid services that are busy with calls and they can't always just kind of sit there so they use transport services and other options. The, the challenge is when you go farther into the weeds, they're there for football. But there's a lot of other dangerous sports with a lot of people at it and they're not necessarily-- I know in our case, we go to football games 4 or 5 times that are in our community a year. But that's the only-- well, I'll take that back, we go to cross country. But those are the only 2 regular events that we go to. So anything else is a purely response model which, again, somewhere between 5 to 7 minutes, ours is 8, again, to the high school. But, again, in CPR, significantly just not enough time. I hope that answers your question.

MURMAN: Yeah, I-- well, I've noticed at football games they're always very visible, but I'm not sure on other sports if they're there, we just don't see them as much.

MICHEAL DWYER: Yeah, in my experience, it would be rare for us to be there. And I, I think the key is that cardiac arrest isn't necessarily related to athletics. Certainly in the Damar Hamlin case it was, but in any other event, including a choir performance or Christmas concert someone could, and in my experience has, experience an arrest and just being able to have that AED there-- frankly, whether it's at a school or whether it's any large event is a huge advantage to us and prehospital.

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MURMAN: Thank you. Any other questions for Mr. Dwyer? If not, thank you very much for your testimony.

MICHEAL DWYER: Thank you.

JERRY STILMOCK: Good afternoon, Senators, Mr. Chair. My name is Jerry Stilmock, J-e-r-r-y S-t-i-l-m-o-c-k, testifying on behalf of my client, the Nebraska State Volunteer Firefighters Association, representing over 9,000 volunteer firefighters and rescue personnel throughout the state. Senator Murman, to your point, it's, it's voluntary. So a lot of the communities outside of metropolitan areas don't have coverage because it's that volunteer service taking time out to, to go to that athletic event or a, a tournament or whatever it may be, a large wrestling tournament. It's just the volunteer stepping forward. So there's no, no state law. It's just the, the dedication of the volunteers that step forward. The-- to the 3 elements Senator Ballard outlined, you know, we support particularly, you know, I suppose the planning, the strategic planning. And let me give you an example. It's not unusual to go into a complex in the metro area and have maybe 3 or 4 gyms, where they're having sports. You know-- yeah, typically there's, there's a football field, even at Lincoln there's Seacrest and, and another field that are principally used. People know where those are at. In a gymnasium situation, even in smaller schools, when you step inside a B or in a more rural area or a C1 and on down, oftentimes there will be 2 or 3. Sometimes they're referred to as the old gym, the new gym. Sometimes it's the competitive gym and the practice gym. And so we don't know. So the more identification, the more planning that's made ahead of time is only gonna be beneficial and beneficial for whom? Beneficial for the responders and also, most importantly, allowing those responders-- the volunteer responders to protect and save people if that need be. So we know where those apparatus are at. We know which gym to go to. We have somebody that is out looking for the emergency medical responders so that they can quickly go to the scene, they go to the correct gymnasium, and they're directed because why? It's rehearsed. Rehearsed is so important in the first responder arena that, I think, this would just add to it. Senators, for those reasons, we support this legislation.

MURMAN: Thank you. Any questions for Mr. Stilmock? If not, thanks for testifying.

JERRY STILMOCK: Thank you kindly. Good afternoon.

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MURMAN: Other proponents for LB1391? Other proponents? Any opponents for LB1391?

JACK MOLES: I'll be the bad guy here again. First of all, I'd like-- I am Jack Moles. That's J-a-c-k M-o-l-e-s. I'm executive director of the Nebraska Rural Community Schools Association, also referred to as NRCSA. And on behalf of NRCSA, I'd like to testify in opposition to LB1391 as it currently exists. NRCSA absolutely does not or-- believes that it is optimal to have AEDs available at the school events. Please do not confuse that. We are absolutely in favor of that. The problem is, is that LB1391 does create an unfunded mandate. Not only would schools be required to provide multiple AEDs at different venues, it would also require training for staff that could be an additional cost. And I took an, an average-sized NRCSA school and they would be required to provide an AED, at least 1 AED at 1 or more gyms, football field, a practice football field, wrestling room, softball and/or baseball fields if they have those, a cross-country course, the golf course, and possibly the bowling alley if they-- as we have bowling now. And according to LB1391, the AED at a venue must be in close proximity, and close proximity means a location that would allow such automated external defibrillator to be placed on an individual having a cardiac arrest at such school athletic venue within 3 minutes. Following this to the letter, that would be difficult to do for cross-country and golf to have it within 3 minutes, you probably would need multiple AEDs available. So in closing, NRCSA does not dispute the benefits of AEDs. We do, however, oppose LB1391 as it currently exists because it will create an unfunded mandate, and we would certainly be willing to work with Senator Ballard on this issue.

MURMAN: Thank you. Any questions for Mr. Moles? If not, thank you very much.

JACK MOLES: Did I make it clear that we do think they're important?

CONRAD: Yes.

MURMAN: Yeah. Any other opponents?

KARLA LESTER: I'm not an opponent. I'm a proponent, but I didn't hop up in time. It's OK if I don't have time or the opportunity.

MURMAN: That's OK.

KARLA LESTER: OK.

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MURMAN: So you're a proponent?

KARLA LESTER: I'm a proponent of LB1391. Thank you.

MURMAN: Anybody else try and get to the front row if you're going to testify on the bill. Got a lot of people, it seems.

KARLA LESTER: Hopefully, they can move faster than me. Thank you, Chairman Murman and members of the Education Committee. My name is Karla Lester, K-a-r-l-a L-e-s-t-e-r. I'm a board certified pediatrician, fellow of the American Academy of Pediatrics, member of the Nebraska Medical Association, and a volunteer with the American Heart Association. I'm grateful to State Senator Ballard for introducing LB1391, important legislation which will improve the odds of survival for student athletes who experience sudden cardiac arrest at athletic events. Specifically, LB1391 requires that an automated external defibrillator, AED, is placed in an easily accessible area in a high school's athletic facility, along with a cardiac emergency response plan. According to the AAP policy statement, pediatric sudden cardiac arrest can cause sudden cardiac death if not treated within minutes. Sudden cardiac arrest is defined as the abrupt and unexpected loss of heart function. Sudden cardiac death is the leading medical cause of death in student athletes in the United States. Sudden cardiac arrest affects everyone in a community in a traumatic way. Although sudden cardiac arrest occurs at young ages and at rest, the likelihood of sudden cardiac arrest in those with underlying cardiovascular disease is increased by athletic participation. Causes or cardiac disorders predisposing a child or adolescent or young adult to sudden cardiac arrest include structural, functional, electrical, and other. These are complex conditions and don't always present with symptoms to the pediatrician or based on family history. The sudden cardiac arrest may be the sentinel event, as was the case with Bronny James, the son of LeBron James, who suffered a sudden cardiac arrest during practice at USC in July. He was diagnosed and treated for an underlying congenital heart defect. The doctors who treated Bronny James credit the quick response of the athletic personnel with his survival. A study published in the journal of Sports Health titled, "Survival After Exercise-Related Sudden Cardiac Arrest in Young Athletes: Can We Do Better?" found that in 132 cases reviewed, 93% of cases were witnessed and that when an athletic trainer was onsite and involved in the resuscitation, 83% of athletes survived. When an on-site AED was used in the resuscitation, 89% of athletes survived. Thank you again to State Senator Ballard for proposing LB1391, which will allow not only access to lifesaving AEDs, but also ensure that athletic

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personnel have received the training and have emergency response plans in place so that student athletes in Nebraska who suffer sudden cardiac arrest have the best chances of survival. Thank you.

MURMAN: Thank you. Any questions for Karla Lester? If not, thank you for testifying.

KARLA LESTER: Thank you.

MURMAN: So I'll ask one more time. Any proponents? OK. Now we'll go again to opponents. Any opponents for LB1391? Any neutral testifiers for LB1391? If not, Senator Ballard, you're welcome to close.

BALLARD: Thank you, Chair and committee. I'll be brief because I know you have a long day ahead of you. I just want to thank the testifiers. There's nothing more I can say that you didn't hear from the proponents that this is important legislation to keep kids safe. No coaches or schools want to be in a position that, that Damar Hamlin or anyone like that was in. To just quickly address the-- my favorite constituent Mr. Moles's opposition, yes, I'm more than willing to work with him. I understand the unfunded, unfunded mandate portion of this. I'm willing to work with all the-- all the opponents and try to get something across the finish line. So I appreciate the committee's time and would be happy to answer any questions.

MURMAN: Thank you. Any questions for Senator Ballard? If not, thank you very much.

BALLARD: Thank you. Appreciate it.

MURMAN: And on LB1391 we have 8 proponents and 2 opponents, zero neutral electronic. So that will close the hearing on LB1391 and we'll open the hearing on LB1339. Welcome, Senator Brewer.

BREWER: Thank you, Chairman Murman and members of the Education Committee. My name is Tom Brewer, T-o-m B-r-e-w-e-r, and I represent the 43rd Legislative District of central and western Nebraska. I'm here today to introduce LB1339, because I believe that we, we need to do a better job of preparing and protecting our students in Nebraska. I have no doubt that our police officers, our school teachers, and our administrators want to keep our students safe. Unfortunately, Nebraska law gets in the way. That is why I'm introducing LB1339. LB1339 does 3 things to make our laws better. First, it would legalize off-duty carry by police officers on school grounds and at school-sponsored events. It would also apply to qualified retired officers who keep their shooting credentials current. These are

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current and former police officers who have the tools and the training and the experience to make a difference. I think we should utilize them. Second, the bill will give more local control to school boards. Under the current law, the only person that has the option to be armed for security are officers who are on duty or off-duty officers moonlighting as school security guards, resource officers. LB1339 would authorize schools to utilize employees or contractors or armed security. To do that, the governing body of the school would have to adopt a written policy that addresses 4 things: First, personnel qualifications for armed security teams and their school; two, training requirements for program instruction, the number of hours for these individuals; three, the appropriate firearms and ammunition; four, an appropriate use of force policy. Finally, LB1339 proposes using dollars from the School Safety and Security Fund to pay for high-resolution mapping of school facilities. This is a good idea that has previously been suggested by Senator Ben Hansen in his LB673. His office has done tremendous amount of work to get this idea up and moving and ready for prime time. I believe facilities mapping will make a big difference in emergency responder times and give them situational awareness, which ultimately saves lives. Here's the bottom line: As a legislature, we command parents to take their kids to school. That means that we need to make it possible to protect them while they are at school. There were more than 350 shootings in American schools in 2023. The Department of Homeland Security put out a report indicating that active shooter events are usually over within 10 to 15 minutes; 10 minutes is an eternity for kids trapped in a building with a killer. These incidents tend to go on until the shooter meets up with someone in opposition. I want that opposition to have the ability to be armed and protect the students. I want our emergency responders to be able to be there quickly and understand where to be in emergencies. But this bill is not about what I want. Multiple schools have come to me and ask that these rules be changed to allow them to have security in their schools. K-12 and higher education want to have these options available. They want to protect their students and staff. If a school is satisfied with the security that they currently have, the school does nothing. Does not force them to change anything. This is simply establishing a new security program for the schools that decide if they do need help. But you have to understand, schools in my district do not have an option to hire off-duty police officers. We are unable to fill law enforcement positions, let alone resource officers. Many of these schools are 30 minutes from the nearest law enforcement. Take a look at places like Cody. So what I'm asking you to do here is to reasonably look at an option that would give schools the ability, if they want to protect

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the students, to have guidelines so that those who they decide are the proper ones to be armed have a structure to work with. In my close, I'm going to talk about the states around us and how every state around us has this. We are an island that has decided not to protect our children. If it comes down to an issue of money, it really doesn't matter because you can have all the money and if you can't find the officers, then you can't put resource officers in schools. So it is not an issue of money here. It's an issue to be able to protect the children. This is an option that gives 3 basics and I would ask that you look at those. And in my close I'll try and roll together some more stats to help. But with that, I will take any questions.

MURMAN: Thank you. Any questions for Senator Brewer at this time? If not, thank you very much.

BREWER: And I'll stay for close.

MURMAN: OK. Thank you. And proponents for LB1339. Proponents? Yeah, go, go ahead.

PATRICK DEMPSEY: Good afternoon, ladies and gentlemen of the Education Committee. My name is Patrick Dempsey, and I'm an Omaha police officer. I'm also here on behalf of the Omaha Police Officers Association as a proponent of LB1339. I'm a 14-year law enforcement veteran and I come and stand in support of a very critical piece of legislation, protect the kids and the future of Nebraska. Today, I stand before you to discuss law enforcement's commitment to our educational institutions and the presence of law enforcement both on and off duty while on school grounds. With the complexities of modern society, it's imperative to address the safety concerns that accompany our educational environments. The decision to allow active law enforcement officers to carry firearms on school premises is grounded in our profound commitment to the protection of our most valuable assets: our kids, our teachers, and our staff. In an era where unforeseen threats can manifest in the most unexpected ways. The immediate response capabilities of armed officers becomes paramount. As we stand today, active law enforcement officers like myself who take an oath to protect this country and the state of Nebraska are not allowed to protect our most valuable assets: our students, teachers, and staff, simply because we are not on duty under the Nebraska Revised State Statute. First and foremost, armed law enforcement officers play a pivotal role in responding swiftly to potential threats, including instances of violence or active shooters. Their presence significantly reduces response times,

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offering a rapid and forceful reaction that can make the critical difference between tragedy and safety. In conclusion, the presence of law enforcement officers on school grounds is not just a practical necessity, it's our unwavering commitment to the safety of our educational systems, and why the men and women of the Omaha Police Officers Association stand in support of LB1339, which allows for off-duty officers who have a firearm to not be charged with a crime. With that, I'll take any questions.

MURMAN: Thank you. Any questions for Mr. Dempsey? Sorry, about said Dewey.

PATRICK DEMPSEY: Thank you for your time.

MURMAN: Thank you.

JERRY STILMOCK: Members, my name is Jerry Stilmock, J-e-r-r-y S-t-i-l-m-o-c-k, testifying on behalf of my client, the Nebraska State Volunteer Firefighters Association. Let me make it perfectly clear, our association is only interested in the mapping portion of this legislation. We have no position whatsoever on the other portions concerning school boards and their ability to make determinations. We're not going to go to that arena. My direction from our administrators, our leadership is not to. So it's on mapping only. And, again, it goes back to the previous comments I had. The more we know ahead of time, the better we're able to prepare, the better we're able to assist in the volunteers and men and women throughout the state to know where to go and when action is needed. I can't go any deeper than what Senator Brewer has done, but we wanted to express our support only for that support as to goes to mapping in the same way we were with Senator Hansen's bill, LB673, last year. Thank you.

MURMAN: Thank you. Any questions for Mr. Stilmock? If not, thank you for testifying.

JERRY STILMOCK: Thank you, members.

MURMAN: Go ahead, please.

ZACH KASSEBAUM: All right. Thank you, Senator Murman and the Education Committee. My name is Zach Kassebaum, Z-a-c-h K-a-s-s-e-b-a-u-m. I'm the superintendent at Lincoln Christian School. This is my 15th year as a superintendent in the state of Nebraska and my 17th year as an administrator. I have served almost equally between both public and private faith-based schools, giving

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me a unique, unique perspective. I'm here to speak again, obviously, on LB1339. I found, as I've talked with school officials, parents, union members, law enforcement agents, that there's a lot of misunderstanding around this bill and it really turns to strong emotional language, rather than focusing on the facts of what this bill really does for us. And so I believe this is a time where we need to put politics and emotions to the side and discuss what this bill really does. It's about the role and responsibility as adults in position of authority to do everything we can to protect the lives of our students, our staff, and our school families. This bill recognizes that current law limits school board members, the elected officials to make the decisions that they believe are in the best interest of ensuring safety for their students and their staff, which in Nebraska local board authority has been a, a, a benchmark of Nebraska education, strength, and understanding the unique obstacles each district has in, in a diverse state from very urban to rural. We are at-- we're at a time where we hear things are changing. But that isn't the case, they have already changed: increase in deadly violence throughout our nation, throughout our schools, throughout specific institutions in which people may not be in alignment with or agreement with our beliefs, such as faith-based institutions. With all this knowledge, I trust even those in opposition here want to do everything we can do to prevent deadly violence and all violence in our schools, where we're called to protect our children and staff. The current law, as was mentioned before, is aged and is no longer representative of the states around us that are taking action. We live in a different time of history, a time where it is not commonplace for an armed murderer to target school children in the innocent with the intent to simply murder as many as possible before they have their own lives taken. And, again, I think we must really understand LB1339, and it addresses 3 significant things. And I'm not going to dive deep into those because I don't have time. So, again, the funding for mapping, we support; off-duty police officers, we support. But I really want to jump into local board authority, again, a characteristic that has made Nebraska education great. School districts are very different from one another. Each district has elected officials to best represent their desires and the needs of their constituents. These are elected officials are called on to, to best know their district and the needs of their schools. They understand the resourcing, their capabilities, and their shortfalls. What may be best for a school such as LPS, that has school resource officers and state funding to do so, is very different for rural school districts or private and faith-based school districts. In this instance, it gives school boards the authority to determine if, in

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their districts, it's best to create a security team to protect their students and staff. No one is forcing other school districts to implement this, its local board authority. They understand their districts and the needs and wants of their constituents. Again, it's selecting individuals with the right aptitude, temperament, and willingness that receive rigorous training. It's not this picture of emotion that has been created of, of armed teachers in their classroom, walking the hallways with, with a weapon on their hip. This is done in a-- in a very proactive, carefully thought-out way.

MURMAN: Thank you. Your time is up, but, but I'll ask you to go, go ahead and finish up if you would like to.

ZACH KASSEBAUM: Yeah. Just closing comments is this team, again, can stop an armed murder that enters the school. The hope is that the school will no longer be seen as soft targets. The goal is that it would be a peaceful deterrent to understanding that a school is no longer a soft target. And opponents will argue that resources need to go into mental health. We're in full agreement. Absolutely it does. But it's a joint effort in the emergent-- in, in the existing immediate threat that we have for the safety of our students and a joint effort in providing more resources for the mental health of our students. And I close with the simple appeal and recognition that I believe every single person in here, if an armed murder was coming through the doors of their school, would want someone standing on the other side of those doors that was equipped and ready to stop that assailant not with a pencil, not with a paperclip, but with a weapon that could do so. Thank you for your time.

MURMAN: Thank you. Any questions for Mr. Kassebaum? If not, thank you for testifying. And I like the way everybody is jumping up quickly. I'd ask-- Senator Brewer's got some invited testimon-- testifiers, if they could jump up quickly. We'll take them early. Thank you.

MICHEAL DWYER: Good afternoon again, Chairman Murman and members of the Education Committee. My name is Micheal Dwyer, M-i-c-h-e-a-l D-w-y-e-r, and here to support in-- to testify in support of LB1339. And, again, volunteer firefighter, 2,600 calls, former school board president. Thank you, Senator Brewer, for introducing LB1339. As a 40-year veteran of the Arlington Volunteer Fire and Rescue and former president, this is about perspective. I would like to bring the second part of LB1339, the mapping software first and then come back to handguns in schools. Emergency response is never a perfect clinical world. And, again, speaking about the mapping software portion of this. In the case of a big ugly, by its nature, it's

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chaos. Our first job at any emergency is to structure that chaos into a quick, safe, and effective response. I have reviewed the samples of emergency response data, both for this bill and for the previous LB673, and the information is excellent, proven, and very practical. Speaking as a rural volunteer EMS responder that lives 3 blocks from our school, the software is an essential tool that would give a responder like me invaluable information in the case of a big ugly, but also more routine events that we respond to regularly at our schools. Speaking as a former school board member, once implemented, this should be an easy process to update since everyone in the building and the grounds manager-- from the grounds manager to superintendent understands their grounds. LB1339 would translate that understanding into the hands of first responders when it matters most. I did speak this morning briefly with our superintendent, Dr. Dawn Lewis today, and she fully supported LB673 and fully supports the mapping software portion of, of LB1339. Section 3 of LB1339 is obviously more controversial. In 2013, there was a similar bill that I told our board and the NSB-- NASB legislative committee that I served on and, eventually, this Education Committee that if this bill-- if this opportunity came to Arlington, I probably would vote against it. But the point is that it's not the same, as was mentioned, it's not the same across our state. I have family that lives in Chambers, Nebraska. We're probably 4 to 5 minutes away from law enforcement. My friends and family in Chambers, Nebraska are 15 to 20 to 25 minutes away from law enforcement. I think that's the difference that this would bring to allowing those local school boards to make those decisions. I fully support LB1339 and thank you to Senator Brewer, excuse me, and I would be happy to answer any questions.

MURMAN: Thank you. Any questions for Mr. Dwyer?

ALBRECHT: I have just one.

MURMAN: Yeah, Senator Albrecht.

ALBRECHT: Thank you, Senator Murman. Thanks for being here, Mr. Dwyer.

MICHEAL DWYER: Thank you.

ALBRECHT: OK. In all the years that you've been a firefighter, have you-- and the, the gentlemen and women on the rescue team, have you ever, like, walked through all your schools to know-- do you have any sort of mapping now that you do?

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MICHEAL DWYER: So 2 parts of that, as a school board member and, and as a responder, we walk through the building regularly. So as a board member, yeah, I understood it pretty well.

ALBRECHT: So they know.

MICHEAL DWYER: But we don't have any kind of a map. We have a-- I think the map we have in 560, which is our command vehicle, is 15 years old. What the software does is it, it takes that basic map and then assigns numbers and positions to everything in the building from officers to where the doors or the doors on individual classrooms are. As I remember, it annotates whether those should be locked or whether those should be open. So if, if the IC, incident command, person says, hey, we're going to need a door 4, I know exactly where that is. God forbid in the case of a school shooting, it's really important that we go to the same place.

ALBRECHT: And when you go to your fire conventions, would you say most fire departments in the state of Nebraska have something like that? [INAUDIBLE].

MICHEAL DWYER: I, I would hesitate to answer that with any certainty, but my sense is, no, I don't know of any. Certainly not in my area or closer area.

ALBRECHT: Because you would think people would be more proactive about this knowing that we're having a conversation with a roomful of people that--

MICHEAL DWYER: Yeah.

ALBRECHT: --certainly somebody would know [INAUDIBLE].

MICHEAL DWYER: And I think there's-- the difference I think-- and in those maps that somebody will get together and when I was on the board there was a big push around mapping and, and just kind of really finalizing our emergency plans, particularly for active shooters. And part of that was getting a really good map of the district of the, the system. The challenge is that those get outdated very quickly, as, as particularly in the case of Arlington as, as buildings expand and they add additions and stuff and door changes, and this door is broken, and that door is active. What the software, as I understand it, would do would look at those regularly and update it to the app so that the district doesn't have to try to get these out-- copies of these out to all the trucks, and so that we as responders know that when I open that app and really whether it's a

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critical situation or whether it's just a broken leg, that if they say, hey, we're going to meet you in the gym door 7, the person's in the northwest corner, I know exactly where we're going.

ALBRECHT: Right. And it-- and it would be not just the responsibility of the fire department but certainly the schools

MICHEAL DWYER: Yeah.

ALBRECHT: --to keep you updated. So I appreciate your answers. Thank you.

MICHEAL DWYER: Appreciate your questions.

MURMAN: Thank you. Any other questions for Mr. Dwyer?

WALZ: I have a real quick question since I know he's a lawyer.

MURMAN: Yes, Senator Walz.

WALZ: How are you?

MICHEAL DWYER: Hi.

WALZ: Pretty familiar with Arlington, I as well. I was just curious if you've ever seen a, a-- like the map itself from the software?

MICHEAL DWYER: I have-- I have not seen the map. I have seen maps from the software. We got a little demo when we were working on LB673. So I've, I've seen them in a generic sense, but nothing that I could say, OK, that looks like Arlington. With that said, what I saw had a tremendous amount of detail that, that, again, have some ability to zoom in and enlarge and move this way and move that way. And I hope that answered your question.

WALZ: Yeah. Yep, that-- that's helpful.

MICHEAL DWYER: Good. Hope so.

WALZ: Thank you.

MICHEAL DWYER: Thank you.

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

MICHEAL DWYER: Thank you.

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MURMAN: Other proponents for LB1339?

BLAIR MacDONALD: Chair Murman and members of the Education Committee, my name is Blair MacDonald, spelled B-l-a-i-r M-a-c-D-o-n-a-l-d, and I am the registered lobbyist for the Council of Independent Nebraska Colleges, also known as CINC. The Council of Independent Nebraska Colleges is supportive of LB1339. This bill, if passed, will provide our member institutions the option of arming campus safety security personnel to best fit the needs of their campuses. The purpose stems from a shared objective among our CINC members to ensure the security of our campuses and the surrounding communities. While Nebraska's campuses have been generally safe, given the potentially volatile nature of campus environments, current statutes should acknowledge the diverse needs of colleges and universities across our state. Public safety officers should have the ability to equip themselves with the necessary tools to respond promptly to emergencies and best ensure the safety of students, faculty, and staff. In the unfortunate event of a crisis, a dedicated response team familiar with buildings and their layouts plays a crucial role in securing and stabilizing the campus. Local law enforcement may not be as acquainted with the intricate details of a campus, including buildings, personnel, and student locations as on-campus security. Studies consistently highlight the importance of a swift response, with every minute of delay correlating with an increase in casualties. If this option becomes available, our member institutions choosing to employ armed public safety officers will develop written policy that will include requirements for personal qualifications, training, appropriate firearms and ammunition, and appropriate use of force. The proposed change included in LB1339, aligns with existing exceptions for armed security personnel at financial institutions and places of worship. Institutions of higher education like banks and churches encounter unique security challenges. For these reasons, the Council of Independent Nebraska Colleges is here in support of LB1339. I can try to answer any questions you may have.

MURMAN: Thank you. Any questions for Ms. MacDonald? Thank you for testifying. Other proponents for LB1339? And to be perfectly transparent, we're going to go with proponents for an hour, and that'll be it until about 5 after 3. And then we'll go opponents for an hour if, if there's that many here for each. Thank you. Go ahead.

ALEX CARNEY: Good afternoon, Chairman, committee. My name is Alex Carney, A-l-e-x C-a-r-n-e-y. I'm testifying in support of LB1339. I'm actually a former special operations officer in the Marine Corps. I also represent a company called Critical Response Group, which is one

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of probably many companies that does mapping of schools. What I want to orient everybody on very quickly is a lot of the principles of the philosophy in the mapping portion of this bill actually come out of how we plan and communicate overseas, during missions overseas. Our challenge overseas isn't talking in a really big tactical nightmare or building like a high school, it's how do you talk about, you know, a remote village that you've never been to when you're operating with the Air Force. Unfortunately, as a Marine, sometimes I have to operate with Navy Seals, which is unfortunate, and other members of the services, they all have different software platforms. So we needed to figure out a way that we could all communicate using the same language when we were coming to a new place. So we came up with a really simple concept where we took aerial imagery of the place we were going. We overlaid a grid on it, we oriented it north, we labeled everything, and then everybody got the same map when they went to a mission in that particular location so we could all communicate off the same piece of paper or the same graphic. When I came home and transitioned out of active duty, I realized that did not exist for schools. So people just assume that all the law enforcement officers in their county are going to know where the art room is in a-- in a giant high school. And, unfortunately, that's just not the case, particularly when someone's under a lot of stress during a real emergency. If you look at the latest report coming out of Uvalde, you'd see that the floor plans for Uvalde were inaccurate, which caused confusion at the command post as to how they could get in the actual room in the building where the barricade was. If you look at the after action report on Sandy Hook, you'd see that the floor plans were inaccessible for the duration of that event for that particular school which caused confusion for the duration of that event. So what this bill does, at least the mapping portion, is to make sure that there's an accurate, usable map for every school that's accessible to the platforms of public safety use "softwarewise." And to kind of illustrate how simple the concept is, you know, you may have very little experience in emergencies, but if I ask you to look at the map in front of you, the one that says micro at the bottom. And if I was trying to talk you onto a location of a heart attack and I told you because north is up on this paper to park your ambulance on the northeast side of the building in grid square H2 and enter through door 4, because that's the door with the keycard access, and come south down the red hallway and meet me at the intersection of the orange-- or the red and the purple hallway, everybody can follow what I'm talking about, regardless of whether you've been in the school before or not. And that's all this bill is

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trying to accomplish. So thank you. I appreciate the time. Happy to answer any questions.

MURMAN: Thank you. Any questions for Mr. Carney?

WALZ: I have just a couple questions.

MURMAN: Yes, Senator Walz.

WALZ: Did you?

CONRAD: Yeah, but go ahead.

WALZ: OK. OK. Thank you for coming. Good to see you again.

ALEX CARNEY: Thanks, Senator.

WALZ: We had a little conversation upstairs and just want to open up the conversation a little bit about-- we talked about the cost per school and I think you said it was \$3,500?

ALEX CARNEY: Yes, Senator. So obviously there's multiple vendors who do mapping for schools so I can't speak to all of them. I know for us, on average, it's about \$3,500 a building. And what that would cover is all the costs that someone would need to do the actual mapping, which is the making of the floor plans, sending someone out to each school to verify those floor plans, creating the actual map, but then also all the integration that needs to happen with public safety. Because obviously you can make a really pretty map of a school, but if none of the public safety entities that respond to that school have access to it from the 911 center to the SWAT team, to the fire department, to the police department, it's completely useless. So there is work that needs to get done to make sure that the maps get-- that get made are compatible with those and integrate it into the software platforms that those particular public safety agencies are using. So for my particular company, it costs about \$3,500 on average per site to get the map made, but also to make sure that they get implemented properly with the public safety agencies that support that specific school.

WALZ: OK, so total cost is \$3,500. I think I asked if it-- would it change if it was a small school or large school and you said it was pretty much the same price.

ALEX CARNEY: So-- I mean, as you look at it on a big district, it kind of averages out to around \$3,500 a school. So we don't-- we

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typically don't look at it like, oh, that's in one giant high school with one huge first floor. But then we don't want to penalize an elementary school that could have 3 floors type thing so we try and average it out at about \$3,500.

WALZ: OK.

ALEX CARNEY: Yep.

WALZ: All right. And then-- can I--

MURMAN: Yeah, go ahead.

WALZ: --just a couple more questions. Thank you. There was a person who was testifying and talked about additions to schools. You know, we're always changing. We're always growing. So as schools change, would there be an additional charge then for you to go in and revamp the, the map or how does that work?

ALEX CARNEY: That's correct. Schools absolutely change. I would say, you know, having mapped a lot of schools, if I look at a district on a whole, I would say probably a third of the schools tend to change year to year. And that could be something as big as, like an addition gets put on or an AED gets moved to the point of the earlier testimony. So for us it's an optional fee for schools. So as schools need changing and updating, we will charge a fee, obviously, to make those updates and then we disseminate those maps out to public safety. But we don't mandate them into, like, a subscription every year because sometimes, obviously, you may not have schools that change at all. So you do want to make sure, though, that, you know, if this bill can make sure there's accurate maps of schools available to public safety in Nebraska, you don't want those maps to suddenly be out of date next year, certainly. So, so I do think it's important to make sure that they stay living representations of the school because then you don't want to create the same problem that exists today which is inaccurate maps, so.

WALZ: Sure. Did you have a question?

MURMAN: Any other questions? Senator Conrad.

CONRAD: Thank you. Thank you so much, Chair Murman. Thank you so much for being here today. And thank you for your service to our-- to our country. And I know it might be beyond the scope of your company's work or this bill, but when you were providing the committee with a compelling explanation of how to use the map that was-- that was very

instructive to me. But I'm also wondering, does your company do this or do other entities have similar mapping in place for other areas within the community that have a lot of people? I'm thinking your shopping malls, your courthouses, your stadiums, your county fairs, whatever it might be. And I, I know maybe your work is just focused on, on schools, but I'm trying to figure out kind of how that works with other large gatherings of people or how this technology works in other instances. And so I'm sorry it's not a super articulate question, I'm just trying to, to kind of understand how this works in other applications.

ALEX CARNEY: It's a great question. And, you know, honestly, schools are a fraction of the big buildings and big campuses that first responders have to respond to. So the technique itself behind this applies to any big building. It doesn't matter if it's a school or stadium or a park. So in the case of our company, we map this year everything from the Super Bowl, the stadiums, to the ball drop in New York City. So the idea is can you create one single map that public safety, regardless if you're police, fire, EMS, SWAT, 911, everybody's looking at the same map for a place they're all kind of unfamiliar with and they might have to communicate under stress. So-- and that-- it's irrelevant, honestly, if it's a school or it's a corporate headquarters or a-- or a government building. At the end of the day, how do you make a readable, accurate map accessible to public safety? And that's kind of the challenge that this seeks to solve.

CONRAD: And I, I just have one follow-up.

MURMAN: Yes, go ahead.

CONRAD: That's helpful. Thank you.

ALEX CARNEY: Yes, ma'am.

CONRAD: And then my other question would be-- and I know our first responders are underresourced across the board in a lot of different ways. And maybe you have some of this experience when working with law enforcement or for paramedics or firefighters when you're, you're out doing your work. But do-- does law enforcement, State Patrol, what have you, have capabilities to do things like this? I'm trying to kind of figure out if people are in agreement that this is just generally good for emergency response, kind of why haven't we invested in these technologies? Is it-- is it because it's cheaper to

have a private contractor or vendor? I'm just trying to learn more about the technology.

ALEX CARNEY: So for example, this morning I met with some of the Nebraska Highway Patrol that run the state intelligence fusion center--

CONRAD: OK.

ALEX CARNEY: --and they don't have access to school maps across the state. What they do have is, is platforms to look at maps.

CONRAD: OK.

ALEX CARNEY: So they have the software in place to-- it's like-- it's like Netflix without the content or something. So they have a software platform to get to a map. The challenge is because schools are such big buildings and they change year to year, it's very difficult from a public perspective, particularly from a public safety perspective, to walk all those schools and then they don't have the capacity to update all those school maps and then do the technology work to make them accessible in the software systems. You can imagine, like, a, a tablet or a computer in a fire truck or in a patrol vehicle to get those maps into those systems. So they have the means to view maps, but what they lack is accurate, usable maps to actually look at. And that's what the, the bill solves. So the bill doesn't create necessarily a new software platform. What it does, it just makes sure that there are maps of schools available in whatever software platforms public safety are using in that specific region, which could be very different, you know, in one portion of Nebraska to another portion of Nebraska, so.

CONRAD: OK. Thank you. Thank you.

ALEX CARNEY: Thank you.

MURMAN: Thank you. Any other questions?

WALZ: One more.

MURMAN: Senator Walz.

WALZ: Thank you. Sorry. Thank you, Chairman Murman. The only other question I have is how do you protect the data from someone being able to hack into your system and then have access to those maps?

ALEX CARNEY: It's a great question. I think the nuance with maps is you always have to strike a balance between security and accessibility because, obviously, if it's-- and this is any public safety technology, if it's too hard to use or too hard to get to someone under stress-- you got to imagine, like in a real emergency, you only have about 1 or 2 seconds to look at a map. So if it makes-- if you-- if it-- if it's really hard to get to the information, you're probably not going to use it and you're just going to, you know, push on or make a bad decision. So when you're looking at how to disseminate maps of public safety, you have to be thoughtful about that. Because you don't want people who don't need the data have access to it, but you also don't want to make it so hard that someone under stress wouldn't be able to get to the map. So the way that we make sure that maps are secure, we just disseminate it to the public safety agencies that are reasonably responding to that school. And there is some nuance to that because you got to remember at Uvalde there was over 20 different agencies that responded, wasn't just, like, one local agency. So sometimes it's a bigger-- you know, there's agencies that come from a local or city level or county level or state level, even a federal level, they're all coming in one place. So as you look at each region or each school district, you have to pick who needs access to data and then make sure that only the people in those public safety agencies have access to the data. So I certainly don't advocate handing this out and posting this on every classroom. But I do believe that if you're too restrictive with how you share maps, then someone who actually needs it to get to it during a real emergency won't actually be able to get to it. So I think that there's enough vetting of public safety personnel that they should have access to the maps in their systems, but beyond that I don't think the maps should be accessible to others in my opinion.

WALZ: OK.

ALEX CARNEY: Yep.

WALZ: Thank you.

ALEX CARNEY: Thank you, Senator.

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

ALEX CARNEY: Thank you, sir. Thank you.

MURMAN: Other proponents? Go ahead.

PATRICIA HARROLD: Good afternoon, my name is Patricia Harrold, P-a-t-r-i-c-i-a H-a-r-r-o-l-d, and I'm president of the Nebraska Firearms Owners Association, representing over 26,000 Nebraskans from across our state and we completely support this bill and this is why. In the moment that I began my testimony, I have a certain amount of time, approximately 3 minutes and in 3 minutes over 20 lives can be saved if we have the opportunity for armed staff and armed security in our schools. In examining the research in the packet that I presented to you today, FBI and other government agencies and active shooter experts such as Ed Monk and others show that in a typical active shooter situation or school, every 10 seconds is a victim. In the first minute, there are 6. In the first 3, there are almost 20. And when we look at the fact that gun-free zones are where approximately 93 to 97% of these violent criminal acts occur, our schools are soft targets and we are concerned as parents and constituents with regards to the future of our state and the ability for our children to learn in a safe space. We cannot ignore the reality of violence. And when it comes to violent criminal attacks, the only variable that reduces casualty count is time, specifically response time. And let me be clear, response time is not the time it takes to call 911 to report the shooting. It is not the time it takes to dispatch for them to comprehend the call is to send out the call for help. It is not the time it takes for law enforcement to respond and arrive at the school to take action, and it's not the time it takes for them to execute the protocol for which they've been trained for. The response time that I'm talking about is seconds, not minutes. The response time is defined as the actions necessary to find the shooter and render the shooter incapable of continuing his violent act. That is the only response that actually saves lives. So if there is a person who is trained, vetted, has taken advantage of numerous programs that exist across the United States that have decades of evidence that show how well they work, they're there to respond immediately. And so rather than 5 and 10 minutes, they're responding within 1 minute. Responding and stopping the attack saves the most lives. Whether it's recognizing the threat, calling 911, having the police arrive, that is a luxury of time that we cannot afford. On average across Nebraska, it's about 7 minutes. In urban areas, 7 to 8 in suburban areas, and up to 20 and 30 minutes across counties with larger spans of ground to cover. And in those moments when I think about my child when she was in school waiting for someone to come save her, that breaks my heart. And so that's why we completely support this bill. The data that is in that presentation is something that I've studied for the last 10 years. We, as the Nebraska firearm owners, offer ourselves as support as far as

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answering questions in regards to how this can be achieved in our state. Thank you.

MURMAN: Thank you. I think you did say your name, but I'm not sure if you spelled it out.

PATRICIA HARROLD: I did.

MURMAN: Oh, did you?

PATRICIA HARROLD: Yeah.

MURMAN: OK. Well, thank you very much. Any questions for Patricia? If not, thank you very much.

PATRICIA HARROLD: Thank you very much.

MURMAN: Other proponents? Good afternoon.

RANDY BENDORF: How are you?

MURMAN: Good.

RANDY BENDORF: My name is Randy Bendorf, B-e-n-d-o-r-f. I'm a proponent. I just wanted to paint a little bit of a picture of what it looks like from the inside. I spent quite a few years in the Christian coalition of churches, so be an armed personnel in churches from going through the process of vetting the right people. I was one of the trainers, not only in firearms, but teaching staff, what they could do hand to hand because everybody's a little bit different. So I wanted to try to paint a picture from the inside, what that looks like. Because I hear a lot of information about, you know, why we should do it, and which is obvious, but the pressure from the inside is a little bit different. And, and having people on the inside, I remember reading about the pebble theory. You know, you look at the school shooting in Texas where somebody put a rock in the door so they go out and smoke a cigarette. Well, that's where the shooter came in. So the interesting part about having-- even if they're not armed, but security personnel in there is you keep an eye on the doors. Keep an eye on people coming and going because somebody always penetrates that building somehow. And then the training for the people that were armed, we, we couldn't ask in the church, hey, I want to be on the armed security team. That's not how it worked. You were recruited. You were watched for a while and then vetted, then recruited. Then you had an interview with each of the elders to decide that you could be one of the armed personnel. And there's a

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very limited number of armed people in the churches. The requirement we went through for firearms testing was the same as the FBI. If you happen to have a bad day and flunk that test, you're out for 6 months. You get 1 shot to come back and pass. So you've made darn sure you were on your game. We did a lot-- a lot-- a lot of training. We actually did it in the churches. No better place to be in the actual church, because it's a very low-light environment unlike the schools where there's plenty of lighting because things go wrong and you have to have communications, too. One thing I, I wish I heard was having comms for the security personnel, the armed personnel. So when something goes down, you can't always hear a different part of the school that-- like the police officers on the Motorola XTS 5000, they have a man-down button so they just hit the button and then they-- everybody knows somebody is down and it's an emergency. So that'd be a great way to notify somebody to know exactly what's going on. But I thought I'd present that little bit of a picture because you had questions on what does it really look like in that position?

MURMAN: Thank you. Any questions for Mr. Bendorf? Yes, Senator Albrecht.

ALBRECHT: Thank you.

RANDY BENDORF: Yes, Senator.

ALBRECHT: Can you tell me, do you have mapping for-- if you have a lot of Christian-based organizations, do they let the law enforcement know what the mapping might be?

RANDY BENDORF: Yeah, the, the, the main churches, which we had a larger populace, would always have a, a police officer presence. And they, of course, had the budget for it. But we definitely had a map and it wasn't, wasn't put on the wall or anything but--

ALBRECHT: And did you share it with State Patrol, local law enforcement?

RANDY BENDORF: I can't answer if they share it with State Patrol, but I know the sheriff had it because one of the gentlemen there was actually the sheriff. And we spent a lot of time walking the buildings, so we, we memorized where everything was and we spent a lot of time on proper use of our communication so if something does go wrong. We were also-- we kept a lot of video surveillance. So we would get a tip from the sheriff if there was a bad actor coming in that they'd been scoping out certain things on the church. And so

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when that person came in the building-- we actually had one where they had a-- where everybody's got their hands up, it's like a-- where everybody goes through the prayer, prayer line, we actually took that guy down in that and out of the building and probably less than 1% of the people ever noticed it happened because it was-- it was dark and we were quick. But we knew the threat was coming which isn't always the case, but it helps.

ALBRECHT: Thank you.

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

RANDY BENDORF: Thank you very much.

NATHAN GRIFFITH: Good afternoon, my name is Nathan Griffith, N-a-t-h-a-n G-r-i-f-f-i-t-h. I'm the secretary of the Nebraska Firearms Owners Association and want to pick up a little bit from where Patricia left off earlier. The big thing is, is it is a matter of seconds to be able to respond to an active shooter situation. And we've already discussed being out in the-- out in the hinterlands where I grew up, it can take a while to do that. There are objections that will come up to this, and I'm going to try to address a few of those. First of all, danger to students. There are people that think that having weapons on-- on-site in a school situation would be dangerous. The thing is, those people that are armed and in Mr. Bendorf or I said that wrong. I'm sorry, Randy. He addressed that there is a lot of training that goes into this. All right. I'm a concealed carry permit. If I'm carrying a weapon, nobody knows it. It's also very much secure on my person. So in, in that case, you know, there, there really is not a huge danger to people around me if I'm carrying a weapon. And I don't intend to be a school-- in school with a weapon, but people that are there and trained would be able to take care of that. We addressed the idea that we can just lock the doors and keep people out. Well, in the shooting situations that we've seen over the past few years, they shoot out the glass. In one instance, the person had a, a slug in a shotgun for the first round and he shot the lock out of the door and then walked in. Another school had a metal detector. He shot the guard at the metal detector and then just walked in. The other thing is, what do you do out on the playground? What do you do when you're loading and unloading buses? One of the things that comes up is a safety thing is once you have a situation going on, you need to barricade the students into a classroom, get them behind the wall out of sight. Well, we've also seen that the shooters shoot through the walls. They shoot through the doors. And if you're locked down, you're locked in that room and

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you're kind of at a mercy. You've got a bunch of students usually bunched up and, and a, a, a great target. Others say we should de-escalate and talk the shooter down. I don't know about you, but I'm not going to go try to talk to a guy that's actively shooting. Say, hey, why don't you calm down a little bit and let's talk about this. I don't think that's going to work. Final thing, talk about the idea that police are better trained to handle the situation. There are some cases where there's maybe some lack of training. The, the mapping and all that that we're talking about is excellent. But who better knows the situation in a school or other facilities than the people that are there every day and, and are working with that. In addition to that, there have been times where police officers have actually shot the wrong person and, and, and other officers. But an armed citizen in these situations has never yet to, to-- yet to date shot somebody that was not the active shooter.

MURMAN: Thank, thank you. Any questions for Mr. Griffith? If not, thank you for testifying. Other proponents for LB1339? Good afternoon.

JOHN ROSS: Chairman Murman and members of the Education Committee, good afternoon. My name is John Ross, J-o-h-n R-o-s-s. Senator Brewer, thank you for introducing LB1339. We need to do everything possible to keep our children safe in our schools. It makes no sense to not allow off-duty and retired law enforcement officers to carry firearms on school property. They are well trained. Active duty officers are bound to uphold the law on or off duty. If an off-duty or retired officer encounters an active shooter, being unarmed gives them very little chance to stop the shooter. Allowing them to be armed, we give them a very good chance to engage the shooter and stop them long before on-duty officers could arrive. Active shooter trainings I have taken say that most active shooter incidents are over in 5 minutes, and in many areas it is over long before on-duty officers can arrive. In my-- my school is in Bancroft, Nebraska, with a part-time officer and currently they have no officer. It would take at least 15 minutes, maybe longer, for an on-duty officer to arrive. This is too long. Local school board should have the authority to decide what they want to do, if they want to use armed staff, faculty, or contract to provide security, they know their communities, let them decide what they want to do to protect their students. During a hearing held last year on guns in schools, a senator asked a testifier if he knew of research about the risks of having armed staff in schools. I emailed the senator and asked if she had the research or know where I could find it. I received no response from the senator. That answered my questions. I believe we

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are putting many children at risk if we don't allow off-duty, retired, and other trained personnel to have firearms on school property. Please vote yes to advance LB1339 to the floor of the Legislature. Thank you.

MURMAN: Thank you, Mr. Ross. Any questions for Mr. Ross? If not, thank you for testifying. And go ahead and move on up next testifier. We got about 15 more minutes for proponents. So anybody that came a long distance, especially was invited by Senator Brewer come on up in the front row. So let's go ahead and move up quickly. And, yeah, go ahead and start.

AMBER PARKER: OK. Amber Parker. I am testifying as a proponent today to LB1339. In this, it is greatly important we have an opportunity here in the state of Nebraska to make clear that our schools, in giving the ability and the opportunity to the local school districts in what they see is going to fit for what their community needs pertaining to school are. I think that using Uvalde, there are some areas where there is deception. And if we look at the whole picture, there were areas and questions and why the response due to law enforcement and how many lives could have been saved if they would not have delayed. So I think that's important to note. I think that it's important to note that right now we have a, a confusion going on pertaining to law enforcement. And when they're even going to pick up their children and have arm-- they're in their uniform have or carrying arms or anything like that. And I think what's important to note is that there's a clarity pertaining to LB1339. This is on a Senator Brewer's statement intent, it says that the bill would eliminate a conflict in Nebraska statutes relating to the possession of firearms by off-duty and qualified retired law enforcement officers. And it also goes on to say this conflict of laws would be resolved by this bill in favor of officers being able to legally possess and carry firearms on school grounds and at school-sponsored events. What a great way to cover all our bases. So, you know, because the, the perpetrator-- the predator, the one that's doing harm, it would be great to have this in these areas in this bill because then they're not going to know who could be the person who would be trained in carrying a firearm and it would fit within this LB1339. The concern that I do have on LB1339, it was addressed pertaining to third-party software. It was the integration of third-party software to view the data. My question is when we look at third-party software in the schools that have this, we want to make sure there's no connection in nefarious activities that could connect to election processes, as we know that our, our schools can be, as well as polling places. The machines DS200, if someone votes on the

machine, we have lack of transparency in our election integrity and so I'm concerned. So the third party is very loosely used here in the terminology. It does talk about further up to be compatible with and able to be integrated into software platforms. We need to make sure. We now know that there are drug cartels. We have human traffickers. It's been proven from the Biden administration, from the federal government reporting that we have issues in which, not only terror cells but known terrorists on a terror watch list have crossed the-- our, our borders. And so these things we need to make sure that this information is protected and I would be against the third-party use. I think there's too much.

MURMAN: Thank-- oh, thank you. If you want to finish up quickly.

AMBER PARKER: Oh, yeah. Thank you. I, I just was going to say I believe there's another way to do it. And that the way this is, I'm for LB1339, but not the data mapping right now.

MURMAN: Thank you. Any questions for Amber Parker? If not, thank you for testifying.

AMBER PARKER: Thank you.

MURMAN: Other proponents for LB1339?

CHANTELL FENDER: Good afternoon. Thank you, Senator Murman and the Education Committee for your time and consideration today to support LB1339 and thank you again to Senator Brewer for this bill as well. As Americans and Nebraskans, it is our state and federal constitutional rights to protect our lives while supported by--

MURMAN: Excuse me, would you state your name and spell it out, please.

CHANTELL FENDER: Oh, I'm sorry. Yes, I'm sorry. Chantell Fender, C-h-a-n-t-e-l-l, Fender, F-e-n-d-e-r. So as Americans and Nebraskans, it is our state and federal constitutional rights to protect our lives supported by the Second Amendment-- point blank period. It's truly black and white. We have hospitals, ERs, courtrooms, airports, large venues, etcetera, to protect innocent lives and to deter those who intend to inflict harm and death in mass shootings. It has always deeply disturbed me to why the lives of innocent youth and school staff is not as important and protected. Gun laws have prevented commonsense protection that would either place deterrents such as armed teachers and staff here, as we're discussing today, and we would support that only vetted, authorized, and responsible, trained

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individuals would be allowed to conceal carry guns to protect these innocent lives. It has been proven over and over that gun-free zones do not work. All they are is an open invitation to evil criminals who intend to inflict death and harm to innocent people. Schools are gun-free zones and the numbers of death and injuries prove this. This is according to the Center of Homeland Defense and Security K-12 School Shooting Database, and also from David Riedman, 2023 K-12 (School) Shooting Database. From 1999 to 2024 to date, there has been 125 active school shootings, 442 innocent lives killed, and 1,257 individuals injured. Do we think that if we asked these grieving family members and loved ones of those who died that they, they wished that they could have done something different and that schools could have had responsible armed protectors that would have protect their loved ones, do you think any one of them would said no? Absolutely not. All of them would support this. Do you have any children, grandchildren, or your future generations that are going to be attending schools? I believe we all say we can-- do. And aren't their lives just as important as any other school child or staff member that is in schools? It's common sense to do what's wise and right to protect our children and those who are teaching and caring for them while gaining an education. Proper training would include self storage, active shooter scenario, target practice and also arm teachers with proper knowledge needed during emergency situations. Now here's the opposite-- opposition stance where they're going to say that any guns in schools are dangerous and bring more harm, risk, and danger to those buildings. Seriously? Well, here is what a comprehensive analysis from Giffords Law Center, who also supports banning guns from schools, find that there have been nearly 100 publicly reported incidents of mishandled guns at schools in the last 5 years. My note to you that none, not 1, has resulted in 1 death versus the previously stated statistics of 442 killed and 1,200-some injured since 1999. As you remember, Giffords is the Gabrielle Giffords who was the senator who was also-- congresswoman, I'm sorry, who was a victim of herself-- from a gun shot of herself-- she supports this.

MURMAN: Thank you. If you can finish up in just a few seconds.

CHANTELL FENDER: Yeah. Opponents will also say to leave it to the police and law enforcement agencies to protect these innocent lives. However, stats also show that the time to respond is at least 10 minutes are more than an active shooter needs to kill, is less than 3 minutes to take out the 20 innocent lives as we've heard. There are 33 states that have adopted the following-- allowed training and vetting individuals to carry on school properties to protect innocent

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lives. Many of these are also blue Democratic states. So I find it interesting that Nebraska, a conservative state, needs to get on board and start protecting innocent children and teachers and staff from evil mass shootings. So I ask the committee to strongly support LB1339. Thank you for your time and support and thank you. Think about your children and grandchildren, your family's future generations, because the world we live in is not getting any better. And this is also due to the mental health crisis in our country. Thank you.

MURMAN: Thank you. Any questions? If not, thank you for testifying. Other proponents for LB1339? Any other proponents? OK, we'll move onto opponents. Opponents for LB1339? How many plan on testifying? Could you raise your hand? OK. OK, thank you. Go ahead. Welcome.

JENNIFER HODGE: Thank you for allowing me to testify, members of the committee. My name is Jennifer Hodge, J-e-n-n-i-f-e-r H-o-d-g-e. I'm from Omaha. I'm a mother of 3 daughters. My daughters range in age from 5 to 21, with my youngest in kindergarten and my oldest in college. As a mother and a Moms Demand Action volunteer, I am urging you to vote no on LB1339. I grew up around guns and consider myself comfortable with them in controlled environments. I would never consider a school a controlled environment at any point during the school day. I can think of a dozen reasons why we should not be arming school personnel. Many of them are emotional reasons which are entirely valid. But today, I'll stick with the facts. None of us can be expected in a moment of extreme duress and confusion to transform into a specially trained law enforcement officer. Putting more guns in schools only increases the risks of shootings. An armed staff member is much more likely to harm a bystander or be shot by law enforcement than to be an effective response to an active shooter. In fact, one report found that even the highly-trained law enforcement officers of the New York City Police Department are only able to hit their target in 18% of the time when they're exchanging gunfire with a suspect. Children are all too likely to access guns that are carried into schools by teachers or staff. There have been numerous incidents where guns were carried into schools and were misplaced. They've been left in bathrooms, locker rooms, and at sporting events. Additionally, there have been multiple incidents where guns were stolen from teachers by students or cases where guns were misplaced and later found in the hands of students. These dangerous incidents show that any additional access will increase violence, not reduce it. We actually have evidence-based ways to prevent tragedies like school shootings from happening, and these are the things that we should be focused on. We should be enacting laws that demand safe

firearm storage in homes and in vehicles. Three-quarters of school shooters acquired the guns that were used from the home of the shooter's parent or relative. If there was a law requiring Nebraskans to state-- to safely store their firearms, we could certainly prevent many tragedies. We should enact an extreme risk protection law that would help people who have recognized risky behaviors and ideation in their friends and family to alert law enforcement and the courts that someone isn't safe to possess a firearm during that period of their lives. There are nearly always warning signs that a gunman exhibits before carrying out a shooting. In fact, in a Secret Service study it was found that 77% of the time at least 1 person knew about the gunman's plan prior to the shooting. We need to give people a way to stop these incidents before they happen. Extreme risk protection orders can allow law enforcement to temporarily remove firearms from a person who is at risk to themselves or others and prevent them from purchasing firearms temporarily. Instead of pursuing a guns everywhere approach, we should raise the minimum age for buying semi-automatic rifles or pass an assault weapons ban to prevent the level of carnage that those weapons are designed for.

MURMAN: You have the red light. I'll ask you to, to wrap up really quickly.

JENNIFER HODGE: Thank you. Our children deserve to attend school in a safe space. We can all agree on that. Our leaders should pursue an evidence-based intervention plan that addresses what we know to be true about reducing school gun violence. For more information about evidence-based school safety solutions, you can visit everytownresearch.org/school-safety. Please vote no on LB1339 to keep guns out of our schools and to keep our children safe.

MURMAN: Thank you. I do have a question.

JENNIFER HODGE: Yes.

MURMAN: You mentioned several-- some incidents where a person was authorized to have a gun in the school and the gun got misplaced or somebody else ended up with the gun. Do you have any situations where someone was killed or hurt by a gun in that type of situation?

JENNIFER HODGE: Not off the top of my head, no.

MURMAN: OK. If, if you do find any, I'd be interested in--

JENNIFER HODGE: OK.

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MURMAN: --looking at that. Any other questions for Jennifer Hodge? If not, thank you for testifying.

JENNIFER HODGE: Thank you.

MURMAN: Other opponents?

KYLE MCGOWAN: Good afternoon, Chairman Murman and members of the Education Committee. My name is Kyle McGowan, K-y-l-e M-c-G-o-w-a-n. Today, I'm representing the Nebraska Council of School Administrators. We would like to thank Senator Brewer for recognizing the very needs of the 244 school districts in Nebraska and allowing for local control. It's not uncommon for the state to put parameters upon school districts as they implement school policies. We feel that such an important topic as firearms within the school building should include such parameters and, therefore, our opposition to LB1339. The bill states a school board or other governing body of a school may authorize the carrying of firearms by authorized security personnel in school. The definition of firearm within LB1339 is broad, and we would respectfully request limitations on the type of firearms to include such things as assault rifles and others. The bill references that a board's written policy shall, at a minimum, include requirements for personal qualifications, training, appropriate firearms, ammunition, appropriate use of force. We believe that these policies need additional language. A district with a resource officer requires 20 hours of training for the resource officer and the school administrators. That's from LB390 in 2019. Within LB1339, itself with requirements-- which, by the way, we support the mapping within this bill. But the mapping data within this bill has 13 additional requirements. Regular training for personnel carrying firearms and their qualifications should be established by the state as well as the type of weapons, ammunition, storage should be better defined. Student safety is always a primary goal of schools and introducing deadly weapons into the building requires a whole nother level of oversight and caution.

MURMAN: Thank you.

KYLE MCGOWAN: That's my testimony.

MURMAN: Any questions for Mr. McGowan? Senator Albrecht.

ALBRECHT: Thank you, Senator Murman. Thank you for being here. And so you're with all the administrators. This conversation has been going on. It goes on every time there's a school shooting in our country.

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So what is it that you say to the parents when they come in and they are concerned? Do you all have a canned response or does everybody locally have a different approach? Can you-- can you answer all that?

KYLE MCGOWAN: Yeah. I don't think there's such a canned response. And I also was a superintendent for a number of years.

ALBRECHT: I understand that.

KYLE MCGOWAN: And the number 1 issue in any school is not how well your reading scores are, it's how safe your school is. So we just built a new building in 2016. We worked very closely with law enforcement and other professionals to try to make that building as safe as possible. But safe as possible is about as far as it goes. And so we looked like-- yeah, we already shared mapping information, not to the extent that was described today. We did multiple drills. We did mock trainings. We did everything we can. But we all know everything we can doesn't always stop, stop it, so. In fact, a former Colonel with the Marines, who we really spent some time with, said it's impossible to secure your building unless you're willing to turn into a prison with barbed wire and the works. Because here we are at schools also trying to make our school inviting and bring the public in. So it's a conundrum.

ALBRECHT: I mean, that's-- I mean, that's why we're sitting on this side of it and we're listening to all of the different things. But when the administrators come in and just say no, I would only hope that you can work with Senator Brewer and have a team of people figure out what, what would be best for Nebraska.

KYLE MCGOWAN: Sure.

ALBRECHT: Because everything comes with a cost, but you can't put a cost on a-- on a child or, or a teacher.

KYLE MCGOWAN: And, of course, within-- we didn't say just no. We, we respect that 244 school districts have very diverse needs. And we trust our local school boards. But the state also has a vested interest in providing an education, and it's very common for the state to put parameters with any mandate that they have. And here we are implementing a pretty, pretty important mandate or a pretty important option because it's not a mandate, right? But if schools are going to do this, I think we really need to have some strong guidance. So, you know, again, do you want an assault rifle in your, you know, office, those types of things?

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ALBRECHT: Right. But I would just hope that everybody works together to help come to some kind of [INAUDIBLE].

KYLE MCGOWAN: Well, I think that's the advantage of local control, isn't it?

ALBRECHT: Yes, it is. Yes, it is. Thank you.

MURMAN: Any other questions for Mr. McGowan? If not, thank you for testifying. Other opponents to LB1339?

SHARON O'NEAL: Senators, thank you for this opportunity to speak in opposition to LB1339. My name is Sharon O'Neal, S-h-a-r-o-n O'-N-e-a-l. I speak today as a long-time Lincoln resident, a mom, a grandmother, a former school peer educator, and someone like you who wants to keep Nebraska school environments as safe as possible from gun violence. During today's hearing, the proponents always talked about handling a shooting after it had begun. There was not enough discussion about preventing school violence from happening in the first place. No evidence has been presented at the hearing so far on this bill to show that allowing guns in and around school properties will prevent or mitigate school shootings. Instead, school safety experts recommend that schools harden their environments with proven intervention strategies to prevent unauthorized entry. This can be done by implementing access-control measures such as single-access points, monitored-controlled access areas for visitors, fencing, external door locks, and interior door locks to enable educators to lock out dangerous shooters. Adding more guns on school properties or at school activities does not prevent gun violence. In fact, studies show that even highly-trained law enforcement officers see their ability to shoot accurately in split-second situations decrease significantly. And since school shootings are often committed by former or current students expecting school personnel to neutralize an active shooter, possibly a current or former student, is dangerous and unrealistic. Instead of allowing more concealed guns in the hands of people in school environments, the Legislature should be mandating and funding proven research-based intervention strategies at schools that are aimed at preventing gun violence before it starts. These strategies could include 5 different things, and I'm sure there's many others: hardening school environments to prevent unauthorized entry, ensuring adequate mental health services are available for students and for staff, working with community partners to implement trauma-informed crisis intervention practices before a person commits an act of violence, implementing early detection and response to behavioral red flags, and informing families, perhaps even mandating,

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proper, secure storage of guns to prevent access by children. I urge you to rethink the necessity for LB1339 in favor of alternative strategies. Additional research-based strategies, besides the ones I mentioned, are available at everytownresearch.org. Thank you.

MURMAN: Thank you. Any questions for Sharon O'Neal? If not, thank you for testifying. Other opponents for LB1339?

TIM ROYERS: Good afternoon, members of the Education Committee. For the record, my name is Tim, T-i-m, Royers, R-o-y-e-r-s. I'm the president of the Millard Education Association. I'm speaking on behalf of NSEA in opposition to LB1339. As Senator Brewer and many of the testifiers have noted today, this bill does really 3 things within 1. I'm speaking exclusively today on the second issue, which is the arming of school staff. I'm going to start with what the research tells us. In 2021, the National Institute of Justice, which is the research division of the Department of Justice, published a study that examined every school shooting from 1980 to 2019. After analyzing 133 different cases, they presented their findings. I want to highlight some of the important quotes for you all to consider. First, quote, Armed guards were not associated with significant reduction in rate of injuries. In fact, rate of deaths were 2.83 times greater in schools with an armed guard present. Second, quote, an armed officer on the scene was the number 1 factor associated with increased casualties after the perpetrator's use of assault rifles or submachine guns. And finally, quote, Many school shooters are actively suicidal, intending to die in the act, so an armed officer may be an incentive rather than a deterrent. End quote. I want to spend the remainder of my testimony acknowledging that 1 of those 133 instances happened in my school district. On January 5, 2011, I was sitting at lunch during third block. It was the first day back from winter break. We were in the upstairs teacher planning area. Then our principal got on the intercom, which is super unusual during lunch because those kids aren't going to hear a thing in the commons. And he said 2 words: code red. And I remember, I will never forget, my department head looked at us and said, I think this is real. And he said it again. We're in a large open area, our teacher plan area is like this room. We had to lock the doors super fast. We knew what we were trying to do. The problem, though, was the doors locked from the outside at that point. I had to get out in the hallway to lock the doors. When we got out in the hallway, I will never forget the look on those kids' faces trying to find shelter. We grabbed as many kids as we could and took them back into the room. The problem with the room, all glass doors and windows. We went back into a storage room. Problem with that room, wasn't locked. I will never forget shoving a

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file cabinet up against the door to try and protect ourselves. And I remember sitting there until we got the news that it wasn't our building, it was Millard South. And I will never forgive myself for the relief I felt because I had friends in that building. At the time-- excuse me-- at the time, I was serving as a high school representative on our board of directors. So in the aftermath of the shooting, we all had different roles to play. Mine was to ask the members of, of the association at South what they wanted. You know, what should we be advocating for is the whole point of the union. And we hear a lot of things, a lot of things were mentioned by other testifiers: interior locking doors, mental health support, new building entry protocols. But here's the thing I want to say to all of you, no one in that building asked for armed staff in the wake of that shooting. Not a single one. And 13 years later, I've never had an educator ask for armed staff, but I have had plenty of them tell me that a provision like this would drive them out of the profession. So please do not do this. It doesn't prevent violence, but it does shatter the welcoming, caring environment we try and foster for our kids. Do not advance this bill. Thank you.

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

CONRAD: Thank you.

MURMAN: Other opponents?

PATRICIA RITCHIE: Good afternoon. My name is Patricia Ritchie, P-a-t-r-i-c-i-a, Ritchie is R-i-t-c-h-i-e. I am a veteran teacher for 36 years in the Nebraska Public Schools. I have taught 2nd grade through 12th grade in over 35 schools as a traveling orchestra teacher. I have taught in urban and suburban schools, and I want to acknowledge the common intent everyone in the room shares to make schools safer. I would like to speak today, in particular to the schools' staff, teachers being armed. I, like Tim, have participated in countless drills and they are heart wrenching. I also believe that more guns in the schools will invite more violence and more accidents. Teachers with guns is the way I believe the kids, the students, our beloved beautiful young people are going to perceive the situation. They may not know who has a gun. They may-- a teacher who is carrying a concealed weapon may indeed be able to keep that fact concealed, but I doubt it. My experience from 36 years tells me it will be common knowledge very soon. I believe that teachers with guns will be, no pun intended, a trigger for many students who come from violent home lives or neighborhoods. I believe that our young

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people who are not fully developed with their brains and their emotional responses are going to be tempted with pranks or theft of ammunition or guns. There are a lot of young guys who are-- and with-- and girls, too, who are just immature enough not to understand how serious it is to goof around about certain topics. And even when we are in drills sometimes, there's laughter. I believe that it is the wrong dynamic for the teacher-student relationship. Teachers are involved in a myriad number of responsibilities and they should not and cannot be burdened with this tremendous task to monitor a deadly weapon throughout the day. So, in closing, the immaturity of too many of our wonderful students makes it a dangerous and unhealthy scenario. We need to use other means to improve our school safety, many of which have been mentioned here today. So thank you so much for letting me testify.

MURMAN: Thank you. Any questions for Patricia Ritchie? If not, thank you very much.

RACHEL GIBSON: Oh, goodness, this chair makes a noise. Whoo. Comic relief there, huh?

MEYER: It used to be this chair.

RACHEL GIBSON: Did you do it? [LAUGHTER]. Likely story, Senator Meyer.

MEYER: Got to have a lighter moment somewhere.

RACHEL GIBSON: Right. All right. Well, good afternoon, everyone. My name is Rachel Gibson, and I am the vice president of Action for the League of Women Voters of Nebraska. As many others have said, we very much support the focus on the mapping portion of this. But we do have concerns with the second portion, which is the, the arming of, of staff or individuals in the schools. I'm going to go ahead and read our comments here, hopefully get through them all. The League of Women Voters believes that the proliferation of handguns in the U.S. is a major health and safety threat to its citizens. Nationally, the League has endorsed organizations such as March for Our Lives and advocates for the active role in government and social institutions in preventing violent behavior. While the intention of this bill is to improve safety of students on school grounds, the habitual presence of firearms is a safety threat in itself and impacts the ability for students to be academically successful. From a physical standpoint, and you've just heard this from Mr. Royers, additional firearms don't eliminate violence and often actually increase them.

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You can see some of the, the statistics there with the Violence Project. I also would reiterate the point about suicidality and how just heartbreakingly for some students that is not a deterrent. And then, additionally, there's research that shows that the presence of guns in violent situations increases the likelihood of, of, of greater violence and lethal harm. So in, in the sometimes emotional and volatile environment of a confrontation at school, the presence of a firearm could quickly take a minor conflict to a tragic one. The escalation of a nonviolent incident to a violent encounter could also further contribute to the school-to-prison pipeline, experiences that disproportionately impact students of color and disabled students. In addition to not aiding in student safety, this proposal could have impacts on student success and school function. Academic-- Academically continual presence of law enforcement has been shown by the Texas Education Research Center to have negative impacts on student performance, such as reduced graduation rates and lower college enrollment. Functionally, while we appreciate the recognition of local control because we are fans of local control, if a governing board chooses to implement this policy, we're concerned about the fiscal and administrative impact. For example, who's paying for the training continually? Are the weapons and ammunitions provided? If an accident occurs, who is liable? There are far too many unanswered questions. The League of Women Voters of Nebraska believes that although the presence of armed individuals is intended to protect students, they instead pose a risk and may make it harder for students to learn, all while presenting our schools and taxpayers with an unneeded burden. So it is for all these reasons that we ask that you please do not advance this bill. Thank you.

MURMAN: Thank you. Any questions for Rachel Gibson? I have one. I think this Violence Project might have been referenced before. It says 133 school shootings, a quarter of them had one armed, at least one armed guard on the premises. I'm wondering, was, was a study made as to, you know, where those schools are located? I mean, were they in large urban centers?

RACHEL GIBSON: Oh, that's an excellent question. You know, I don't know. I-- it's been a while since I actually looked at the, the report itself, but I can share that report with you. I'm happy to share that with the committee.

MURMAN: OK. Thanks. Yeah, appreciate it. And then also, I'm wondering, at least one armed guard and I-- the, the one I'm most familiar with was in Florida, and I think there were several buildings, at least more than one, and there was one guard there, if

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I recall correctly, and they didn't or couldn't get into the building. So, you know, this, this bill would possibly make more employees of the school more available in each building is a possibility. So--

RACHEL GIBSON: Right.

MURMAN: --that might kind of negate some of this study, at least.

RACHEL GIBSON: I think some-- at least for the League, more of our concern is about having the weapons available and the, the points that really stood out to us were that with presence of a firearm, the threat for violence increases. It tends to be more violent if there's access to a firearm. Also, one of our, our wonderful members of our school policy team is an educator and she teaches sophomores. And she's, like, there's a lot-- there's a lot of emotions running around that room. And I don't want to put a weapon-- another weapon available, whether or not they, they-- I hear some of the teachers laughing-- whether or not that is the intention, it's, it's a volatile situation. So that's, that's where more of our concern, I think, is coming from.

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

RACHEL GIBSON: Thank you. OK, warning to whoever sits next.

BEN BURAS: All right. Good afternoon. My name is Ben, B-e-n, Buras, B-u-r-a-s. I'm also concerned about the arming of school officials. Just to add to Mr. Royers' story, I believe that was the shooting of the principal, Vicki, at Millard South. And it was actually the son of a police officer who had moved from Lincoln to Millard who is the perpetrator of that crime. So, yeah, I'm, I'm especially concerned about school resource officers and official officers. I heard the proponents of this legislation talk about, oh, yeah, we're going to require this-- all this training, and they're not really required to know the law, which is what they're supposed to be enforcing. So I think as far as I know, the only requirement to become a peace officer is a GED and maybe a driver's license and then just go through what safety training and militarism training. So, yeah, I mean, I've questioned several peace officers on specific laws and, first of all, they get very upset when you question them on the law because they don't like to be challenged. And, and then they usually don't know the law. So, yeah, I'm, I'm against this, this arming of, of school officials. Once again, I was in-- I was a sophomore in high

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school when the Columbine High School massacre occurred and it was after that when the school resource officer thing. I'm sure a lot of inner-city schools probably, maybe, already had them. But that's when that started going bonkers in the suburbs, suburbs and-- so, yeah, I think, you know, if school resource officers aren't required to actually know the law, if they're just required-- I mean, it takes, well, maybe like 2 hours to get training on how to use a handgun, so I don't think-- I think they should have to know the law and not just say, oh, yeah, we've got a gun so we're going to stop a shooter, and that's going to make everything OK. I don't think that is the solution. So thank you.

MURMAN: Thank you. Any questions for Mr. Buras? If not, thanks for testifying.

BEN BURAS: Thank you.

DOREEN JANKOVICH: Hello.

MURMAN: Good afternoon.

DOREEN JANKOVICH: Thank you, Senator Murman, for allowing us to speak to this issue. My name is Doreen Jankovich, D-o-r-e-e-n J-a-n-k-o-v-i-c-h. Hopefully, you'll add more time on for the length of my name. I want to give a little bit about my background so you know what I'm bringing to this process. I taught for 32 years with the Omaha Public Schools at inner-city schools and alternative schools, then I taught for 4 years with the Department of Defense school system in Frankfurt, Germany, and I happened to be there during the Kuwait War, which was further away, but working on a military base we had concertina wire on the roofs with soldiers with their weapons on top, car checks, and the, the whole nine yards. No staff member carried a gun, but we felt very safe. When I first started teaching, or just before I began teaching, I went to a hiring fair or job fair and St. Louis offered me a contract and I looked it over and the first thing the guy said was, well, would you be willing to carry a gun into the classroom? And I said, what kind of environment am I going into? He described the situation and said you have to sign this contract if you want the job. And I stood up, thanked them for their time, picked up my resume and walked out the door. And I think a number of teachers would do the same thing because we're all about caring. We want the kids to feel safe. That's our main job. Let's see. The training that teachers don't have when it comes to with regard to guns and issues like that, there's just too much to ask of teachers to do that. I don't think it would be a

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safer environment. I agree wholeheartedly with the number of predecessors who spoke. We want our schools to be safe and secure and guns in the classroom is not the answer. I've served on [INAUDIBLE] school security teams, safety teams, high risk assessment teams. I've been in schools where there was domestic disputes outside of the building where there was shooting. We were all safe. So I would urge you to oppose this bill and put into practice more preventative measures. Building greater social skills, building skills to deal with bullies, recognizing social justice issues that contribute to some of these things, and celebrating the diversity of our students. With that, I'm here for any questions. Otherwise, thank you for your time.

MURMAN: Thank you. Any questions for Ms. Jankovic? I have one. The goal of all of us, I think, is to keep our schools as safe as possible. You do understand this bill does not require anyone in school to carry a gun.

DOREEN JANKOVICH: Right. My, my response to that is extra guns in the school in the form of volunteers or however you want to do it, is still not a good thing.

MURMAN: OK. Thank you. Any other questions? Thank you for testifying.

DOREEN JANKOVICH: Thank you.

MURMAN: Other opponents?

SHANNON HENG: Hello. My name is Shannon Heng. It's S-h-a-n-n-o-n H-e-n-g. I'm a teacher at Omaha Public Schools, and this is actually my first time testifying, as you will probably see. I will be specifically speaking about the faculty or the teachers, like some other people. But before I get to that, I did not plan to speak about this before, but when Mr. Royers brought up the shooting at Millard South, my nephew was a freshman at that school, and was in school at that time. Neither he nor any of his friends ever said that they wished the staff had had a gun. In fact, he had a young teacher that was actually crying on his shoulder, not in a position to have any firearms. I'm back to what I was originally going to. Teachers across the state already have more responsibilities than ever before. Adding additional stress by allowing educators to carry armed weapons would be a huge disservice to our students and staff. We are not trained law enforcement officers who go through countless hours of training, and not only marksmanship, but also on the legalities and liabilities associated with carrying a firearm. This lack of training would

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significantly increase the risk of accidents, misjudgments, and unintended consequences. If a teacher were to accidentally harm or fatally injure a student, the actions could be dire and result in legal consequences for both the teacher and the school district. The more people who are armed in a school increases the chances of accidents occurring. When students are aware that their teacher is carrying a firearm at school, and they will find out, unnecessary stress and anxiety could severely impact what has been perceived as a safe learning environment in the past. So rather than allocate resources to adopt this bill, resources could be utilized on improving school security, implementing security technology, and enhancing mental health support for students and staff. For these reasons, I oppose LB1339.

MURMAN: Thank you. Any questions for Shannon Heng? If not, thank you for testifying. Other opponents for LB1339?

JUDY KING: Hi. Judy King, J-u-d-y K-i-n-g. Everybody said exactly what I wanted to say here today, that all of these teachers that are here, and the stress that that would put on them to have to be around more guns in school. One of my issues is that I like that mapping. I really think that's a positive thing. But the more guns in school is definitely not. I-- what I started to think about today, was that the Uvalde shooting, you know, where he, a gentleman went in and fatally shot 19 kids and two teachers and injured 17 people. Where'd he get the gun? Where do all these people get their guns that do these shootings at school? And why is it the teacher's responsibility to have to deal with that? Why don't we deal with the parents or the, the mental health issues that need-- that we need to face? The, the other thing is that the rifle was a-- it was like an AR 15, and it had more power than handguns, such as the common police pistols. It can penetrate the lighter body armor usually worn by police officers on patrol, on patrol. And they also cause damage to the human body. And two and a half minutes before any police officer set foot inside that school, a gunman fired more than 100 rounds at students and teachers from a point blank range. Those behead children. They blow a hole in you and, and-- No more guns. We don't-- we need to find out where the guns are coming from and deal with that issue. But the teachers don't need any more guns in school. I had a list of all the kids that were killed there. They're all like ten and eleven, nine, ten and eleven. Two teachers, 48 and 44. And like I said, they were killed within just a few minutes. Ban those stupid AR like guns. That's all.

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MURMAN: Thank you. Any questions for Judy King? If not, thank you for testifying. Other opponents for LB1339? Good afternoon.

MAGHIE MILLER-JENKINS: Good afternoon. My name is Maghie Miller-Jenkins, M-a-g-h-i-e M-i-l-l-e-r-J-e-n-k-i-n-s I'm coming to speak in opposition for this bill for a number of reasons. The first of which is that I don't-- I want to be on record, and I don't want the irony to escape us that the same person who brought us LB77, to remove the ability to have safe storage for weapons, is now bringing us a bill to bring more weapons into schools. So I find that ironic, and I find that atrocious. I was a special needs para for LPS for three years, two years in the building and a year on the buses. I now have a high schooler that's going to Northeast, and I can tell you that guns get into these schools right now, today. There are guns that go into Northeast and Lincoln High that teachers don't know about, that staff don't know about. What makes you think an adult with a gun is going to stop that? Because it's not. We can't even lock up our guns safely. Our, our cities are unable to be able to make safe storage laws because of LB77. So if Brewer wants to do something to ensure the safety of our children, the first thing he could do would be to repeal the bill that he already admitted into our legislation, in my opinion. But on this bill specifically, I urge you guys, all, if you could each write it down, anybody with a notepad in front of you. It's a little short that you can find on YouTube. It's called 1,2,3 Eyes on Me. It's the name of a short. It will literally take you about 15 minutes to watch the short. 1,2,3 Eyes on Me. It's about an African American teacher who is teaching in a bilingual school. Her classroom's full of mainly Spanish speaking students, and they have a school shooter. And it shows you-- I had my children watch this. I homeschool my children, but I had my children watch this, and we counted. In three seconds from the time it would take me to take this pen and drop it on to this table. There were 14 shots fired into a classroom. 14. What is the teacher going to do against that? What is, what is a security guard going to do against that? 14 shots in three seconds. Guns do not solve a gun problem, empathy does. Safe storage does. Giving us counselors in our schools, helping with the mental health crisis that everybody that's screaming that we need more guns is blaming all of the violence on. Everybody is screaming mental health, mental health, it's a mental health crisis. Give us people. Don't give us more guns, give us counselors, give us therapists, give us trauma informed people. Give our teachers more help. You want to help our schools? Make a bill that gives us more paras. Pay our teachers more. That's how we save our children. Giving our adults more weapons? Teachers now that have guns already

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don't want to get in the middle of a fight, because as soon as a person with a gun gets into the middle of a fight that doesn't have one, now there is one. There is nothing that says that a bullet has a name on it. There is nothing that says a good guy with a gun will not still kill somebody. Please, please use your common sense on this one and please oppose this bill.

MURMAN: Thank you. Any questions for-- any questions. Thank you. Other opponents for LB1339? Any other opponents to LB1339? Any neutral testifiers for LB1339?

NEIL MILLER: Good afternoon, Chairperson Murman and members of the Education Committee. My name is Neil, N-e-i-l M-i-l-l-e-r. I am the Buffalo County Sheriff. I'm here to testifying in neutral on behalf of the Nebraska Sheriffs Association, the Nebraska Police Chiefs Association, the Police Officers Association of Nebraska, and the Nebraska Association of County Officials. Thank you for allowing me the opportunity today. We see three main areas in this bill that we would like to comment on. The first would be to allow civilians to carry weapons on school grounds, which could include teachers and private security. We would recommend taking a look at how the state of Texas implemented a similar law. One of our members recently came from-- to Nebraska from a city in Texas, and believed that the rules, regulations and training requirements that Texas adopted were a good model. The second area of the bill deals with off-duty law enforcement being allowed to carry concealed off-duty at schools and on school property. We have been, and continue to be, in support of this. We believe this will increase safety and decrease the response time to potential armed incidents in our schools. The third piece of this bill is the indoor school mapping. We are in favor of this part of the legislation, and support having our schools mapped for potential response to an armed event. These indoor maps can provide valuable information to first responders, and reduce the amount of time locating individuals in a-- in an emergency situation inside of our schools. These maps need to be developed in a multi-format mapping software that can be loaded into existing software as a layer in 911 centers. This could provide the ability to identify the rooms that 911 emergency calls are coming from inside of the school building. Other formats would include mapping software and mobile data computers for both law enforcement and for Fire and EMS, in all-- as well as the ability to print paper maps on demand. I'd like to thank you for the opportunity to testify today on behalf of Nebraska's Sheriffs Association, the Police Chiefs, the Police Officers Association, NACO. I would be happy to answer any questions that any of you might have.

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MURMAN: Thank you. Any questions? I have one. You mentioned you do favor off duty police officers being able to carry?

NEIL MILLER: We absolutely do.

MURMAN: And then also the mapping, you support that. But the first part that you referenced, Texas, I wasn't clear on.

NEIL MILLER: Just said that a police chief that came to Nebraska recently said that Texas had recently enacted legislation that, or had guidelines for if you're going to arm teachers or other people, they had guidelines for rules, regulations and training in order to do that.

MURMAN: So-- and you do support that. Is that what you said?

NEIL MILLER: He just said that was something for your consideration, we need to take a look at that. And I'm your relaying that on his behalf.

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

NEIL MILLER: Thank you.

STACEN GROSS: Good afternoon. Stacen Gross, S-t-a-c-e-n, last name Gross, G-r-o-s-s. I'm testifying as neutral. Our company is GeoComm. We're in the business of doing school mapping as well as just public safety 911 mapping. Currently, in the state, before-- and I'm actually a resident of Nebraska. I actually live in Senator Sanders' district in the Bellevue area. Our company's been in the business building GIS, maintaining GIS data for-- Today we maintain 82 of the 93 counties. That data sits in resides within their 911 centers, as well as in their law enforcement, as Sheriff Miller had mentioned. In fact, they're one of our-- his county's one of our customers. We maintain the data that's used in their mobile data terminals, all of their applications. Our position-- while the school mapping is a great idea, our position, it needs to be more open, more, more shareable, interoperable. And that will be through the GIS that's already maintained and managed. Somebody that testified earlier mentioned State Patrol. State Patrol currently utilizes an application called MACH, it's a, it's a map display that they have access to. GIS-- having these school maps and GIS would allow that data to be in there instantaneously. Our company is currently mapping all of the schools in the state of Iowa through a contract with the Iowa Department of Education. That data is going to reside within the

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MACH system that the state of Iowa utilizes. Their goal there was to have it built into the GIS data that's already out there, that's already used in all the public safety applications, all the solutions. So that's where that data resides. As Sheriff Miller had noted, once it's in there, you can print whatever size maps you want for the incident. It can be a 36 by 36 map. It could be a map link was handed out. But it's nonproprietary. It's not going to have copyrights on it, logos on it, etcetera. It's built in that critical system that all those first responders utilize and have on their hip and, and in an iPhone, whatever, today. So that's kind of our, our position on that. Some of the deliverables as required, it requires it to be a, a basically a file reader, which we interpret to be a PDF map, and also a file-- a, a print out. And I think those things were probably great in the '90s when we printed things out, and you had a planned incident. But when officers from literally other counties might be going in to help, to have that on that terminal as they're going there so they could see-- the other thing I'll identify having that in the 911 centers, if a 911 call is placed from a child that's hiding in a classroom, it's going to show instantly what room they're in. So they're going to know right then, this is in Mrs. Smith's room, one, at the school, so everybody heading there is going to see that. The last thing I'll note, State Patrol and a lot of agencies that are on state radio, etcetera, they already have location capabilities for their radios. So officers are tracked with GPS, responding vehicles, all of that stuff is in the GIS data. So when you want to know how many folks are on scene, and how many are responding to this, that's already inherently in the GIS systems that are out there. So we're simply advocating this data should reside in those systems. Thank you. Questions.

MURMAN: Thank you. Any questions? You mentioned GIS that's used by certain agencies. I didn't catch for sure which ones.

STACEN GROSS: The-- so in Nebraska for the past probably 20 years, significant investment's been made through the Public Service Commission to basically build and maintain GIS data. So everybody uses it, from law enforcement, 911, to city government. In fact, North Platte's Public Schools is a customer of ours. So the city utilizes the GIS data. The school district uses that GIS data. So GIS is, is what everybody is doing. That's the common picture out there. And basically it's, it's a smart map. It's layers of information. Parcel ownership is in there. Fire district information. We-- what we would envision, and how Iowa's being built, is the schools are on a separate layer. I think somebody brought up security. Those layers

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are secure. They're not shared out. So all of that, all of that's taken into account.

MURMAN: So how easily is that to coordinate between, like, first responders, Fire.

STACEN GROSS: Basically they're all going to have access to that. As Sheriff Miller mentioned, they-- they're all using systems-- probably 99.9% of the public safety software out there has a GIS component embedded into it. So once you build this in GIS, it's now automatically interoperable with all of those solutions that are already out there today. You're not taking some other format and trying to, to push and force it into those applications, it's already inherently there.

MURMAN: And that is updated often. Correct?

STACEN GROSS: Yeah. Well, in fact, that's the other point about maintenance is what we would envision. And this is how Iowa's doing it, is it's maintained in real time. So basically the school districts themselves through a GIS application that's basically free to them-- let's say they're splitting a classroom into two classrooms. They draw a line down the middle, hit update. Within a day or so, it's now in all the live systems. So there's no going out once a year walking the school, recreating some kind of a document and then hoping you get it out to everybody. It's instantaneously updated in the system that everybody's plugged into.

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

STACEN GROSS: Thank you.

MURMAN: Other neutral testifiers? If not, Senator Brewer, you're welcome to come up and close. And we have 86 proponents, 164 opponents, and 4 neutral on emails.

BREWER: All right. Thank you, Chairman Murman and members of the Education Committee. Since you left off with that number on the opponents and proponents, something I think we need to have an understanding of. This is becoming a very rural versus urban issue. Let me, let me tell you why. If you look through the ones that have sent in letters on the opponents' side, 90 plus percent of them come from Douglas, Sarpy or Lancaster. So basically, those that have armed security, a school resource officer, is saying you should not have armed security. And then those who are out where they don't have it are on the other side of it, and they want it. Now, if I went down

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that list, and you've got the letters, hopefully, and, and this-- the, the cross-section of the state from Saint Paul, Blair, Plattsmouth, Waterloo, Aurora, Spalding, all the way out to Ogallala, Cambridge, Tecama, Scottsbluff, Curtis-- I mean, the list goes on and on. These are the people that are proponents that want it and need it. They're also the ones that are a long ways from law enforcement. So, you know, I cannot stress more how selfish it is if you have law enforcement in your school, and then you want to go and make it so those who say they need it because they have none, can't have it. All right. We'll get into the speech here. We've got lots of options and proposals with LB1339. Let's just look at a few facts. In, in 2023 alone, there was 184 incidents in the United States involving the use of firearms on school campuses. Schools across the country have been working hard to keep students safe from violent threats. More and more of them are opting with school security, with security personnel, if they cannot afford law enforcement or resource officers. Lawmakers across the country have adapted proposals like LB1339 to arm key employees for defensive purposes. Nationally, 33 states now utilize schools f-- school faculty or staff in an armed capacity. The list of those around us are our six bordering states Colorado, Iowa, Kansas, Missouri, South Dakota, and Wyoming. We are that island. After Uvalde in Texas, Texas passed a law requiring at least one armed person in every school in Texas. Now step back and take a breath, because we're not saying you have to. We're saying it's your option. If your school board and your administration feel that that's something that they want to do, you have the ability to do it. You can't do that right now. So right now you're saying you can't arm them, you have to let whoever the bad guy is come and do whatever he wants, if you're too poor to afford a resource officer. That's a horrible position to put our schools in. So as we, as we look at the bill, if we need to tweak the mapping parts so it fits perfect with GIS, that's no big deal. We can do that. The reason we didn't get into minute detail with the requirements is, we wanted it to be, you know, this, this piece of clay that the school board and the administration could shape to fit their needs locally, not to jam something down their throats that may not work, and then force them not to be able to have it. So this allows them to shape that as needed. And I think what, what's needed in, in Cody, Nebraska is going to be a whole lot different than in Grand Island. So that's why there is not these minute details that some say there should be in there. But if you read through the bill, there's nothing in there about assault weapons. There's a lot of hype that was put into this. And, you know, there's probably not many in this room that have been through the number of shootings that I have. So I've got a very keen

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interest in trying to make sure that we can make this work. And that's why I brought LB3-- LB1339 and I'll take any questions you have.

MURMAN: Thank you. Any questions for Senator Brewer? If not, thank you.

BREWER: Thank you.

MURMAN: Thank you for offering it. And that'll close the hearing on LB1339. I'm going to ask that you-- if you're leaving, leave quietly. We're going to move on because we've got a long day ahead of us. We're going to open the hearing on LB1284, and Senator Walz is welcome to come up and open. Thank you all for being here.

WALZ: All right. Good afternoon, Chairman Murman and members of the Education Committee. My name is Lynne Walz, L-y-n-n-e W-a-l-z, and I represent Legislative District 15. Today, I am very excited to introduce my priority bill, LB1284, which is a follow up to the computer science and technology graduation requirement that we passed in 2022 with LB1112. After the passage of that bill. I really spent a lot of time thinking about how we can support our schools to fulfill that graduation requirement. When we passed this bill two years ago, our goal was to help ensure our students are prepared for the modern workforce. However, after many, many conversations I have had with administrators and teachers throughout the state, there is a significant concern with how they will reach this goal by the school year-- by school year 2027, especially in rural districts. Right now, to teach CST classes, you need an endorsement in business, marketing, and information technology, or information technology. The Department of Education is estimating that we will need to double the number of endorsed teachers to approximately 600 teachers statewide. So I worry that the burden of finding current teachers willing to receive their endorsement, or future teachers who would be willing to get this endorsement, may be difficult, especially when there's no funding attached to this graduation requirement to help prepare and train our teachers. I'm concerned that schools are not going to be able to fulfill this requirement the way we intended them to, and in turn, end up just checking a box. We want this to be an effective program, and we want to make sure that our students are coming out of school well prepared to enter the workforce, college, or receive a credential. Over the interim, I spent time meeting with the Department of Education, ESU administrators, superintendents, teacher accreditation individuals, as well as the business community. This bill is the result of several meetings and emails with those experts,

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and I'm proud to say that the education community is very excited about partnering with the business community to get this goal across the finish line. As this bill is written, it would establish a statewide computer science education expansion program meant to recruit, train, and support teachers to receive their endorsement. It also authorizes the department to employ or contract with a computer science specialist to help train educators. In addition, we are, we are requiring a report to be submitted to the Legislature, so we're able to monitor the progress-- the progress of that training. Finally, this bill creates the Computer Science and Technology Fund. One of the most-- I think the most exciting parts of this bill is the collaboration between the education and the business community. Producing a strong computer science and technology workforce is important. In fact, it's vital to our business community. I'm excited about the opportunity to partner education with business together to create an effective program. This bill would appropriate \$1.5 million in fiscal year 2024, and following this year, if the fund receives private donations of \$500,000, the Legislature would then match and appropriate \$500,000. Technology is always changing, and it's ever moving, so we want to make sure that we're able to always keep up and maintain that fund. The partnership between the business community and the body will make-- or this partnership between our body and the business community will make sure that we're accountable to each other to ensure that our students are getting the best computer science education possible. I did pass it around an, an amendment that simply adds that this program can also be used to find incentives, incentives and stipends to help our teachers out. I just want to touch on one last point. Only eight states require this as a graduation requirement, but 36 states provide funding for computer science and technology education. Of the states with a graduation requirement, it is only Nebraska and North Dakota that provides no funding. I want to make sure that we properly fund this requirement to ensure that we're setting up our students for success in the future. With that, I'd be happy to answer any questions, but I have a few experts coming up behind me, including Anthony Owen, who is from Code.org and flew here from Arkansas. Anthony actually worked under Governor Hutchinson in Arkansas and helped carry out a computer science-- helped carry out computer science education that paved the way for our bill we passed here. We also have Shaun Young, the computer science and technology education specialist that's been hired at the Department of Education, along with Lashonna Dorsey, with the Nebraska Tech Collaborative, and a representative from the Chamber of Commerce to discuss the importance of this from the

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business community. With that, again, I'd be happy to answer any questions, but we have a lot of experts coming up.

MURMAN: Thank you. Any questions for Senator Walz at this time? If not, thank you for testifying.

WALZ: Thank you.

MURMAN: Proponents for LB1284.

SHAUN YOUNG: Good afternoon, members of the Education Committee. My name is Shaun Young, S-h-a-u-n Y-o-u-n-g. I am the computer science and technology education specialist at the Nebraska Department of Education. I'm testifying on behalf of the department in the position of proponent for LB1284. We'd like to thank Senator Walz for introducing and prioritizing this bill to support the implementation of the Computer Science and Technology Education Act, and for working with the department during the off session to identify challenges and opportunities. The department has been working with stakeholders for years, well before the new computer science graduation requirement to implement computer science and technology education, as outlined in the strategic direction we've handed out. We're grateful this legislation supports this collaborative approach. A few highlights. Since the passage of the Computer Science and Technology Education Act, over the fall, our department engaged educators across the state to develop computer science and technology content standards. These standards identify the essential content students should know and be able to do relative to computer science and technology, and they create a framework for teaching and learning. This past Friday, the state Board of Education approved these standards unanimously. The department has also been working with partners to develop and share curricular resources that will be available at no cost to schools, along with developing additional guidance to assist schools in implemented-- in implementation of this legislation. The purpose of LB1284 is to recruit, train and support teachers in computer science and technology education. This is an imperative, as Nebraska schools currently do not have sufficient teacher workforce to successfully meet the requirements of the law or the broader intent of the legislation, as you can see on the handout attached, or I've provided. Not only do we have a general deficiency in the number of educators with the requisite knowledge and endorsements to train-- and training to teach computer science and technology courses, even those who are properly endorsed require ongoing professional development to ensure their instruction keeps pace with industry expectations. Additionally, computer science instructional methods

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are not generally a part of elementary teachers' education and training. LB1284 meets this need by incentivizing educators seeking supplemental certifications and endorsements in computer science and technology, training for teachers in elementary, middle, and high schools, and supporting teachers in developing computer science instructional plans that are aligned with the new content standards. I'm happy to answer any questions, and I'm grateful for your time.

MURMAN: Thank you. Any questions for Mr. Young? Yes, Senator Albrecht.

ALBRECHT: I always wait until we get the professionals behind the introducer to start asking some questions, so I hope you'll bear with me. Just two or three. OK, so you started, or when I say you, the department started putting this together when Senator McKinney had requested that, that people should to graduate with some sort of technology background. Is that right?

SHAUN YOUNG: Started putting the strategic direction?

ALBRECHT: Yes.

SHAUN YOUNG: This, this preceded that actually, this work. And it preceded my time at the department, so.

ALBRECHT: So I might be asking the wrong guy.

SHAUN YOUNG: Do you have any specific questions?

ALBRECHT: Well, I do. Were you in the group setting that over the-- over the summer, like the interim study? Were you there?

SHAUN YOUNG: The interim?

ALBRECHT: No? You're probably the wrong guy. I'll have to save my questions. My questions are basically, how many graduates do we have that are coming out of these schools that we're--

SHAUN YOUNG: Our teacher educator programs?

ALBRECHT: Well, not only the teacher educator, but the college-- you know-- what's the, what's the number of folks that are in, say, the community colleges or the universities or the state colleges that are taking these courses? If we're short on enough people, do we have everything set up at the college level to get enough of these students to decide to go into this area of expertise?

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SHAUN YOUNG: I just want to make sure I under-- so you're asking if we do-- if this succeeds and we're able to teach more students--

ALBRECHT: Yes.

SHAUN YOUNG: --are the colleges, then, prepared for the influx of students to--

ALBRECHT: Yes.

--that are going to be wanting to take those courses?

ALBRECHT: Yes.

SHAUN YOUNG: I can't directly speak to that, but I can find you-- I can--

ALBRECHT: Just an idea.

--interact with UNL, and UNO, and those-- our other university partners too.

ALBRECHT: Because you're saying that you're already-- are you working with high schools to put this program together or college level?

SHAUN YOUNG: We're working with high school-- like our school, our school, our local education agencies, and implementation of this legislation that's passed the last two-- last two years.

ALBRECHT: Last two years?

SHAUN YOUNG: Yes. The-- McKinney's bill, yes.

ALBRECHT: OK. So that's at the high school level. But do we have enough courses at the college levels to be able to put out the students that need to go out into the workforce and help our businesses take care of--

SHAUN YOUNG: I believe so, but that would be a-- I would, I would defer to our university partners to answer that. And perhaps someone, Lashonna may be able to answer that a little better than I can.

ALBRECHT: Great. Thank you.

SHAUN YOUNG: Thank you. Any other questions? If not, thank you for testifying. Other proponents?

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LASHONNA DORSEY: Good afternoon, Chairperson Murman and members of the Education Committee. I'm Lashonna Dorsey. That's spelled L-a-s-h-o-n-n-a D-o-r-s-e-y, executive director of the Nebraska Tech Collaborative, Powered by Aksarben and internNE, Powered by Aksarben. My testimony in support of LB1284 is also on behalf of the Greater Omaha Chamber of Commerce and Li-- and the Lincoln Chamber of Commerce. Today, I'm before you to emphasize the significance of funding LB1284, the Computer Science and Technology Education Act, and its far reaching implications for our great state. As someone who's deeply committed to advancing technology education and workforce development in Nebraska, I believe that this bill holds the key to unlocking a brighter future for our students and ensuring our state's competitive edge in the digital era, era. At its core, LB1284 recognizes that computer science and technology education are not mere luxuries, but essential building blocks for our children's success and our state's prosperity. Here's why funding this bill is of paramount importance. Workforce preparedness: In an era where technology is integral to nearly every industry, our students must be equipped with the skills that will make them valuable contributors to the workforce. LB1284 paves the way for a workforce that is not only tech savvy, but also capable of driving innovation and economic growth in Nebraska. Economic development: Investing in computer science education is an investment in our economic future. As we nurture the next generation of tech talent, we attract tech companies and startups, fostering a thriving tech ecosystem that generates jobs, drives innovation and strengthens our state's economy. Equity and access: LB1284's state wide expansion program ensures that every corner of Nebraska, regardless of location or school district, has equitable access to quality computer science education. This promotes inclusivity, levels the playing field, and opens doors to opportunities for all students, regardless of their background. Accountability and progress: The bill's requirement for annual reports ensures that taxpayers dollars are invested wisely. It offers transparency, and a mechanism to measure the effectiveness of the program, ensuring that we are continually improving and refining our approach-- our approach to technology education. Public-- public-private collaboration: By establishing the Computer Science and Technology Education Fund, LB1284 invites private entities to join hands with the state, fostering a collaborative effort to bolster technology education. This not only eases the financial burden on the state, but also strengthens partnerships between public and private sectors. In closing, I urge you to recognize the transformative power of LB1284. It's not just about funding a bill. It's about investing in our children's futures, bolstering our

state's economy, and building a stronger, more prosperous Nebraska for generations to come. The business community welcomes the opportunity to partner with you to ensure this program is not a flash in the pan, but a success for years to come. Together, we can empower our students with the skills they need to thrive in the digital age, ensuring Nebraska's spot at the forefront of technol-- technical-- technological-- sorry, that's a mouthful and I wrote it. Technological innovation. I implore you to support this crucial legislation, paving the way for a brighter and more promising future for our state. Thank you for your service and your dedication to the future of Nebraska. And I'd be happy to answer any questions, or try to.

MURMAN: Thank you. Any questions for Ms. Dorsey? If not, thank you for testifying.

LASHONNA DORSEY: Thank you.

MURMAN: Other proponents for LB1284.

LAUREL OETKEN: Good afternoon, Chairperson Murman and members of the Education Committee. My name is Laurel Oetken, spelled L-a-u-r-e-l O-e-t-k-e-n, and I'm testifying today on behalf of my organization, Tech Nebraska, the Nebraska Chamber of Commerce, and the Nebraska Chambers Association. I serve as the inaugural executive director of Tech Nebraska, Nebraska's first ever technology trade association, which was created in partnership with the Nebraska Chamber of Commerce and launched in August of 2023. Our organization aims to convene technology partners, foster a more diverse and inclusive technology workforce, and advocate for pro tech and pro growth focused public policy spanning the full state. We also hope to continue to drive growth innovation within Nebraska's core industries and position our state as a leader in technology and innovation. We strongly believe that any company in Nebraska can and likely is a tech company. And in order for Nebraska to move into the top tier of the nation's tech ecosystems, it will take collective effort of our tech leaders across the state and from all industries, and it will take active partnership with educators to engage the next generation of Nebraskans, the future of our workforce and the individuals who will drive our growing tech economy forward. Senator Walz's bill, LB1284, provides the necessary funding for a key piece of this effort. The rapid and almost daily evolution of technology has transformed the way we live, work and communicate. To ensure that Nebraska's youth are well equipped for the future and have the skills necessary for technology related jobs, it's imperative that we

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provide them with comprehensive education in computer science and technology. The proposed expansion program outlined in this bill presents a commendable initiative to not only allow for the upscaling of an existing workforce educators, but also for educators to provide up-to-date educational experiences and areas of STEM to the K through 12 system. By supporting training in computer science and technology for educators that is also led by subject matter experts and specialists, we're empowering educators with the skills necessary to teach students and better prepare them to enter the workforce and technology related roles. The state Department of Education's role in establishing a statewide computer science education expansion program is also essential for fostering a well-rounded and competitive workforce that can keep up with the growing needs of many of Nebraska's employers and our business community. We also appreciate the clear intent of this bill in regards to the appropriations and funding, emphasizing the importance of allowing resources to support the successful execution of this program. Investing in computer science education not only benefits individual students and educators, but it contributes to economic growth and technology advancement of our state. Thank you, Senator Walz, for introducing this bill. And on behalf of Nebraska's technology driven industries, I urge the committee to support this and advance it to the floor. By supporting this bill, our legislators can demonstrate the state's commitment to providing our students with the tools they need to thrive in an increasingly digital world. Thank you, and I'd be happy to try and answer any questions you may have.

MURMAN: Thank you. Any questions for Laurel? Senator Albrecht.

ALBRECHT: Thank you, Chair Murman. And thank you for being here. I'll ask you a couple quick questions.

LAUREL OETKEN: Sure.

ALBRECHT: So have these tech leaders that you represent given you an idea of the number of students that they would like to see graduated and coming into their business.

LAUREL OETKEN: I don't know that number off the top of my head, Senator, but I'd be happy to look into it in [INAUDIBLE].

ALBRECHT: I'd like to know that.

LAUREL OETKEN: Yep.

ALBRECHT: Thank you.

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

LAUREL OETKEN: Thank you.

MURMAN: Other proponents for 1284?

JANE ERDENBERGER: I don't want you to think it's 7:30 at night just because I'm just testifying. Good afternoon. Chairman Murman and members of the Education Committee, my name is Jane Erdenberger, J-a-n-e E-r-d-e-n-b-e-r-g-e-r. And I'm here today on behalf of the Board of Education of the Omaha Public Schools, and in my capacity as chair of our legislative committee. The Omaha Public Schools is Nebraska's largest school district, serving over 52,000 students and their families, and we are one of the largest employers in the state. We are pleased to support LB1284, which would help districts equip students with essential skills for the evolving digital age, and promote innovation in our education system. With the constantly changing technology landscape, the need to recruit, train, and support educators in the computer science and technology education fields is critically important. LB1284 will help address the increasing demand for educators with this experience. We believe that training designed to support the integration of these specialties will promote computer-- computer science education across classes and disciplines, and prepare students to be part of a technologically skilled workforce. Providing support for the Department of Education to work directly with computer science and technology specialists will ensure that educators, and therefore students, receive up to date and relevant instruction. The creation of the Computer Science and Technology Education Fund will provide resources for this initiative, which will support educators and students statewide. For these reasons, we are pleased to testify in support of LB20-- LB1284. We certainly appreciate Senator Walz's efforts to bring the aspirations of LB1112 to implementation with LB1284, and bringing this for-- bill forward, and thank the Committee for their time. I'm happy to answer any questions you may have.

MURMAN: Thank you. Any questions for Ms. Erdenberger? If not, thank you for testifying.

JANE ERDENBERGER: Thank you.

MURMAN: Other proponents for LB1284?

CHARLES RIEDESEL: Chairman Senator Murman, members of the Education Committee. I am Charles Riedesel, C-h-a-r-l-e-s R-i-e-d-e-s-e-l,

professor emeritus and long time chief undergraduate advisor for computer science and engineering at UNL. I'm now a board member for the Beatrice Public Schools, where we have only two computing related teachers for over 1,100 students in grades 6-12 and two years of failed searches. We're also a STANCE district member, and endorse STANCE's support for LB1284. I have long been involved in bringing computing education to Nebraska-- to Nebraskans. This includes high school and collegiate competitions, teaching workshops, course development, academic and career counseling, and internship sponsorships. Now I'm looking at the K-12 resource needs of teacher training, materials, and infrastructure, as well as shoehorning computing into the day. Technologies can be inscrutable. In the 19th century, when telephony was new, a popular prank involved calling telephone subscribers, claiming their lines were clogging up and asking that the receiver be left off the hook so the line could be cleared. Just as phones were incomprehensible then, today's computers are vastly more complex. Yet they're so integrated into commerce and daily life that better understanding of their nature is essential. The risk of misuse and deception, the failure to fully utilize their power or to comprehend their limitations and implications, are too great to ignore. You have wisely responded to this reality by passing the Computer Science and Technology Act. The next step is professional development. I know many teachers are at a loss when it comes to computing. It is new, and scary, and hydra-headed, and evolving quickly, be it for good or for evil. Quantum computing, ChatGPT, cryptocurrencies, drone warfare, driverless cars, Taylor Swift deepfakes, and social media algorithms controlling what your child will see next are very powerful new realities made possible with computing and must be addressed. Unlike other technologies, computers are infinitely flexible. Instead of learning the machine's operation by studying a manual, you must become the master, essentially teaching the machine. This is what it means to program, and it requires very disciplined reasoning. This greatly impacts how computing is taught. I know that teachers can be trained, and that K-12 students can learn. My first experience was with high school students in the late '70s. We successfully built a computer. We began by studying the primitive logic circuits that act somewhat like the neurons in your brain, but in contrast, are totally predictable and programmable. Just knowing this much indicates that AI does not make computers truly understand what they are saying. Today, you have the opportunity to help our schools get the resources needed to implement the Computer Science and Information and Technology Act. You can support the training of teachers and the acquisition of

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infrastructure through the proposed Computer Science and Technology Education Fund. Thank you.

MURMAN: Thank you. Any questions for Mr. Riedesel? If not, thank you for testifying.

MURMAN: Good afternoon.

COLBY COASH: Good afternoon, Senator Murman, members of the Education Committee. My name is Colby Coash, C-o-l-b-y C-o-a-s-h, and I'm here representing the Nebraska Association of School Boards. My testimony also rep-- is represented, by the Nebraska Council of School Administrators, and the Rural Schools-- Rural Community School Association. The other testifiers really covered this well, Senator Walz's opening covered this well. As you know, this committee passed a new graduation requirement a few years ago, and then adjusted it, thankfully, in the next year. But we still have this requirement. And we appreciate the recognition of Senator Walz and the committee that the schools are struggling to make, make this requirement a reality. Because they're struggling, not only with workforce, but also, as the previous testifier indicated, they struggle to keep up. Right? So keeping up with the, the things that educators need to keep up with to help students keep up is a real important thing that this bill is trying to address. And so we appreciate the, the opportunity to come and speak in support of it.

MURMAN: Thank you. Any questions from Mr. Coash? If not, thanks for testifying. Other proponents?

ANTHONY OWEN: [DROPS SHEETS]. They didn't want me to testify, I guess. Good afternoon. I'm Anthony Owen, A-n-t-h-o-n-y O-w-e-n. Senator Waltz, thank you for inviting me. Chairperson Murman, members of the Education Committee, just appreciate you all's time today. I want to thank you all first for considering LB1284 and allowing me to voice my support. I'd like to share a little bit about myself. I'll try to keep it within the three minutes. But I have the privilege to serve as a state director-- as a senior director of state government affairs for Code.org. And I'm also the president of the National Computer Science Advocacy Coalition, that includes over 100 industries, from the largest names out there down to very impactful educational entities. Prior to that, I worked in technology industries, was a secondary mathematics classroom teacher, worked for the Department of Education in Arkansas as a math director, and then prior to taking my current role at Code.org, I was the nation's first state level computer science education director, then under Governor

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Asa Hutchinson. I basically had Shaun's role, and you all have a superstar with him, let me go and tell you all that. I served in that role for over seven years and led a team that built the Arkansas Computer Science Initiative into what is widely recognized as the leading K-12 computer science education initiative in, in the United States, and actually has been recognized in comparison to other countries. I am honored as Code.org's representative and the president of the Advocacy Coalition to again speak my support for this bill, as this legislation takes many of the most effective and efficient systems that other states have implemented, and will now provide additional opportunities for Nebraska and its students. Nebraska, just a little information, is currently in a three way tie for 34th place in the percentage of schools that offer its students, even one high school computer science course opportunity, that is 50%-- which is 50%. Ta-- This three way tie for 34th place, again, is with Missouri and New Mexico. Just so you know, the national average is 57.5%. But there are six states that have over 90%, and even two that have 99%. Arkansas, followed by a fractional amount by Maryland. What we see based on the 2022-'23 school year data provided by the Nebraska DOE is that in your state this is a small and rural school problem. In your 90 schools that have fewer than 500 students, we found that only 41% of those schools offer even one CS course. And again, out your 105 rural schools, only 44. We do expect this data to be better for the '23-'24 school year, because of the graduation requirement. But this funding establishes a system that has worked in other states. In Arkansas, for example, we grew from 15 certified CS teachers in 2015 to 800 when I left office. That was the first secondary STEM subject area to ever come off the critical shortage area list in Arkansas. So this model works. It's effective. It puts Nebraskan educators training other teachers, which keeps money and efforts here in the state. I will end by just simply saying, I have the benefit of working as a lobbyist for an organization that doesn't go to states and ask for moneys for our sales. We ask them for money for your schools and for your teachers and your students. And that's what this bill does. I am happy to answer questions, and I would really love it if Senator Albrecht would ask me a couple of those questions she asked earlier.

ALBRECHT: And you're going to get it.

MURMAN: Thank you. Any questions for Mr. Owen? Senator Albrecht?

ALBRECHT: Thank you very much, Senator Murman. My question is to you, just because you have a great accent, this is going to be fun because you could be in the chair for a while. OK. So knowing that our

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schools-- and this has been going on a long time, so I'm, I'm talking to the chambers as well as the educators here. Here we have a state that you're telling us has, like, very minimal ability to teach our children because the teachers-- if the teachers went to college and they wanted to become a teacher, how many classes do we offer at our institutions of higher learning so that the children can be taught when they get there? Now we have to back up and go spend millions of dollars to get-- if you went from 15 to 800, we've got a long, long process here. So, so where do you start? Do you start at the higher education, learning to teach teachers that are coming into the schools? Because I'm telling you, at my age, there's some gray hair underneath here, but I'm telling you, it's-- there's a lot of friends that I have that are teachers that have left because they, they don't get it, they don't want to get it. It's, it's that next generation. But when Senator McKinney came to us, we all know. Of course, you have to know that. You know, if you want to be a state senator, you got a lot of gray hair, and you don't like computers, you got troubles. So everything that we're doing today in technology is huge. But every time somebody says we don't have enough people, I can't imagine that the Chamber even got Google and Facebook in our state, if we don't have enough people to put in those jobs. So you've been doing this a long time. Do you-- I mean, to get this off the ground, we have some work to do.

ANTHONY OWEN: Vice Chairperson, yes, ma'am. And first of all, I don't see any gray hairs, and I'm still confused about the accent.

ALBRECHT: I've to go in on Thursday.

ANTHONY OWEN: --comment. But, anyway, that said, it, it really is a chicken, chicken or egg type situation. I will tell you that no state will ever solve the computer science teacher problem solely through the post-secondary, teacher accreditation process. It just will not happen in computer science education, much like other STEM areas, until we have a serious conversation about teacher pay, but that's a different conversation for a different day. But when you have a CS major come through for a four year degree in computer science, and they can step in an entry job for, you know, 70, 80, \$90,000. In fact, the question you asked earlier, in Nebraska, there are, based on our data, 3,245 open computing and computer science jobs, with the average salary of \$90,544. So 3,200 people is what your industry needs at this point. But that said, we have not-- we did not find success in Arkansas and many of the other states by relying on our IHEs to develop the teacher candidate pool. We went out and we found great quality teachers that were already in the classroom that would

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want to expand their skills, would want to maybe teach something else. One of Governor Hutchinson's favorite stories to talk about was a teach-- a French teacher from Marion, Arkansas, and yes, it's as small as it sounds, that she said, well, if I can teach French, I can teach computer science, it's just another language. And guess what? She ended up being a great computer science teacher because she was dedicated. What I've found in my years in this, and being a past mathematics educator at post-secondary level, this allows teachers who had a passion for teaching and maybe lost it throughout the years to return to a passion because I see something that the students enjoy, that they love, and is relevant. Not too many kids have to ask their computer science teacher, how's this going to-- how am I ever going to use this in life?

ALBRECHT: Well, I know that Senator Walz would not take this on as her priority if she didn't see a future in this for teachers and the children. But it was-- it's just I wanted to know with Senator McKinney I know he's sitting over there waiting for the next bill, but I'd like to know how many kids are actually in our state that are, are engaged with this. Because Wayne State College is in my district, and I know they have a STEM program, and I know that they, they've pushed a lot of folks that way. But I just know that we've got some, some big businesses here in our state. And I can't imagine that if we're not promoting this, to get these kids into those classes, we're going to lose those businesses, too. I can't believe that they even said yes to us when I don't have enough employees to fill--

ANTHONY OWEN: One obviously, you all have taken a major step by passing the CS grand requirement. And, and kudos on that. You all were-- you all were out front on doing that. And that means every student in Nebraska will eventually get a-- what the department feels is an appropriate level computer science education to leave high school. It's a found-- it's a fundamental knowledge that they have to have. So you all are working toward that. But now what we need with this funding and the flexibility that the bill provides is the ability for Shaun to go out and employ Nebraskan CS specialist teachers who know this really well from around the state to train other teachers to go into schools and support setting up master schedules, to figure out what is what is the best sequencing of courses.

ALBRECHT: So let me ask you the other question about the private-- public-private, agreements with these larger companies. They'll let us know what they need, and that's what we should be teaching too, no

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different than with new teachers coming out or new nurses or whatever occupation.

ANTHONY OWEN: Yes, ma'am. So. And a lot of that should be taking place, and I would have to refer to Shaun for actual information on this, but we, when we work with CS specialists, we work with all the CS specialists around the nation, we advocate largely that they work when they are developing standards, that they work with their local industries within their state, their largest industries. And then also schools should have the opportunity to work with regional entities that are in this field to develop programs that meet those reasonable entities. And that's another reason these CS specialists or so critical and being part of their communities is because they can help those schools, identify those companies, make good working relationships with them. So they're building a pipeline of workers for those-- for those industries.

ALBRECHT: Sounds great. Well, I know that we keep an eye on Arkansas and everything you do. There's no sense in recreating what is already being successful in other states. So thanks for being here today.

ANTHONY OWEN: Thank you. I was very blessed to, to be able to lead that initiative, and just more blessed to be able to share our story with you all.

ALBRECHT: Thank you.

MURMAN: Thank you. Any other questions for Mr. Owen? If not, thanks for being here, coming up here and testifying.

ANTHONY OWEN: Thank you.

MURMAN: Any other proponents for LB1284? Any opponents for LB1284? Any neutral testifiers for LB1284?

BEN BURAS: Once again, Ben, B-e-n, Buras, B-u-r-a-s. I heard the last-- the previous testifier quoted some amount of jobs available with certain dollar amounts. I don't know how he knows that, because a lot of companies, based on my experience, they'll just put out a bunch of jobs to make it look like they're hiring, and-- even if they're not actually hiring for those positions at all, they'll just interview people and say, oh, OK, yeah, we went with somebody else. So, yeah, I'm very experienced in computer science. I worked on lexis.com, I worked on e-commerce solutions for NVIDIA, AMD, Microsoft, Lexmark, SanDisk, Skype among, among others. And, you know, I'd love to-- I'd love to be able to teach computer science.

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But, you know, unfortunately, I can't even get a \$15 an hour job as a lifeguard during a lifeguard shortage, so. I did notice when I was in Southern California for five years, it's a lot easier to get jobs there, because it seems like employers are a lot less restrictive. Here it's being very socially conservative, there's a lot of restrictions put in place on, you know, you'll, you'll, you'll apply for a computer science job that has 30 different requirements, and oh, yeah, and it requires a bachelor's degree. And you got to have all these certifications and you gotta-- you gotta be able to hit the ground running, and we urgently need you for a six month contract. I loved when, after the Great Recession, everybody got turned into contractors. And we urgently need them for six months, and that's it, you know, so. Yeah, and then I just have to, you know, like, you can have educators who think they know about computer science, but they don't. And I'm reminded of the object oriented programming paradigm, which was just a disaster for the industry. So you're, you're, associating-- well, I mean, it basically states everything is an object, which isn't very interesting, you know, so. It also tends to "nounify" all of our verbs in programming, which is very bizarre, so. And there's other-- there's the new bandwagon that everybody jumps on, like Node.js, which is aging like milk now, and has very weird dependencies, like, ISODD when you could just use modulus or a bitwise operator. That's my testimony in the neutral.

MURMAN: Thank you. Any questions from Mr. Buras? If not, thanks for testifying.

BEN BURAS: Thank you.

MURMAN: Any other neutral testifiers for LB1284? If not, Senator Walz, you're welcome to close.

WALZ: All right. I'm going to make this very short. First of all, I just want to thank all the testifiers who came today. Anthony, thanks for flying down. I really, really appreciate that. And everybody else. I also want to thank the education-business stakeholders for working together as hard as we did over the interim to get this piece of policy created. Really excited to partner and bring those two entities together to fund and provide training needed to provide our teachers as well as our students with everything they need to be able-- to be able to fulfill their workforce needs in computer science and technology. I, I will tell you that throughout our conversations over the interim, the university was a part of those conversations. So they are very involved in that. I, I don't have the answer for you to that specific question, but they were very involved

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in, in all of those conversations. So just wanted to let you know that. Again, thank you everybody for coming. And if you have any other questions, I'd be happy to answer.

MURMAN: Thank you. Any questions for Senator Walz? Senator Albrecht.

ALBRECHT: Just gotta ask. A lot of times when we do our interim studies, sometimes we put a, a packet together. Did you give us something on this by chance?

WALZ: No, I did not.

ALBRECHT: OK. Just a--

MURMAN: Any other questions for Senator Walz? If not, thank you.

WALZ: Thank you so much.

MURMAN: On the internet. No, no information, one way or the other on the internet. And that'll close the hearing for LB1284. Oh, we do have six proponents, zero opponents, and zero neutral on LB1284. So that'll close the hearing on LB1284. And we'll open the hearing on LB1141, Senator McKinney.

McKINNEY: Thank you, Chairman Murman and members of the Education Committee. My name is Terrell McKinney, T-e-r-r-e-l-l M-c-K-i-n-n-e-y. I represent District 11 in the Legislature, and I'm here introducing LB1141. LB1141 makes several changes to the Student Discipline Act. All of these changes are intended to ensure due process for students and their families. Current law allows administrators and teaching personnel to take necessary action regarding student behavior. LB1141 will provide that if action involves removing a child from school, such removal process would comply with the Student Discipline Act. LB1141 makes various changes to harmonize the process of schools excluding children from school to make the process consistent with expulsion or suspension. Current law allows schools to suspend, expel or exclude students from school pursuant to the Student Discipline Act. LB1141 will provide that if a student is excluded from school, the exclusion shall comply with the student dis-- shall, shall comply with the Special Education Act and the Federal Individuals with Disabi-- with Disabilities Education Act. Currently, schools must comply with these laws when they suspend or expel, but not when they exclude. LB1141 would also provide that if a student is excluded for more than five school days, the student and their parents shall be entitled to due process, just as if the student had been suspended or expelled from school. Current law

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prohibits schools from suspending children in pre-kindergarten through second grade. LB1141 will clarify this law to prohibit schools from expelling or excluding children in pre-kindergarten through second grade, and prohibits schools from suspending, expelling, or or excluding students from school for behavioral infractions. Finally, LB1141 would also create a statutory, statutory cause of action for a student, parent, or guardian for bringing-- for-- to bring for violations of the Student Discipline Act or for violation of statutory prohibition against corporal punishment in schools. The cause of action allows for recovery of damages, equitable declaratory relief, and reasonable attorney fees. Currently, there is no clear remedy for parents when schools disregard or violate the law. And honestly, I brought this bill because I believe it was sad over the interim when the Student Discipline Act went into effect and I began to get calls from parents that their kids were still being suspended, and I was-- and, and I was like, that shouldn't be possible. And then I started to hear from people that work in the field that students were being suspended, and I was like, how? Now, like, oh, the schools and the districts have found a loophole in the law to emergency exclude kids. I was like, wow, they're really, you know, finding ways to still suspend kids. And then what was really alarming about that, they, they had told me-- a lot of these kids are, are, are kids with special needs. So school districts still wanted to suspend kids, especially kids with special needs. Which is sad. You know, we, we passed a law, the law was barely went into effect, and the districts, contrary to what was said in the law to find alternatives, they were told to implement alternatives. They had time, whether they felt like it was enough time or not. They had time to think through alternatives to implement, and they didn't do it. And instead of thinking through alternatives, they still wanted to find loopholes in the law to exclude kids from school. And that's why I brought this bill. I think it's very sad that school districts are going to come opposed to this bill, to still exclude kids. And then we got two other bills to still suspend kids. It is sad that the law has barely been in-- been in effect for a full year. And we're still trying to suspend kids in the state of Nebraska. I was a kid that was suspended a lot of elementary. I know what it feels like. I've been in those situations. I was-- all of my el-- all of elementary I was suspended in school, I was in a packet room almost every day. And when I was in junior high, I spent my whole seventh and eighth grade in a in-- in-school suspension in a-- in a room looking at a wall with no windows, doing packets all day. So I know what it feels like. So I just think instead of trying to suspend kids, the school should think of, of

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alternative ways to better educate our students. The problem isn't the students, it's the system. The system of education is outdated. It is 30 or 40 years behind, and that is the problem. We are trying to stick kids through a system that should have been updated a long time ago. And that's the problem. And saying we don't-- we don't have the capacity, we can't do this, we can't do that. Well, you got time to come down here in the Legislature and testify against a bill, you got time to educate a kid and make sure that you address their needs. And, and that's my problem. It's always, we can't do this, we can't do that. If you got time to pay lobbyists to oppose these bills, and write up testimony, and come down here to say we can't do this, and we still need to suspend kids, and we really care about these kids. Well, you got time to help these kids and these families. And especially for the district I represent, they wrote a-- they, they oppose this bill. And what's, what's sad about this is they'll tell me they really care about the kids that I represent and the kids that they're supposed to represent. But disproportionately speaking, the kids that have been suspended in OPS are black. And it's been that way even before I was born. And if they really care about black kids, then black kids wouldn't be disproportionately suspended year after year. You wouldn't have schools where under 50% of the graduating class is not on track to graduate. So if you, if you really care about the kids, those outcomes would be different, and those kids would be on track to graduate and they wouldn't be disproportionately suspended. And I open myself up to questions.

MURMAN: Thank you. Any questions for Senator McKinney at this time? Senator Conrad.

CONRAD: Thank you so much, Chair Murman. Thank you, Senator McKinney, for being here. And, and just so that I, I think that-- maybe help me understand, just-- You introduced this measure mainly as a protective measure. And are you asking the committee to move it forward, or did you introduce it more as a placeholder to protect the, the work that we did together and the Legislature did together on-- implementing your To Young To Suspend Act?

McKINNEY: I mean, if there are efforts to pull back some of what we--

CONRAD: Yes, I think they're right, right after this.

McKINNEY: If, if, if people are trying to move on that, I would ask this committee, then let's move on this to make sure kids aren't emergency excluded or excluded from school.

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CONRAD: Very good. Thank you so much, Senator.

McKINNEY: Yep.

MURMAN: Thank you. Any other questions for Senator McKinney? If not, thank you--

McKINNEY: No problem.

MURMAN: --for the open, and we'll call for proponents for LB1141.

ELIZABETH EYNON-KOKRDA: Thank you, members of the Education Committee. My name is Elizabeth Eynon-Kokrda. E-l-i-z-a-b-e-t-h E-y-n-o-n-K-o-k-r-d-a. I am general counsel for Education Rights Council, a nonprofit here in Nebraska, where we try to keep all children in school so that they can thrive. I like to think of this as the we-said-we-meant-it-and-we-do-mean-it bill. We have children, and I think I want to start with an idea that is so, so critically important. All behavior is communication. And when we have little children, this bill affects prekindergarten to second grade. You may have little children that are engaging in behaviors that we don't think are acceptable. They're throwing a tantrum instead of communicating their will appropriately. When they're little, what they're telling you is, I have a problem, and I don't have the skill to tell you appropriately what it is. What they're telling you is, I need instruction to learn how to be a citizen that knows how to communicate. But I'm a little baby, and I don't know how to do it. When what we do is turn around and suspend or expel children, we aren't teaching them and giving them the skills they need. And as Senator McKinney said, this Legislature with significant support, passed the Too-Young-to-Suspend bill less than a year ago. And what we are seeing is that school districts are using an end run to emergency exclude instead of suspension or expulsion. I don't think what we should be doing is using terms of art to paper over the will of the Legislature, and I do think that we should be insisting that schools use this opportunity to actually look at what they are doing and provide an educational opportunity for the children. Senator McKinney also mentioned the disparate impact. There's a disparate impact on color, and there's a disparate impact on children with special education needs. When you have a pre Kindergarten to a second grader that is throwing a fit or behaving inappropriately, throwing things, none of that is good. Nobody's saying that's a great thing. But what it should be indicating to educators is, boy, this child needs some additional education. I need to think about what supports I can place. What can I do to maybe intervene to give this

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child a different, a replacement behavior that's acceptable? Can I teach them how to raise their hand, how to say, I need to get out of this space because it's making me upset? Can I go down to the resource room? We need to provide instruction. So I would urge you to support LB1141, because it provides those key supports. And it says, we said it before and we mean it now. Thank you.

MURMAN: Thank you. Any questions for Elizabeth? If not, thank you for testifying. Other proponents for LB1141?

JOY KATHURIMA: Good afternoon, Chairperson Murman and members of the Education Committee. My name is Joy Kathurima, spelled J-o-y K-a-t-h-u-r-i-m-a, and I'm legal and policy counsel at the ACLU of Nebraska, here in support of LB1141. LB1141 changes provisions relating to the suspension, expulsion or exclusion of students under the Student Discipline Act, including limiting any school exclusion from school to no more than five school days and providing a civil cause of action for parents. The best place for students is in school. This bill allows for students' due process rights to be protected. This bill is particularly critical now as suspensions and expulsions have been on the rise in recent years. One recent civil rights data collection report found that across the country, there were 11 million days of lost instruction from suspensions as disciplinary actions. The amount of lost educational opportunities is particularly severe for students of color. Dramatic disparities exist at the school, district, state, and national levels. These disparities also exist here in Nebraska, as evidenced by ACLU of Nebraska's From the Classroom to Courtroom report, using data collected via open records requests sent directly to school districts across the state. We thank you, Senator McKinney, for introducing LB1141, and we urge the committee to advance LB1141 to General File. Thank you. And I'm happy to answer any questions.

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

JOY KATHURIMA: Thank you.

CONRAD: Thanks Joy.

JOY KATHURIMA: Thank you.

SPIKE EICKHOLT: Good afternoon, Chair Murman and members of the committee. My name is Spike Eickholt, S-p-i-k-e. Last name is spelled E-i-c-k-h-o-l-t. I'm appearing on behalf of Voices for Children as their registered lobbyist in support of LB1141. We want to thank

Senator McKinney for introducing the bill. I'm not going to duplicate the testimony before, but I just would like to say that this bill is important, and I think Senator McKinney intimated to that when he answered a question earlier, that if we're going to reform, or if the committee and the Legislature are going to reform the Too-Young-to-Suspend law that you literally just passed last year, has been into effect for a matter of months, if you're going to tinker with that-- this bill has some other proponents that are important, and that is a meaningful due process rights with those parents if they we want to contest whether you call it exclusion, expulsion, suspension, whatever it might be, it upholds parental autonomy and engagement in this-- in the process itself. It also provides for a cause of action for when schools operate either improperly or outside the law, so that schools can be held accountable for when they do those things. And that's why the bill is important. But if you-- as you heard last year, have you heard-- as you've heard today, whether you call it suspension, expulsion, or exclusion, whatever it's called, it impacts people of color, it impacts children with special needs. And particularly in talking about smaller children, it impacts those the most. You'll hear some testimony in the following that builds on this point. So I'm not going to restate those now, but we would encourage the committee to consider the components and suggestions of this bill. And I'll answer any questions if anyone has any.

MURMAN: Any questions for Mr. Eickholt? I have one. Is the main purpose of the bill, you said, to provide for due process, I guess--

SPIKE EICKHOLT: Right.

MURMAN: --for parents, if the child is expended-- expelled or-- more than five days. Is that the--

SPIKE EICKHOLT: Right.

MURMAN: --main thing?

SPIKE EICKHOLT: Yeah. Right now, the parents are entitled to due proces if the child is suspended or expelled. But if they are excluded, perhaps not, because, as I think you heard one of the witnesses say, it's a new sort of category or a new label, if you will, the schools apparently are using now. But this essentially says that if it's more than five days, you treat it like an expulsion. You treat it like a suspension.

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MURMAN: And is that only for pre-K through second grade, or is that for all grades?

SPIKE EICKHOLT: That is for all of them. It is for all of them. That's right.

MURMAN: Because if I'm not mistaken, the, law now says that at ten days is the limit and then--

SPIKE EICKHOLT: Oh maybe I'm wrong on that, maybe it is the younger children.

MURMAN: Well, I don't want to put you on the spot, but--

SPIKE EICKHOLT: No, that's OK. I should know the answer. But I just wasn't thinking along those lines. But, I, I'll give you an answer during the break.

MURMAN: OK. That'd be great. Thanks. Any other questions for Mr. Eickholt? Yes, Senator Conrad.

CONRAD: Thank you, Chair Murman. And thanks, Spike, for being here. Maybe just kind of circle back on where Chair Murman was headed, but is the point with the due process that regardless of it's a suspension, or an expulsion, or an exclusion for emergency purposes, there's a disruption in the educational instruction which the school has a right and a duty to provide, so that the due process component ensures, for whatever reason the kid's not in school, we're going to figure out how to get you the instruction you need during that period of exclusion, or help you understand your rights so that you can challenge those decisions and perhaps return to the classroom. Is that the kind of general principle behind the due process component?

SPIKE EICKHOLT: That's exactly it. And I couldn't say that better, but that's exactly right.

CONRAD: OK, well then don't. We've worked together a long time, so I can get away with that. Fair enough. Thanks.

MURMAN: I have another question. The issue that I've been hearing from school personnel is that if they can't suspend at all, that, that they have a problem getting the person responsible for the child in to talk to the school about how to take care of the situation. So if that's the case, this bill would not change anything because they still can't get the parents in.

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SPIKE EICKHOLT: I understand what you're saying, that-- at least I think that what you said was that suspending the child is the only way to get the parents attention if you will.

MURMAN: Yes.

SPIKE EICKHOLT: Well, I mean, that's an unfortunate statement to make, right? You sort of punish the small child for the sins of the parents.

MURMAN: Yes.

SPIKE EICKHOLT: And perhaps that happens on occasion, I'll concede, because you have-- if you have behavior issues with small children, there's probably some sort of trauma or chaos at home. And oftentimes that might lead to parental non-involvement. I understand that. The Legislature passed the bill, the law that said too young to suspend, and just as an observation, someone who's been here, and I've lost a lot of legislative battles, I mean, the law has been in effect for literally a matter of months. And when I hear the school say that, my perspective, and they don't like it, I'm sure, but it's like, well, we've tried nothing since you passed a law, let's go back. I don't know what the answer is, admittedly, but seems to me the Legislature was pretty clear. You can't suspend the small children. The schools say, well, we've got to. So here's a couple of bills. We need to do it again.

MURMAN: Thanks. Any other questions for Mr. Eickholt? Yes, Senator Conrad.

CONRAD: Thanks, Chair Murman. And you hit on, I think, a couple of issues there, so. And I know that this is probably going to bleed into Senator Murman's bill and Senator Hughes's bill that we're going to have a combined hearing on a little bit later as well. So I think they're here so we can all jump into it together. But one thing I think that I remember hearing when we were taking up Senator McKinney's Too Young to Suspend act was we don't need this law because it doesn't happen, particularly in small and rural communities. And so we were kind of like, oh, OK. But now what I'm hearing from some of those communities is that there's no way that we can implement it, because it's happening all the time. Do you have a response or any ideas in regards to what seems like contradictory positions that we're hearing from our, our good friends in greater Nebraska?

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SPIKE EICKHOLT: Well, I kind of remember that as well, and they probably wouldn't appreciate me speaking for them.

CONRAD: OK, well I'll ask them when they're up here then.

SPIKE EICKHOLT: But, but I've met-- but I do remember the bill that Senator McKinney originally proposed only applied to districts of the metropolitan--

CONRAD: Yeah.

SPIKE EICKHOLT: --class counties, or cities of met-- counties with a city of the metropolitan class, which would have been Omaha. And then it was expanded beyond that.

CONRAD: By this committee.

SPIKE EICKHOLT: By the committee when it was advanced. And there was some effort that I sort of observed to revert the bill back to its original form, and there were a variety of explanations. And I seem to remember that, that this is not a rural issue, it's more of an urban issue, we don't need this. But again, I can't speak for that and they wouldn't appreciate me making that point.

CONRAD: OK, thanks. Thanks.

MURMAN: Any other questions for Mr. Eickholt? If not, thanks for testifying. Other proponents for LB1141.

MAGHIE MILLER-JENKINS: Hello again. My name is Maghie Miller-Jenkins, Maghie Miller-Jenkins. I am here to testify as a proponent for this bill. As a former para that worked with children with disabilities, I've heard quite a few people and I kind of have a feeling that on upcoming bills, there's going to be quite a few people from rural communities that talk about, well, what are we supposed to do? I want to bring two points to the forethought when you're thinking about these situations. How much access do these children have to mental health supports? How old do you think children are when they get diagnosed with disabilities? So if you're suspending a preschooler, that is four, five years old for a physical reaction to something because it comes across as a behavior, how guilty do you think that teacher will feel in two years when they find out that that child has autism, and that thing that they just got suspended and punished for in preschool and kindergarten is now a diagnosed disability? And what's the retroactive reaction that we're going to have for those kids? Because I grew up in small towns. I grew up in David City,

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Clarkson, Leigh, which is a village. It's not even big enough to be considered a town. So I can tell you from firsthand experience, when you live in those situations, if you're sick, you're just going to deal with it. A lot of people that live in those communities do not take mental health seriously. And, and when their children experience those things, oh, that might be an odd one. It doesn't-- he just flaps his hands. It-- that's just normal, he's fine. You know, those are the conversations that you'll hear back from people that don't experience 10 years, 15 years working in DD services. So when we're talking about these smaller communities and what we're going to do, I want you to think about the detriment that bills that are the opposite of this bill can have on the long term effects of a child. And also, when we're thinking about these children, think of what you're telling them with the legislation like this, when you're saying that I can suspend a four, a five-year-old for having physical behaviors. These are kids that don't understand those things, but what they do understand is the label that they will be placed with for the rest of their scholastic career. You label them as a problem child before they even get into first grade, and that will be what the teacher tells the teacher tells the teacher, and gets passed along with that student for the rest of their scholastic career. And again, I want to hit home the point that in most rural communities, disabilities often go undiagnosed or very late diagnosed. So a lot of these children that have a lot of these physical behaviors, that have a lot of these emotional outbursts are children with disabilities that deserve to have mental health supports, that deserve to have more access to mental health supports. And if we're going to help them, we should probably be gearing our legislation in that arena and not trying to punish behaviors that they really have no control over. That's my opinion.

MURMAN: Any questions? I've got one.

MAGHIE MILLER-JENKINS: Yes.

MURMAN: I'll admit I don't get a lot of communication with OPS, but the, the, educators I've been hearing from, typically the educator, just the opposite of what you, I think said, says that they think the child has a-- should have an IEP, but they can't even get the parents to come in, and the parents have to sign, I think, for an IEP.

MURMAN: The whole process--

They can't get the parents to come in. And that's the reason they suspend for typically a half a day. And, and of course, they don't

just send the child home without knowing if anybody's there. They-- it's in-school suspensions just to get the parents to come in.

MAGHIE MILLER-JENKINS: My response to that would be another staunch encouragement for trauma cognizant people to be in positions of administration. Because in many of those incidences in Omaha, OPD [SIC] specifically, you have parents experiencing poverty. So they can't. They can't leave their job to be able to come in for their child's misbehavior, which their misbehaviors are probably a direct result of the home life that they're experiencing because of the situation that they're experiencing. So it's kind of a catch--22. When you punish a child further for a situation that they can't control, and then expect that punishment to be strong enough to have the parent come in, what do you think the repercussion is going to be for that child once they got home? Now they've got a two fold punishment. Not only were they punished in school, but now when you go, you go home, you have no idea what kind of rhetoric is going to go on at home. Are they going to be called stupid? Are they going to get grounded? You know, what is their self-worth going to look like after that? So yes, it is very important to get the parent to come, but we also have to be very cognizant of the fact that the areas that you're talking about experience some of the highest levels of poverty, and experience a lot of just life stress that, that's unavoidable. And suspending the child to make a parent miss out on a day's work is more likely to lead for them to be dealing with unhoused situations from lack of being able to pay bills. And then you're going to have a child that has bigger behaviors later. So that would be-- my response would be, again, just a lot more trauma cognizant administration that can think outside the box.

MURMAN: OK. Thank you. I'd just remind you, there is poverty in rural Nebraska also--

MAGHIE MILLER-JENKINS: Absolutely.

--and they, they-- the parents typically have to travel farther and, you know, take off a job farther away to come into it. But I agree with you, the whole situation, the purpose is to get the parents and to communicate with the school, and it's not for punishment. But thank you very much for testifying. Any other questions? Thank you.

MAGHIE MILLER-JENKINS: Thank you.

MURMAN: Any other proponents for LB1141? Any opponents for LB1141?

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CONRAD: Hey Kyle.

KYLE MCGOWAN: Good afternoon, Chairman Murman and members of the Education Committee. My name is Kyle McGowan, K-y-l-e M-c-G-o-w-a-n. Today I'm representing the Nebraska Council of School Administrators, the Nebraska Rural Community Schools Association, the Greater Nebraska Schools Association. Schools Taking Action for Nebraska Children, and the Nebraska School Boards Association. We are opposed to LB1141. We believe it interferes with the local school district's ability to implement procedures which assure a safe learning environment. At one time of my career, I served eight years as assistant elementary principal and elementary principal. Schools don't want to suspend students, particularly 5 to 8-year-olds. However, sometimes multiple strategies, multiple strategies don't deter the behavior. They don't work. We all wish a simple phone call or a meeting, preferably with parents, would be enough to curb and improve misbehavior. Parental involvement is very often effective. Unfortunately, there are no requirements for parental involvement. Dangerous behavior by a student affects the safety of all nearby children, and sometimes these students need to be removed in order to encourage more parental involvement. We did feel last year's bill was misguided. There's no doubt that Senator McKinney is unhappy with the continuation of some-- of the emergency clause, and he is certainly trying to fix that issue, including individuals collecting attorneys fees and litigation costs. So I would be happy to speak to you as someone who's been a teacher, someone who is a parent, someone who's been an elementary principal and elementary assistant principal. That's my testimony.

MURMAN: Thank you. Any questions from Mr. McGowan? If not, thank you for testifying. Other opponents for LB1141?

MATT FISHER: I'm Matt Fisher, M-a-t-t F-i-s-h-e-r. I'm the superintendent for, and here representing, Grand Island Public Schools in opposition to LB1141, in particular, the part of LB1141 which proposes to prohibit school districts from using emergency exclusion as a measure for dealing with behavior for preschool through second grade students. Based on my 34 years as an educator, I can say with no hesitation that every behavior situation is different. While situations may share similarities, no two of them are identical. Not only are the behaviors themselves different, but the backstory for each student is different. Consequently, the unilateral statewide assumption that no district would ever need to suspend, expel, or in this case exclude a preschool through second grade student is flawed. During the most recent fall semester, we had

a situation in one of our Grand Island Public School elementary buildings that illustrates this point. We had a first grade student who repeatedly acted out in violent ways. Sometimes the violent behaviors were directed at other students, and sometimes it was expressed toward staff members. A wide range of restorative practices were put in place to try and stem these behaviors. The school bent over backwards to try and assess the needs that this student had, and to address those needs. Counseling for the child was provided in the school setting, and parents were encouraged to seek outside counseling. The parents chose to ignore the school's request to get the child help. The teacher in this child's classroom was at that time in their third trimester of a pregnancy. Ultimately, we had to do an emergency exclusion of this child when he punched the teacher in the abdomen and told her that he hoped that he hurt the baby. Obviously, this type of malicious, violent behavior has to be dealt with. Once the child was excluded from school, the parents were willing to work with the school officials to get him the help that he needed. Removal of young students is certainly a measure that no educator wants to use. However, there are extreme situations where it's a necessary tool. In those extreme situations, the removal of a child from the school setting can be used as a last resort to more strongly encourage parents to partner with the school in order to identify what that child's needs are, and how best to get them the help that they need. The people-- the people who work with the child and their family on a regular basis and have specialized training in child development are much better suited to make decisions about what is best for the individual children and safe school operations than any one-size-fits-all mandate.

MATT FISHER: You do have the red light, but if you do want to--

MATT FISHER: That's--

MURMAN: --finish quickly, you're welcome.

MATT FISHER: That is the--

MURMAN: OK. Thank you.

MATT FISHER: --end of my testimony. I would certainly welcome any questions that you might have.

MURMAN: Thank you. Any questions for you, Mr. Fisher? Yes, Senator Conrad.

CONRAD: Thank you so much, Superintendent Fisher, for being here and sharing that really heart wrenching story. I mean, I think that obviously is deeply concerning for everybody on the committee and involved in this discussion. Let me-- and I know you have privacy laws, so you have to be careful about how you talk about some of these situations. But, you've also put a pretty specific situation on the table. So I'll let you deal with that in terms of how that implicates your privacy rules. But so you noticed with this young person that was continually acting out, that other remedies were perhaps not working. Help the committee understand. So this is a second grader there. Is that right ?

MATT FISHER: First grade.

CONRAD: First grader? OK. So I have a second grader, so he's seven. So this is a six-year-old, five or six-year-old? OK. So how long was the troubling behavior happening? A whole school year? Two school years?

MATT FISHER: Well, it happened in the fall semester, so.

CONRAD: It happened in the fall semester.

MATT FISHER: You know, obviously he went through his kindergarten year. There were some, some issues identified during the kindergarten year.

CONRAD: OK.

MATT FISHER: And then, as he started the first grade year, those, you know, those issues seemed to-- which is not unusual with students, sometimes the summer is a rough time for them. And so when the fall semester began, those behaviors that he had exhibited as a, as a kindergartener seemed to be worse.

CONRAD: OK.

MATT FISHER: And, so really, from the very beginning of the year, you know, measures were, were taken to try and help identify, really, what, you know, what the issues were with the student to try and, you know, set up time for him to to meet with the school counselor, to-- and again, those conversations with parents were started that, you know, we really see issues with this child that, that we don't have the capacity within the school setting to deal with. And how can we work with you to, to get this child the help that they need? Didn't happen. They didn't, you know, they didn't embrace the, the options

that the, the school was, was giving and, and ultimately the, the situation happened. And, and so at that point in time, then when the child is obviously, you know, at a point where the parents are going to have to take responsibility for them, then that's when they were willing to to come alongside the school and say, OK, let's let's identify some some options for getting him help outside of the school.

CONRAD: OK. Can you tell me, then, how your district or how the school worked through running assessments like through ChildFind, or as required under other special ed laws to identify did this young person have autism or some sort of mental or behavioral health issue or other diagnoses? Can you help me understand when those assessments were made?

MATT FISHER: Once again, you know, request to do assessments was part of what was offered up to parents, you know, does he have a behavior disorder? Is that--

CONRAD: Right.

MATT FISHER: --something that we should, you know, be getting him special ed services for? But again, the parents have to agree to that. And so, you know, we, we, we recognized that there was a need to provide additional help for the child. And again, I think that's where I would go back to with-- educators are not in the business to punish children. They're in the business to help children. And sometimes that help means that you have to take some measures that, that force other people in that children's li-- that child's life to come forward and work with the school to get the, the help that this student needs.

CONRAD: OK. So the timeline was, there was an awareness of behavioral issues, the parents were non responsive, so you excluded first and assessed later.

MATT FISHER: Yes.

CONRAD: And, again I know you're constrained by student privacy laws, so it, it's challenging to have this conversation about an individual student on the record with what I'm guessing perhaps might be special needs. But did the assessment indicate that there were special needs present?

MATT FISHER: There were needs. Yes.

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CONRAD: OK. How long was the student excluded for?

MATT FISHER: The exclusion actually ended up only being for a couple of days.

CONRAD: OK. Were there any educational services provided during that time?

MATT FISHER: Yes.

CONRAD: How's everybody doing now?

MATT FISHER: Better. You know, it's-- are we where we want to be? Obviously, that's going to take some time.

CONRAD: Sure.

MATT FISHER: But I think he is truly getting what he needs--

CONRAD: OK.

MATT FISHER: --outside of the school setting, you know, and, and inside the school setting.

CONRAD: OK. Is this case-- and I know you said no case is alike, and I agree. Is this-- this sounds like-- is this kind of a case typical for really young kids in preschool and elementary school?

MATT FISHER: Well, this is probably a higher level of violence than we would see normally. And, and again, that's-- I would always say that, you know, any exclusion of especially a young child is, is not where we want to be. But sometimes it's a tool that, that just needs to be used.

MURMAN: Let's see if anyone else has any questions before we continue.

CONRAD: Why?

MURMAN: Because we need--

CONRAD: I'm engaged in--

MURMAN: You asked several questions.

CONRAD: Yeah. I'm a member of the committee--

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MURMAN: I'm not stopping you.

CONRAD: --who's allowed to ask questions.

MURMAN: Yes, you are.

CONRAD: I haven't asked hardly any questions today, being thoughtful about the committee's time in the testifiers' time. So I was not provided any sort of prior notice that I wouldn't be allowed to ask questions under a normal course [INAUDIBLE].

MURMAN: No, you're still allowed to ask more questions. I'm just saying let's see if anybody else has any questions on the committee before we continue. No other questions? OK. You can continue.

CONRAD: OK. Thank you, superintendent. And then could you tell me in your experience, I mean, and I know it would just be kind of an estimate, but would a hard situation like this for a really young kid and preschool kid and early elementary kid happen ten times in your career? Twenty? Five? One? I mean, I'm just-- I'm trying to assess because I--

MATT FISHER: Sure.

CONRAD: --don't know. And I'm, I'm trying to figure out what, if any, the remedy might be around these issues that Senator Murman, Senator Hughes, and Senator McKinney has brought forward with no less than three bills that are very important. And I'm trying to understand the issue as a member of the committee.

MATT FISHER: So I've been the superintendent of Grand Island for just over a year now. Prior to that, I--

CONRAD: OK.

MATT FISHER: --was in a small rural school. So--

CONRAD: OK.

MATT FISHER: --that question came up earlier, and and in the time that I was in the small rural schools, which was most of my career, I'm not aware that we ever suspended any student--

CONRAD: OK.

--that would have been in that, that preschool through second grade level. OK. At Grand Island, you know, we've had, you know, in, in the

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past year there, there have been, you know, more than this one. Obviously this one, because of the change in the law for this year, was an emergency exclusion rather than a suspension. There are on a, you know, an annual basis in Grand Island, you know, there would be multiple suspensions under the, the previous law.

CONRAD: OK. That's helpful. I think that's it for now. Thank you so much.

MURMAN: Thank you, Senator Conrad. Any other questions? Thank you for testifying.

MATT FISHER: Thank you, Senator.

MURMAN: Other opponents for LB1141? Any neutral testifiers for LB1141? Senator McKinney, you're welcome to close.

CONRAD: I kind of hoped we were past this.

MURMAN: And while he's coming up, we had six proponents, three opponents and no neutral.

McKINNEY: Thank you, and thank you for everyone who came to testify in support. I'm just curious, you know, listening to the opposition testimony. What was the multiple strategies to implement alternatives in these schools? They didn't say. They just said we tried multiple strategies. What were they? The law has been in effect less than a year. So what the multiple strategies in less than a year that you tried that didn't work? Because I don't believe the schools actually tried to do anything. They just tried to pass the buck. I've talked to teachers who said the schools were just sending kids back to the classroom. They didn't try alternatives, and that's the problem. It really offended me that superintendents or people that represent school districts got up here and used dangerous and violent and whatever other words to describe kids, and they supposed to represent school districts. Those are buzz words or whatever words and describing little kids and using violent and dangerous are offensive, in my opinion. And the bill I introduced last year was definitely not misguided. I introduced the bill because I was tired of kids that I represent in my community being suspended in preschool and second grade. That is not misguided. I'm tired of black kids-- I was tired of black kids being disproportionately suspended in preschool and second grade. That is not misguided. There's nothing misguided about that. And if-- and if that's misguided, you need to go, go check the facts. You probably need to go get some, some, some more education.

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You shouldn't be representing no school districts. And if OPS is a part of that consortium of schools, they should not be a part of that either, because obviously OPS is misguided. And I'm also not misguided because I am a parent. I am a coach. I am a mentor. I work with kids all throughout the year, all throughout the interim, in high school and elementary. I talk to kids. I listen to them all the time. They tell me about what goes on in schools. I talk to parents. I'm up-- I'm up talking with parents weekly on-- at night, talking to kids about what goes on in homes and their behaviors and things like that, trying to help them get through a bunch of situations. So if that's misguided, I guess I'm misguided because I work with kids and I don't want to see black kids suspended disproportionately in schools. So I guess I'm misguided. And if I'm-- maybe I'm reading this bill wrong, and maybe we can amend it. But I don't think this bans exclusions. Because if you look at page three, section (b), it says if the student's conduct presents a clear threat to physical safety to himself, herself, or others, it is so-- or is so extremely disruptive as to make temporary removal necessary to preserve the rights of others or students to pursue an education. Any such exclusion shall be for no more than five school days. After five school days, a student shall not be excluded unless such student meets the requirements for suspension or expulsion, and in such case, the such student shall have the due process rights provided by law. I guess I might be reading this wrong, and maybe we need to fix the language, but I don't read that as a total ban on schools being able to exclude a kid. I-- I'm just-- I don't know. I mean, I'm misguided. You know, I don't listen to schools. It's just, it's just astonishing, you know? And Grand, Grand Island is getting more diverse by the year. You know, it's more and more kids coming from diverse backgrounds going to their school district. And I can imagine that a lot of kids from diverse backgrounds are going to end up emergency excluded if we don't fix this. And I'm, I'm, I'm not going to say it, but I would bet, and maybe I'm wrong, the kid that was emergency excluded was from a diverse background. And you know, I'm willing to work with the committee. I just don't think a law being less than a year old should just be erased because school districts didn't show up last year. School districts don't want to do their job to implement alternatives. I, I just don't understand it. All those school districts sent two people, but they're all against this, they, they all care so much about the bill. It's going to cost so much harm. It's going to disrupt the classroom so much. They sent two people. If they care so much, and it's going to cause so much harm to, to learn environment, why did they send two people? Because they won't-- they just don't want to do their job. And that's the problem.

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They don't want to do their job. And that's the problem with the whole education establishment. They want to do the bare minimum and just come down here and get money every year and barely educate our kids, and then complain when we pass laws to hold them accountable and say, you have to educate kids this way. The system is messed up and that's the problem. The system needs to be fixed. They shouldn't be suspending kids, especially not in pre, pre-K or second grade. That's the problem. That's why teachers are leaving, because the system is messed up. Teachers don't want to teach because the-- because the districts are messed up. When you talk to teachers, it's not the kids why are they leaving. Go talk to-- if you really talk to teachers, it's the districts, it's the systems, it's not the kids. It's the superintendents. It's the people in those districts off-- district offices that are the problem. It's not the kids. And they're the same people opposing these bills and not trying to do their job. It's the same people who are not trying to find alternatives to, to not suspending kids and actually teaching them and finding ways to make sure we, we got Nebraska kids actually graduating high school. And especially in OPS. Because currently we got high schools where under 50% across all graduating classes are not on track to graduate. And that is a shame. And that's the problem. Thank you.

MURMAN: Thank you. Any questions for Senator McKinney? Senator Walz.

WALZ: Thank you. Thank you, Senator McKinney, for coming here and talking about this. It's really important, I appreciate it. First of all, you know me pretty well, and as a teacher, it is something that I care about. It's not something that, you know-- I would never want to just suspend a child because I think I don't want to deal with them. So that's, that's just-- that's not what I would do. OK. We kind of have a dilemma, I think, right now, because on one hand, we have all of these people who are wanting parental involvement, wanting parental involvement, wanting parental involvement, and then we have an, on the other hand, you know-- I don't know how to say it, but maybe just not as much parental-- there's not as much input from parents is what I'm trying to say. OK? So we kind of find ourselves in a dilemma. And to me, the issue is not really the exclusion or the suspension. To me, the issue is the process and what's happening between the parents and the schools to come up with an action plan before we even have to go down that road of talking about suspension. So my question is, finally, what kinds of things do you think need to happen between parents and teachers in schools to make sure that we are putting processes in place, putting plans of-- in play, plans of action so we don't have to use that alternative.

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McKINNEY: I think-- I mean, I think it's a process of communication that-- I agree, it starts way before you even start considering this. I think-- that's why I think the system of education is the problem. It's, it's, it's how we-- because I don't think that we don't see the signs. The signs are there. If you work with kids, you know you see the signs. You know, if a kid may or may not have some issues, whether within themselves or at home, you, you see the signs, the signs are there. Or el-- or else you're just ignoring them. And I think there has to be some systems of communication put in place to be able to talk to the kids and the parents. I think a huge part of the problem is one, a lot of these parents are working a lot.

WALZ: Yep.

McKINNEY: They're working a lot because jobs don't pay a lot. Which is an issue. We talk about low unemployment, but a lot of these jobs are minimum wage. And that's why they're working a lot. That's, that's an issue.

WALZ: That's an issue.

McKINNEY: So I mean, it goes back to communication. I think we have to figure out better communication systems, whether it's between the parent, the teacher, or the school. You know, I, I don't know what the solution is. I think we have to-- I, I, I can't sit up here and say I know the, the right solution.

WALZ: The magic bullet?

McKINNEY: Yeah, I don't know it, but I think it goes back to finding a better way to communicate. And to say we can't get the-- we can't communicate with the parent unless we suspend a kid is, is, is a frustration of mine, because it's the same frustration I have when people come to judiciary and say, we can't get people right unless we give them a felony.

WALZ: Yeah.

McKINNEY: It, it makes no sense to me.

WALZ: Right. Yeah. And that's a frustration. Can I continue?

MURMAN: Sure.

WALZ: OK, sorry. I get that frustration.

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CONRAD: Senators are allowed to ask questions.

WALZ: I get it on both sides. I get that frustration as a teacher when I can't communicate with a parent, or they don't call back because they're working, you know, 18 hours a day and they can't call me back. Or so I get that frustration as a teacher, not knowing what steps do I need to take next? What can I do next? I don't have any parental permission. I don't have any-- you know, what should I do as, as a teacher? And then I see the other point that you're making, too, where we cannot-- we've got to make sure there's not just an alternative to, well, I can't get ahold of the parents --.

McKINNEY: Because I think the, the, the thing is, at the end of the day, we all want the kid--

WALZ: Absolutely.

McKINNEY: --to be successful. So are we gonna say, we didn't-- we were not able to get in contact with the parent, we're gonna suspend Johnny for five days, when we know Johnny's home environment may not be the greatest? And just me from experience knowing this, Johnny is not going to be at home--

WALZ: Right.

McKINNEY: --doing any type of school work. Johnny is most likely going to be watching YouTube, cartoons, and doing everything opposite of what any type of schoolwork. So they're not getting an education, so you're-- you suspending them is not having any type of positive impact at all.

WALZ: Right.

McKINNEY: And how many times are you going to do that during a school year?

WALZ: Right.

McKINNEY: So basically just say you do it five times in a school year. That's 20 days of of school instruction that Johnny misses that he's never getting back, on top of whatever he's missed during the, the time he was there sitting inside of the principal office, and all-- So I just find no net positive to suspension, especially when you, you think about kids that are in those type of situations.

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WALZ: Right. I understand completely, I understand your point completely. I guess my whole point in this conversation was there's got to be a way for us to strengthen that process. And I don't know if this bill is a silver bullet.

McKINNEY: I guess my--

WALZ: How do strengthen that process?

McKINNEY: I guess my concern is instead of coming up here saying, we didn't come in opposition last year. We really don't like this bill. We know we were supposed to implement alternatives. Here are some alternatives. Just give us time. The school districts didn't even come up here and say what alternatives they tried to implement. They said multiple strategies. What were the multiple strategies? I would-- if, if I was you all on this, on these next two bills. Ask them what alternatives, if any, did they implement or try to implement?

WALZ: OK.

McKINNEY: Probably zero.

MURMAN: Thank you. Any other questions for Senator Kennedy? Senator Conrad.

CONRAD: Thank you, Chair Murman. And just to flag it for everybody's attention, I have two lines of questioning that I'm going to have a dialog with my friend Senator McKinney about, and I will not tolerate any interruptions while we have this dialog. Senator McKinney, I want to talk to you about how your measure is buttressed by the fact that schools no doubt have really tough and important jobs, but they also have record resources in terms of Covid money, property tax valuations ballooning, and a historic investment in both special education and overall school funding needs--

McKINNEY: Yep.

CONRAD: --from this Legislature in recent years. So I understand some of those things are eaten up by inflation, or health care costs, or workforce issues and will take a little while to work their way through. But, I, I'm wondering if perhaps this whole conversation is just a bit premature because we have this infusion of resources to wrap more services around students, and shouldn't we maybe let your law play out for a little bit and let some of those services build

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up? Or if you'd like to comment on that, I'd love to hear your ideas, because I know you were a a champion for a lot of those measures.

McKINNEY: Yes. I think it's definitely premature because of that. And I also think it's premature also for the district I represent, not even premature for OPS. They actually lowered their levy, which it was, was a decrease of \$2 million for the district, which basically said they didn't need \$2 million. Just imagine if they didn't lower their levy, kept the \$2 million, used the \$2 million to implement alternatives to this. Just think about that. What \$2 million for alternatives for kids that they-- that, that would end up in a, in a situation. They said they didn't need it. But they're saying we don't have the capacity for this. The, the, the two just don't make sense. So you don't have the capacity, but you did need to use \$2 million. I, I'm, I'm missing something.

CONRAD: Right. I--

McKINNEY: And you're the school district with the most poverty.

CONRAD: Yeah.

McKINNEY: I'm--I don't know.

CONRAD: I'm right with you, and I wanted to make sure that was part of the dialog. And then, you know, the second piece that I wanted to make sure to connect the dots here on, and we don't hear about it perhaps as much in the Education Committee, and I'm a new member of the committee, but I know you hear about it a lot in judiciary is-- and we read about it in the newspapers frequently, is this kind of ongoing pattern and practice by the executive branch, wherein they treat state law like a suggestion. We pass laws. We pass laws. We say, don't put kids in solitary. More and more kids are in solitary. We say we're going to have oversight of our state's most troubled departments. They say, yeah, not so much. We say, don't suspend preschoolers. Figure out other ways to, to wrap services around them. And they do. So I, I know that's beyond the scope of your bill, but it's also in the atmosphere that we are trying to navigate through is this kind of ongoing, and I think growing frustration in the Legislature, where we've made specific policy decisions only to have those be undercut by schools, or the administration, or the attorney general, or, or what have you. So I'm, I'll give you a chance to respond, if you'd like to tease that out with me a little bit.

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McKINNEY: I mean, it's, it's just the nature of this place. Somebody is going to introduce the bill to undercut anything around here.

CONRAD: Yes.

McKINNEY: And I mean, when you have term limits, they could just wait us out. You know, I mean--

CONRAD: Yeah.

McKINNEY: Probably when, whenever I'm out of this place, somebody is going to come back and try to undo all this. And, and so, I mean, that's the thing too, so. I mean, I, I, I, I can imagine that happens. It, it's going to happen. I mean, it's sad, you know, because none of us introduce bills with malice. We introduce bills to represent our constituents.

CONRAD: Yeah.

McKINNEY: And try to do the best of our ability, abilities, with the best knowledge that we have. And we're not trying to introduce bills to do wrong, or do harm upon anybody. And I'm especially not-- I didn't introduce the bill last year to try to harm anybody.

CONRAD: Yep.

McKINNEY: I introduced a bill to try to protect kids that I represent, and protect kids that you all represent, and stop kids from being suspended. And also because from a life experience and personal experience of being a kid-- being a kid that was suspended in pre-K, first grade, second grade, third grade. I was suspended in school-- probably-- I probably stopped getting suspended from school until I got into the ninth grade. And even-- I think I was in, in school in high school, too. Like, I think I got-- I stopped, get suspended in school, probably up until like the 10th grade, I think, maybe. I think so, hopefully. But what I'm saying is I have that experience, so I know what it's like. I was considered a bad kid. So I'm here, so obviously I wasn't a bad kid, but it's a lot of kids that aren't able to overcome those challenges. And I think when people get up here and say, dangerous kids and violent kids, those words mean something. Those are not great words to say about kids. Because a lot of those kids are dealing with a lot of traumas. No, I don't think they should be punching teachers. No, I don't think they should be kicking--

CONRAD: Right.

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McKINNEY: --and any of those things. No, I don't think it's OK. But when you start labeling kids and putting words on kids, that sticks, like one of the testifiers said, you shouldn't do that. Especially when you say you represent a school district and you represent kids. That's wrong.

CONRAD: Yeah. No, thanks for that. And, and I think you'll remember from the debate last year where you had brought the bill originally limited to the Omaha area, and then when we took it up in executive session, we had a really robust debate about, like, if this makes good sense in Omaha, it should make good sense for Nebraska. And that's why the committee decided to, to extend it. So I, I definitely appreciate you, adding those concluding thoughts and helping us work through these issues with all the different stakeholders that, that are here today. So with that, Chair Murman, I'll, I'll choose to end my own questioning where I choose to end it.

McKINNEY: Thank you.

MURMAN: Thank you. Any other questions for Senator McKinney? If not, thank you for bringing the bill. And, I think I said six proponents, three opponents electronically. And that'll end our debate on LB1141. And we'll take a quick ten minute break before the next bills.

[BREAK]

ALBRECHT: LB899. Senator Hughes, you can open.

HUGHES: Thank you. So, Vice Chair Albrecht, thank you. Members of the committee, I am Jana Hughes, J-a-n-a H-u-g-h-e-s, and I represent District 24. I am here to share with you why I introduced LB899. Last year we, as a Legislature, passed a law that prevents all schools in Nebraska from suspending students in second grade and younger for any reason other than bringing a deadly weapon to school. This was introduced by Senator McKinney as LB632. If you recall, Senator McKinney had shared that he brought LB632 out of concerns that some schools in Nebraska were suspending young students for little to no reason. LB632 passed as part of a large package of education-related bills, LB705, which also contains 22 other bills. After school started this past fall, I received reports from schools in my district that had young students committing violent acts, both against their teachers and classmates. Previously, our schools, which are smaller schools, use suspension as an option of last resort. They could use it in instances where they needed to keep the classroom safe while a plan was implemented between parents and school

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administration to deal with students' behavior. The schools in my district raised safety concerns regarding how our current law impacts them, especially as they lack the resources of the larger school districts to both keep the student in school and the classroom safe while simultaneously addressing their behavior. I recognize that Chairman Murman has introduced similar legislation to address these concerns, and I am confident that some sort of compromise and solution can be achieved to ensure that all our schools are safe for all students, and that students are not suspended without reasonable cause and remedy. Thank you for your time and I welcome any questions.

ALBRECHT: Thank you for your opening. Any questions from the 3 of us? Seeing none--

HUGHES: It's a dwindling committee

ALBRECHT: It has been. They'll be back. OK. So you'll wait?

HUGHES: Yeah.

ALBRECHT: I understand we're going to open on both bills, and then people will-- we'll just take [INAUDIBLE] for all.

HUGHES: Yep, because they're really similar so.

ALBRECHT: OK. Very good. Thank you.

HUGHES: Thank you.

ALBRECHT: OK. Next up we'll have Senator Murman with LB1146. We'll have him open and then we'll open it up.

MURMAN: Good evening, Vice Chair Albrecht and members of the Education Committee. My name is still Dave Murman and I represent District 38. Today I'm introducing LB1146, a bill which modifies our current suspension laws. Last year under LB705, as part of the committee package, we passed LB632, which prohibited the suspension of any pre-K through 2nd grade student, with only the exception being if they brought a weapon to school. I do believe this bill had good intentions. No one should want to-- students-- suspend students constantly-- no one should want to suspend students constance-- constantly as an easy option anytime a student has any sort of misbehavior. However, I also believe this bill went a bit too far. In some instances, as a last resort option, suspension may be necessary. That is why this bill, LB1146, does not completely do away with what

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we passed last year, but instead just adds an additional exception. If a student engages in physical violence capable of harming another student or staff member, this would be appropriate grounds for an administrator to consider suspension. My reasoning for this is fairly simple. If a student is acting in such a disruptive and violent manner where other students or staff are in fear of being hurt, the entire learning environment for all students is diminished. I've heard from administrators, teachers, and parents who this has caused a problem for them. One administrator described to me that while he was-- while he has tried to get an IEP for one student, the parents have refused to come in and have that discussion. The student has repeatedly hit and bit other students and staff, but cannot get the IEP support he needs without parental consent. His view was that through suspension, parents becoming more aware of the need for IEP support. Prior to LB705, the school would suspend for maybe one half a day or a day, begin the process of placing the student on an IEP, get the student the special staff and programming they need, and then there would be a 10-day suspension limit for that student. This bill is less about punishing students and more about taking an unsafe environment and taking a pause and using that pause for the school and parents to discuss together the best learning environment. You will likely hear other similar views from administrators behind me. My goal is not to create constant suspensions, but instead to allow for some kind of last resort option. I'll be happy to answer any questions.

ALBRECHT: Thank you. Any questions from the committee? For Senator Sanders and Senator Conrad, we're going to take all proponents and all opponents together, and they'll just identify which bill they're talking and speaking to. OK. Thank you. First proponent. Just identify which bill you're speaking on unless you're--

SHANNON HENG: [INAUDIBLE].

ALBRECHT: Just identify which bill you're speaking on, whether it's both.

SHANNON HENG: Both.

ALBRECHT: OK. Very good.

SHANNON HENG: Try to combine these. Good evening. My name is Shannon Heng. That's S-h-a-n-n-o-n H-e-n-g, a teacher at Omaha Public Schools and here representing the Nebraska State Education Association. We support LB1146 that would provide an exemption allowing schools to

suspend prekindergarten through 2nd grade students who engage in violent behavior capable of causing physical harm to another student or a school employee. We also support LB899, but suggest an amendment to include all schools, not just Class III schools. So we all know that COVID resulted in little to no structure in the lives of students of all ages, but especially elementary age students and younger. This lack of structure and routine has seriously hindered acceptable classroom expectations for our students. Parents and guardians still had to work to support their families, which often left older students trying to manage their own schoolwork in addition to trying to help their younger siblings or the students simply did not attend virtual school for a variety of reasons. Children as young as 3 years old are now coming into classrooms with no idea how to act in school. On more than one occasion, I have personally had to clear my classroom of all students except the one who is being disruptive and/or violent. Every student in the classroom suffers the consequences, and no one is given the education they need and deserve to be successful. I've also been a victim to many injuries from young students over the years, including bites that require antibiotic treatment, tetanus shots, bruises from being kicked and pinched, and even torn ankle ligaments from being pulled down the stairs at school. I have seen the injuries of fellow educators from these students resulting from being bitten to the point of breaking skin, kicking, hitting, scratching, throwing objects including small items like a pencil up to heavy items such as a desk. Educators and other students, their classmates are being bruised and beat up. Without the amendment suggested, these young students are allowed to continue to behave in this manner with no consequences. I know of one teacher who had a bite to the arm so deep there was permanent nerve damage. Another teacher had bruises around her neck caused by a first grader as a student was choking her. As bad as it is for adults to be injured by young students, their peers are being injured as well, both intentionally and unintentionally. Other students are scared to come to class because there are no consequences for these violent behaviors. That being said, professional development does exist, but it is not adequate. Simply having a list of general strategies is not enough to keep staff or other students safe. Trainings need to be offered and required that allow educators to observe alternative interventions already successfully in place. Then we need to have someone experienced in implementing and carrying out these alternative interventions to help our educators put them into place in their own classrooms.

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ALBRECHT: OK. Thank you very much. Somebody else might ask you some questions if you need to continue. Any questions from the committee?

WALZ: I have a question.

ALBRECHT: Senator Walz.

WALZ: Thank you, Vice Chair Albrecht. What other ulterior-- you're talking about ulterior methods or alternative methods.

SHANNON HENG: Alternative--

WALZ: Can you speak to specific--

SHANNON HENG: --interventions?

WALZ: --interventions?

SHANNON HENG: Well, we've given basically a general list of things now, things to try, like a token economy or play first and then you do the work, that type of thing, but actually alternative interventions that we don't necessarily know enough about. And that's why we would need the help from outside agencies. Maybe other school districts have something.

WALZ: Specific, like what would that consist of?

SHANNON HENG: If I knew that I would be able to do it.

WALZ: OK. All right. I thought you had something specific in mind.

SHANNON HENG: No.

WALZ: OK. All right. Thank you.

ALBRECHT: Thank you, Senator Walz. Thanks for being here tonight. Next proponent. Is this on both bills?

JESSICA DOMINY: Yes. Good evening, Senator Albrecht and members of the Education Committee. Thank you for the opportunity to testify regarding LB899 and LB1146. My name is Jessica Dominy, J-e-s-s-i-c-a D-o-m-i-n-y. I am the principal of Seward Elementary in Seward, Nebraska, and I've served in this role for the last 11 years. I am also representing STANCE as Seward Public Schools is a member district. I want to thank Senator Hughes for bringing LB899 and Senator Murman for bringing LB1146 regarding student discipline forward. I want to begin my testimony by clearly stating that

out-of-school suspension of students in grades pre-K through 2nd should only be used in the most extreme circumstances, where the safety of the student, other students or the staff are in danger. I serve as the only principal in our school of over 530 students, and I do not have an assistant principal. I want to give you the perspective of an elementary principal with this important issue. In the past 11 years, I have utilized out-of-school suspensions 7 times with students in preschool through 2nd grade. In these instances, the behavior of the student was very unsafe for themselves and/or those around them. In order to maintain a safe school environment, out of school-- out-of--school suspension was necessary. In Seward Public Schools, we are blessed to have great families and great students. However, as is the case with all schools, we have started to see more extreme behaviors from individual students. In order to give you a better understanding of these types of behaviors, I want to give you some examples. In the past, a pre-K through 2nd grade student became upset in the classroom because his first choice for center time was not an option. The student picked up a chair and threw it across the room, striking a teacher and another student. A few years later, a pre-K through 2nd grade teacher had to evacuate the classroom due to a student with aggressive behavior who continually hit and kicked the teacher and other students in his path. The student completely destroyed the classroom, throwing chairs, knocking over desks, ripping up the work of classmates and his teacher, destroying books and electronic devices. We also had an example where a pre-K through 2nd grade student intertwined a teacher's hair in her fist and repeatedly punched and kicked her until another adult could intervene. These are 3 examples of instances when out-of-school suspension was needed to protect the safety of students and staff, and maintain an appropriate learning environment. A one-day suspension in many cases can allow the school to have problem-solving time to develop a plan for when the student returns, securing necessary interventions. This time also helps a teacher feel supported with the understanding that our school values the safety of both students and teachers. In many cases, the one-day suspension allows for the school to help the parent contact out-of-school resources, such as counseling services, to help their child. As in the case with many Nebraska schools, we do not have an in-school suspension room or someone to supervise students who serve an in-school suspension. This year, I am the person that, that supervises students in in-school suspension. This is problematic at times, as it has taken me away from important work of, of teacher evaluations, problem solving with teachers, meeting with parents, etcetera.

ALBRECHT: Your red light's on. Go ahead and wind up.

JESSICA DOMINY: OK. Thank you. We must always think about the individual needs of each student and staff member. Having the out of-- out-of-school suspension in our student discipline toolbox allows us to clearly define acceptable behavior and create plans to support students in the future. Again, thank you for the opportunity to speak to you tonight.

ALBRECHT: Thank you very much. Any questions from the committee? Senator Conrad.

CONRAD: Thank you so much, Vice Chair Albrecht. Thank you for being here. It's always good to see friends from Seward. That's my home community. So my ears always extra perk up when fellow Blue Jays come in. But help me understand, with, with or without some of the limitations in the law you're primarily responsible for whenever a kid has an in-house suspension, they're in your office--

JESSICA DOMINY: Correct.

CONRAD: --or you're watching them or the office staff is because there are no other alternatives.

JESSICA DOMINY: Correct, yes.

CONRAD: Whether it's a little kid or a middle school kid or a high school, I mean--

JESSICA DOMINY: I'm just elementary.

CONRAD: --you're at the elementary.

JESSICA DOMINY: Yes.

CONRAD: OK.

JESSICA DOMINY: Yes.

CONRAD: So over the last couple of months, since Senator McKinney's measure was implemented by the Legislature, adopted by the full Legislature and signed by the Governor, so you've had a handful of instances where--

JESSICA DOMINY: Not even a handful. One.

CONRAD: You've had one [INAUDIBLE].

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JESSICA DOMINY: Yes. We have one student that has served in-school suspension that's a pre-K through 2nd student.

CONRAD: OK.

JESSICA DOMINY: And I have not "emergencely" excluded anyone.

CONRAD: OK. That-- that's helpful to know. And then for the, the older kids, the second grade to what do you go to, 5th grade?

JESSICA DOMINY: We go to 4th [INAUDIBLE].

CONRAD: 4th grade.

JESSICA DOMINY: --at Seward [INAUDIBLE].

CONRAD: OK. So when an older kid needs an in-- in-school suspension, they're in your office too?

JESSICA DOMINY: Um-hum.

CONRAD: There's no counselors available or they're not assigned that responsibility or just kind of help--

JESSICA DOMINY: Sure.

CONRAD: --because you have the expertise--

JESSICA DOMINY: Sure.

CONRAD: --to know how this works on the front line.

JESSICA DOMINY: Absolutely. We do have a full-time guidance counselor at Seward Elementary.

CONRAD: OK.

JESSICA DOMINY: However, that-- our counselor is responsible for teaching in our specials rotation, so he is, is busy pretty much the whole day doing that. He does have a window of time where he meets with and does some, some group counseling sessions or individual counseling sessions. Moreover, that lunchtime when students are eating lunch he can pull them in and, and have lunch with them or speak to them at that point.

CONRAD: OK. That's helpful. So when you have a kid of any age, an elementary kid in your office for disciplinary reasons, what are they

doing? Are they like helping you do things during the day? Are they working a packet? Are they on an iPad? Are they sitting in a separate room? Like, what does that look like?

JESSICA DOMINY: It depends on the situation a little bit.

CONRAD: OK.

JESSICA DOMINY: So I try to keep the student with me in my office. I have a portable desk that, that can be rolled in, and they can do their work there. I turn into the teacher at that point. So if they are-- if, if I am trying to do everything that the classroom teacher would be doing to provide them as much support as possible, sometimes the child is able to be very successful, or independently, sometimes not. But for the most part, I'm-- take over that role.

CONRAD: OK. That's really helpful. Thanks.

JESSICA DOMINY: OK.

ALBRECHT: Thank you, Senator Conrad. Thanks for being here tonight.

JESSICA DOMINY: Thank you.

ALBRECHT: Next proponent. This will be for both bills.

MITCH KUBICEK: Yes. Both bills.

ALBRECHT: Thank you.

MITCH KUBICEK: Good evening, Vice Chair Albrecht and members of the Education Committee. Thank you for taking the time today to hear testimony on LB899 and LB1146. My name is Mitch Kubicek, M-i-t-c-h K-u-b-i-c-e-k. I currently serve as the director of learning at Milford Public Schools, and I'm testifying today on behalf of our district and on behalf of Nebraska ASCD, a statewide organization that represents approximately 350 educational leaders across Nebraska. We would like to thank Senator Hughes and Senator Murman for proposing these legislative bills. Out-of-school suspension is used in our district as a very last resort, especially for our youngest students. While suspensions for students in lower elementary grades are uncommon, they are sometimes necessary to provide additional time to create a supportive plan. The bill would allow schools to use suspension as one tool among many to ensure a supportive learning environment is provided for all students. As soon as we identify a student who may need behavior support, our staff

proactively develops interventions. The staff considers strategies to reduce a student's anxiety, eliminate triggers, or address other factors that might be influencing a student's behaviors. However, there are times when behaviors can become significant enough that they present a potential risk of harm to the student themselves or to students in the classroom. In these cases, there is a benefit to a placement outside the classroom. It is sometimes difficult to appropriately supervise a student who has been placed in our office for an in-school suspension, especially if the student is demonstrating potentially unsafe behaviors. Milford Elementary School is a building with a preschool through 6th grade enrollment of nearly 450 students. We have one principal in the building with no assistant principal, and our principal is responsible for overseeing the safety of all students in the building and for the supervision of 31 teachers and 12 paras. The daily schedule of a principal in a building with these responsibilities leave little dedicated time to the principal's office. We do not want to have students out of our building. We know that each minute a student is out of the building is a minute lost to instruction. However, an out-of-school suspension can sometimes provide additional time needed to gather information. In some situations, it can be difficult to create a supportive plan by the very next school day. With additional time, staff can coordinate with the family, behavior specialists and other staff who are familiar with the needs of the student to develop a detailed plan. By doing so, the student is more prepared to reenter the classroom, the teacher is better equipped to provide support, and staff schedules can be adjusted to accommodate the individual needs of the student. If there is not enough time to adequately create a detailed plan, we may place a student back into a classroom without proper support and could run the risk of having a student who may demonstrate additional behaviors in the future, leading to more frequent disruptions. We are not advocating for out-of-school suspension as punishment. We are advocating for additional time to develop interventions to address the underlying issues contributing to the behavior. Thank you for your time and consideration of these bills. I would be happy to answer any questions.

ALBRECHT: Thank you, Mr. Kubicek. Any questions of the committee?
Senator Walz.

WALZ: Thank you. Thank you for being here today, I appreciate it. Can you give some examples, other strategies that are used [INAUDIBLE]?

MITCH KUBICEK: Sure, certainly. So we have-- we actually have a, a team of teachers that meets once a week. And so we discuss students

when we identify a student might need additional support, they are on our agenda, and we discuss those needs. So some examples, adjustments to a student daily schedule, which might include altering transition times from classroom to classroom. Adding a contribution. So some-- a lot of times we find that students feel very comfortable providing a positive experience in another classroom or doing things in the class or in the school that help with taking items from one place to another. They, they really enjoy those opportunities. So a lot of times we see that reduces their anxiety. Other things might be adding additional structured time for students to develop relationships with their peers. And then there's things that we do for staff responsibilities. So minor adjustments might be those [INAUDIBLE] during those transition times, maybe adding a para to a time where they're transitioning from one classroom to the next where we know that's a trouble area. So we might assign a para to those times. Additional relationship building opportunities with an adult. So a common one across, you know, across the state is 10 and 2. So 10 days in a row for 2 minutes just getting to know the student. We find that that also helps reduce the student's anxiety in school. And there's a few others here that I could list, but there's, there's many on our list of things that we might try for a student. There's-- we don't go in order because every kid's a little bit different. So it's really, truly a problem-solving system. And we, we spend a lot of time really trying to determine which one would be best for each student.

WALZ: OK. Just another quick question. When you are coming up with those alternatives or an action plan, are parents involved with that up front? And then the other part to this question is, is there-- and this is just something that I, I'm curious about. Is there discussion when you all know as a parent and a team that there could be, you know, an escalation of behavior that could be dangerous, I guess, is there a point where you and the parents talk about we may have to call you?

MITCH KUBICEK: Um-hum.

WALZ: Can you talk through that a little bit?

MITCH KUBICEK: Certainly. I think it depends on every situation is different. And, you know, working in schools, every family is different. But we, we feel very supported. We feel it's a very positive thing to involve families early, as early as possible, even if it is just calling them to let them know what happened. They don't need to do anything, but we'll let them-- make them aware of some of the things that we're trying. And we find that to be very valuable.

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And it's very successful if we can intervene early. There are times where we say we're, we're seeing an increase in behaviors. We hope to not have that lead any further. But we have those conversations early with parents, and sometimes it has led to situations where we feel it's the best for everybody involved to have, in the past, have a student home for a day. And I looked at our-- just looking back a few years, it's, it's very infrequent that we do this for younger students. And it was very infrequently we did this for younger students. And typically this is about a-- we're talking like a day or a half a day, just enough time to get a group together to really put a solid plan together for a student. And most times parents are involved with that at a very deep level. And I would say most times, even after a short, a very short suspension, we have great relationships with our families afterwards and sometimes even a better relationship afterwards, because we really have-- we, we spent that time to really talk about the issues, [INAUDIBLE]-- the underlying causes of behavior. We're able to, to provide resources to those families. And so I would say it has been a really valuable experience, not for all families, but I would say for most families, they really appreciate what has come out of it after the fact.

WALZ: Yeah. Yeah, I can appreciate that.

MITCH KUBICEK: Yeah.

WALZ: Thank you.

ALBRECHT: Any other questions? Senator Conrad.

CONRAD: Thank you so much, Vice Chair Albrecht. I just want to follow up and put a finer point on that because, OK, the, the, the new law that's been implemented just for a few months in regards to a prohibition on suspension for really young kids is kind of at the heart of some of these issues and seeking adjustments or repeal. Wouldn't you have the same abilities? And I think maybe this is where Senator Walz was going, maybe not, but I think something that maybe I or the committee members are struggling with. Wouldn't you have those same opportunities for engagement to-- whether it's communication, building trust, building relationship, dynamic problem solving regardless of, of the measures currently in place or if these move forward?

MITCH KUBICEK: Absolutely, we do. We do.

CONRAD: OK.

MITCH KUBICEK: There are times where in some situations where behaviors escalate very quickly.

CONRAD: Sure.

MITCH KUBICEK: I would say in those very few instances, that's where it's helpful to-- in the past, it's been helpful to have a student out of the building just for enough time to put a plan in place. So-- but you're right. That has been in place, and we still are able to do those outreach to families, conversation with the family, problem solving, whatever you want to--

CONRAD: Yes.

MITCH KUBICEK: --call them. We try to do that. That's-- we try to do that very early on and very often to try to be very proactive and build those relationships with not only the student but with the family.

CONRAD: Right. And of course, it works best when it's a 2-way street and--

MITCH KUBICEK: For sure.

CONRAD: --and I appreciate that, because if everybody seems to agree that that's the best route to go, if it's available, to really address the issues, it kind of seems where the conversation should start and--

MITCH KUBICEK: Yes.

CONRAD: --end beyond these various and sundry proposals, I guess is, is one thing that I am kind of thinking through. And I don't want to put words in your mouth on it either, but I'm just-- I'm trying to think through what's beyond the 4 corners of the bill maybe.

MITCH KUBICEK: Sure. There would be a lot of merit to that, yeah.

CONRAD: Yeah. OK. Thanks a lot. Thanks.

ALBRECHT: Thank you, Senator Conrad. And thank you for being here this evening. Appreciate your testimony.

MITCH KUBICEK: Thank you.

ALBRECHT: OK. Other proponents? On both bills or just one?

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MATT FISHER: I'm Matt Fisher, M-a-t-t F-i-s-h-e-r. These guys are way smarter than I was. You should come when you're in support of a bill. Seems like a way friendlier place to be. So, again, as I shared in my, my earlier testimony, I think it's, it's really important that the tools to ultimately deal with, with students, once you get beyond that, that time when you would like to, you know, as, as everyone has shared, we don't want to suspend students. We want students to be in our schools. We want students to be ultimately successful. We have a lot of variation in parenting and parenting abilities and, and parenting engagement. And certainly we want to reach out to all parents and have strong communication plans. I think Doctor Kubicek did a great job of, of discussing I think really where all schools want to be in terms of, of being able to have those conversations early on with parents and, and really help them to understand what the issues that the school is seeing and where those issues may ultimately lead. And, and how can we put a plan together that's, that's going to work both for you as parents and for us as a school and ultimately make that, that child be successful? But unfortunately, that doesn't always happen. And, and in the end, I think the biggest point that, you know, I would make and I think all of the people that are here in, in support of these 2 bills would, would make is that the people that work with those students and those families on a regular basis are the ones that ultimately know what's working and what isn't working, and where the communication falls down and we have to go a different direction in order to get the family engaged. And so giving those tools of suspension back to school districts when violent behaviors, notice I said violent behaviors, which I said before, I never talked about violent students, when those things happen, we have to be in a position where we can deal with them, and, and be ready to deal with them in, in a way that does engage the families and ultimately leads to a pathway that's going to make that student successful. And we also need to make sure that we are protecting all of the students, the staff and that student because those violent behaviors do have an effect. And they have an effect on everyone that's a part of the classes where those things take place. I'm out of time. I'm welcome to answer more questions. Love to answer some questions.

ALBRECHT: Thank you. Senator Walz.

WALZ: So I know that you're just back on the job, and you haven't been there very long, and--.

MATT FISHER: And I've been at it a long time.

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WALZ: Yes. Yes. Can you just talk about maybe some of the strategies that you-- that you try prior to any type of suspension, like what kinds of things does the school do to make sure that they're, you know, wrapping that child support--

MATT FISHER: Absolutely.

WALZ: --[INAUDIBLE] before we get to that point?

MATT FISHER: So, actually, at Grand Island Public Schools, we have an MTSS positive supports person. We have an MTSS academic person. We have an MTSS positive supports, which basically their whole-- that whole team is designed to work with principals, to work with teachers on developing strategies to help students be successful. So obviously the, the work that they do puts a lot of things, again, the things that Dr. Kubicek talked about, we do alterations in schedules. We do, you know, find those, those opportunities for students to do activities outside of the normal classroom where, where they can feel successful. Great strategy that I saw the other day when I was in a classroom-- and again, I didn't recognize it because the kid was so good-- but a student there was a, you know, a consistent problem in the classroom, the teacher had assigned him when they were, you know, doing discussion time, he circulated around with a picture of what they were discussing. That was his job. And, and it-- I mean, he was focused on it. He took care of it and he was, you know, totally on task and, and and, you know, later on when I asked about it, then it was explained to me that this is a student that had been having significant problems in the classroom. And, and really that adjustment had made a huge difference for him. We do, you know, we're in the business of educating. We're not in the business of punishing.

WALZ: Right. That was pretty creative on the teacher's part.

MATT FISHER: Yeah, I thought so, too.

WALZ: I'll have to remember that if I substitute. Can-- just for-- in case other people don't know, can you kind of talk about who, who comprises that MTS?

MATT FISHER: OK, so we actually have a director for our MTSS positive support side, and then we have another director that's in charge of. And then for that, an MTSS, you know, we're great about, you know, going to letters, multi-tiered system of supports, for the behavior side. And then we have 2 people that work underneath that director. And so they spend their time out in buildings across the district,

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working with students that are having issues, working with teachers that are having, you know, behavior issues because maybe they don't have the classroom management skills developed that you'd like to see developed. So, again, you know, we're very fortunate in being a district that's large enough to have those, those supports. A lot of districts aren't going to have, have those kind of opportunities.

WALZ: Right. OK. Thank you. I appreciate that.

ALBRECHT: Thank you, Senator Walz. Any other questions? Seeing none, thanks for being here today. Next proponent.

BRUCE STRONG: Good evening. My name is Bruce Strong. I'm the Woodland Park Elementary--

ALBRECHT: Spell your name, please.

BRUCE STRONG: --principal, Norfolk Public Schools. B-r-u-c-e S-t-r-o-n-g. I'm here speaking in support of both bills.

ALBRECHT: Thank you.

BRUCE STRONG: And I'm just going to start by saying in my-- in my tenure at the elementary building, I've had 2 2nd graders who have spent-- who have sent 2 different staff members to the hospital that required multiple surgeries to fix the issue that took place. So when I say violent, those are the things that I'm referring to. I'm currently in my 8th year as an elementary school principal. I've been in administration for over 15 years, in education for 28 years. I've always said that if I ever get to the point in my life when I do not enjoy my job, I'll voluntarily get out. I can tell you that this school year is the first time I have very seriously considered that. This decision came as a direct result of the Suspension Act that was passed this school year. This year in my school alone, every grade level but one had a student with a history of violence. Some qualified for our special education program, and some were not at all in our building. It became very clear that a few of our students were going to have a challenge this year. They hit and kicked other students, destroyed property. They received consequences and returned to class. Within a short amount of time, I could see one of my teachers was exhausted, stressed, losing sleep. She has had years of experience working with challenging students. She was doing everything she could to keep a student in her room. Items in her room had been destroyed. She had been hit, kicked. She had objects thrown at her, and she had placed her body between this struggling student

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and other classmates numerous times. Nothing was working. So I decided it was time to remove the student from the classroom until improvements were made. And now it was my turn. Despite my best efforts, I was punched in the face, screamed at, kicked in the groin, spit on, bit, had holes placed in the walls, and many items broken. For the next 2 months, 2 months, I arrived at school early, prepared lessons, and taught a elementary student the entire day who was in and out of behavior because I did not feel they were safe to be in class. I was unable to send this student home, and I was watching over him for the protection of our school. I had to do my other job, that job, at night and on weekends. At this point, I guess you might ask yourself, these are 5- and 6-year-old students. How can you-- how, how hard can it really be? Why would you let a 5- or 6-year-old kick you in the groin or spit on you? You're an adult. Surely you can figure this out. Well, if you'd like to come give it a try, I'd openly invite you. I spent 2 months trying. I did not receive a degree as a behavioral psychologist, and I did not sign up to run an all-day inpatient treatment facility for children. We never want to send a child home, and we rarely do. But when a law prohibits your ability to keep your staff and school safe, you feel powerless and defenseless. And this is the point I was at. On several occasions, I reached out to the parents to inform them that their child had been violent and was refusing to work for, for hours on end. I asked if they'd come to school to assist us. These parents refused to come. Most parents are supportive, but not all. When we are not allowed to suspend a student who has been violent or who has threatened violence, there is no accountability for that child, and certainly no accountability for a parent to change things that could be fueling a child's behaviors. Students have threatened to shoot staff in the face and threatened to shoot other students. To be honest, some have the means to do this. In these circumstances, the only options we have is to continue working with them in the office or resource room, providing little sense of safety for those involved.

ALBRECHT: OK. I'm going to have to just shut you off--

BRUCE STRONG: OK. Thank you.

ALBRECHT: --at the red light. But if anybody would like for you to continue, you can certainly do that. Anyone have any questions? We have your information. Thank you very much. Next proponent.

JAMI JO THOMPSON: [INAUDIBLE] sorry.

ALBRECHT: You're OK.

JAMI JO THOMPSON: Hi. Good afternoon. My name is Dr. Jami Jo Thompson, J-a-m-i- J-o Thompson, T-h-o-m-p-s-o-n. I am the superintendent of Norfolk Public Schools, where Woodland Park is one of my elementary schools. My testimony is written in support of LB1146, but I am also in support of LB899 and the comments would apply. I would like to start by thanking Senator Murman, Senator Albrecht, Senator Dover, and Senator Hughes and many other senators who cosigned to this bill on behalf of the teachers, the principals and the students in our schools across the state who have been impacted by the prohibition of suspension of kindergarten through 2nd graders. Although well intentioned, this prohibition has been very problematic in that a few students have been allowed to remain in school when they are clearly disruptive and even dangerous to the school environment. LB1146 would allow an exception to this prohibition when students engage in violent behavior that is capable of causing physical harm to another student or school employee, such as what you heard previously from my principal. Teachers and principals do not take the suspension of students lightly. They try a myriad of strategies before sending a child home from school, such as-- and I think this is the list you've been hoping for-- visiting with the child; calling the parents; counseling services; reinforcement of the rules and expectations and consequences; positive reinforcement of good behavior; positive behavior intervention supports; multi-tiered systems of support; natural consequences for behavior such as cleaning up their mess, apologizing to someone they hurt, etcetera; time in the office or another room away from the peers; specific behavior plans; behavior contracts; parent meetings; student assistant team referrals; or student community intervention plan referrals; retraining or reeducating the student; use of timeout or calm down area in a separate area; think time in a buddy room; distancing the student from other children or a special seating assignment; staff escorts during transition time; social skills training; social groups and social stories; check in and check out at the beginning and ending of the day; peer mediation or peer mentors; point sheets; individual incentives; class-wide incentives; even school-wide incentives; providing the child with fidget; opportunities for movement and breaks; leadership opportunities like leading the class meeting, running errands; humor; redirection, referral to local mental health provider that schedule sessions at schools; anger control strategies; self-regulation techniques such as deep breathing, tapping, etcetera; functional behavior analysis; asking the parents to come in to talk to the child and help de-escalate him or her; forced choice surveys that provide information about what the student enjoys or is motivated by.

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Obviously, there are a few more there; but unfortunately, they don't work in all situations. Sometimes we have to send the child home for a short period of time in order to keep the students and the staff in our building safe and to teach the student that that behavior is not tolerated. Sorry I ran out of time.

ALBRECHT: You're OK. Thank you very much for the testimony. Any questions? Senator Walz.

WALZ: Well, thank you for the list. I can't really think of anything else that you could add to that list. That's a-- that's a good list. Thank you, I appreciate that. Can you just briefly talk about the interactions with parents when you're starting to observe that there might be some problems with a student [INAUDIBLE]?

JAMI JO THOMPSON: Sure. We even con-- we even encourage our teachers to contact parents before there's an issue to help develop that relationship. But as soon as they have an issue, we're having them contact the parent, ask for their help, you know, provide strategies for at home and start that communication process. As things become more involved, then we ask that parent to actually come in and meet with a team, with the teacher, the parent, the counselor, the principal, maybe even a specials teacher that has a good relationship and try to develop an individualized plan to help that student be successful. I mean, that is our ultimate goal. And we'll look at these strategies and a whole list of others just to try and figure out something, because we want kids to be in school and to be successful. But we also want their peers to be safe and our staff to be safe.

WALZ: Yeah.

JAMI JO THOMPSON: And Mr. Strong is a great principal and a strong Christian man, and he was almost broken. And some of our teachers are there too. We don't have replacements for them. You know what our recruitment and retention is like right now. So we have to do something. We have to have a full toolbox available to our teachers and to, to our principals. This is our last resort, but sometimes it is necessary.

WALZ: Right. It's really important because sometimes you are the parents' last resort, and sometimes you're the person or the entity that finally finds the resources that those parents need. So I appreciate your testimony and all the good things you're doing there.

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JAMI JO THOMPSON: Thank you.

ALBRECHT: Thank you, Senator Walz. Any other questions? Seeing none, thanks for being here tonight. Next proponent.

KYLE MCGOWAN: I'm speaking in support of both bills.

ALBRECHT: OK. Thank you.

KYLE MCGOWAN: My name is Kyle McGowan. Good evening. I had good afternoon down here, but good evening. I'd like to make sure that I have both my-- the right pieces. So my name is Kyle McGowan, K-y-l-e M-c-G-o-w-a-n, and for 1525 I'm representing Nebraska Council of School Administrators and the Nebraska Rural Community Schools Association. For LB1146, I'm representing the Nebraska Council of School Administrators and the Nebraska Rural Community Schools Association, Nebraska State Education Association, Schools Taking Action for Nebraska Children's Education, and the Nebraska Association of School Boards. You've heard a lot of testimony, all the testimony. I don't want to repeat. I did make my own list as I was sitting there of things, of strategies, a lot of preventative strategies that people don't talk about. But I just want to say, Senator McKinney cares about kids, you know, and, and he's passionate, but we care about kids too. And we're passionate too. So no one wants to give up on anyone. But there's a point at which, especially young children, there's a chance to really make a difference. And we have to be partners in that plan. And when I say partners, partners with parents. I get that there are-- so superintendent at Crete, principal at Crete. Over half of our kids are minority. More than half of our kids are on free and reduced. At any one time, we have 70 homeless children, 4 times the number of ELL kids. I get what it's like to work with stress in families. I really do, and it does take extra efforts and caring that it might have been easy for me to skip a day of work, you know, or my wife to skip a day at work, but that means something different. But ultimately, who is responsible for the life of that child and the behavior of that child? 99% of the time we're successful when we can get together, but there is that 1% of the time that we have to think about everybody else in that classroom and the safety of, of the teacher, the safety of the children. It's ultimately not about hiding the problem, sweeping any issues under the table. It's about fixing it. And part of fixing it is we want you to be back in school. We're going to help you make better decisions. And right now, you're not making those decisions, but we'll get you there, OK? So, so come back. Did you learn anything during that time? Yes or no? You know, we're getting

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kids for maybe seven hours a day. But when I look at, at Crete with part of our programs of before and after schools, it's usually about 10 hours a day which is great. I think it's fantastic. I love that we have those programs, but there's still 24 hours a day. And who's having those children most of the time? So, we support both bills. We, we, support Senator McKinney, actually. But we need some help out there.

ALBRECHT: Thank you very much for your testimony. Do we have any questions? Seeing none, thanks for being here this evening, Mr. McGowan. Any other proponents? Any opponents? Good evening.

JOY KATHURIMA: Good after-- good evening. I also have good afternoon. Good evening. Good evening, Vice Chairman-- Chairwoman and members of the Education Committee. My name is Joy Kathurima. Spelled J-o-y K-a-t-h-u-r-i-m as in Mary-a, legal and policy counsel at ACLU of Nebraska, here in opposition of both LB899 and LB1146. LB899 seeks to exempt Class III school districts from the current prohibition on suspending a student in prekindergarten through 2nd grade. Young students, regardless of the size of their school district, not only need to be taught how to read, write, and engage in a classroom, they also need to learn how to identify, understand, and manage their feelings and how to respond to behavioral expectations and norms in a learning environment. Research is clear that suspending a young student for misbehavior does not teach these skills and is instead counterproductive to their development and growth. Suspension and expulsion of young children also has negative consequences for families. Parents may have to miss work to care for their children. Further, when students are suspended, they miss academic time that is crucial to their long-term academic achievement. It should come as no surprise that suspension and expulsion are associated with lower levels of academic achievement, even controlling for other demographic factors. While it is crucial to maintain a safe and supportive learning environment, suspension is not an effective or compassionate solution for addressing behavioral issues in early education. It is essential to involve parents, guardians, and educators in collaborative efforts to create a comprehensive support system for students. LB1146 would allow for the suspension of pre-K through 2nd grade students for certain behaviors. Young children in this age range are often in critical stages of development, where they're learning to navigate their emotions, social interactions, and problem-solving skills. Suspending them from school not only disrupts their academic process-- progress, but also hinders their social and emotional growth and ability-- ability to manage their feelings in the future. Implementing restorative justice practices, counseling

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services, and social emotional learning programs offers a more constructive approach to managing behaviors. By fostering a supportive environment that encourages open communication and empathy, these young students can develop the skills they need to navigate their emotions and interact positively with their peers. Thank you for your consideration and commitment to the well-being and success of our state's youngest learners. I'm happy to answer any questions.

ALBRECHT: Thank you very much. Good job on time.

JOY KATHURIMA: I was watching it very closely.

WALZ: Talking about it.

ALBRECHT: OK. So any questions? Senator Walz.

WALZ: I have a quick one. Thank you for being here so late tonight. I can't-- it's so late I can't even think of my question. You mentioned comprehensive support programs is something that's needed. Can you maybe give me some examples of what that consist of, what does that look like and how you involve parental-- parents in those programs? Like what, what does that look like?

JOY KATHURIMA: Well, I'm not an educator by trade. So I can certainly look into what, what other states have done, what is nationally recommended. But just thinking about it, I would, you know, considering whether those are phone calls home, whether those are trying to get more supportive. I don't want to say IEPs necessarily, but trying to figure out, like, what are the best solutions between talking with parents, talking with the child and trying to communicate with educators? Because obviously the stories that we've heard are horrific, and we certainly want to keep educators in the classroom. But suspending kids isn't necessarily the best way to, to balance those, those ideals on.

WALZ: OK. Thank you.

ALBRECHT: Thank you, Senator Walz. Any other questions? Seeing none, thank you.

JOY KATHURIMA: Thank you.

ALBRECHT: OK. The next opponent.

BRAD MEURRENS: Good evening, Senator Albrecht and members of the committee. For the record, my name is Brad, B-r-a-d, Meurrens, M-e-u-r-r-e-n-s, and I am the public policy director at Disability Rights Nebraska. We are the designated protecting advocacy organization for persons with disabilities in Nebraska. And I'm here today in opposition to both LB1146 and LB899. We agree the safety and security of teachers, staff and students are of paramount concern, not in question. A safe and secure school environment and culture is fundamental for teachers to teach effectively and students to learn and grow. But LB1146 is premature. Nebraska Statute 79-262.01 requires the State Department of Education on or before July 1, '25 to develop and adopt a model policy relating to behavioral intervention, behavioral management, classroom management and removal of a student from classroom in school. The model policy will also include, quote, appropriate training for school employees on or before August 1, 20-- of '25. In '26, each school is required or a district is required to develop-- adopt a policy that's consistent or mirrors that model policy. LB1146 is counterproductive. The U.S. Department of Education reports that preschool children with disabilities served under IDEA represent 24% nationally of preschool enrollment, but 34% of preschool children who received one or more out-of-school suspensions and 62% of preschool children who were expelled. Once, once suspended, these children get labeled dangerous to staff and receive more suspensions. Additionally, as we said before, keeping children with disabilities out of the classroom significantly impairs their ability to learn. The bill's vague language perpetuates the disproportionate suspension of students with disabilities. What is "violent behavior"? Is "capability" the best standard and how is that determined? What kind of physical harm are we talking about? Such vague language invites an unbounded range of interpretations, further fueling a sweeping use of the suspensions and inviting abuse. Also, LB1146 only provides staff with one tool: suspension. The bill completely ignores any effort to understand or prevent behaviors. This is an important variable to address, as behavior is the language of a child and is usually a symptom of something else, often stress. The bill creates a suspension merry go round with no attention to the underlying causes. There is promising evidence from a program in Connecticut called the Early Childhood Consultation Partnership where alternatives to suspensions are explored and implemented for this age group and they're having significant positive outcomes as of 2016. We recommend the committee not advance this bill, LB1146 or LB899. And I will also mention, if you look at the language of the law as it exists today, it doesn't say you have no alt-- you have no options. It says you can't suspend

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and you should seek out other in-school alternatives to that suspension. So I don't want to give the impression that teachers are without any tools. The law says not this tool, these tools. With that, I'd be happy to answer any questions.

ALBRECHT: Thank you for your testimony this evening. Any questions from the committee? Seeing none, thanks for being here.

BRAD MEURENS: Thank you.

ALBRECHT: Next opponent.

KATIE NUNGESSER: Thank you, members of the Education Committee. I am Katie Nungesser, spelled K-a-t-i-e N-u-n-g-e-s-s-e-r, and I am representing Voices for Children in Nebraska in opposition of both LB899 and LB1146. Children are the future of Nebraska. No student in Nebraska should feel like they have failed at school, especially at an early age. Early suspension predicts later grade suspensions, placing the child on track for negative school attitudes and outcomes. Preschool starts as early as age 3. These are our smallest students who, like other or-- like older children, are trying to learn social behaviors. When looking at what leads to suspensions, we see that most children are exhibiting developmentally appropriate childlike behavior such as yelling, stomping, not standing still or sitting still. When we punish children for being themselves and doing what is developmentally appropriate, we are sending them an incorrect message. Children who are suspended are more likely to enter the juvenile justice system. Research highlights the alarming rates of suspension/expulsion for students of color, particularly black boys. Black children represent 17% of public preschool enrollment, but 31% of preschoolers who were given multiple out-of-school suspensions. What if children-- what children learn if they are suspended is that they are bad, that something is wrong with them, and this feeling heightens as children are suspended more and more, creating a preschool-to-prison pipeline. There are a multitude of other nonpunitive things that can be done instead of keeping kids out of school. What children need is adults who can help them process their needs. They do not have the capacity to handle those intense emotions. LB632 passed last session-- passed last session. There has been not enough time to efficient-- efficiently implement this across the state. Nebraska's 2 largest school districts should not have to follow different regulations. The same issues with student needs are seen across the state. Children should be in schools getting an education and accessing social skills. A better approach would be to teach and model for students instead of punishing by exclusion. We

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respectfully urge the committee to not advance either one of these bills. I apologize, it's been a long day.

ALBRECHT: You did well. Any questions? Seeing none, thanks for being here. Next opponent. Good evening.

MAGHIE MILLER-JENKINS: Hello again.

ALBRECHT: Welcome back.

MAGHIE MILLER-JENKINS: My name is Maghie Miller-Jenkins, M-a-g-h-i-e M-i-l-l-e-r-J-e-n-k-i-n-s. And hello again. We've seen each other multiple times today. I'm here to oppose both sets of bills, very similar to why I testified before on McKinney's bill in reasoning. First of all, I would love for you guys to think about a 3-year-old real quick. If you don't have children, you have grandchildren, you have nieces and nephews. You've been around kids, right? I nanny. I have a 2-, almost 3-year-old that I nanny for. This little human is just discovering that she has autonomy, right? She's 3. So what does she do? She throws her toys. She throws herself on the floor. Inside of this bill, it does not specify that they inflicted violence on somebody. Right? There is a very-- there's an opening inside of the wording of this bill that says that they have the potential to cause harm or that their, their capability of being able to cause harm. I'm sorry, but if I am a grown person, a 4-year-old isn't going to beat me. I mean, I'm sorry, that's just not going to happen. And again, I work DD services. Where's there Mandt training? When you work inside of disability services, you're required to have Mandt training which is nonviolent hold. So if an adult with disabilities is coming at you full force, I have been chased around my car with a knife by somebody who is 6 foot 6 and 380 pounds, just me. And that's working with people with disabilities, right? There was no backup. Nobody was there to save me. This person was having an emotional outburst. They were grown. Should I have been scared? Absolutely. That was a petrifying moment. But I've also worked daycares for over a decade. Did I watch a 6-year-old try to manhandle a grown woman? Yes. Did I work in in our Lincoln Public Schools and witnessed students 6, 7, 8 years old trying to exhibit violent behavior? Yes, absolutely. But you know what else happened? I was an adult in this situation. None of us got hurt. Nothing happened. Because de-escalation and having real relationships with your students is the whole point of education in my opinion. If you are going to have laws that mandate that you are forcing children to abide by the educational guidelines that we have set forth, at the very least, we should be supporting them inside of those school systems. And what I hear a lot of from both

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the principals and the administration all the way down to the teachers, is maybe instead of legislating more things that we can use as toolbox kits to be able to deal with these problems, maybe we need to start adding more adults to the situation. I heard 2 people come up here and say that it was only a principal with no assistant principal. So instead of legislating how we're going to suspend these students and what we need to do to, like, move them through and move them out, we need to be legislating more adults into the schools so that they can effectively be able to handle the problems that come up to them. So my last statement will be more teachers, more paras, more therapists, more counselors, less suspensions, because that's what's going to help the kids.

ALBRECHT: Thank you very much. Anybody have any questions? Seeing none, thank you for being here several times today. Very nice. Any other opponents?

SPIKE EICKHOLT: Good evening, Vice Chair. Good evening, Vice Chair Albrecht and members of the committee. My name is Spike Eickholt, S-p-i-k-e, last name is spelled E-i-c-k-h-o-l-t. I'm appearing on behalf of Education Rights Council as their registered lobbyist. We are in opposition to both bills. I'm not going to repeat the testimony that some of the other opponents said earlier, although we do share some of the points that were made. And we had the hearing before the evening break where the proponents of Senator McKinney bill made some points that are sort of applicable to the opposition testimony to these bills. I just want to mention a couple of things that are different. Senator Murman asked earlier today about, I think-- I'm paraphrasing this question, what can we do for the parents who aren't involved? I would remind the committee that 47-247(3) (a) allows a county attorney to file an action against parents of children if the parents neglect their educational needs. So if, if the schools are not getting any kind of engagement from the parents through the IEP, that's an opportunity that's there. I do want to talk a little bit about the bills themselves, because if the committee is going to consider acting on any of these, I think both of these bills need some serious work and form. And I don't mean to be-- well, I guess I do mean to be critical, but not personally critical about the bills. And I did tell Senators Hughes and Senator Murman that we'd be opposing the bills. Senator 8-- or LB899, Senator Hughes's bill, if you look at the language, I don't think that's-- this is how it should read, even if you support her intent. Because on page 2, line 14, there's an exception that says: This section, the entire section 79-265 .01 shall not apply to a Class III school district. But if you look at lines 8-13, that's the authority for the

school to suspend children who bring a deadly weapon to school. I don't think that she wants to do that, because that would remove Class III school districts from being able to do that. So it's just not drafted well. And I'm only saying this not to be critical, but if you're going to do something about this, this needs to be looked at. I want to put it on the record. Secondly, LB1146, Senator Murman's bill, if you look at the exception, I think the exception, you've heard it from some of the proponents before, we got to do something about the violent children. We've got to hold them accountable, the children, even though we're not punishing them. Accountability, in my opinion, is kind of a punishment or a punitive kind of jargon. But in any event, if you look at page 2, lines 15-16 of LB1146, I would submit that this language is speculative and it's subjective. It provides for suspension if a student engages in violent behavior that's capable of causing physical harm to another student or school employee. If you look at the current law, the way that we provide for suspension, that's on page 2, lines 10-11, we actually have the terms defined and we reference somewhere in the statutes what those terms mean. We don't use the term "harm" in our criminal code. We don't use it in tort law. We use injury, serious bodily injury, those kind of terms. The term "capable" I understand, that engages in violent behavior. You don't need the "capable." If they engage in violent behavior, capable just gives you something else. So I just say that again not meaning to be over critical. But if you're going to-- if the committee is going to look at this, this needs some serious work because it's not going to effectuate what you want to do, which we do oppose in both bills. I'll answer any questions if anyone has any.

ALBRECHT: Thank you. Any questions from the committee? Seeing none, thank you for being here. Any other opponents? Seeing none, anyone in a neutral position?

TIM ROYERS: Good evening, members of the Education Committee. Good to see you again. For the record again, my name is Tim, T-i-m, Royers, R-o-y-e-r-s. I'm the president of the Millard Education Association, exclusively speaking for the NEA in this one, in a neutral capacity on both bills. I'm also speaking as the husband of a kindergarten teacher, as the father of a daughter who was assaulted at school last year, and as the father of a daughter who sees a therapist to help regulate her behavior. So I have lived both ends of this issue. I say this as someone who frequently comes down here and testifies in a pretty contrarian way. I think we've lost our way to talk about this issue candidly. I think we do a lot of talking at each other. I think we do a lot of two ships passing in the night, and I think we've really lost the capacity to engage in the perspectives of one

another. There's someone that I respect greatly who will often tell me that 2 things can be fundamentally true at the same time. It can be fundamentally true that the systemic suspension of kids, particularly students of color, is wrong. That's true. It can also be true that for an extremely small handful of kids, their behavior is having such a profound impact that we have-- that we are compelled to act. That can also be true at the same time. One concern that I've heard in the testimony going on tonight is that it's too soon to course correct on a bill that was just passed. And I think from your chair, that is a completely fair sentiment to have. I will tell you, though, from my chair, K-2 behavior is the number one concern I'm hearing from my educators right now. 68% of my elementary members in my district say the behavior is worse this year than in las-- than in previous years. And so I want to make sure to pass that on and why I feel like some kind of tinkering is necessary. Now when-- because when I have to console an early career educator who is concussed by a 6-year-old and is struggling to return to work, I can't tell them we got to wait before we adjust the law, right? That's a hard thing for me to tell them. And so I have plenty of other examples. But here's the thing I want to focus on. One thing that I think we can all agree upon, which has been said repeatedly, is that behavior at this age, along with many other ages, is a manifestation of something else going on in their life, right? That's not something those kids want to do. I would offer an analogy then on this issue in the testimony we've heard this evening. Right? Educators do not want to suspend students, which then begs the natural question, well, then, why the heck are there these bills to try and restore the capacity to suspend? These are happening, and this is the reason I'm testifying in a neutral capacity. It's because what we really want to do, we can't. We lack out-of-school mental health support and specifically level 3 facilities for some of our kids. So what's happening is a desperate cry for help because they feel like they have no other options. So we have a snowball effect that's happening. Kids that should be in a level 3 placement aren't going there. They're being put in our SBS rooms because that's the next best thing we can do for those kids. But then that means their SBS rooms are at capacity. And so kids that should be placed there are not being placed there. They're being placed in the general ed classroom. Right? So it creates a snowball effect. So I'm sharing this in a neutral capacity because I don't think either bill is necessarily bad, but I also don't think it substantively resolves the root cause of the problem. And I asked several state senators before this session, please take up the issue of additional funding for LMHPs and for level 3. I wish somebody would have. Because I'm telling you right now, when people

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say we don't want to suspend kids, we have the playbook. We know where these kids need to go that is the best fit for them, and we can't send them, including good parents. They will go and try and line up a specialist. They're told 6 months at the earliest, and then what are we left to do? So that's the element that I think has been missing from the conversation tonight are the out-of-school elements in terms of resources and accessibility that I would ask this committee to consider on this issue. Thank you.

ALBRECHT: Thank you very much. A lot-- a lot to take in. Questions? Senator Conrad.

CONRAD: Thank you so much, Vice Chair Albrecht. Thank you so much, Tim. You provided a lot of insight from a lot of different perspectives, which I think is important. I just want to follow up on one piece--

TIM ROYERS: Yeah.

CONRAD: --because-- and I know people get busy and now we have bill restrictions moving forward and what have you. But I think that one of the solutions or remedies that you hit upon makes a ton of sense. What I'm worried about is why that request didn't get in the mix. Did NSEA shop that bill to anybody?

TIM ROYERS: I don't want to speak for our staff. I know attempts-- I don't know-- I don't know the full details. So I don't want to misspeak. But I know I've personally talked to some folks about please consider this issue.

CONRAD: OK.

TIM ROYERS: And so I don't know. And you're in a short session. I know that your time is limited.

CONRAD: Sure.

TIM ROYERS: And again, to the point that has been made repeatedly, this is something we can look at for the next time we meet.

CONRAD: OK.

TIM ROYERS: Right?

CONRAD: Yeah.

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TIM ROYERS: But no, I mean, I just want-- I've had enough private conversations. I think it's good to have a public conversation about this because it's something that, candidly, even a lot of educators aren't familiar with on this issue so.

CONRAD: Yeah. And it-- I think actually, the first time that I've heard it mentioned in this--

TIM ROYERS: Yeah.

CONRAD: --context of this discussion. So I was like, oh, that is actually a really smart alternative, but why didn't anybody put in a bill on this? Did somebody have--

TIM ROYERS: I figure, Senator Conrad, better late than never is where I'm at.

CONRAD: That's true. That's 100% true. So the other thing that I'm trying to figure out here, Tim, and because you have so much classroom experience, it's really valuable to help us kind of think through this in practice, as was the experience that the administrators brought forward as well and we've heard from the families and the kids and, and their advocates, too, which I think is great. Because what I'm really trying to balance here is the right of the student to receive an education,--

TIM ROYERS: Absolutely.

CONRAD: --legally, morally, unequivocal--

TIM ROYERS: Yep.

CONRAD: --and, and how we go about that. And then I'm also trying to think when you have a kid who has special needs or high-- has high needs or exhibits these behaviors, which it sounds like we all kind of agree, it's not just because they're bad kids.

TIM ROYERS: Right

CONRAD: There's something else going on there. How do we meet our legal and moral obligations to that kid? And then how do we also ensure we're meeting our moral and legal obligations to the other kids in the class who also have a right to an education?

TIM ROYERS: Yep.

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CONRAD: So when these kinds of hard situations present themselves, I mean, is there generally a-- I'm guessing pretty short in terms of duration? Is it pretty exigent kind of circumstance where somebody acts out, something bad happens, something scary happens, the teacher intervenes or doesn't intervene or calls for-- just kind of walk it, walk us through like the actual process of what happens--

TIM ROYERS: Sure.

CONRAD: --when, for whatever reason, a kid throws a desk across the room. Then, then what?

TIM ROYERS: Yeah. So I want to make sure it's clear. Obviously, different districts do things differently.

CONRAD: Sure.

TIM ROYERS: I'm going to speak to the experiences that, you know, and I'm privileged. I'm what's called the release time president. Right? It's my-- obviously that's why I can be here and hang out with you so much is because I'm on release time to serve in this role. The upside, though, is I also visit all of our schools. Right? So I've been able to witness a lot of this stuff firsthand, and see some attempts to, you know, kind of go through the, the chain of what should happen with a student I've been able to witness. So that way I can speak to you. So, first of all, teachers are expected in all circumstances to docket-- in Millard, we call them majors and minors in terms of behavior incidents in the classroom. Because one of the biggest things we need to make sure to do is documenting, right, because to your point about ethical and legal obligations. If it comes to the point where some pretty substantial interventions need to happen, the parents need to have the right to have access to evidence that there have been things going on in the classroom. It can't just be, oh, Johnny has been awful for X number of days. There has to be clear documentation on the part of the educator. So that's, that's one component of it is just that. If a specific incident happens, oftentimes what will happen is they'll remove that student from the classroom. Depending on the size of that elementary school, where they go next is based on staff availability, which is something that was discussed previously. I've seen plenty of principals handle the one on one-- oh, the main focus is let's get this kid one on one in a separate space and figure out what's going on.

CONRAD: Right.

TIM ROYERS: So whether that's in the principal's office or some buildings will have separate, like, calming rooms just to try and get them to a different environment. That's usually priority number one. If they can de-escalate and get a sense of what's going on, usually, then they'll try and get them back to the classroom as soon as possible, and then they'll debrief with that classroom teacher at the end of the day. The main thing they want to keep an eye on is, is there a pattern? I mean, even the best of kids are going to have a day where you're like, what the heck was that?

CONRAD: Yeah.

TIM ROYERS: Right? You still need to intervene. You still need to protect the interests of the other people in the room, but you still need to make sure you handle that correctly. Now, the reason why I stress the documentation piece is because that's what helps you pick up on patterns. Because, again, this isn't happening for any, like, for example, we were working with a member who was frustrated. They started to figure out the behaviors were happening at the end of the day, so something about leaving the building. OK, well, then let's try and drill down into what that is and figure out how we can better support that kid. Is it, you know, did they just move houses? You know, what's going on, right? And that allows you to pivot. And I think one thing that we've tried within our district that I would speak highly to, and I'll speak to this again, as a classroom teacher, it's hard to speak objectively because you kind of are yourself in crisis mode. Right? And so one thing that we've been trying this year that's worked pretty well is we have kind of a rapid response team. So if we hear that there's a high-behavior need in the building, we have not only one staff member, but also-- we have a certificated staff member and then multiple paraprofessionals that will go out to that building, see what's going on in the classroom and kind of embed themselves for a few weeks. And then they'll say, hey, objectively, here's what we think needs to happen, right? Because we're going to be the person in the room that doesn't have direct skin in the game. Here's what we think you need to be doing with that kid to help them be successful and to minimize the need to eliminate them from the room. And then the idea is that grad-- a phrase we use in education a lot is "gradual release." The idea is you want to be able to step back and make it so that everybody in that room is thriving. So that would be an example of something else that we're doing to try and help dial the temperature down for everybody involved.

CONRAD: OK. Thanks a lot. Thanks.

TIM ROYERS: Yep.

CONRAD: Thank you.

ALBRECHT: Thank you very much. I'll just kind of piggyback off this a little bit. So who is that person? Like, is it a school psychologist? Is it--

TIM ROYERS: Sometimes, yeah.

ALBRECHT: And do you have-- do you feel that you have adequate supply of school psychologists? Because I know that was a--

TIM ROYERS: No, no, no, no, no.

ALBRECHT: --[INAUDIBLE] long time.

TIM ROYERS: No no. And one thing I do-- I do want to stress because I think this has come up. I think it was Senator Conrad, you mentioned it in a comment on Senator McKinney's bill about, you know, there has been an influx of resources. Part of the problem is we don't have the people. Right? So like when UNO, for example, only has 17 people in their special education program, that's a problem. And it's a-- it's a chicken and egg dilemma of you hear about all the challenges in education, which deters people from becoming educators, which then magnifies the problem. So how do we stop that downward cycle, get people back in, and, and help break that track? So part of the problem is we need to figure out how do we address that issue. Because I think we can all agree we want to have the adequate number of adults in that kid's life so they can be successful. But again, the problem is, we're just-- we're having a real hard time finding candidates. And I know I'm not speaking just for my own district when I say that.

ALBRECHT: And I-- and we're hearing that. I mean--

TIM ROYERS: Yeah.

ALBRECHT: --we've been listening this--

TIM ROYERS: Yeah.

ALBRECHT: --you know, 2 or 3 bills now about it. So, while I can appreciate the principal from-- she probably left already.

WALZ: [INAUDIBLE].

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ALBRECHT: --is she still, no, from Seward.

WALZ: Rachel.

TIM ROYERS: Yeah.

ALBRECHT: Still there. No. She left. OK. So but, you know, there are some schools that have, you know, lots of different lines of--

TIM ROYERS: Yeah, yeah.

ALBRECHT: --people that can help, and others don't.

TIM ROYERS: Um-hum.

ALBRECHT: But, but what's happening in our world today that's causing this to happen? You know, because you can point to the-- to the parents that they just don't want to come in and help. They're not just dropping those kids off for 10 hours. I mean, they probably got a hundred different things going on in their life. I mean--

TIM ROYERS: Right.

ALBRECHT: --there's got to be something more that, that we can point to.

TIM ROYERS: And have there-- have been times where people have been frustrated and feel that parents aren't helpful in a situation? Sure. But I would-- I would prefer to presume positive intent. And I can certainly give you plenty of examples where parents are doing everything they can. Staff at the school are doing everything they can. And candidly that kid's doing everything he can or they or she can, but they're struggling with things that they can't fully grasp because they're 6-year-olds, you know? And so it's like, you don't have to have a villain, right? Everybody can be trying, but we aren't quite figuring out what's clicking. Right? And I think, you know, and I'll be candid. Look, we're going to be dealing with the consequences of the fact that we went through a global pandemic for a long time. Right? And it's manifesting with different age groups in different ways. Right? And it's also manifesting with, I'll tell you. And again, this is also true of just behavior in general. We're talking about maybe 1 or 2 kids in a school. Right? And I think we heard some other testifiers say that too. When we talk about the really extreme, it's 1 or 2 kids, right? And that was-- when I mentioned 68% of my elementary members say that behavior is worse, when, when we go through their written comments, they say that, like, as a whole, it's

better, but 1 or 2 kids are really causing kind of a, you know, a wave of problems. But I'll give you an example. And again, it's not many, but it's enough to make an issue. We have kids being sent to kindergarten who aren't toilet trained, and the parents expect the kindergarten teachers to do it, and that is mind blowing to me. And again, it's not many, but it's enough. And Lord knows kindergarten teachers have enough on their plates, right? And so-- but again, I don't think that's the parents' fault. I think parents didn't know what to do and didn't know where to turn to help. Right? And so I think to your question, I think this entire conversation is endemic of the fact that there are a lot of wider issues in society and we are dumping them on our schools.

ALBRECHT: But, but here's the other thing. Sometimes when you get bills like this, it's not a one size fits all.

TIM ROYERS: I agree.

ALBRECHT: You know, and it's hard to-- it's hard to put it all together.

TIM ROYERS: Right.

ALBRECHT: There's not a right or wrong for any of this--

TIM ROYERS: Right.

ALBRECHT: --because it's just not going to work in some schools. It's not going to work for some families it's not. So it's a tough decision.

TIM ROYERS: Well, and again, I wanted to testify in this in a neutral tonight because I felt there was a component missing about those services outside of schools that I feel we have a shortage of access to. But to your point, and I think to the broader conversation, I think there's a way to synthesize concerns because in my mind, if we have to suspend a K-2 child, that district should be ready to demonstrate that they have gone through every measure of the playbook before that's happened. Right? You better show me that you've had your MTSS meetings. You better show me that you've tried tier 1, tier 2 and tier 3 interventions. You better show me that you've tried all of these other components. I personally wouldn't have a problem with that. I would happily prove because then to me, that would also solve the larger systemic concern of the auto suspend the kid, right? The, the knee-jerk suspend. And I'll tell you, I've had to have some tough conversations with my members. And I'm like, there's a process for

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this for a reason. And I understand you're frustrated. You had a bad day and you had a hard day, and you deserve to feel upset right now. But there has to be objective voices about that kid that's willing to look at the bigger picture.

ALBRECHT: Yeah, absolutely.

TIM ROYERS: Yeah.

ALBRECHT: I appreciate that.

CONRAD: [INAUDIBLE]

ALBRECHT: We can go more.

WALZ: You can go.

CONRAD: No, I got it.

WALZ: Because I'm going to.

CONRAD: OK.

WALZ: I just want to make--

CONRAD: I know we're not even halfway through at 7:00 at night.

WALZ: Honestly, I just want to say, first of all, that I think that this has been one of the most productive and effective conversations that we had-- have had in a long time on this issue and appreciate it. Secondly, I just want to say that I love the fact that you said we don't have to have a villain in this.

TIM ROYERS: Yeah.

WALZ: This is not an us versus them, and it shouldn't be. There doesn't have to be a villain.

TIM ROYERS: Yep.

WALZ: What needs to happen is that we have to have more conversations like this and work it out between the schools, parents and whoever it is so that-- that's all I wanted to say.

TIM ROYERS: Well, let me-- I just want to say I appreciate that we're at this point because I know that these bills were introduced. I remember testifying at that interim study, and I know Senator Murman

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asked quite a few questions. Whether we're at the right solution or not, again, I am appreciative we're having the conversation because, again, this is my number one issue for my educators. And I can now tell them that I've been able to talk with all of you about it, regardless of what happens with the outcome, the conversation's happening.

WALZ: Yes.

TIM ROYERS: And that's what I need to be able to tell these folks that we're going to try and figure it out.

ALBRECHT: Very good. Senator Conrad.

CONRAD: Thank you so much, Vice Chair. Thank you, Tim, for being a good sport. You've been here as long as we have today too. But I think your expertise on the front lines helps to inform the discussion. And I agree with Senator Walz. I, I, I think we are moving farther in our discussion, and I do think it has taken the wrong track over the years. I'm glad that we have moved beyond giving a license for the use of force in our classrooms as one remedy that was proposed for many years by organizations and members that are well known and well documented. So I will leave that there because I think that's the worst solution to the problem. But here's my question. Just right when you were ticking through the, the alternatives or talking about suspension as a tool of last resort, I mean, in essence, the suspension or expulsion or emergency exclusion should always be a tool of last resort.

TIM ROYERS: Right [INAUDIBLE].

CONRAD: So that was the case before Senator McKinney's measure passed. That, in essence, is the case today that you can do all of the other remedies that superintendent from Norfolk, Superintendent Thompson shared with us that, you know, is an incredibly long list here. So what, what I'm just kind of stuck on is kind of, you know, we all agree that exclusion and suspension and emergency removal or whatever it's called should be a matter of last resort. And we have all these other tools. That was the case before. That's kind of the case today, except where you can't do the exclusion or suspension or removal, what have you, which everybody agrees is the worst way to solve the problem, actually. And so that's why the Legislature took it off the table. And I-- the other thing I just want to keep thinking about in this particular discussion, and again, every

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situation is different. We're not talking about 18-year-olds here. We're not talking about 12-year-olds here.

TIM ROYERS: Sure.

CONRAD: We're talking about 2nd grade and under, little, little, little kids--

TIM ROYERS: Yep.

CONRAD: --that can have big needs. I understand that. But I think that's, you know, one reason why the Legislature felt really comfortable with, you know, saying it's impermissible to kick these really, really little kids out that label them for a lifetime, that disrupt our legal and moral obligations, to ensure their education. And every day they're out of the classroom and they're not learning and they're falling further behind, it sets them off on a really, really bad trajectory as well. So, I, I don't know if you want to respond to that briefly, but I'm glad we're not talking about use of force in the classroom anymore.

TIM ROYERS: Sure.

CONRAD: But I'm grappling with if everybody agrees there's a host of strategies to deal with this and removal for little tiny kids should only be as a matter of last resort, I just don't understand why it's 100% needed at this point in time. Because we're not like, you could still do a timeout, right? If somebody has a temper tantrum or a blowup, they can momentarily be removed from the situation and calm down. Right?

TIM ROYERS: And I've seen that used. I've also seen those kids kick holes through the drywall when they have that time.

CONRAD: Yeah.

TIM ROYERS: And I've also, you know, talked to teachers who are bruised in the face and they've said, look, we've laid out a plan to provide one-on-one interventions for this kid, which, again, is educationally appropriate. But we're doing a different person each day because we want to make sure we only get beat one day a week. That was a quote that was given to me. So I think--

CONRAD: --for 2nd grade and under.

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TIM ROYERS: Uh-huh, yeah, 100%. And I have witnessed both a 1st and 2nd grader assault a staff member to the point where they're bleeding. So, again, I want to make it clear that I agree with you, which is why I alluded to I think what was true prior to the last legislative session was not what we should be returning to. Right? And I want to make that point clear, because I think your points are very valid. What I'm asking all of you to do is to go, OK, maybe there's some tweaking we need to do with what happened last session. Because again, I'm telling you from being in these buildings, this has jumped up to level-- this has jumped in volume overnight in one semester. And I know it's late. Senator Conrad, I would love to continue this conversation with you--

CONRAD: Yes.

TIM ROYERS: --one on one later, because I can tell you're passionate about it. And I need to be able to tell my members who have been expressing their concerns about what's happening to them personally that I'm having these conversations with you. But again, I'm here tonight to say to your point, you're right. That's, that's never gonna solve anything, suspension. Now, there are other resources, right?

CONRAD: Right there.

TIM ROYERS: Right. But there's-- but there's other reas-- but it's-- but the reason why people are asking to put it back on the table is because the tools we want to use aren't available. And at a certain point, we have to consider the livelihood of all of the other people in that classroom beyond that one. And I think that's where we're at. And again, agree or disagree with it, I think that's the impasse that we have right now. And again, I want to stress this because that's why I want to testify in a neutral capacity tonight. There is another variable in play in this conversation that I think has been missing from the conversation up until this point.

CONRAD: Yeah. And we want everybody to be safe 100%. My mom was an elementary school teacher and had a--

TIM ROYERS: Yeah.

CONRAD: --lot of tough experiences over a lot of years. So, so I understand that firsthand. And I've heard the same from teachers in my district. But I also know that the data is unequivocal that there is a historic and present persistent disparity when it comes to

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low-income kids, kids of color, and kids of disabilities who are disproportionately and not a-- not even a close call, like disproportionately--

TIM ROYERS: No. I'm not contesting that at all. Yep.

CONRAD: --impacted by [INAUDIBLE] policies.

TIM ROYERS: Which is why I said 2 things can be true, right? We could acknowledge the systemic practices and also acknowledge what's happening to folks in our buildings right now. Those can both be true.

CONRAD: Yeah.

TIM ROYERS: Right? And the alternative has to synthesize both realities, because those kids shouldn't be subjected to systemic punishment simply because of an element of their identity. But also, our staff should be able to feel like they can come to work freely without fear of being physically attacked. I think both of those desires are aspirational that we can both work towards.

CONRAD: Right. And I think that's what the Legislature decided last year, was that--

TIM ROYERS: Right.

CONRAD: --we want to make sure, because of all of that undeniable data, that we don't extend punitive measures to our most vulnerable and youngest children.

TIM ROYERS: Sure.

CONRAD: And that we recognize adults have a host of other remedies to stay safe, which we want everybody to be safe.

TIM ROYERS: Yep.

CONRAD: So OK.

TIM ROYERS: And I guess where I would close my end of the conversation with that is I understand where you're coming from, especially because, like, there are things I do in my work, like negotiate the contract where I'm looking at things from a 30,000 foot lens, and this is how I see it. What I'm trying to impart with-- for all of you tonight-- sorry, Senator Sanders. I keep looking over here

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because this is where the questions are. But the problem is I'm trying to address the whole committee. But what I want to impart is what I'm hearing on the ground because, as you know, best intentions can sometimes manifest in different ways in reality in our schools. I feel like that's what's happening right now. But to your point, that does not mean a reversion to what status quo was prior to this law. And I would ask that you consider that there's a third variable in play regarding external LMHP resources that has not been included in the conversation.

CONRAD: Correct.

TIM ROYERS: So that's, that's where I'm at. I appreciate that.

CONRAD: Thank you.

TIM ROYERS: Yep.

ALBRECHT: Thank you so much for being here, appreciate it.

TIM ROYERS: Thank you.

ALBRECHT: Anyone else in the neutral position? Seeing no-- none, we have-- I'll talk about the letters real quick. On LB899, we have 3 proponents, 17 opponents and 0 neutral. And we'll have, have Senator Hughes come up and close.

HUGHES: Whew. This was a big one.

WALZ: [INAUDIBLE] us in Education more often.

HUGHES: I know. This is a fun one. So I have my closing written, but I'm going to change it because of all the things I've heard. I'm going to talk about several things. I brought this because of my schools in District 24, and every single one talks about, and he alluded to it at the end, the behaviors of 2nd graders and under are getting so much worse. They're off the chart. And last year we passed a bill that albeit took the last resort tool in your toolbox, but it took it off the shelf for everybody. And I have the smaller school districts, and I have the school that has the one principal and nobody else. And when you have kids that are biting somebody that they need surgery or whatever, sometimes we need to get them out of that building to keep everybody else safe. And I would argue that this bill may not have passed last year, but it did, because it went into a package of 22 other bills that passed because the majority of us wanted 19 of those, 22 or 20 of those 22. That is how this bill

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passed. So I want us to keep that in mind. We also talk, and I would agree with the people that talked about this before, too, it's, you know, it's staffing and people, right? I mean, I'm in those schools that don't have those resources, and even the big schools don't have those resources because they have them-- lots of positions not filled and, and need extra staff. And at the same time we say that, we're going to hard cap our schools and not let them spend more money and not let them grow as staff. I mean, we're in a conundrum all the way, all, all across the board. And we don't have more people coming. UNO has how many people in the special ed? We, we don't. And so we've got to figure out what we're going to do with what we've got and make it work for everybody. Because if we take away tools and staff and, and we keep-- I'm just going to-- we keep punishing our schools and you need to do this and you need to do this, and you-- the ones that are there are going to leave too. And then we're not going to have anything. So I just think this is just a little bit of what we're seeing, just big picture. So on that, thank you for listening to this. I do think it was a really, really good discussion, and I think we can achieve that balance. Because kids should not be suspended with-- without a sufficient cause. And we mention it's, it's this extreme. It's the ones, it's the twos, 1 or 2 kids. It's not all, but we've got to keep our students and teachers safe as well, the other ones there, and it's a balance. So thank you guys for your time. I know it's late, so we appreciate it.

ALBRECHT: Any questions for Senator Hughes before she leaves? No.

HUGHES: OK. Thanks, guys.

ALBRECHT: Thanks for being here.

CONRAD: Thank you.

ALBRECHT: Senator Murman. And on LB1146, we had 5 proponents, 14 opponents and 0 neutral.

MURMAN: Yes. And I want to thank everyone for being here, the committee and, of course, everyone behind me. Appreciate you staying late and great testimony this evening. And I really appreciate that because I think the testimony highlighted a lot of the issues that are going on in our schools. But, but I think, you know, when we heard the testimony, it doesn't matter if you're a proponent, opponent or neutral, if the-- if they wouldn't have said, I'm a proponent or I'm an opponent or I'm neutral, it would have been hard to tell which side of the issue they were really on, or if there is a

side to the issue. Because like, like, I think a lot of the test-- testifiers said, we don't really-- it's, it's not taking sides. It's just trying to figure out the best way to educate our kids to take care of our youngest kids. And of course, it is important to have the early supports for, you know, pre-K through 2nd grade. The earlier the kids get the supports, the students get the supports, the, the more likely it is to have good, better outcomes. So-- and, and what my bill, LB1146, does is, is make it possible to use the full toolbox because I think everyone pretty much testified that, that the first thing that is done is talking to the parents. Doesn't matter if there's even been an issue yet. The most important thing is for the parents to have, or the person responsible for the kid to have, have a, a relationship with the-- with the-- with the school and with the teacher. So-- and we're talking about, you know, we don't really need, need the bill. Well, I agree we wouldn't need the bill if we had the full toolbox available to our-- to our educators. So that's the goal with LB1146 is to have that full toolbox available because I think to a person, they said the very last resort was some kind of a, I don't know if you want to call it suspension, some kind of a tool to encourage or, you know, almost force the parent or the person responsible to come in and talk about how to best address the situation. I didn't see-- hear anybody say that it's used for punishment. So I think we've talked about it a lot, so I'll just let it go at that and open for any questions.

ALBRECHT: Any questions? Senator Conrad.

CONRAD: Thank you so much, Vice Chair. Thank you so much, Senator Murman, for bringing forward the bill. And to Senator Hughes as well. I, I do agree that it was a instructive hearing kind of all the way around. And I know you'll remember from our committee dialogue last go around that Senator Linehan was actually, I think, one of the strongest advocates that we had in terms of advancing Senator McKinney's bill and, in fact, removing the geographical restriction to apply it statewide. So I know that she has maintained a steadfast and, and strong position in that regard, as we would expect no less from our friend Senator Linehan. And, and, you know, I'm, I'm very skeptical of these measures after the hard work that we did together last year. But I wanted to put that in the record. I know she couldn't be here because she was feeling sick today, but I know she's watching at home. And I just really appreciate you bringing them forward. And if we do move these, I think it will be a very, very contentious issue for the Legislature. But I think you're well aware of that. So that's nothing, nothing new to you. But thank, thank you.

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ALBRECHT: Thank you very much.

MURMAN: Thank you.

ALBRECHT: Seeing no other questions, we'll end LB899 and LB1146.

CONRAD: OK.

ALBRECHT: And, Senator Conrad, you're up next with LB1029.

CONRAD: Are we ready? Thank you, Chair Murman. And thank you, members of the committee. My, my name is Danielle Conrad. It's D-a-n-i-e-l-l-e, Conrad, C-o-n-r-a-d. I'm here today to introduce LB1029. OK, friends, I know it's been a long day. This might be a land speed record. This is the shortest bill I've ever introduced in 10 years, I believe. And I'm not going to belabor the point in my opening or close. But just because it is short in terms of volume, it makes it-- that doesn't mean it's not meaningful, because it is. What this measure does, LB1029 does is it simply says that for purposes of excused absences and purposes of truancy, we're going to allow people to miss school not only for physical illness but also for mental illness. So it adds and it clarifies that mental illness is, is also a reason to secure a excused absence for, for purposes of school attendance laws. So it's like a 2 sen-- 2-word bill. It has a \$0 fiscal note. This bill was brought to me and to Senator Dungan by a seminar class at the University of Nebraska-Lincoln who did a great job researching this issue and learning about state government. And they really wanted to highlight this as a potential solution to move forward, to raise awareness about mental health, to advance equity and reduce stigma around mental health, and to ensure that we are limiting our entanglements for kids and families who are struggling with mental illness or other reasons for missing school from being entangled in the justice system through the truancy laws. So with that, I'm happy to answer questions. I will be here to close, of course, but I'm planning to waive that just so that we can move things through. So now would be your time.

MURMAN: Thank you. Any questions for Senator Conrad? Senator Walz.

WALZ: Yes, very quickly. So have you-- did you talk with the Department of Education or is there anybody that would be opposed to this?

CONRAD: Well, I guess that's why-- we'll see in the public hearing. I, I don't think so. I haven't heard an outcry since introduction, but I have heard some people say, well, we kind of tried to do this

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in the past, or some schools may implement or interpret it to include mental illness with the existing statutory language. So it's been more kind of a technical question or a concern rather than strident opposition from my read, but maybe that will shift or change here today. I don't think it will signal a huge policy shift, but I do think it will make a meaningful policy difference.

WALZ: Yeah. Yep. And I, I appreciate this even more at the last hearing that we had--

CONRAD: Yeah.

WALZ: --because this may alleviate some of the, the--

CONRAD: Pressure.

WALZ: --pressure at school or-- right. So--

CONRAD: Yeah.

WALZ: --thank you.

CONRAD: Very good. Thank you.

MURMAN: Any other questions? If not, thank you for your open. Are there proponents for LB1029?

KATIE NUNGESSER: Thank you, Chairperson Murman and members of the Education Committee. My name is Katie Nungesser, spelled K-a-t-i-e N-u-n-g-e-s-s-e-r, and I'm representing Voices for Children in support of LB1029. LB1029 would make a significant and overdue change by recognizing mental health absences as equivalent to physical illness absences within our school systems. The importance of mental health and the well-being and educational success of Nebraska's children cannot be overstated. Mental health directly influences a child's ability to learn, think, feel, and act, impacting crucial aspects such as stress management, peer relationships, and decision-making skills. I'm going to shift a little bit from the written testimony that I handed out. At Voices for Children, our interactions with kids that are involved in the juvenile justice system, we often find that kids began their journey in the system with truancy, which would make sense looking at the data. 94% of all status offenses in fiscal year '22 in juvenile court were for truancy, which was an increase of 19% from fiscal year '21. In addition, 17.5% of all kids on probation is because of truancy right now. We know that the data and the stories from youth in Nebraska--

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we know from data and stories from youth in Nebraska that once truancy issues escalate, kids find themselves frequently going farther and farther down this path. Emphasizing this portion of our state's Student Discipline Act will hopefully prevent unwarranted referrals from schools to the juvenile justice system. Involving kids and families in juvenile court who have not done anything criminal is traumatic for them and bogs down the system, overloading judges' dockets, and inflating the state budget. I wanted to tell a story about a student that I met this fall. I was working with her as she was living in an out-of-home placement. She suffered from extreme anxiety and missed enough school that it led to her being referred to the county attorney and she was put on probation. Behaving as teenagers do with normal teenage behavior, she quickly was on an ankle bracelet and then ended up in detention and then ended up at-- at an out-of-home placement. And this was super traumatic for her. It did not help with her mental health. She's finishing high school out of home, even though she came from a supportive, good home to hear what her trauma is like going through this. And then on a personal note I just wanted to talk as a parent of a child that has, every single year, hit all the stages of truancy, unfortunately, with her mental health mixed with some physical health over COVID and things. It's a really scary process. My 12-year-old had to sit in a room while they read all this legal jargon and she thought her mom was going to go to jail or her mom was going to end up in trouble and she felt like her mental health issues or her bout with strep throat, then coupled with those mental health days, it was just really scary. Her mental health is important. When my daughter is struggling with her mental health especially, she's gone through med changes, it makes her paranoid. It makes it-- she's not learning in that environment. She needs that little break. She's a straight-A student, even with missing these days. But causing her, especially in middle school, to be present in front of kids while she's-- her mind is not right, it's embarrassing. It's, it's hard. So I just wanted to share those couple of things.

MURMAN: Thank you. Any questions for Katie? If not, thank you. Other proponents for LB1029?

JOY KATHURIMA: Back again. Good evening. Good evening, Chairman Murman and members of the Education Committee. My name is Joy Kathurima, spelled J-o-y K-a-t-h-u-r-i-m-a. I'm legal and policy counsel at the ACLU of Nebraska and I'm here in support of LB1029. LB1029 changes provisions relating to compulsory attendance to encompass mental illness into excused absences. Acknowledging that mental wellness is a factor into how students show up at school is

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tremendous. Allowing families to address their students' health-- mental health concerns without fear that related absences will be counted against the student, provides students with the chance to improve both their school performance and emotional well-being. Adolescence is a crucial period for development and a student's mental state can significantly influence their ability to focus, retain information, and engage in learning. At its most serious, we've all seen the tragic stories relating in students' deaths relating to mental health concerns. We thank Senator Conrad for introducing LB1029, and we urge the committee to advance LB1029 to General File. Thank you and I'm happy to answer any questions.

MURMAN: Thank you. Any questions for Joy? If not, thank you for testifying.

JOY KATHURIMA: Thank you.

MURMAN: Other proponents for LB1029?

MAGHIE MILLER JENKINS: Hello again. Maghie Miller Jenkins, M-a-g-h-i-e M-i-l-l-e-r J-e-n-k-i-n-s. I feel like I need to make it into, like, a song or something so it can play easier on these long days when I come and do a lot of these. I'm here to testify in favor of this. I, I like to try to make my testimonies-- have you guys feel something. Right? So in light of your life since 2020, I bet you guys could pick out at least 3 or 4 spots where you just don't want to get out of bed. It was a hard day, COVID knocked you down, and you just literally did not want to look another human being in the eye that day. Right? Now tack on hormones, tack on being 12 years old and getting your first shot of hormones and being rage filled for no reason and you just don't understand why or your minuscule amount of I really just don't want to look another human in the face but I'm an adult and I can suck it up and go to school. Put that in a 9-year-old's body. I personally have spent over 120 days watching the genocide of Palestinians play out in front of me. It's hard to come here and talk to people who have not called for a ceasefire. It's hard to come here and be in the room with people who act like they don't know what I'm talking about when I talk about those things. I can't imagine how hard it is for my 14-year-old goddaughter to go to school and have to deal with those things. I mean, she is in a transition's program, so that's awesome. It's something that Northeast offers so that you don't have to go to school. It helps with her mental health. But I really am excited for bills like this being heard because it gives us a push towards the fact that your brain lives inside your body. I have a sprained ankle right now. I

tripped, I fell, I sprained my ankle, and the first thing everybody told me was, go to the doctor. Go to the doctor. What do you mean, you hurt yourself, you go to the doctor, you get something to help you. You go to a doctor. How many people tell small children, suck it up, you're 9? It's not that big of a deal. What do you mean you're having a hard day? You're 7. You don't have to pay bills. You don't have life. What do you mean? That's not true. You have stress at every age. You have pain at every age. Just like you have bones from the moment you're born, you also have a brain from the moment you're born. And just like you can fall and injure your ankle, the world can push you down and injure your brain. The only problem is you don't always get a boot to show people that you've got an injury. A lot of these times, it's just something that you live with inside of your soul. So bills like this are an amazing way for us to show the children of Nebraska that just because you can't see that you're in pain, just because you can't see that you're hurting right now, the legislators here understand that your brain can get hurt the same way your body can and it deserves the same level of respect for being able to take a day off and rest it. Because just like I'm not supposed to be up and moving a lot on my sprained ankle, with children that have depressive issues, anxiety issues, there are days where they need to be in bed. They need an extra snuggle. They need an extra time with their mom. They don't need to be punished for missing a day of school. Thank you.

MURMAN: Thank you. Any questions? If not, thanks for, for your continued testimony. Any opp-- or proponents for LB1029? Still on proponents.

JAMES MICHAEL BOWERS: Chairman Murman and members of the Education Committee, my name is James Michael Bowers, J-a-m-e-s M-i-c-h-a-e-l, B-o-w-e-r-s. I'm the executive director of the National Alliance of Mental Illness Nebraska and I'm here to testify in support of Senator Conrad's bill. NAMI or the National Alliance of Mental Illness is the nation's largest grassroots mental health organization dedicated to building better lives for the millions of Americans affected by mental illness. So we're thankful for Senator Conrad's introduction of LB1029 that works to make this clarification. So in addition to being the executive director of NAMI Nebraska, I also spent several years as a school social worker and as a mental health therapist working in the school. So I'd like to talk a little bit about absences and how different schools code them. Because when I've talked to folks about this before, there has been a lot of confusion about what a school excused absence is and what a not school excused absence is. So absences are considered school excused or not school

excused. School excused absences require that the parent or guardian to provide the school with documentation to prove that the absence was beyond the control of the parent or the child. These absences may include funerals or medical appointments, and school excused absences also include absences caused by the school, like field trips, suspensions, or school activities. For many school districts, this does not include parents who just call in their child sick. For it to be considered a school excused absence, parents must submit documentation by a provider. A not school excused absence for some school districts is marked as either illness, parent acknowledged, or truant. The not school excused absence for illness is what we're all most familiar with when you call in your kid sick because they have a cold or whatever. Parent acknowledged is when the parent or guardian contacts the school to let them know that their student will not be in attendance but they're not ill, like they're going on a family vacation or there's some sort of activity going on. When a student is absent without parent acknowledgment, it's considered truant. These not school excused absences count against the student and family and the attendance policy of some schools. For many school districts, calling in a child sick with no documentation does not create a school excused absence. After several not school excused absences, a student and their family may be subject to disciplinary measures, including meetings with school administration, restriction of extracurricular activities, suspension or expulsion. The school may make a referral to the county attorney at any point during this process, which is typically after 20 days of not school excused absences. Mental illness is medical care that requires care from licensed professionals following evidence-based interventions created from a standard of care. Mental illness, like physical illness, can impact a student's quality of life and ability to learn. Discretion exists at every step of this process. The language of illness allows for discretion in educational personnel and county attorneys to use their nonmedical judgment of what is considered treatment of mental illness. Specifically outlining that illnesses include physical and mental, provides clarity for school districts, buildings, administrators, and county attorneys while protecting students and their families from becoming involved in the juvenile justice system because they sought treatment for mental illness. Providing clarity allows students and their families to focus on their medical needs and their educational goals.

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

JAMES MICHAEL BOWERS: Great. Thank you.

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MURMAN: Other proponents for LB1029? Any opponents for LB1029? Any neutral testifiers for LB1029? OK, Senator Walz waives or do you want to close? Or excuse me, Senator Conrad, do you want to close?

CONRAD: [INAUDIBLE].

MURMAN: And online we had 14 proponents, no opponents or neutral.

MURMAN: Good afternoon, Vice-- or evening, Vice Chair Albrecht and members of the Education Committee. My name is Dave Murman. I represent District 38. Today, I'm introducing LR278CA, a constitutional amendment to modify the makeup of the State Board of Education. This bill would establish 3 districts [SIC] based upon our already existing congressional districts: 2 statewide at-large seats, and 2 seats appointed by the Governor. This proposal would have a number of benefits compared to our current system. Right now, if you take a look at the State Board of Education district map, frankly it looks like a mess. Some of the districts are so incredibly small that it's difficult to see-- to even see the whole district on the map, while others stretch across over half of the state. This creates an overly complex system. The voter already has to remember what their congressional district is, what their legislative district is, and what their public power district is, what their city council district is, and what their party precinct is. Instead, if we match a voter's Board of Education district to their congressional district, Nebraskans have a clearer idea of where their district is and who represents them. Nebraskan voters also often talk about rural-urban divide. These communities often have different views and needs and it can be difficult to balance these to ensure that both communities have representation. This isn't a new issue, even our Founding Fathers had big concerns about this. By creating both district-based seats and statewide seats, I see this as the most viable solution to try to bridge that rural-- rural-urban divide. Next, this proposal would add 2 seats to be appointed by the Governor. This is important primarily to-- for a level of oversight. As a state, education is one of our most important parts of our budget. Our board hands out 4.5 billion in state dollars, but our budget is created by the Legislature. By creating this oversight, we can better-- we are better equipped to get on the same page with our funding. Some might be concerned that this gives too much power to the Governor, but we should keep in mind that the appointees would still, of course, have to be confirmed by the Legislature. If a Governor were to appoint an unqualified candidate, we as a Legislature can reject that appointee. Some might feel that this change would be too large. The reality is, even under this proposal, there would still be significantly more

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democratic representation than a majority of other districts. In total, 32 of our 50 states have State Board of Education bodies which are completely appointed by the Governor. Two states also do not even have a State Board of Education so it is really better to say 32 out of 48. This proposal seems to find a compromise between an elected system and an appointment system by simply giving the people of Nebraska both. Finally, this final change would change the board of 8 members to 7. Last election, we were almost put in a position where there was a 4 to 4 split of board members. If that were to be the case, many important decisions simply would have to be halted. When you have a group that takes votes, having an odd-numbered body to create less tie votes is a logical decision. To conclude, LR278CA works to create clearer districts, bridges an urban-rural divide, adds better oversight, and avoids tie votes. Thank you and I'm happy to take any questions.

ALBRECHT: Any questions from the committee? Seeing none, we'll look for our first proponent. Seeing none, how about opponents? Come on up to the front row so we know how many we have. OK. Yeah. There we go. Thank you for taking care of that adjustment. Come on up.

JOSEPHINE LITWINOWICZ: Hello, everybody. It's late.

ALBRECHT: Yes.

JOSEPHINE LITWINOWICZ: My name is Josephine Litwinowicz, J-o-s-e-p-h-i-n-e, middle name legal Vincent, I guess, L-i-t-w-i-n-o-w-i-c-z. And it's interesting, because it's Walmart instead of GM, and we wonder why we have these underlying problems. And you know, you also have to spend-- you have to pay taxes. Right? What kind of civilization do we want to live in? Anyhoo. You know, I, I, I come here and I'm kind of like, you know, [INAUDIBLE] maybe and wistful and then I get whimsical because I look-- I come here, I care a lot. And I'm-- I mean, I just, [INAUDIBLE], you know? Anyway. So I just wanted to read this because, actually, I don't understand why the criterion for the election of the State Board of Education members has no change-- has to change. I can, however, venture a guess. But what is wrong with having the people directly elect members of the board in more or less regional fashion so as to more or less represent the entirety of the state of Nebraska as a form of outcome? I suppose the interested citizens in the state of Nebraska of our public school system could through direct democracy continue to enact legislation by petitioning to put ballot initiatives ahead of our burgeoning executive authoritarianism. And he gets to promote or he gets to select 2-- OK, you got those 2, District 3, he's got.

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And then we all know the Governor-- it's Ricketts, not-- it's not Pillen, money. Money wins elections. Just read about it. So it got him in the bag. Anyway. And it frustrates me. So we could-- I guess we could do this every single year. As an aside, maybe we can really then teach civics, too, and take control of our state. I mean, we the people could do this in watchfulness of the citizen's eye. Huh. Anyway. The fact that our Governor "gestation crate," named after his cruelty of the approximately 4 by 3 living coffin containment cells of pigs caught in his business operation wants to take more control of things by appointing 2 members. Yeah, yeah. You know, it's kind of funny, he calls himself a Christian. And if you ever look at it, misery. And it's actually a distinction without a difference, if they're really feeling pain or if they look like they do, it's a distinction without a difference. Think about it. Anyway. For this particular business model here, there's 3 in the bag. Oh, yeah, it's right. All right. He's trying yet-- Pillen wants to castrate the Board of Education anyway by assuming or usurping all of the independent powers that the Board of Education now has if he gets his way. I mean, I guess they have some-- I know that's-- we're moving to totally the Governor has control and the board is, I don't know, some subsidiary that doesn't matter.

ALBRECHT: Can I have you wrap it up just a little bit because we're on the red light?

JOSEPHINE LITWINOWICZ: Oh, OK. You bet. I-- you know, it's interesting to have a-- even though if it may not pass and have a constitutional amendment start at 7 or 8:00. I guess, I have some more, but you can read it if you want to. I'm frustrated, and I just-- you know, I come here and I just-- I care a lot, but it's like-- you know, I act-- I act-- you know, because it's, it's ridiculous. I mean, Trump, mother of a sweating Jesus, that guy is so sick and disgusting and, and I don't even know what-- I don't know what planet I'm on. I look at that guy and, come on, anybody. God. All right, thanks for listening.

ALBRECHT: Thank you for your testimony. OK. Any other opponents?

TIM ROYERS: I apologize, there's an error in my written testimony. It says good afternoon. It's obviously not the afternoon anymore. Hello again for the final time. For the record, my name is Tim, T-i-m, Royers, R-o-y-e-r-s. I'm the president of the Millard Education Association. I am speaking on behalf of a lot of groups on this one: NSEA, GNSA, NRCSA, STANCE, and Stand For Schools in opposition to LR278CA. And I'm going to truncate a little bit of what I wrote,

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because I do want to leave some time for questions, but I have to go pick up my daughter from volleyball practice here soon, so. LR278CA would modify the State Board of Education by reducing its number from 8 to 7 and it would reduce the number of members who are chosen by the people by having 2 seats to be appointed by the Governor. This bill fundamentally undermines the democratic process in the state and makes a critical element of our states government less responsive to the will and interests of the people. Nebraska is a large state with diverse perspectives and demands. The current State Board of Education being made up of, of 8 members coming from 8 distinct districts, gives citizens across the state the ability to have their voices heard when critical decisions are made regarding the education of our children. By having 2 seats to be appointed and another 2 seats elected by-- at a statewide level, certain regions will be disproportionately marginalized in the decision-making process. This would inflame the current and unfortunate trend of really losing sight of the mission of the state board and just focusing-- and actually focusing on getting to the heart of education rather than just being bogged down in unimportant culture war topics. And people are tired of it. But right now, there's thankfully a remedy, right? Every member of the board is responsive to voters from their districts, all 8 of them. Were this change to the constitution be successful, that would no longer be true for at least 2 members of the board. And by the way, the value of having these 8 different perspectives from 8 different regions in the state is not hypothetical. I can speak firsthand on the importance of having geographical representation on the board. I was one of the team leaders the last time we did our state revision for, for social studies standards. And we put together, I thought was a really strong initial draft, but we had gotten feedback from certain members of the board that what we had attempted to do with our course sequence wouldn't function for the schools within their district, and it was just something we hadn't considered based on the school experience that we had within our own home districts. And so by getting to hear from those different geographic perspectives, it allowed us to produce a better version of the state's social studies standards that would be feasible for all parts of the state. I fully concede that our State Board of Ed is not perfect. They've made mistakes. And at times, their business has been messy. But frankly, that is the tradeoff we make to maintain our democratic institutions. Democracy is fundamentally messy. That does not mean it should be chipped away. And make no mistake, members of this Legislature want to chip away at democratic foundations in the state. Whether it's this amendment, proposals to raise the voter threshold to approve levy changes or

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bonds, or remarks by a member of this committee that voters should not be trusted to vote on tax measures, it is imperative that we do not let our democratic institutions be diminished for the sake of convenience or securing a specific agenda in the short term. Please say no to LR278CA. Thank you.

ALBRECHT: Thank you, Mr. Royers. Seeing-- anyone want to talk? No.

TIM ROYERS: I sincerely appreciate all of you for staying this late into the evening in your role. Thank you very much.

ALBRECHT: You too. Don't forget to pick up your daughter. OK. Next opponent.

RACHEL GIBSON: Dang it. It did it again. You think I would learn. Oh, heavens to Betsy. All right. Oh, good evening. My name is Rachel Gibson, R-a-c-h-e-l G-i-b-s-o-n, and I am the League of Women Voters vice president of Action. Since the 1920s, the League of Women Voters has been a nonpartisan, political grassroots organization which believes that people should play a crucial role in democracy. Founded by activists who secured voting rights for some women, the League has always worked to promote the values and processes of representative government. The League works to protect and enhance voting rights for all Americans, assure opportunities for citizen participation, and achieve open accountable, representative, and responsible government at every level. LR278CA proposes to reduce the State Board of Education from 8 to 7 members, with 3 members elected by congressional districts, one from each, two members elected at large, and allowing the Governor to appoint 2 members-- 2 members. By doing so, representative, accountable and responsive government would be diminished. The current makeup of the board allows members to advocate for the specific needs and concerns of their constituents in smaller geographic areas, thus truly representing the areas from the state that they were elected from. Physical and demographic factors vary greatly across the state and must be represented and understood when considering and implementing policy. For example, requirements and methods to provide all students with special needs access to care may vary in different parts of the state. In more urban areas, providing resources to a single site where multiple children can be served may be a better and more cost-effective way to provide services than in a rural community, where those resources may be better put towards the cost of transportation to providers to get to multiple locations. Community and district-specific needs like these need representation on the state level. The current makeup of the board strikes a balance between acknowledging differences across the

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state and recognizing when statewide uniformity will benefit all children. Electing members at large and allowing the Governor to appoint 2 members makes the board less representative, less accountable, and less responsive to the citizens of the state of Nebraska. And, therefore, we encourage you to oppose this change.

ALBRECHT: Thank you for your comments tonight. Anybody have any questions? Seeing none, thanks for being here.

RACHEL GIBSON: Yes.

ALBRECHT: Have a nice evening.

RACHEL GIBSON: Thank you. You too.

ALBRECHT: Next opponent.

ELIZABETH TEGTMEIER: Good evening, members of the Education Committee. My name is Elizabeth Tegtmeier, E-l-i-z-a-b-e-t-h T-e-g-t-m-e-i-e-r. I'm the president of the State Board of Education and I am testifying on behalf of the board. Before I begin my testimony, I do want to thank Senator Murman. I am the representative with the largest landmass. And, and I do-- I do believe that, that this was proposed as, I believe, Senator McKinney said none, none of these bills, nobody writes them maliciously. It's with goodwill and good intent. And so I just want to thank him for thinking about the best way to run the board. However, the board did have a discussion on February 2 of 2024 and decided to testify as an opponent to this resolution. The current state board structure was created by the people of Nebraska through a 1952 constitutional amendment. Currently, there are over 5 different models employed by states across this country. While each model has its pros and cons, state board members identify the advantages of the current model and disadvantages of this proposal in discussions about this topic last week. Advantages of the current structure as identified by board members. It allows for a variety of perspectives and differences of opinion. It allows voters to choose their representative through the voting process and creates regional representation on the board. And finally, we serve as a model for local school district boards. Some of the disadvantages or concerns that board members expressed last week were that this could potentially lessen contact with constituents. As board members elected, according to congressional districts, would have more citizens and more school districts to represent. Statewide elected board members would have-- could possibly have a stronger pull or allegiance to the area that they

live in. This could also hold true with Governor-appointed ones as well. State board members serve at the pleasure of voters and not another elected official, so they answer to their constituents for how they vote on the board. Another concern was asking a candidate to campaign, campaign in a statewide race for an unpaid office is a large task and could result in lobbying groups having more control over the elections. This could result in undue influence over board members' votes. And finally, this reduces the number of representatives and could result in a lack of rural representation if appointees and statewide candidates all come from the same area. So, for example, if we had our District 1 and 2 elected, and if the Governor appointees as well as the statewide candidates were from Lincoln or Omaha, and with Blair being in, in CD3, they could potentially have a candidate from there and we would have no, no representation west of Highway 81. And that would disadvantage the schools out on the western end of the state. In conclusion, the state board opposes LR278CA because it reduces the regional representation on the board. I'm glad to answer any questions.

ALBRECHT: Thank you for your time and for your testimony. Any questions? Seeing none, thanks for being here.

ELIZABETH TEGTMEIER: Thank you.

ALBRECHT: Hope you're not heading home tonight.

ELIZABETH TEGTMEIER: Well, that was the original plan.

ALBRECHT: Oh, yeah. OK. Another opponent.

GRANT FRIEDMAN: Thank you, Vice Chair Albrecht.

ALBRECHT: You bet.

GRANT FRIEDMAN: My name is Grant Friedman, G-r-a-n-t F-r-i-e-d-m-a-n. And I'm here on behalf of the ACLU of Nebraska, testifying in opposition to LR278CA. Our public primary and secondary schools are governed through a complex web of federal, state, and local policy. Elected and unelected officials at every level determine what impact it has on what is taught in schools, by whom and how much, not to mention how it is all paid for. To further complicate the picture, the degree of control retained by school districts can vary dramatically depending on the state's constitution, laws, and regulations. It is imperative that those that govern the education process are representative of the area and issues they seek to control, such as this committee itself seeking to represent the

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different needs throughout the state for the educational opportunity of our young people. The current State Board of Education furthers this by electing the 8 members based on geographic area. These members are elected by the people that they represent of the areas they live in. This ensures a level of accountability and responsiveness to the specific needs of the people they serve. LR278CA undermines this by distancing the people from their Board of Education. Not only does this proposed amendment directly remove 2 members of the board from democracy by making them appointed by the Governor, the remaining 5 members are not accountable to the people in the same manner as the existing plan, because they either represent a larger geographic area that do not have unifying needs for our elected at large. Our schools deserve to be governed by people all over the state that are best suited to represent the area that they come from, and the people that elected them there. For these reasons, we ask that you indefinitely postpone LR278CA. I welcome any questions.

ALBRECHT: Thank you for your testimony. Any questions? Seeing none, thanks for being here. OK. Do I have any other opponents wishing to speak?

MERLYN BARTELS: Good evening, Senators. My name is Merlyn Bartels, M-e-r-l-y-n B-a-r-t-e-l-s. I'm representing nobody but myself. So anyway, I am here to oppose this LR278CA. And I think this is probably one of the first times that I have been in opposition that's something Senator Murman had sponsored. And I guess as I sat and listened to his presentation, he had some good points of why he's doing what he's wanting to do here. But along with what some of the other people told you earlier is one of my concerns is about having the Governor appoint-- appointing 2 of the members. And also the third district is also a very large district, as we all know. And as Elizabeth testified, her district isn't that whole third district. But when she campaigned, she had to cover a lot of ground just to outreach to the people. If we make that district that much bigger, it's going to be a lot harder to campaign and to keep that contact with the schools, boards, and the people in that area, so. And I guess if we're concerned about the even number, maybe we should divide that western district that Elizabeth has now and put another person out there and make that a little bit smaller, get a little more representation out there for that, so. I also think we're taking away the people's choice to vote on a couple by asking the Governor to appoint them. And as they've heard here before, that is taking away one of our freedoms of our representation. And by voting for them, the people are going to know them and have that choice to make.

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And thank you for your time and I suggest that we just leave this one in committee. So thank you.

ALBRECHT: Thank you for your time. Thanks for the testimony. Any questions from the committee? Seeing none,--

CONRAD: Thank you.

ALBRECHT: --have a nice evening.

MERLYN BARTELS: Thank you.

ALBRECHT: Thanks. Any other opponents?

HEIDI UHING: Good evening, Education Committee. My name is Heidi Uhing, H-e-i-d-i U-h-i-n-g. I'm the public policy director for Civic Nebraska. I think you've heard the points that I would hope to make this evening. The testimony from the state Board of Education, I think, was particularly thoughtful. The points about the concerns related to our rural areas of the state, I think, are particularly noteworthy that, you know, if we're looking for equal representation I think that this proposal is a particular threat to, to folks in the more rural and western areas of the state. Nonpartisan elections help shield our schools from partisan politics and let board members act independently, which is what we want them to be doing. These boards need to have autonomy and be able to fully represent their constituents. We want the state board members to answer to their districts, not to the Governor of our state. And so for that reason, adding Governor appointees and injecting partisanship onto this board would weaken our representative democracy. And that's the reason why our organization opposes it. We have a strong history of nonpartisan elections in Nebraska and we need to protect that history.

ALBRECHT: Thank you. Any questions from the committee? Seeing none, thank you for being here. Any other opponents? Anyone in neutral? Seeing none, that'll close the hearing on-- and we'll have Senator Murman come up. We had letters. We have 4 proponents, 70 opponents, zero neutral. And that will--

MURMAN: OK. Thank you. I'll close quickly. A lot of the reasons I brought this bill was a couple of years ago, there was concern in at least a lot of the state that the State Board of Education seemed to be kind of out of touch with some values that the state had. So I, I looked at this as a hybrid model, as I said, 32 out of the 48 states that do have State Board of Education are all appointed by the Governor. So with this hybrid, I thought that would be a good

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alternative. And this representation is, is kind of like the electoral college, part of it is based on geography, the 3 congressional districts. And I just thought it was a good hybrid model, but I'm open to any questions you-- I do realize that there is a challenge to campaign statewide-- open to any questions-- for, for a nonpaying position, by the way.

ALBRECHT: Any questions from the committee? Seeing none, thanks for being here. We're done with that one.

MURMAN: If not, thank you.

ALBRECHT: You have to be here. Get back up here so I don't have to--

WALZ: Am I up?

ALBRECHT: You are up, Senator Walz, on LB1012. Senator Walz opening on LB1012.

WALZ: Thank you very much. Thank you, Vice Chair Albrecht, Senator Murman-- or Chairman Murman and members of the Education Committee. My name is Lynne Walz, L-y-n-n-e W-a-l-z, and I represent Legislative District 15. Today, I'm introducing LB1012, which was an idea that was brought to me by a school administrator. This bill simply opens up the Qualified Capital Purpose Undertaking Fund, or QCPUF, to school safety infrastructure concerns. Last year, we took significant steps to help support our schools in addressing safety concerns by including portions of LB519 and LB705. A portion of what was passed created the School Safety and Security Fund and we appropriated \$10 million to that fund. This was a fantastic first step, but what I've been hearing is that this doesn't cover the needs of the schools. I did introduce LB1008, which would appropriate an additional \$45 million, which should cover the cost for the time. However, as we all know, money ebbs and flows here in the Legislature and schools can't always be reliant on us appropriating money or dollars each year. That is why I think this bill is so important. It's a way for us to help schools out when they really need it. Currently, QCPUF allows the school district to create this fund for specific abatement projects, including actual or, or potential environmental hazards, accessibility barriers, life safety code violations, life safety hazards, or mold. What LB1012 does is simply add school safety infrastructure concerns to that list. QCPUF was created to provide safe and accessible environments for our students and staff. And I believe that school safety and infrastructure concerns are a natural fit to that goal. With that, I'd be happy to answer any questions.

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MURMAN: Thank you. Any questions for Senator Walz? If not, thanks for opening. Proponents for LB1012?

JAMI JO THOMPSON: I'll go first. I have a 2-hour drive home so we're going to get this done. I do have to apologize, mine starts out good afternoon and it's now good evening. My name is Dr. Jami Jo Thompson, J-a-m-i J-o T-h-o-m-p-s-o-n. I am the superintendent of Norfolk Public Schools and I am testifying in support of LB1012. School safety is an issue that is never far from a superintendent's mind. We are constantly asking ourselves, am I doing enough to keep our students and staff safe? And we are constantly evaluating our buildings for safety concerns and updating our safety protocols in an effort to protect our students and our staff from harm. In the last 2 to 3 years, Norfolk Public Schools has spent approximately \$1.25 million to update entrances to 2 of our elementary schools that did not meet standards for safe and secure entrances, and we anticipate spending another \$1 million to update our entrance at the middle school in the near future. We have carefully saved money via our special building fund in order to do this. However, that is going to become harder and harder for us to do in the future. As our staffing budgets increase each year, we will need to increase our general fund levy to cover those costs, which means that we will need to decrease our special building fund levy. As you can see in the chart that I provided, we levied 5 cents to the special building fund to this year, but anticipate lowering that to 2 cents in 2024-2025, and then zero cents in 2025-2026. Allowing schools to utilize QCPUF to address school safety infrastructure concerns would be a huge help. It would not cost the state a dime and it would be very transparent as QCPUF must be approved by the board in open public session. Senators have put forth many good bills-- bills this year to help schools with teacher recruitment and retention, construction costs, school supplies, and other worthy endeavors. Although I do consider those to be worthy of funding, Norfolk Public Schools has a very conservative school board and has chosen to remain neutral on all of those other topics. School safety is different. We can never become neutral or complacent when it comes to the safety of our students and our staff. Therefore, I urge you to support LB1012 for the safety of our students and the staff who serve them.

MURMAN: Thank you. Any questions? If not, appreciate you staying for the--

CONRAD: Yeah, thank you for being here.

MURMAN: --duration.

ALBRECHT: Safe travel.

JACK MOLES: I should have learned from somebody else. Good evening, Senator Murman and members of the Education Committee. My name is Jack Moles. That's J-a-c-k M-o-l-e-s. I'm the executive director of Nebraska Rural Community Schools Association, also referred to as NRCSA. And tonight, I'm also speaking on behalf of the Nebraska Council of School Administrators, Schools Taking Action Against-- or for Nebraska Children's Education and the Greater Nebraska Schools Association. I would like to testify in support of LB1012. Enabling a locally elected Board of Education to include school safety and infrastructure concerns as an approved use of QCPUF funds would provide districts with another option in addressing school safety issues. We believe this should meet the spirit of the original law that looked to enable districts to address and, I quote, a specific abatement project to address an actual or potential environmental hazard, accessibility barrier, life safety code violation, life safety hazard, or mold which exists within one or more of the existing buildings. Adding school safety infrastructure concern would, in our view, meet the life safety standard. And so NRCSA, NCSA, STANCE, GNSA would encourage you to move LB1012 out of committee.

MURMAN: Thank you. Any questions for Mr. Moles? If not, thank you for testifying.

JACK MOLES: Thank you.

MURMAN: Other proponents?

SARAH WAGELIE: Good evening, Chair Murman, members of the Education Committee. My name is Sarah Wagelie, S-a-r-a-h W-a-g-e-l-i-e. I'm here on behalf of our client, Ralston Public Schools. Unfortunately, Superintendent Buckingham was unable to be here this evening. But we want to offer our very strong support for LB1012, which would allow districts to use QCPUF to include improvements in school safety. In recent years, improving school safety and security has been a priority of the Legislature as well as many districts. Many security improvements can be cost prohibitive to districts, especially those who are at or close to their maximum levy. While they may be cost prohibitive, they may also be at an expense that does not justify having a bond issue on the ballot. Therefore, many districts either go without or are forced to decrease general fund expenditures, which is primarily staff salary and benefits in order to afford improving security. Currently, QCPUF can be used to improve life safety issues

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such as mold and asbestos removal. LB1012 would extend these provisions of life safety by allowing districts to increase building security. Some examples of security improvements include a vestibule/double entry system, security cameras, and even bullet proofing ground-level glass. This would allow districts to raise these funds even if they're at their maximum levy, but still limited to the parameters within the current statute. Allowing a duly elected school board the ability to raise funds in an interest free fashion represents good stewardship of taxpayer funds, supports local control, and would allow districts to improve student safety who are currently unable to do so. Thank you for your time. Thank you to Senator Walz for bringing this bill and your continued support of public education in Nebraska.

MURMAN: Thank you. Any questions?

CONRAD: Thank you, Sarah.

MURMAN: Thank you for testifying.

SARAH WAGELIE: Thank you.

MURMAN: Other proponents? Any opponents for LB1012? Any neutral testifiers for LB1012? And Senator Walz waives closing. And we had online: 3 proponents, 1 opponent, zero neutral. And Senator Walz has asked to combine the final 2 bills on the agenda and we will do that. They're LB1056 and LB1337. And if you testify, make it clear which, which or both that you're testifying for or against. Thank you.

WALZ: OK, I'll read quick. Good aft-- good evening, Chairman Murman and members of the Education Committee. My name is Lynne Walz, L-y-n-n-e W-a-l-z. Today, I'm introducing LB1056, which would create a task force to examine how the state can fund school construction projects. As you may already know, Nebraska is 1 of 4 states in the country that does not provide state dollars for schools' construction projects. I think this is important to consider while we are looking at-- looking to address property tax issues in our state and the impact that-- the impact that updating and constructing facilities can have on taxpayers. LB1056 is creating a task force made up of the members of the Legislature, superintendents of varying school sizes, a representative of the capital construction industry, and a representative of the chamber of commerce. This bill also makes clear that we should-- that there should be a makeup of individuals from across the state. By September 1, 2025, the task force must submit a report of its recommendations to the Education Committee, the

Appropriations Committee, and the Revenue Committee for review. The task force must look at 6 different aspects of how we could rethink the state's role in schools' construction. This includes, but is not limited to, how the state can support school construction project costs while maintaining and protecting local control, different funding sources available from the state to use for school construction, project financing, the feasibility of debt pooling to reduce interest rate, the feasibility of partnering with other political subdivisions to reduce school construction project cost, which I think is currently already a missed opportunity, how to streamline the process of school construction projects, and finally, the appropriate role of the state Department of Education in supporting capital infrastructure systems and providing technical assistance. I think there are a lot of good ideas and good options that exist out there and from research my office did, nearly every state conducts this process differently. That's why I think setting up a task force to have different perspectives and backgrounds is all, all the-- is all the more important. This bill is really trying to take a measured approach to some tangible options that we, as a state, could make to support our local school districts and the needs they face every day. Especially considering that so many of us on this committee will be gone, I think it's a good way to pass on a very important issue to the next members of the Education Committee. With that, I'd be happy to answer any questions, but I'll just go right into the next bill so they are together. Right now I'm introducing LB1337. This is one of the options that I discussed as a potential funding school construction for our state. As I previously stated, we're 1 of 4 states that do not provide state funding for construction and nearly every state funds construction projects differently. For instance, the state entity that receives the request can vary from a created oversight board to the Department of Education, the Commissioner of Administration-- Administrative Services, or the Commissioner of Education. So while my office was examining these other states, we felt that Georgia's system is a conservative approach to school construction financing. I felt it struck a good balance between local control while also supporting our schools that need the most assistance. So LB1377 [SIC] is similar to Georgia's current process. Under this bill, schools would be eligible to apply for matching funds from the state for school construction projects if that school district had extraordinary growth within the last 5 years, had recent-- had been recently damaged by fire or natural disaster, or needs to replace a facility due to hazardous health conditions. The state would match up to 50% of the cost of the construction project. While the State Board of Education would set

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the application process, a school would be required to submit facility plans with their application, including data such as historic and projected student populations, project proposal, total cost of the project, as well as other requirements in the bill and any other information the Board of Education may require. Applications for matching funds would be approved by the Commissioner of Education and cost would be included as part of the commissioner's operating budget request submitted to the Legislature and the Governor. This bill is aimed at providing support to school districts that have experienced a dire need for school construction. If the state provides financial assistance to school districts undergoing construction projects, we can alleviate a large burden that local taxpayers experience. As the Legislature looks at ways to reduce property taxes throughout the state, I think it's an important way that we can consider the impact-- we can consider the impact that this bill or something similar could have. I think that's why creating a task force is all that more-- is all that more important. That way we can get a full picture of the impact construction projects have on our communities. Thank you for your time and I'd be-- I'd be happy to answer any questions that you may have.

MURMAN: Any questions for Senator Walz? If not, thanks.

WALZ: Thank you.

MURMAN: Any oppo-- or proponents for either or both bills?

COLBY COASH: Good evening, Senator Murman and members of the Education Committee. I am Colby Coach, C-o-l-b-y C-o-a-s-h, represent the Nebraska Association of School Boards. My testimony also is reflective of the Council of School Administrators. We have talked about the issue of building facilities for many years from our association. And at the time, I met with Senator Murman and I can give you the date because I have it in one of the handouts here. Back in, in March, 2022, I had mentioned the very same issue to Senator Murman because at the time, and Senator Walz is, is right, we were 1 of only 4 states who didn't have any state support in buildings and facilities. What I can tell you today is we are now 1 of only 3 states. That has changed in the last year. Oklahoma recently had a unique approach to funding their buildings from, from the state perspective, they started to tax marijuana, and they took all of that revenue from recreational marijuana and turned it into a buildings fund for their schools. So now we're 1 of 3. There are 2 things-- 2 points I wanted to make here: facilities and repairs and renovations of buildings are expensive and it's getting more expensive and we

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have a lot of old buildings. One of the handouts that I gave you is actually from Senator Murman's district. It's what I provided him a few years ago. It just shows all-- not all, but most of the school districts in his legislative district and the age of the buildings in those districts. And so what that shows you is those buildings are going to need to be replaced. Some of them are '60s, '50s, even some buildings in the '20s, right there in Senator Murman's district. So I use that as an example, but that, that can be replicated all across the state. The other handout I have given use from the Education Commission of the States, both Senator Linehan and Senator Walz are the legislative appointees to that commission. And when I met with Senator Murman a few years ago, I asked them to tell me what other states are doing. And the second handout from the ECS, the Education Commission of the States, outlines all of the other 47 states and their approaches. And so Senator Walz mentioned Georgia's approach, that's in here. That's not a new concept. There's other states that do that. We just appreciate the opportunity to have this conversation about how the state can jump into this game. It's a tax issue. It's a safety issue. It, it touches on a lot of points and we-- we urge the committee to, to, to keep looking at this because I think it is important. And with that, I'll conclude my testimony.

MURMAN: Thank you. Any questions now for Senator-- former Senator Coash?

CONRAD: [INAUDIBLE].

COLBY COASH: [INAUDIBLE].

MURMAN: OK. Thank you.

COLBY COASH: Thank you, Senators.

MURMAN: And you were for both bills, right?

COLBY COASH: Yeah, yeah, my testimony is for both bills for both organizations.

MURMAN: OK.

ALBRECHT: Thank you.

JACK MOLES: Good evening again. I'm Jack Moles. I'm the executive director of the Nebraska Rural Community Schools Association speaking as a proponent for both, but I'm speaking for different groups on the 2 bills. So on LB1056, I'm also speaking on behalf of Schools Taking

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Action for Nebraska Children's Education and the Nebraska State Education Association. And on LB1337, I'm also speaking on behalf of Schools Taking Action for Nebraska Children's Education and the Greater Nebraska Schools Association. And I had a lot of points to make, I'm, I'm just going to highlight a few. First of all, having the state involved in helping to define things, I, I think is a good move and, and to look at other options for pooling resources. One of the things that I look at is, is in, in our Class A and B size school districts, school bonds pass at about a kind of high 80% rate. The obvious reason for that is most of them are growing districts and they need more room. In Class C and D size districts, bond issues pass at about a 48%, 47% rate. The main reason for that-- or main reason why districts are running those is because of what Mr. Coash talked about, the older buildings, needing to update buildings. So for that reason, we encourage you to move these forward. The last thing I'd like to suggest to you, Senator Walz covered the reasons or, you know, what states are doing to help with this. But the last thing I'd like to suggest is adding a fourth qualification for how a-- how a district could qualify for assistance from the state that if that did come about. And that would be to consider the-- just the sheer age of a building, maybe a 90 year or 100 year, a 90 year would hit WPA and PWA projects from the depression that we do have schools out there that were built during that time. So with that, I'll close.

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

CONRAD: Thank you so much, Chair Murman. Jack, thanks, for being here. You, you always do a great job and it's really, really late at night and the committee appreciates the perspective you bring from, from Greater Nebraska always. Quick question. I heard you mention it when you were listing the, the folks that you were testifying on behalf. Tell me the name of the first group. It was a new group I hadn't heard of before, taking action for Nebraska kids.

JACK MOLES: Schools-- STANCE.

CONRAD: Oh, STANCE.

JACK MOLES: STANCE. I'm sorry.

CONRAD: Shows how late it is. OK, I got you. All right. I was, like, is that the new super group? OK. All right. All right. Thanks. Sorry.

MURMAN: Not seeing any other questions, thank you.

JACK MOLES: Well, thank you all for your time tonight.

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CONRAD: Thanks, Jack.

JACK MOLES: It's been a long day.

MURMAN: Thank you. Any other proponents?

WALZ: Oh. [LAUGHTER].

MURMAN: Any opponents or any neutral?

CONRAD: That's one way to box out the opponents. [LAUGHTER].

WALZ: I just wanted to quickly say I think that this is a really good thing to have a conversation about. The other thing that, that wasn't mentioned in my opening is that I think that there's a, a really good opportunity here to look. If we have a task force and if we're getting some state funding, I think there's an opportunity to look at how we can do some cost savings if we do more than one school. So, you know, save on, on design or save on materials. So I just wanted to mention that as well. The last thing I want to say is I want to tell Amanda thank you because she's been sick all day and she was here. So thanks, Amanda. That's it.

MURMAN: OK. Any questions? Thank you.

SANDERS: We were all staying here as well.

WALZ: Everybody is sick. I know.

MURMAN: That'll close the hearing on LB1056. Yeah, I guess, actually, on LB1056, we had 1 proponent, 1 opponent, zero neutral. On LB1337, we had zero proponents, 1 opponent, zero neutral. And that'll close the hearing on LB1056 and LB1337. Thank you, everybody, for sticking around.