

Transcript Prepared by Clerk of the Legislature Transcribers Office
Appropriations Committee February 24, 2025
Rough Draft

CLEMENTS: Welcome to the Appropriations Committee. My name is Rob Clements, and I'm from Elmwood and represent Legislative District 2, which is Cass County and eastern Lancaster County. I serve as chair of this committee. We'll start off by having the members do self-introductions, starting with my far right.

PROKOP: Hi there. Jason Prokop, District 27, west Lincoln and Lancaster County.

SPIVEY: Good afternoon, everyone. Ashlei Spivey, District 13, northeast and northwest Omaha.

M. CAVANAUGH: Machaela Cavanaugh, District 6, west central Omaha, Douglas County.

DOVER: Oh, Robert Dover, District 19, Madison and south half of Pierce County.

DORN: Myron Dorn, District 30.

STROMMEN: Paul Strommen, District 47, which is the Panhandle.

CLEMENTS: Assisting the committee today is Cori Bierbaum, our committee clerk. To my left is our fiscal analyst, Scott Danigole. And our pages today are Demet Gedik and Wesley Earhart, UNL students. If you're planning on testifying today, please fill out a green testifier sheet located in the back of the room and hand it to the page when you come up to testify. Online position comments must be submitted on the Legislature's website by 8:00 a.m., the day of the hearing, to be included in the record. If you have submitted a comment online, we ask that you not testify in person today. If you will not be testifying but want to go on record as having a position on a bill being heard today, there are yellow sign-in sheets at the entrance to my left. These sign-in sheets will become exhibits in the permanent record after today's hearing. To better facilitate today's hearing, I ask that you abide by the following procedures. Please silence your cell phones. Move to the front chairs to testify when your bill or agency is up. When hearing bills, the order of testimony will be introducer, proponents, opponents, neutral, and closing. When we hear testimony regarding agencies, we will first hear from a representative of the agency. Then we will hear testimony from anyone who wishes to speak on the agency's budget request. When you come to testify, please state and spell your first and last name for the record before you testify. Be concise. We request that you limit your testimony. Today, the first

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2 items will be a 5-minute light, and the third item will be a 3-minute light. 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 from the committee may follow. Written material may be distributed to the committee members as exhibits only while testimony is being offered. Hand them to the page for distribution when you come up to testify. If you have written testimony but do not have 12 copies, please let the page know so they can make copies for you. With that, we begin today's hearing with LB451, Senator Prokop. Good afternoon, Senator.

PROKOP: Short walk. Yeah. Thank you, Mr. Chairman and members of the committee. For the record, my name is Jason Prokop, spelled J-a-s-o-n P-r-o-k-o-p, and I'm representing legislative-- or I represent Legislative District 27, in west Lincoln and Lancaster County. I'm here to discuss LB451 with you today. Nebraska's State Capitol is a wonderfully historic and artistic building that is approaching its 100th birthday. In 1976, the National Park Service designated the Capitol a National Historic Landmark. And in 1997, the Park Service extended the designation to include the Capitol grounds. My wish with this bill is to help this beautiful building be successfully conserved for generations to come. Believe it or not, there is currently no dedicated fund from any revenue source whatsoever to fund major conservation restoration projects for the Capitol and its grounds. For any project to commence, the Office of the Capitol Commission, headed by the governor, must seek full appropriations from, from this committee. In 2001, Senator Don Pederson, then chair of the Appropriations Committee, saw the problem. He saw and obtained intent language to appropriate \$1 million a year for 10 years from the Building Fund for restora-- restoration, preservation, and enhancement projects identified in the Capitol Master Plan and approved for by the commission. Senator Pederson's intent fell to \$500,000 per year funding in a 2001 special session, due to constrained budgets. Funding was then provided for earmarked projects and Capitol Master Plan small projects until 2011. Funding has not been provided to the commission for its discretionary use to meet needs identified in the Capitol Master Plan since 2011. LB51-- LB451 seeks to restore that funding by transferring \$1 million a year for 10 years from the Unclaimed Property Cash Fund to the Capitol Restoration ca-- Cash Fund. Nebraska law currently requires that any annual balance in the Unclaimed Property Cash Fund be transferred to the Permanent School Fund. In recent years, this amount has been transferred-- had been anywhere

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from \$10 million to \$15 million annually. LB451 would change that law so that the first \$1 million of this fund be transferred to the Capitol Restoration Cash Fund and the remaining balance sent to the Permanent School Fund. The Capitol Commission has a, a sole discretion of how to spend funds put into this fund. I would encourage you to support LB451 and advance the bill out of committee. Thank you for your time, and happy to answer any questions that the committee may have.

CLEMENTS: Are there questions from the committee? Senator Spivey.

SPIVEY: Thank you, Chair. Thank you, Senator Prokop, for being here today, for your testimony. How did this come about? Did the Capitol Commission ask you, as they were thinking about all of what's in front of them that they are needing additional resources, or like, what was the intention?

PROKOP: Yeah. So-- and, and some folks that I know will be coming up to support this bill behind me can probably go into an even greater depth. But it really kind of started with just a group of former members of the Legislature, saying, hey, we need to be better prepared for projects. And so, there's been a group that's been working on this for, for quite a while, so that's how the idea was presented to me, saying we need to have some money in the bank to be able to, to do these projects.

SPIVEY: Thank you. I would just-- one more follow-up.

CLEMENTS: Go ahead.

SPIVEY: Thank you, Chair. And then, we've had discussion before, just around this unclaimed property, right, that this belongs to someone. And so, if all of these funds are sitting in this account, what is your perspective that it truly belongs to the people whose money it is-- because they can come back and claim it at any time-- versus transferring it to be used for the Capitol improvements here, so just would love your perspective around that.

PROKOP: Yeah, and I think-- I know we've talked about it within, within the committee, as to how to approach that and it-- that it re-- it essentially replen-- you know, what's paid out gets replenished because it does not get fully claimed every year, so-- in the process of trying to figure out a funding source for this, we saw this as, as an area where it does not look as though those things have been

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claimed. I get your point, and, and those claims need to be paid out first, but the thought would be because this does traditionally retain a balance, that this would be a potential source to, to cover this.

SPIVEY: Would there be an opportunity like, for language that if that-- those funds have been sitting for 10 years, that those could be used, versus maybe newer funds or have you thought about like the actual implementation of the usage of the funds in here?

PROKOP: Yeah, I mean, I would, I would, I would be happy to, to discuss that. I think the, the point of the bill is just making sure we have the, the funds on, on hand. So it's \$1 million every year for, for 10 years. So, so I wouldn't want to necessarily then pull-- if, if a project comes up, it would pull the rug out from underneath us, because it's kind of trying to be fiscally prudent, in the, in the instance that we need, need-- do need to use the, the funds for a project. So-- but I would, I would be happy to, to look, to look at that, if there's some type of clawback that we need to do.

SPIVEY: Thank you, Senator.

PROKOP: Yeah.

CLEMENTS: Other questions? Would you please repeat the amount of transfers, what they have been? In your testimony, I didn't catch it.

PROKOP: Around-- transfers around?

CLEMENTS: The unclaimed--

PROKOP: So in recent years, it's been anywhere from \$10 million to \$15 million annually.

CLEMENTS: 10 to 15.

PROKOP: Yeah.

CLEMENTS: OK.

PROKOP: Yeah.

CLEMENTS: That's what I missed. Thank you. Any other questions? Seeing none, thank you, Senator. My understanding, you're not going to be here for close.

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PROKOP: No, I, I won't. I, I have to go to introduce another bill in a different committee. So thanks for your, thanks for your time. I'll see you--

CLEMENTS: All right.

PROKOP: --after that.

CLEMENTS: Now we'll invite proponents for LB451.

VICKIE McDONALD: Hello.

CLEMENTS: Good afternoon.

VICKIE McDONALD: My name is Vickie McDonald, and I'm the executive director of the Former Association of the State Legislators [SIC], and I'm appearing in support of LB451.

CLEMENTS: Would you spell your name, please?

VICKIE McDONALD: Oh. Vickie, V-i-c-k-i-e, McDonald, M-c-D-o-n-a-l-d.

CLEMENTS: Thank you.

VICKIE McDONALD: LB451 addresses a long-standing problem with funding for the ongoing restoration, preservation, and enhancement of our State Capitol. In, in the past, funds for those purposes have primarily come from the general funds on an ad hoc basis, usually a crisis or desire-- or a dire need. I remember from my time in office that the masonry project that rehabbed the limestone exterior of the building so it wouldn't fall off, at an amount of \$57.5 million. And now, the HV project-- spatial appropriations funded these projects. LB451 isn't intended to fund these large projects, nor is it intended for operations on a day-to-day maintenance. Our Capitol is an archeological wonder that has been in continuous use since 1932. Its upkeep requires more than day-to-day maintenance and careful operation. The Office of the Capitol Commission maintains a list of projects for our Capitol's restoration and preservation, with cost estimates in the Master Plan for the Conservation and Preservation of the Nebraska Capitol and Grounds, which is known as the Capitol Master Plan. Among the projects in that document are periodic inspection of the exterior maintenance-- of masonry and caulking, meant to be done every 5 years but funds are not provided, repair perimeter sidewalks, and stabilization of the water tank above the 14th floor dome. And you see Mr. Ripley is here, and I'm sure he can give you more information

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about what that document-- and projects that could be used to fund if LB451-- if it passes. I want to emphasize that they could be funded. LB451 does not appropriate funds for projects, it simply makes funds available for later appropriation. There have been efforts in the past to fund restoration and preservation of the Capitol with general funds. This year's budget cutting suggests the fate of those efforts. LB451 does not continue-- it does not continue reliance on general funds. It provides for transfers from the Unclaimed Property Fund. 3 points I'd like to leave with you: The Capitol is a unique and aging building that requires continuous funding for its restoration and preservation; general funds are not a reliable source for funding these needs; the Unclaimed Property Fund is a reliable and usable source of funding. And I want to thank our Senator for introducing LB451.

CLEMENTS: Are there questions? Seeing none, thank you for your testimony.

VICKIE McDONALD: All right. Thank you.

CLEMENTS: Next proponent. Good afternoon.

BOB RIPLEY: Good afternoon, Chairman Clements and members of the Appropriations Committee. My name is Bob Ripley, B-o-b R-i-p-l-e-y. I'm a resident of Lincoln, and I appear today before you in the strongest possible support of the provisions of LB451, to fund ongoing maintenance and restoration of our landmark Capitol. During my 40-plus year career preserving, restoring, enhancing and maintaining our landmark Capitol, it was always my goal to change the normal mode or model or paradigm, whatever you want to call it, used to conduct ongoing work on the Capitol and its grounds. In 1975, I first observed state government's approach to funding major construction repair projects and larger routine maintenance or capital improvements to the building, using a as needed or more often, a crisis mode to complete work. While daily routine maintenance performed by the Office of the Capitol Commission, or the OCC, staff has been performed very well, larger maintenance and capital construction projects requiring private contractors with specialized technical trades and equipment were often delayed or even left completely unfunded. For instance, in 1975, when I first arrived at the Capitol, a large, 5-plus year exterior masonry repair project by private contractors was just concluding. Ideally, the Capitol caretakers, the OCC of that time, would have had funding to hire a private masonry contractor to return 5-10 years later to inspect the condition of the masonry repair just completed. This

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follow-up process would have allowed staff to keep up with the continuing maintenance and repair of minor damage caused by environmental erosion such as weather, sun, and seasonal freeze/thaw. However, it wasn't until 20 years later, in 1995, that a follow-up inspection revealed environmental damage requiring crisis repair, which evolved into a much larger and more expensive project, compared to what could have been smaller, less expensive routine maintenance project if the 5-10 year inspection repair cycle had occurred. Not only did this lapse of 2 decades cause a much more expensive project, but it resulted in a far greater physical damage to the building, which is a great concern to me and to the office I was serving in. It makes the case for the old saying, you can pay me a little now, or a lot more later. When the 12 year, \$57.5 million Capitol exterior masonry repair and reroof project mentioned earlier, was completed in 2010, the recommendations from the consulting team on that project was that follow-up inspections of the entire building be carried out on a 10-year cycle. That would have been in 2020. However, 15 years has now elapsed and no follow-up inspection of any kind has been completed due to lack of funding. During my tenure, I also observed that when a major capital construction project was underway, funding for day-to-day Capitol maintenance was reduced or even stopped. However, the weather does not stop its relentless environmental attack on the building. Wear and tear on the building's infrastructure does not stop or wait until a major renovation is completed, nor does the need to maintain, preserve, and restore the Capitol's very high-quality furnishings and finishes stop at any time. The demand for day-to-day building preservation maintenance relentlessly continues. The funding proposed in LB451 provides the needed funding mechanism required for ongoing preventive maintenance and restoration for the Capitol, versus waiting until a crisis occurs, necessitating even greater capital expenditure due to the lack of ongoing funding for preventive maintenance. I bring a rather rare show-and-tell piece with me today. This is generically called the Capitol Master Plan. During my 40 years with the state, I wrote 2 of these. This is the second one. The first one was written in the year 2000, when, when Program 901 was put in place by Senator Pederson, who was mentioned earlier, and then 16 years later. I wanted it to be 8. I was told to delay, so I waited for 16 years to rewrite it and to cover the projects that had been completed in the previous 16 years to update that list of projects and to provide estimates of what the cost was going to be. There is not just a roll of the dice as to where the Capitol Commission spends the money. This is the document that guides that process. It calls out a description of the project--

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CLEMENTS: And that's your time.

BOB RIPLEY: Very briefly--

CLEMENTS: That's your time, if you could wrap up.

BOB RIPLEY: OK. It calls it out, it gives it an estimate of cost and that sort of thing. So this is the document that the cap-- Office of the Capitol Commission goes before the Capitol Commission to propose projects to be completed. So there's a map in the process of how that money is to be spent.

CLEMENTS: Thank you. Are there any questions?

BOB RIPLEY: I'm done talking. Any questions?

CLEMENTS: Senator Cavanaugh.

M. CAVANAUGH: Thank you. Nice to see you, Mr. Ripley.

BOB RIPLEY: Good afternoon, Senator.

M. CAVANAUGH: First of all, for those that aren't aware, in your tenure, we worked together to create the mother's room that's in this building.

BOB RIPLEY: Indeed.

M. CAVANAUGH: So, thank you for that.

BOB RIPLEY: Sure.

M. CAVANAUGH: And that was my first year here. So in your, in your tenure-- I mean, obviously there's a master plan, but has there ever been discussion about, like, a long-term sustainability plan for funding these projects?

BOB RIPLEY: Regrettably, no. It is, as was allude-- alluded to earlier-- I think Senator Prokop called this out. The funding for the Capitol from my time, starting in 1975 to today, has always been General Fund-based. Well, there isn't anybody sitting around this table that doesn't know when there's an economic downturn, what happens to General Fund dollars? They simply evaporate or they get cut in half. And in the case of the 2000 appropriation, which happened for 2 years because there was a project for infrastructure to be done, once that was done, the funding was cut to half a million. Then it was

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cut to a quarter of a million. The record will show what the reduction was, and it eventually just went away. I can tell you there's been no such money in the 901 program, and this is the essential substitute for providing an ongoing source or funding mechanism for funding that excludes access to General Fund money. It's the one way that we can get a dependable amount of money. I've always found it astonishing that the state's most visible, most iconic, and most valuable building is been left without a steady source of funding. And this building, like every other that the state owns, needs ongoing maintenance. You do it early and you keep up with it and you will spend less money. You delay it and let it sit for 20 years, you're in for a crisis and a lot more capital expenditure.

M. CAVANAUGH: Thank you.

CLEMENTS: Other questions? I have a question.

BOB RIPLEY: By all means.

CLEMENTS: The 309 funds that do building maintenance, is the-- can those be used for Capitol repairs?

BOB RIPLEY: They can. And we have-- they have been a great partner to the Office of the Capitol Commission in their work. However, they are very specific, as you would well imagine, on the types of work they will fund. And there have been work that we've wanted to do. And for instance, we asked if they would help us with the roof. We had-- in the, in the HVAC project that was concluded in 2000-- excuse me, in the reroof project and the masonry project that ended in 2010, we replaced a little over 2 acres of copper roof on the building. We asked, because they do roofing, if they would participate. They said, you're getting into a level of roofing that we do not fund. So they have parameters, as you would expect, around when they will and won't provide funding. But when it fits within their guidelines, they have been a great help to us. So 309 is a great institution. It just doesn't meet a lot of what we're trying to do on the building.

CLEMENTS: OK. Thank you.

BOB RIPLEY: Sure.

CLEMENTS: Any other questions? Thank you for your testimony.

BOB RIPLEY: Thank you.

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CLEMENTS: Other proponents for LB451.

JOSEPHINE LITWINOWICZ: LB451. I hope we don't [INAUDIBLE]. OK. My name is Josephine. Good afternoon, Senator Clements--

CLEMENTS: Good afternoon.

JOSEPHINE LITWINOWICZ: --and members of the committee. I rolled on up listening to Feets Don't fail Me Now, and I hope they don't. I-- my name is Josephine Litwinowicz, J-o-s-e-p-h-i-n-e L-i-t-w-i-n-o-w-i-c-z. And I'll spend just a brief time-- what the hell are we doing with Trump? Where is your open letter, denouncing? I mean, this is, this is like nuts now, you know? The nigger and the old broad had to go, and all this other stuff. I don't know what-- I get-- OK. I'm going to move on. I really would like to see this bill passed, too, because I would like to see a, a a second-floor disabled bathroom, you know, with the buttons. And Bob Ripley, he worked so well with me to get the ones on this floor done. It was really great. And I think it would be nice. And I would like access-- reasonable accommodation to view the Legislature as it-- you know, like the 2-legged people that sit in the balcony, you know. And so I, I, I don't know, I propose, you know, sitting at the back of the legislative chair, you know, like it was done in the past. And so, it would cost nothing. And a bunch of cripples at the back of the room aren't going to cause any problem, like with-- especially the high ground. People have argued about safety, but the high ground, you know, in the gallery. Anyway, so I, I would like to see this, because-- also, I don't know if, if we don't-- if I don't sit at the back of the legislative-- if we're not allowed to do that-- and I was targeted by the current AG and I can prove it. I would like some money because I was targeted and it cost the support-- people with disabilities the right-- I was actually-- I have the proof. Anyway, so I would like some of that money to be spent on reasonable accommodation access somewhere in the balcony or one of those spots up there. I just don't want to go under the north end of the stadium where they keep the cripples. You know, I want, I want something somewhere where, you know, a reasonable amount of people dis-- with disabilities and elderly can view the legislative floor. And because I actually-- the current Speaker, he acknowledged to me privately, in the, in the anteroom of the Legislature-- room, legislative room that it's not reasonable accommodation. I showed-- you can't have hearing-- you know. There's only 2 spots is what I said. And that proof was, was given. I, I showed clearly-- especially during big bills. You know, there a lot of, of controversy, and there's all kinds of state police,

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and then-- you know. You know, it's kind of hard for people that get intimidated to want to go and get that-- one of those spots. And they don't even know-- well, that can be handled. But I really would-- I would, I would like to see-- because we crawl at a snail's pace, and it would be nice for that snail to slide on its line a little faster, so to speak. And I would, on behalf of all of us with disabilities, don't think of me personally, because I know I'm abhorrent to you. So if you could just think of people with disabilities, and that would be, that would be good enough. I mean, how many cripple-- conspicuously crippled queers of the Capitol are there anyway? So why don't we have a place to go? I suggest the zero, the zero tag on, on the bill, sitting at the back of the legislative floor. I was invited once, in 2014. I was like, oh, really? And, and I, I said, no, that's all right. And he said, come on. And then I put all 4 wheels on the floor. I was going to go to the left, you know, the bottleneck is always there. So I said, no, thank you, but I'm not, I'm not going to do it. You know, thanks for offering. And so, it was done for me before. And I know certain people have been invited back there. But I was targeted by the current AG. And I believe that's the-- I have the proof in the phone call. I don't want to release it because someone is going to get hurt that doesn't deserve it. And so I would really like-- it would really be neat for all people with disabilities to get a leg on this. And, and this would be a, a, a great way to fund, you know, whatever insanely expensive project that would require some modification and reduce the integrity of the building, or with a zero note, that's, you know, interest-free, zero note, to sit at the back of the legislative, you know, room. And that would include not having to leave, because people don't have to leave from the gallery when there's a vote. So everything like that, reasonable accommodation. I don't want to, you know-- like I say, when I've, I've gone to the, the, the football games at Memorial Stadium, and I don't sit under there. I go and I get that seat along, you know, that-- where they put up the folding chairs. OK. Thank you.

CLEMENTS: That's your time. Thank you. Are there questions from the committee? Seeing none--

JOSEPHINE LITWINOWICZ: Never. Ever.

CLEMENTS: --thank you for your testimony.

JOSEPHINE LITWINOWICZ: Ever. Thank you.

CLEMENTS: Next proponent.

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KENT ROGERT: Senator Clements, members of the appropriation Committee, my name is Kent Rogert, K-e-n-t R-o-g-e-r-t, and I'm here today in support of LB451 on behalf of the Nebraska Association of Former Legislators. I just wanted to answer a couple questions and mention a couple technical things. Why are we interested in this, you may ask? And our-- my answer is we've, we've been-- kind of tasked ourselves over the past several years to make sure that this building remains, as Senator Prokop said in his opening, as successfully restored and kept as much as we can. Two of the major things we worked on recently, were we helped this committee find money and appropriate to put the fountains in the courtyards. And then, a group of us-- I wasn't part of that necessarily, but I managed the funny-- the money for a while. We raised \$1 million in private funds that are now endowed, as of December, to forever, hopefully, keep the landscaping up out in the courtyard. So we, we raised money to do that. So, I did-- one of the things that in our conversations with DAS and the Governor's Office, they had asked us for this purpose of this bill to start it in the second year of the biennium. And we agreed to-- that would be just fine. So the idea would be we'd do it for 10 years, starting in 2026-27, in the second half. Senator Spivey, you had asked about the unclaimed property funds. And I know that's been a discussion amongst you as a group earlier. I think-- if I remember a way back-- and Treasurer Briese is in the back. He manages these funds. Several years ago, the Treasurer, at the time, came to the Legislature and said, we have tens of millions of dollars built up in this unclaimed property fund and nobody's coming to get it, so we need a way to move it, make it useful. And so what we do every year, this committee, it's-- by law, it automatically transfers over to the Permanent School Fund. And I believe the reason it says every-- any balance more than \$1 million that as long as anybody can ever remember, nobody's, nobody's ever claimed, in total, more than \$1 million. So there's always money in there to be, to be claimed up. And people do claim it. And it's never been more than a million. So if that ever became a-- even if they came and it was, they'd have to figure out a way to backfill on, on those funds. So I'd be happy to answer any other questions.

CLEMENTS: Other questions? Senator Spivey.

SPIVEY: Thank you, Chair. And thank you so much for answering my question. Do you think that there is an opportunity and maybe this is outside of your scope, to like, be able to let people know-- like, you know, at the county level, you normally see a notice in the paper, and people say, oh, I have unclaimed property. I think sometimes the process is not as accessible or as folks have lost someone in

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transition, if it's their-- if their-- if it's their property, they just might not be paying attention in that way. So is there an opportunity for us to better promote this so that people can get their things?

KENT ROBERT: I'll bet, I'll bet you Treasurer Briese will be happy to answer that question. And he does have a program and he has had a website. And I know they do some stuff. I remember Treasurer Murante was on some TV commercials. I mean, they are trying to do some stuff to get that out of there. I'm, I'm certain it could always be more, because most people are like, I don't-- sometimes, I'll see the book sitting in the Rotunda of the Capitol. And they'll make people-- well-known that the book is over there, you can go look through there and see if there's any money in there. I've never found any money for me in there personally. I'm disappointed. So.

SPIVEY: Thank you.

CLEMENTS: Other questions? Seeing none, thank you for your testimony.

KENT ROBERT: Thank you.

CLEMENTS: Are there other proponents for LB451? Seeing none, anyone here in opposition? Seeing none, anyone wanting to have neutral testimony? Seeing none, that will conclude the hearing on LB451, except that we do have written-- submitted comments: 1 neutral comment, no proponents, no opponents. And that concludes LB451. Next, we will go to the Agency 12, State Treasurer budget hearing. Good afternoon, Mr. Treasurer.

[AGENCY HEARINGS]

CLEMENTS: We're going to move into LB624. And that is the one we will use a 3-minute timer for testimony. And Senator Dover indicated that he had another bill, a hearing in another committee. Is there a representative for Senator Dover?

_____ : Right here. Hi. What do you need from me?

CLEMENTS: I need an opening for this bill. I've been told that the pages went to get Senator Dover.

_____ : OK. [INAUDIBLE].

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CLEMENTS: We'll wait a couple minutes before you start. Oh, thank you for your patience. We'll, we'll wait another couple minutes. And hopefully, he'll be back. All right. We will now open the hearing on LB624. Senator Dover, welcome.

DOVER: Thank you. Thank you, Chairman Clements and committee members, I apologize. I was just getting ready to testify in another hearing, and my LA is going to take care of that for me.

CLEMENTS: We have received your handout.

DOVER: Oh. You have those?

CORI BIERBAUM: [INAUDIBLE]. Is this [INAUDIBLE]?

DOVER: Oh, I'm sorry. Thank you, Chairman Clements, and good afternoon, committee members. For the record, my name is Robert Dover, R-o-b-e-r-t D-o-v-e-r. I represent District 19, Madison County, south half of Pierce County. Over the last 30 years, school choice has been making a positive impact across the country. These programs have stood the test of time and have data supporting how effective they are. Most importantly, these programs are transforming lives across the country right here in Nebraska. These programs are giving families the ability to choose the education that best supports their needs. Unfortunately, in Nebraska, a special interest group spent millions of dollars against parents and children to eliminate critical school choice programs that a supermajority of the bipartisan senators passed last session. The Nebraska Legislature once again can do what is right for low-income and at-risk children who need sustained educational opportunities and freedom, which is why I introduced LB624. LB624 is very basic in its structure. It appropriates \$10 million per year in the upcoming biennium to the State Treasurer, who would then be tasked with responsibilities of issuing education scholarships to low-income and at-risk students. These scholarships would be used by families to support their educational freedom, and opportunities to attend an approved, accredited nonpublic school of their choice. Through this legislation-- is basic-- is-- though its basic in its structure, it is life-transforming in its effect. Under last year's school choice program, LB1402 provided \$9.2 million to nearly 4,000 students with education scholarships to attend nonpublic schools of their choice. 81st-- 84% of these funds went to students at or below the 213% of the poverty-- federal poverty level. For context, this is the eligibility marker for Children's Health Insurance Programs, and is equal to \$66,000 for a family of 4. The 3,972 students who attended 132 schools

across the state of Nebraska-- half of these schools were located outside of Lincoln and Omaha. The average scholarship awarded was \$2,325, which is well below the cost to educate a child in nonpublic or public schools. While these general data points are important to our conversation today, I wanted to tell you that-- why I decided to bring this appropriation forward, even after the November election results. It is for the parents, for the kids, espec-- and especially for the kids. I'd like to say that I'm not opposed to public schools. My grammy was a public school teacher. My aunt was a public school teacher. I went to public school. My kids went to public schools. My grandkids will probably go to public schools, as well. What I believe is that parents need to be able to make the choice of what is best fit for the children. In some cases, nonpublic schools is the best choice. In some cases, public school is the best choice, and I believe we need to enable all parents to make that choice. The first opportunity scholarship recipient was from my own district. Destiny felt, Destiny felt more comfortable in a nonpublic school, so the opportunity scholarship allowed her mom to send her there. Without a scholarship, her mom could not afford to have her attend a nonpublic school. Her sister wanted to stay in public school, and she did. That's how it should work. Each child's needs-- excuse me-- each child needs the opportunity to attend the school where they feel comfortable and that best suits their needs. Furthermore, my district voted to keep the pro-- LB1402 program. They want school choice. And since I represent my constituents, I am bringing LB624. I would like to ask-- excuse me-- I would like to also talk of the 3 experiences that I have had. In 1977, I met a kid from north Omaha who was spending the summer with his grandparents just outside Norfolk. His parents thought it would be good for him to spend the summer with his grandparents on the farm and away from north Omaha. We became friends, and he told me of how the doors of his school were chained shut to keep gangs and drugs out of the school. That was 47 years ago, almost half a century. Are the schools better in north Omaha? I don't believe so. And we are told that if public schools just had more time and more money, they would solve these problems. Isn't half a century and who knows how many more dollars enough to show that this will not solve the problem for our children? The children needs alternatives. Another story I'd like to share is from my first session here in Lincoln. I was staying at the Cornhusker. I caught a ride to the Capitol. And as many of you know, I enjoy conversing. Well, I started, I started talking with the young man who was driving the van. He was from north Omaha. He was a very impressive young man who was attending Creighton University. I had to know more. I asked him where he went to school and he said he went to

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Sacred Heart. I asked him if his friends attended Sacred Heart and he said no. His demeanor immediately changed. His smile was gone. The glance that had been looking up was now looking down at the floor. And he said his friends would never have the life that he had because their moms could not afford to send them to Sacred Heart. I believe there's no such things as coincidences. I was meant to take that ride with that young gentleman. Later in the session, I was talking with a senator who is very familiar with north Omaha, and it wasn't Senator Wayne or Senator McKinney. I asked if he thought opportunity scholarships would save lives in north Omaha. I told him that I just needed a yes or no. He went on to say that we needed to spend the money differently. After some discussion, he finally said yes, it would save lives who have passed. By the way, he voted no on the bill. That, I will never understand. We have debated the school choice issue for hours upon hours, in committee hearings and on the floor of the Legislature. We will continue to do so until we do what is right for our kids and their parents. And any time we debate this issue, there is bound to be significant misinformation against it, which is why I want to address some key arguments that will be alleged against this bill. First, opponents are going to argue that, quote, the people have already spoken. It is true. There was a vote back in November. But here's the sad truth about what led to that vote. Special interest groups spent \$7 million, with around \$5 million spent uncontested in the last 5 weeks before the election. While school choice proponents were busy operating school choice programs and giving kids hope, special interests were spending millions of dollars to mislead the general public about school choice. Even then, they were only able to win by a 57-43% margin. 4 legislative districts and 11 counties supported retaining LB1402 in total. A number of other counties had closer margins. Again, this is without an effort to educate the general public about the LB1402's benefits. The communities that supported LB1402 were those that have strong nonpublic schools like my own district, where the community clearly can see the benefits of choice or they were communities with higher low-- higher low-income populations who knew this program could bring them hope and a way out of poverty. If not mis-- if not misled by a multi-million dollar campaign, I have confidence Nebraskans would do the right thing and support parents and kids in need of a more hopeful educational environment for their children. Second, opponents are going to claim this is unconstitutional. This argument has been made over and over, without merit. The State Constitution prohibits appropriations directly to nonpublic schools. And the non-- and so the Nebraska Supreme Court has clearly stated in other contexts, including for

post-secondary scholarships, our Nebraska Opportunity Grant program, that appropriations like this one are a direct benefit to the students, not schools. Schools at most, and-- are an indirect beneficiary and such legal arrangement is constitutional. That is why Nebraska Legislature has passed into law programs like the Nebraska Opportunity Grants, school safety funding, including nonpublic schools through their local ESUs, teacher retention funding that is-- includes nonpublic school teachers, and a textbook, and a textbook loan program for nonpublic families- school families. The reason, I believe, that opponents never challenged the constitutionality of LB1402 or LB753, even though it would have been cheaper to do so, is because they knew they didn't have a legal argument to stand on and would have failed at the Nebraska Supreme Court. Third, opponents are going to claim that these programs will hurt public schools and their funding. This argument is totally nonsense. As a, as a state, we are clearly capable of supporting-- fully-- supporting and fully funding our state's education funding formula and providing educational opportunities to kids. That is what's prove-- that was proved through the historic investments that were made in the Nebraska Legislature last session through the Education Future Funds, special education reimbursements, and teacher retention grants. And the Nebraska Legislature will once again prove its commitment to session-- to funding our kids in public schools. But opponents argue-- argument totally misses the fact that nonpublic schools already save the state around a half a billion dollars per year. We can do the simple math by taking the numbers of students in nonpublic schools and multiply that by the average cost per pupil. Furthermore, the studies are crystal clear. School choice programs save that state money. The math, of course, is simple on this one. When a kid transfers out of public schools, taxpayers ultimately save money. There are, of course, fixed costs to a school district, even if, even if a kid would leave. But the large majority of educational costs are variable, which means when a kid leaves, so does a large portion of their cost to educate. But let's get down to the crux of the argument. Opponents have an underlying presumption in their argument that somehow, every dollar that comes into the state coffers already belongs to the public schools, and that allocate-- and to allocate funds in a, in a different direction hurts them. This is simply-- this is, simply put, a mistaken approach to our state's financial resources. Fourth, opponents are going to claim that nonpublic schools are not accountable. This legislation requires that scholarship students attend either an approved or accredited nonpublic school. Approval and accredit-- accreditation are state statutory requirements for the operation of a nonpublic school. An example of

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dealing with misrepresentation on this topic, was seen during the hearing of LB509, Senator Sorrentino's school choice bill. That was before the Revenue Committee. In that hearing Tim Royers, president of NSEA stated, I quote, I would encourage the committee to learn that to become an approved, approved private school, you just have to fill out this one sheet of paper. So I have brought that. So this was the piece of paper that he held up. And this is the application for a confidential conditional approval to open a new public school. And then it talks about proper Nebraska certification being secured to teach at the proposed school, talked about fire marshal inspection, and then it talks about has a study of the regulation of Rule 14, shown that the proposed school will be able to meet the re-- the re--regulations. It looks really nice if you hold up this piece of paper and say, this is all you need to do a, to do a nonpublic school. Well, this is Rule 14, OK. And as you can see, it's not one piece of paper. And then also, you have to fill out, for the Nebraska Department of Education, this documentation report. And this says, compliance of accreditation regulations to Rule 10. So as you can see, again, it's not one piece of paper. And then we can look at Rule 10. OK. And again not one piece of paper. I mean it may look good when you're testifying, but to say that you have to have one piece of paper to be a nonpublic school is ridiculous. These law required to list just a few things that nonpublic schools have to be cert-- have to have certified teachers and administrators, ensure specific accounts of instructional time and in certain content areas, provide for non, norm or re-- referenced testing, and abide by health and safety requirements. So when opponents come up here and say that an approved school has only to fill out a piece of paper, I encourage you to do your own research and look up Rule 14 on approval and Rule 10 on accredit-- accreditation standards. Of course, none of this gets to what matters most: Accountability to parents. Parents care more about their children than any law or regulatory oversight ever could. If the nonpublic school isn't meeting the needs and demands of the parents, the school isn't going to succeed or survive. Fifth, opponents are going to claim that nonpublic schools discriminate. Let's look at the facts. When you look at last year's school choice program, 12% of the students who qualified-- who were qualified with special needs, with special needs. Compare this within a public school average of 16%. There is not a significant difference between the 2. However, public schools argue that they do all, all, all the work to serve kids with special needs at public-- at nonpublic schools. What they won't tell you is that they are legally obligated by federal and state law to serve these students. They also receive all the funding to provide

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these services. In short, it's no active charity they're engaged in. It's an obligation of the law. And this claim also fails to recognize the important work nonpublic schools do with their own resources to help kids with special education needs. This claim further falls to-- [INAUDIBLE] fails to own up to the fact that not every kid thrives in a public school. Kids are rejected, bullied, kicked out, and excluded in public schools. Unfortunately, no school, public or private, is perfect or immune from these problems. The goal of education shouldn't be designed as a one-size-fits-all model, but ensuring that all kids can find the school that best fits their, their academic, social, emotional, and spiritual needs that parents are empowered to get to a school that is best for their, best for their chil-- child's unique needs. I could go on with more preemptive count-- point-- counterpoints, but I'll keep it to the key arguments. Here's where Nebraska sits right now. We are about to be the last state in the country without a school choice program. We are currently competing with North Dakota for dead last, and they are set to pass a major school choice program in their budget this session. Other schools are either way out ahead of us on the track or already laughing at us many times over, over on school choice. Parents want school choice and kids deserve it. Let's do what's right for Nebraska kids and let it pass school choice once again, to make sure every child can flourish in their K-12 experience and become the kid they were meant to be.

CLEMENTS: Thank you. Are there questions from the committee? Senator Spivey.

SPIVEY: Thank you, Chair. And thank you, Senator Dover, for your testimony. I just have a couple questions about your bill. First, starting out, do these nonpublic schools already provide scholarships for kids that would potentially be attending?

DOVER: Yes.

SPIVEY: So then can you help me connect the dots of why we would want to reappropriate funds, if these nonpublic schools are already providing scholarships and providing support?

DOVER: These, these scholarships aren't necessarily provided by the school, but by private donors. They, they, they don't-- even the money that we allocated doesn't come near to satisfying the need of the, of the, of the families who can't afford to send their kids to a private school.

SPIVEY: OK. And this question comes-- so I'm actually a pub-- public and private school kid. So I was on a scholarship at Brownell Talbot for middle school, and then went to public for elementary and high school, and just was wondering, because at-- an example, because I went to Brownell, they provided a scholarship, regardless. At that time, there wasn't the conversation around school vouchers in the same way. And so, I'm just wondering why, if we have decided that this is not the allocation for resources and schools have the autonomy to provide support to get students in, why would we need to think about reallocating those dollars in that way?

DOVER: Can restate your question, please?

SPIVEY: Yeah, just trying to connect the dots of the reasoning behind the bill. If, if we have already said-- and you know, like you mentioned in your testimony, we've been here multiple times, it's been on referendums and it's been to the voters that this is not where they want to see dollars, and these nonpublic schools have the opportunity to provide scholarships to get different types of students in already, why would we need to allocate additional dollars for something that they're already doing?

DOVER: Well, I, I guess I would-- I-- I'm trying to-- I don't know if I'm fully following, but I'll do my best to answer. If you're in north Omaha, there isn't enough dollars to satisfy the kids that would like to attend the private schools. And there's also the question-- I think you were kind of hinting at it, that there already, already was a ballot initiative and a vote. And I, I guess if you believe in something-- I, I guess I would, I would, I would probably-- I would compare that to probably to, I mean, the death penalty. I mean, I know there's a, there's a big difference there, but I don't think-- but in cause there isn't. And so, I don't know if anyone-- I would think there'd be some senators if they could pass a bill that would outlaw the death penalty, they would. And I guess I'm, I'm just feeling the, the importance of school choice. I just think-- I don't think it would be overestimated. I think-- I just think there's a, a huge need there. And I don't-- and I-- and personally, I don't believe that some of the information that was given out to, to-- during the [INAUDIBLE]-- during the signatures and stuff, I don't think it was necessarily true or represented right. And I think had the money not-- here it is. Had the money not been spent-- I mean, \$7 million. Had that money not been spent and was left to just everybody kind of talk in Nebraska like, you know, here's what we think, amongst themselves, I don't think it would have passed. I mean-- and luckily, if you have enough money, you

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can pass a lot of ballot initiatives that may or may not truly represent the need in the state.

SPIVEY: Oh, I would agree. I, I worked and saw-- we saw what happened with abortion access. So I, I definitely think you're correct on that if you spend enough money, you go against the will of the voters. I just don't necessarily know if I agree with it in this case.

DOVER: Sure.

SPIVEY: However, I, I have a couple follow-up questions, Chair, if that's OK.

CLEMENTS: Go ahead.

SPIVEY: I have like 3, so I just wanted to prepare you. And I appreciate you bringing up north Omaha, which is the district that I represent, where I grew up. And you mentioned a couple of stories of your experiences talking to different families. And the core root-- what I took from the, the stories was that these schools in, in this specific geography are failing these students. It's not safe. It's not working for them. And so my question to you is that we see a lot of social drivers of health, right, that impacts someone's experience. So it's not just the school in a binary sense, but it's quality affordable housing, it's jobs, it's transportation, it's access to healthcare. And so, if we are going to invest in something, don't you think money would be better spent than trying to give vouchers that we can invest in some of these drivers that are impacting people's actual educational experiences and their livelihood?

DOVER: I would say probably yes, yes, and yes. I think that-- I don't think there's ever one cause to anything. I think that education is very important. I think-- actually, pre-K education is really important. I think that if you're-- I think that it- and this is probably getting a little off-topic, but I apologize. I think that if you're really, really wealthy and you have the best teachers and you go to pre-K and, and you go to great colleges, you have such an advantage in society that none of us here ever had. And I think that you can take that in different levels. So I really think-- I remember, I remember hearing Senator Chambers, who talked about this, and tried to get north Omaha out of OPS, because he saw-- he did not believe that OPS, at the time-- and I'm not familiar with the situation, but he cared. I mean, I believe he cared. He did a lot of good. He tried to get north Omaha out of OPS, and OPS said no. I think that if he

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lived there and he thought there was a problem-- and then in the debate that a number of us were all in here, where Senator McKinney and Senator Wayne stood up and said, you know, we need to-- we-- this is going to be good. I think it's good. And I just think there needs-- I think having a one-size-fits-all-- but I just really think this would benefit a lot of children. I, I mean, my kids are grown. My-- this doesn't affect my family.

SPIVEY: Right.

DOVER: But I actually got in an argument when we were at one of our meetings at the Embassy, where someone came down from my school district, said why are you, why are you fighting for this? Our district doesn't want this. I said, I, I, I stand up for all Nebraskans. And I think there-- I think north Omaha-- and-- just-- could do- use better schools. I just personally believe that. I don't think we're doing our job there.

SPIVEY: Yeah. I, I do think there's an opportunity, across the board. I think the issue is that school choice and that word is being conflated with parent autonomy and where they go. Right. So I'll give an example. So where I live, every elementary school in my zone is failing. The private schools that are there, and even the one that you mentioned in your story, actually is not producing better educational outcomes for those kids. And so I think that there is a larger, more comprehensive conversation, where our time could be better spent around how do we really educate our students, how do we really invest in the livelihood and education of our young people, which are going to be the future workforce and makes a impact on our economy, versus rooting the solution, I think, in this type of intervention, I don't think is the right conversation or the right context, especially as you talk about north Omaha, just seeing what is there, whether it's public or private. Again, I think we can go upstream and really work with partners across the board to talk about what does parent autonomy look like over their choice of where they actually go. But I think that, that term and what it means, especially for communities like north Omaha, has been co-opted for, for work that doesn't necessarily align to what our intention is. And then the last thing that I, I will ask you-- so my background-- I've had a lot of jobs. I actually worked at one of the largest charter school movements in Texas. I worked at KIPP Truth Academy, and it did have oversight in Texas. I've seen lots of different education models. And I'm, just being clear, an advocate for keeping public dollars with public schools. So I've had these experiences, and I think it's helped to shape who I am and, and the

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questions that I have, have here for you today. And so I'm, I'm interested in-- you talked about this a little bit in your testimony, of what does oversight look like for these nonpublic schools, as it relates to using public dollars, you know, to send children. And I specifically had experience where my son was in a free public sch-- or a free private school in north Omaha. This was right when COVID started. My oldest was in kindergarten and everyone is figuring out what does COVID look like, right? Like, we don't know, people are talking about sending kids back to school, parents are freaking out, and I'm on the parent committee. Like, I'm actively there every day. And I did not have the autonomy and leadership to work with that board. Because they are a private school, I was shut out. I was shut out on decision-making, I was not a partner, and I was told, if you don't like it, you can send your kid back to public school. And that's what I did. And so, again, I think this larger conversation around if we're saying my public dollars are going to this other type of institution that has a very different structure, very different decision-making, whether it's curriculum or, or, or anything else, like how does that oversight work in your mind with like this type of legislation and intention?

DOVER: I can't speak to your situation, but it would be very frustrating if I found myself where you found yourself in that school. There will probably be some people that can talk to this. I guess-- one thing I'll say is this. From what-- I think someone also will talk about the results which currently, you're seeing in nonpublic schools in the state of Nebraska compared to, to public schools. And also, I'm aware that in Ne-- in Florida, before Governor DeSantis actually was-- had the ability to take-- where you take your tax dollars to whatever school you want to, they were ranked and, and I could be very comfortably saying 30-something, right. And after years of having that in there, when you have competition, it raises all boats, and so they were ranked fourth in the country. They went from 30-something to fourth in the country, once they allowed competition in their school system. So I mean, I, I think competition is really a good thing. But I guess-- there will probably be some people that would be able to answer that specific question that you had. But, but I think it comes down to if I was a parent, I'm in charge of my kids' education and I shouldn't be told, this is your choice. Which one do you want, this or this? Because this is it. And I just think competition is a really good thing, and I think parents should be free to decide where their kids go to school.

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SPIVEY: Yeah. I, I appreciate that. And, and I do think that there should be parent autonomy. I think for me and just my concern-- and I appreciate you answering my questions. It's just around-- we're not having the right conversation, around why our public education in like, in your statements, are, are not meeting the needs in, in specific populations like north Omaha? I think our efforts are better suited for going upstream and addressing that, versus coming back to this space around vouchers, and it, it is-- and is that the interva-- intervention to ensure that we're going to be successful. Because whether it's post-secondary, pre-K or, or K-12, you need strong public education, right?

DOVER: Oh, yeah. Right. Right.

SPIVEY: So-- and you need that. And so I think that we should be having conversations around what does that look like across the board, and how do we invest in some of those other social drivers of health that maybe are getting to your point of why this type of legislation you wanted to bring again. But thank you, again, for answering my questions.

DOVER: Thank you.

CLEMENTS: Are there other questions from the committee? Senator Cavanaugh.

M. CAVANAUGH: Thank you. Thank you, Senator Dover. Would you consider an amendment to inclu-- a nondiscrimination amendment-- language?

DOVER: I would want to review it first.

M. CAVANAUGH: OK. But you would consider adding-- I, I mean, there's standard nondiscrimination language that you can't discriminate against ability-- disabilities, race, gender identity--

DOVER: Yeah.

M. CAVANAUGH: --like, the standard boilerplate. It's--

DOVER: I, I would be more than happy to review it. And, and since you brought it in, LGBTQ, et cetera, there, there was a report by GLSEN. Are you talking about GLSEN?

M. CAVANAUGH: No. I'm actually more concerned around the 504 federal regulation on disabilities. And also, I mean gender identity, of

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course, but, but just generally, discrimination based on any race, gender, religion or ability. And--

DOVER: I'd be, I'd be more than happy to, to, to, to see that-- what's-- what you-- what, what-- how you would draft that. I would be more, more than happy to sit down and review that with you.

M. CAVANAUGH: I think that's great and I appreciate that. I, I don't know that all of your supporters will support that. I ask that question because I have for years now, in conversations with Senator Linehan, talked about adding such an amendment. And she doesn't want to do-- she never wanted to do that because that would mean that private schools, like Catholic institutions, could no longer qualify for these dollars, because they can discriminate based on anything that they want to. And that's why state dollars going to private institutions for education is problematic for me, personally, and, and any, any institution that is allowed, it's permissible to discriminate. And the pushback that I always got back from former Senator Justin Wayne, was that you don't think public schools discriminate? And I do. I think that they do. I think everybody has a discrimination issue, but it's not permissible. They're, they're not allowed to discriminate. They do, and it's awful, and we need to address that, but that doesn't mean that state dollars should, in my mind, go to private institutions. But my other question to you is, you made the statement of competition raises all boats. Do you believe that the schools in north Omaha are failing because of lack of competition? I also would like to couch that-- and acknowledge for everyone that north Omaha and south Omaha are coded language. It means black Omaha. And basically, Hispanic or immigrant Omaha is south Omaha. And so when we're saying this, I want to be clear that we're talking about, basically, poor, black children when we're talking about north Omaha. So is competition what is failing the poor, black children of Omaha?

DOVER: No. I'd say-- first of all, I'd say, Senator Armendariz, are you from north Omaha?

M. CAVANAUGH: Yes. But not everyone from north Omaha--

DOVER: My friend that I talked in here, his name was Danny.

M. CAVANAUGH: Yeah.

DOVER: He was a white guy.

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M. CAVANAUGH: I'm, I'm, I'm acknowledging the cultural norm in Omaha.

DOVER: OK. Oh, and I apologize, because I'm not from [INAUDIBLE].

M. CAVANAUGH: Yeah. No, I'm not--

DOVER: I'm from Norfolk, so.

M. CAVANAUGH: Yes. No. Yes. I'm, I'm-- I wasn't-- It-- I-- was for the context in the historical record. Yes, there are people who are white that live in, in north Omaha. There are people who are white who live in south Omaha. But when we're talking about north Omaha in this context, we are primarily talking about poor, black children. And I just-- I feel like that's an important thing to not skirt.

DOVER: OK. Well, thank you. I don't-- because that, that was not my intent.

M. CAVANAUGH: No, I-- it's not, it's not whether it's an intention or not an intention. I think it's just important to acknowledge what-- the demographic of the children we're talking about. And that is the demographic of the children primarily, not entirely, but primarily, in north Omaha. So anyways, but do you think the lack of competition is what is failing those kids?

DOVER: I think-- well, I would say this, is let's, let's say that-- I would say yes. I-- and I think it's not-- it isn't any specific geographic area in Omaha. It's across the state. And I really think that if you-- if, if, if people in, I guess, to your situation, to your question, if they were able to take their money and go to any school they want, I would think you'd see the nonpublic schools grow. And then I think that you would see OPS say, hey, what's going on here? Why, why are they going there? And, and then, start asking maybe tougher questions. And it may go to the fed-- it may end up being under a-- a federal issue, too. I don't know, as far as what they have to do and all those kind of things. But I think just going there would open doors and make them question, why are we losing people? Why are they going there? And, and here's the thing. The parents are going to send their kids to wherever their kids [INAUDIBLE] the best chance of success.

M. CAVANAUGH: Of course.

DOVER: So, I mean, I think competi-- I think there and every place, it would be a better thing.

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M. CAVANAUGH: OK. Thank you.

DOVER: Thank you, Senator Cavanaugh.

CLEMENTS: Other questions from the committee? Seeing none, will you be here to close?

DOVER: Yes, I will.

CLEMENTS: All right.

DOVER: I missed my other hearing.

CLEMENTS: All right.

DOVER: And now, I have no more.

CLEMENTS: Thank you, Senator. We'll now open the testimony up to proponents for LB624. Good afternoon.

CHRISTINA CHVALA: Good afternoon. My name is Christina Chvala, C-h-r-i-s-t-i-n-a C-h-v-a-l-a. Thank you, Chairman Clements and members of the Appropriations Committee for your time today. Both of my daughters who are here today are recipients of the education scholarships that were repealed last year. One of the hardest experiences as a parent is knowing your daughters, knowing what they need and where they will thrive, and not having the means to make that happen. Today, because of the education scholarships they received, in addition to scholarships that we received from the school, as well, they are both thriving in schools of their choice. When I received the confirmation email last summer that we were awarded an educational scholarship, I cried. But now I am receiving enrollment emails with upcoming deadlines for the next school year, uncertain again of how my daughters and I are going to make another year possible. LB624 matters. It has a direct effect on my daughters' futures and the futures of the other 4,500 scholarship families like ours. When you hear that statistics show that children's grades go down when they utilize an education scholarship, please remember my daughters' faces: Olu, who is taking honors classes and made highest honor roll, even with the tough transition into high school; and Lela, who made straight A's last quarter. Please remember how I can't count how many times Olu has come home from school thanking me for putting her in Duchesne, which is a unique, all-girls high school environment that is so empowering for young women, teaching them to question, to support each other, and to lead. Please think of Lela, whose school community

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was a source of support and stability for her through a difficult time in our lives. When you hear that this proposed appropriation might take away money from public education, please remember the approximately 20 other tax credits on the 1040N tax form. Please take note that there is no big push to question these tax credit appropriations or asking for their repeal. I find it curious also that LB451 that we heard about earlier today, lessens the money shuttled to the Permanent School Fund, yet no one in this room testified against it. Let's not target the tax credit that gives educational opportunities to low-income and at-risk children. When you hear today that the people voted against this last November, please consider that a vote to repeal education scholarships cannot truly be the will of the people if our people are unclear on what they're voting against. I can't tell you how many people I spoke with after the election that voted to repeal LB1402 did so because they heard it took millions of dollars directly out of the public school budget. We know that's not true, but the public did not. After I testified at a hearing last October, my daughter and I listened as opposing testimony referenced our story, stating that repealing LB1402 would not actually affect my family since the Opportunity Scholarship Act was already discontinued. This was a half truth. LB1402 provided for recipients of opportunity scholarship funds, my daughters, to continue to receive scholarship funds so that we didn't have to be in the situation that we are finding ourselves in right now-- the uncertainty of not knowing whether my girls would be uprooted from their current schools where they are thriving.

CLEMENTS: That's your time. Thank you. Are there questions? Thank you for your testimony. Other proponents for LB624. Good afternoon.

OLU CHVALA: Good afternoon. My name is Olu Chvala, O-l-u C-h-v-a-l-a. I'm a freshman at Duchesne Academy of the Sacred Heart. Thank you, Chairman Clements and members of the Appropriations Committee for your time today. We will never know another person's experience like we know our own, but I'm asking you to see a little bit of mine. As a recipient of an education scholarship, it has meant everything for me. I've been able to accept parts of me that in a way-- sorry-- in a way that I have never before because of my attendance at Duchesne. Duchesne has shown me that there could be a place so well tailored to what I need as a student and a person. The fact that I'm even here giving this testimony and speaking in front of you today is because of my education at Duchesne, made possible by the education scholarship. Without education scholarships, I don't know if I'll be able to attend Duchesne. And if I can't attend Duchesne for the next 3 years, I don't

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know what I'd do. What I do know is that I'd feel lost, out of place, and as if I'm floating around aimlessly in space. Duchesne is that gravitational pull that plants my feet down on a solid foundation. That foundation is where I find the building blocks to my future, a second home, and an opportunity for me and other young women to thrive. It's simply the place that personally checked all the boxes for me as a student. As a minority, it's upsetting to me that people who don't know what it's like to be a minority or a woman invalidate my experiences. When I attended a public hearing in October, my story was singled out to say that the repeal of education scholarships would have no effect on me or other recipients' abilities to attend the school of their choice. The harsh reality of this is that it does, and it most definitely did affect us. When statistics are focused on more than an individual story, it makes me wonder, are we focusing on the individual people it's affecting, or a general statistic with no story, no face, and certainly no personality? It's a little trite, but the idea of putting ourselves in each other's shoes is so important here. To take away my scholarship was to take away hope and opportunity from a minority, an emerging young woman, an enthusiastic student, a granddaughter, a daughter, and so-- and more so, another person. But LB624 would be able to bring back hope, opportunities, and revalidation to me and others in my shoes. Thank you.

CLEMENTS: Thank you for your testimony. There are questions?

ARMENDARIZ: Yes.

CLEMENTS: Senator Armendariz.

ARMENDARIZ: Thank you. Thank you for being here, and thank you for your testimony. Can you tell me, did you go to a public school before?

OLU CHVALA: I did not.

ARMENDARIZ: You've always been at a private school?

OLU CHVALA: Yes.

ARMENDARIZ: OK. Thank you.

CLEMENTS: Other questions? Seeing none, thank you for your testimony.

OLU CHVALA: Thank you.

CLEMENTS: Next proponent for LB624. Good afternoon.

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LELA CHVALA: Good afternoon. My name is Lela Chvala, L-e-l-a C-h-v-a-l-a. I'm a seventh grader attending St. Wenceslaus Catholic School in Omaha. This scholarship means a lot to me and my family. It allows me to thrive in a place that I love, grew up at, and excel at while letting me grow, grow in my faith. Some people say that the repeal of our scholarship funds isn't taking anything away from my family, but that just isn't the truth. The truth is, if this Legislature doesn't save these scholarship funds, there is a strong chance I would have to change to a school that isn't the best fit for me. My mom does a lot to provide for me and make sure I'm taken care of. But the truth is, we are a single-income family, and it shouldn't mean that my sister and I should choose-- should lose our choice of where we go to school. I love my school for a variety of reasons. For example, I love the way I have a religion class every day where I get to learn about God and seek him out. Also, I love my teachers and how they really care about their students-- who their students are and what they are teaching. Another reason I love my school is the friendships I have made. I love being able to wake up and know I get to see my friends throughout the day. I can honestly say that they're like family to me. I have a hard time talking to people and making friends, so this was a huge deal for me. But if there are no longer any scholarship funds, not only am I going to be taken away from an environment that I love and thrive in, I have to start over with all the relationships I've made over the years, just because my family doesn't have enough money. I'm not saying that public schools are bad. I've heard lots of amazing things from some of my softball friends who go to public school and love it. I'm saying I grew up going to a Catholic school, and I know that switching to a public school would not be the best fit for me. It should not be a question of how much money my mom makes to ensure I get to stay at a school I love. It should be a choice of where I fit in, thrive, and the place that is best for me, my needs, my relationships, and the environment I want to be in. If LB624 does not pass, the message you are sending to kids like me is that their needs and where they would thrive in doesn't matter. Please send the message to kids with low-income families that we matter because of who we are, and not because of how much money our parents make. Thank you.

CLEMENTS: Thank you. Are there questions? Seeing none, thank you for your testimony. Next proponent for LB624, please. Good afternoon.

ANTHONY WILLIAMS: Good afternoon. Thank you, Chairman Clements and the rest of the Appropriations Committee. And thank you to Senator Dover for inviting us-- inviting me here to speak today. I'm Dr. Anthony

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Williams, A-n-t-h-o-n-y W-i-l-l-i-a-m-s. I'm here advocating for the reinstating funding for student scholarships through LB624. It is an honor to serve as the principal of the Omaha Street School, a private, faith-based alternative high school dedicated to sort-- supporting at-risk youth in the heart of Omaha, Nebraska. We are a Rule 14 school, approved by the Nebraska Department of Education and accountable to the state and the families we serve. During my career, I've spent 10 years in public education as both a teacher and administrator, and now I have served the Omaha Street School for the last 6 years. The Omaha Street School is committed to an intentionally smaller experience for students, with a 6-1 classroom student/teacher ratio focused on helping-- excuse me, focused on helping students who have struggled academically and socio-emotionally. A significant portion of our students have previously attended public schools, with nearly 98% having sought education in other settings before joining the Omaha Street School. It is crucial to highlight that 84% of our student body hails from low-income households living at or below the poverty threshold. We are dedicated not only to fostering academic achievement, but also to providing mental health support. Our students and their families, totaling 12, have benefited from LB1402 education scholarships, which LB624 looks to replace. I want to recount the journey of one of our students. We will call her Teresa. She joined the Omaha Street School approximately 3 years ago as a sophomore, having spent 2 years in public schools where she accumulated only freshman-level credits. Initially, she showed little enthusiasm for her education in the public school system. However, after enrolling with us, she re-- rediscovered her passion for learning. Throughout her time with us, we collaboratively collaborated with the public school district to assist Teresa in earning recovery credits over the summers. As of last December, she proudly graduated from the Omaha Street School. Her former public school guidance counselor attended our ceremony and expressed deep gratitude, moved by Teresa's success at the Omaha Street School. I believe this collaboration is what education should look like. We team up to put kids first in the best setting for them. Understanding the benefits that an appropriation could provide students like Teresa highlights the necessity of recogni-- of recognizing that education cannot be a one-size-fits-all solution. This funding would enable parents from low-income backgrounds to have a say in their children's school enrollment, ensuring that decisions are made in their best interests, irrespective of geographic or financial constraints. Shouldn't every family have a right to choose the best educational path for their child, regardless of economic situation? The last round of scholarship dollars helped us

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give 12 families a choice. I urge this committee to support this appropriation to empower more families, allowing schools like the Omaha Street School to create more success stories like Teresa's. Any questions?

CLEMENTS: Any questions? Senator Spivey.

SPIVEY: Thank you, Chair. Thank you, Dr. Williams, for being here today. I'm familiar with the Street School when it started. One of your predecessors, Shelley Pool, I've worked with before. And so, I just had a couple questions around clarity. The Omaha Street School and what I understand it to be was created as an alternative, almost like a Blackburn, for students that were not successful in public education because of truancy, being system-impacted, so it was created as an alternative. Am I correct in my understanding?

ANTHONY WILLIAMS: That is correct.

SPIVEY: And so what-- and you mentioned that now-- when I was familiar with the Street School, there was not tuition in that same way. And so you have gone to a fee model for the students that come into your school or are-- what does that look like? And, and-- if you could help me understand from your testimony.

ANTHONY WILLIAMS: As, as far-- the school has been around for 25 years, I've been there for 6. As far as I understand it, it's always been a tuition fee model, based on family size and family income. We go by the income eligibility for free and reduced lunch, and family size and family income to determine what tuition is like for our families. 84% of our students-- and we are intentionally small. I, I mentioned that earlier. We only can support 35-40 kids a semester. 84% of those families can only afford about \$300 a year to get their kids educated. So that's, that's what we typically see with our student body each, each semester.

SPIVEY: Thank you. My last question, Senator Dover mentioned like, this space of competition and that it creates an opportunity for schools to show up and do better with their students. And so with your last senior graduating class, I'm assuming it was 2024 or whatever that looked like, what were your graduation rates, compared to that of the, the public high school?

ANTHONY WILLIAMS: Thank you for that question. I will, I will give you 2 [INAUDIBLE] responses. In the 19 years before I arrived at the Omaha

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Street School, the graduation rate, and they graduated once a year, like most schools, hovered somewhere between 60 and 80%. In the last 6 years-- keep in mind we graduate twice a year, once in December and once in May. The caveat is our graduation rate is 100%. The caveat is if the students, when they start their senior year, if they stay and persist, 100% of them graduate. In the last 6 years, we've lost 1 to dropout. She was 2 months away from graduating. We lost 3 to a form they fill out with the Nebraska Department of Ed, called mandatory withdrawal from participation, and we lost 3 to incarceration. All the other kids, on average, 6-9 a semester, 100% of them get out of, out of high school with us, every-- twice a year, every, every year.

SPIVEY: And it's not just a 4-year period, correct? So a student can stay and graduate and do credit recovery, like 6 years, or a longer period of time. It's not the same structure as a traditional--

ANTHONY WILLIAMS: Just like any other school in the state, they have up until the year that they turn 21 to, to earn-- to try and attempt to earn their diploma.

SPIVEY: Thank you.

CLEMENTS: Other questions? Seeing none, thank you for your testimony.

ANTHONY WILLIAMS: Thank you.

CLEMENTS: Next proponent on LB624. Good afternoon.

ELLIE SWIHART: Hello. My name is Ellie Swihart, E-l-l-i-e S-w-i-h-a-r-t, and I'm a freshman at Lincoln Christian School. I would like to thank Chairman Clements and the members of the Appropriations Committee for holding this hearing for LB624. And also thank-- thank you, Senator Dover, for introducing this important legislation. As someone who has had a real struggle with anxiety, especially in larger crowd settings, attending a smaller school is something that has helped me build confidence. Because I was able to attend Lincoln Christian, I have seen a huge boost in confidence, both socially and academically. Now, I know that this won't be the case for everyone, but I hope that anyone who has-- who is able to relate to my experiences with social anxiety at least has the opportunity to choose a smaller school community. Some things that have helped me boost my confidence is the teachers that have a better capacity for loving and pouring into these students because of the smaller, the smaller amount of students. And I know that for me, that has helped me so much. These

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opportunities have only been available to me and my family because of the scholarships we have received. Our parents are pastors and they have dedicated their lives to pouring into the community, and I wouldn't change it for the world. But their income reflects that of the nonprofit, which has the potential to limit our opportunities. I'm so thankful to attend a smaller Christian school that aligns with and supports my family's and so many other families' values. This would have been accessible to us without the grants we have received from the Lincoln Christian Foundation and from the Nebraska Education Scholarships. My heart is that in 10 years, when my little sister is graduating, my parents would still be in the position to be able to afford to send her to Lincoln Christian, so that she would be-- have the ability to experience all the things that I was able to and get all of the help that she will need, like I was able to. And the truth is that, that will not be the case without these scholarships. Thank you.

CLEMENTS: Are there questions? Thank you for coming. Thank you for your testimony. Next proponent. Good afternoon.

AUBREY SWIHART: Hello, my name is Aubrey Swihart, A-u-b-r-e-y S-w-i-h-a-r-t, and I'm a junior at Lincoln Christian School. What my sister forgot to mention is that we kind of read these to be able to present together, and that wasn't-- didn't work out. So sorry if you have to bounce around a little, but my notes are all the same paper she handed you. I've never really done anything like this before, but I was excited when they asked me to come and speak to you all, because-- well, for 2 reasons. Firstly, I love sports and I love trying new things and I'm so grateful I got to do that in high school. I realized that if I went to a public high school here in Lincoln, the competitive nature of athletics here just demands a high level of experience, even to participate in a lot of these extracurriculars, let alone to compete for all 4 years. I have loved my experience at Lincoln Christian because it's allowed me to play as a 3-sport athlete, 2 of those sports I hadn't even tried before high school. The smaller team sizes encouraged me not only to join without ever even really trying, to-- you know, having experience in these sports, but also to develop me to the point that I can compete and contribute to the teams I'm on, and ultimately, just develop me as a person, too. This opportunity just is not realistic at a large Class A school. This is a small thing, but something that is important to me and my family is that I get to have these experiences and trying new things. My second point, and honestly, my favorite thing about Lincoln Christian is just the family feel of a small school. I truly have such a high

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respect for educators in private and public schools. But from what I understand, the average class size of a Lincoln public high school is about 600, average, and my class has 60. This means, like my sister mentioned, that teachers have a greater capacity for individual care. I personally have benefited more than I can measure from each of my teachers who have taken initiative in my personal and educational development, just because they really know me and they want me to improve. The scholarships that me and my sister have received have allowed us to try new things, have a small, supportive learning environment, and just many more benefits. All these things were available to us because we attended a high school that was substantially smaller than a free public school available to us in Lincoln. We're so grateful for these scholarships that have enriched our lives by providing unique opportunities that we otherwise wouldn't have had at a larger public school. My heart is for all the students across Nebraska to have access to the same opportunities that me and my sisters have had. While we're so grateful to the Lincoln Christian Foundation, we realize that not all private schools are able to provide grants like the ones we've been fortunate enough to receive. And even for schools like Lincoln Christian that are able to provide grants, a state-funded scholarship would extend, extend the reach that they have to be able to affect more students and provide the same opportunities that we have been given to other kids, so that they can have an education that best fits their needs.

CLEMENTS: Are there questions? Seeing none, thank you for your testimony.

AUBREY SWIHART: Yes.

CLEMENTS: Next proponent for LB624. If you're a proponent, why don't you move to one of the front seats now? Just a minute, please.

TIA HOUSTON: Hello. My name is Tia, T-i-a. My last name is Houston, H-o-u-s-t-o-n. I first want to thank the Appropriations Committee for holding this hearing. I want to give a big shout out to Senator Dover and all of his team and everybody that's working to bring LB624 to the forefront. I am not pro-Catholic. I am not pro-public. What I am is pro-children. I am pro-Nebraska. These children that we are raising and teaching now, they are the future of Nebraska. They're our next doctors. They're our next lawyers. They're our next people at the local clinic who's going to take care of us when we're at that age. So we need to make sure they are ready to take Nebraska to the next level. Now, I think we've all established the fact that everybody

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learns different, right? Each child needs a certain thing to thrive, and I think it's our jobs as citizens to make sure we provide those opportunities. Let me talk to you from a teacher standpoint. We had a student that joined Sacred Heart last year. His mother was so nervous when she joined. She was like, I've never heard of a Catholic school. I don't know what to expect. But she said, I just cannot do-- it was a local school in north Omaha. She's like, I can't do it anymore. He doesn't want to go to school. He's almost in truancy. His-- he didn't understand anything. He was always just sad and depressed. She said, I have to do something. So then, the Education Scholarship had come about. And I said, oh, you know what? There may be an opportunity. Come and bring him to Sacred Heart. Now, when she brought him to Sacred Heart, he started at-- he was a fourth grader. He was testing at a first grade level. He wasn't getting along with the students. He was really quiet. He was really depressed. So you know what my team did? We put up our bootstraps, we put our construction hats on, and we got to work. We worked with the OPS education teachers, to work with like, academics, and bring him up to speed. We worked with Boys Town skills to say, is it a behavior thing? Is it something that we need to do? We worked with our local therapist, Mr. Jamal, to say, maybe it's-- I don't know, maybe it's a depression problem. What can we do? We worked with our community support to help the mother, because the mother said, you know what? I don't have transportation for all this. Everything was on campus. And currently, now that young man is at the top of the class in fifth grade. So he just needed the support. Citizens of Nebraska, that is all we're asking, to make sure that we give our future leaders-- the people that is going to be taking care of Nebraska, our key to success: the opportunity to affordable education. Thank you.

CLEMENTS: Thank you. Are there questions? Seeing none, thank you for your testimony. Next proponent, please.

JACK BOESCH: Good afternoon.

CLEMENTS: Good afternoon.

JACK BOESCH: My name is Jack Boesch. That's J-a-c-k B-o-e-s-c-h. I'm from Humphrey, Nebraska. And it's a small community in Platte County, so I'm not here to talk about north Omaha or anything in the big cities. I'm talk-- talking about rural Nebraska here. Proud to be in a community that supports both a public school and a Catholic school. I had the opportunity to attend Humphrey St. Francis Catholic School, and I fell in love with a girl across the street at the public school,

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who was a cheerleader. And we eventually married and had 5 children. We had decided as a couple that although she had come from the public school and me the Catholic school, we wanted a good Catholic education for our children. It's not so much about reading, writing, and arithmetic. It's more about ethics and prayer and our religion. We wanted our, our children to grow up in a Catholic school and to be able to know God and love God. So we struggled. It wasn't cheap. I know that with 5 children, I invested way over 6 figures to get them through school. It's kindergarten through 12th grade. They all have excelled. They've all done well. But now, I'm also a grandparent of 15 grandchildren. My children are-- my kids now are struggling to put their children through Catholic school. My daughter actually had gotten a scholarship last year for her 3 children, and was able to help with her education so it wouldn't be quite as much of a struggle. But after the, you know, the election last year and all the disinformation that I felt was out there, she's in threat of not being able to afford the Catholic school anymore. So I'm just here as a proponent to tell you that I just think that anything that you can do to help with a private school would be wonderful. Because not only did I pay for 12 years of school-- 13 years of school for each of my 5 children, I also paid the taxes for the public school. And when they needed support and they needed a new school, I voted for it. So I basically was helping to pay for tuition for all the people in the public school, as well as my children in the Catholic school. So any type of break we can get, we certainly appreciate. Thank you.

CLEMENTS: Are there questions? Seeing none, thank you for your testimony.

JACK BOESCH: Thank you.

CLEMENTS: Next proponent.

ANGELA PILLOW: Hi.

CLEMENTS: Good afternoon.

ANGELA PILLOW: Hey, I'm Angela Pillow, A-n-g-e-l-a P-i-l-l-o-w. So thank you, Chairman Clements and the members of the Appropriations Committee. And thank you, Senator Dover, for introducing this important legislation. I've raised 5 children. My youngest is 19 and just moved out and made us empty nesters, but that didn't last long. I now have 2 foster children. They are my godchildren. But I was also a foster child briefly, as a child. But I felt compelled, and I saw the

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need for loving families here in our community. And unless you've been there, you don't know what it's like to be in foster care. You literally lose everything, things that you never think about. You lose your favorite smells. You lose your favorite toys, favorite foods. So the 2 children that I have in my care are just-- they've already lost a lot and they've already had to-- you have no choice. You have to switch schools, typically. And that was hard enough. So if I could just provide an educational setting that made them feel welcome, I want to do that. So when we visited Parkview Christian School, I knew that this school would be the best place for them. And they love it. They're challenged academically, they're making new friends, and it's so important to me that the school teaches a biblical worldview, which matches what we are teaching at home. But I have to be honest, it's very hard writing a check every single month. I've never had to write-- all 5 of my kids grew up in LPS schools, and that-- that's where they graduated from. This new scholarship fund would be a great blessing to our family and many others like us. So enrolling them in Parkview lets us know-- lets them know how much we love them, and it tells them that we are willing to sacrifice anything, and it also speaks volumes to, to them. I just know if we pass this scholarship program, it would pour into a child's life forever. It would make their life better, and it would help them genuinely and authentically know that they are loved and they feel cherished and important enough. And I know, they love the fact that they get to go to that school. So I ask that you please support LB624 and give hope to foster kids all across the state. Thank you. And then my 2 children came here today. They felt like it's important. They just wanted to say something.

CLEMENTS: Any questions? Senator Spivey.

SPIVEY: Thank you, Chair. And thank you for being a foster parent. I know that that can be a lot to carry, and, and it's really important as we think about the welfare of our kids. Did your foster children attend public school previously, before they came in your care?

ANGELA PILLOW: Yes, they did.

SPIVEY: Can you talk a little bit-- just more about your experience of why then, you shifted. Were they-- did they shift from public to private because of the move? And I know that can be very disruptive, when kids are placed in new homes. They can't go to that home school anymore, so I just kind of wanted to get more clarity around that.

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ANGELA PILLOW: Yeah, they actually could have if I took them to the school they came from, but it would be a 90-minute drive every day, before and after. They came from another town, so they had to switch. But I will say they had some experiences there. It was a larger school. And just being at this new school, it's closer. And we literally are like a family, because the school and the classes are smaller.

SPIVEY: Thank you.

ANGELA PILLOW: Yeah. And it's-- yeah. Being a foster parent is not for the weak, so thank you.

SPIVEY: Absolutely.

CLEMENTS: Thank you. Next proponent.

BRAYLEE BROKERING: Hi, I am Braylee Brokering, B-r-a-y-l-e-e B-r-o-k-e-r-i-n-g. I am in support of LB624. I go to Parkview Christian and I am in eighth grade. I was recently moved from my first school, which was Kennesaw, very west of here, very small. It was public, and they were encouraging and all that. And then I moved to a different family and to a different school, to Lincoln. And it was at Norris. And it was just so big and it didn't really go good for me. I was so discouraged and like, nobody really supported me. And then I moved again, to yet a smaller school, but private. And the day I walked into that school, I was so nervous. But the first person that came up to me is now my best friend. And she told me, it's going to be all right. You're safe here. You're not going to be judged. People care here. And now that me and my brother-- and not only him, but we are all including like, family, just out there in the community. And they like, give you second chances if you haven't played sports like me. This is my first year doing basketball and volleyball. They teach you. They take you through the motions. They, like, help you out. And at Norris, that didn't really happen. Like, they were just like, oh, you can just go out on your own and teach yourself. That was very, very difficult for me. I had to run like, so many miles without like, help. And just the support of LB-- LB624 helps my family pay for the school that loves me now. So thank you for [INAUDIBLE] and just please support LB624.

CLEMENTS: Are there questions from the committee? Senator Armendariz.

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ARMENDARIZ: Thank you. I just have a comment. I want to thank you for speaking today and let you know that in eighth grade, there is no way I would have done what you just did. So that makes you very brave and strong.

BRAYLEE BROKERING: Yeah, thank you.

ARMENDARIZ: And hang in there. You're going to do just fine.

BRAYLEE BROKERING: Thank you.

CLEMENTS: Thank you for your testimony. Next proponent. Let's let this young man go next.

PAYTON BROKERING: Good afternoon. Hi. My name is Peyton Brokering, P-a-y-t-o-n B-r-o-k-e-r-i-n-g. I am in seventh grade at Parkview Christian School. I'm here in support of LB624. I attended school at public schools, Norris and Kennesaw, which is far out west. And Norris is-- sorry. I attended-- I did not feel encouraged. They didn't like, help me like, to get my homework done. I also attended football, and I felt unsupported and discrimination. But at Parkview, they help you educationally and physically, very well. Please support LB624. That's all.

CLEMENTS: Any questions? Senator Armendariz.

ARMENDARIZ: Another comment, just the same. With you, to be a seventh grader, I'm really proud of both of you for testifying today. Thank you.

CLEMENTS: Thank you for coming. Thank you for your testimony. Next proponent, please. Good afternoon.

PATRICK J. WOLF: Good afternoon. Chairman Clements, members of the committee, my name is Dr. Patrick J. Wolf, P-a-t-r-i-c-k J W-o-l-f. I'm a distinguished Professor of Education Policy and the 21st Century Endowed Chair in School Choice at the University of Arkansas. I'm pleased to be here at the invitation of the bill sponsor to share with you my expert opinion about the effects of private school choice programs, based on 26 years of evaluating such programs across the United States and around the world. If you could please refer to the handout. The first graph in it displays the findings of 18 gold standard experimental evaluations of the effects of choice programs on student achievement. You see that 12 of those studies report positive effects, 4 report only neutral effects, and only 2 evaluations, both

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of the Louisiana Scholarship Program, report negative achievement effects of the choice program. On the next slide, you'll see a table with 17 findings regarding the effects of private school choice on educational attainment in the form of high school graduation, college enrollment, and college completion. The 15 findings highlighted in green are of significant positive effects of participating in a choice program on the likelihood of hitting one of those major attainment benchmarks. The 2 findings highlighted in yellow are of no difference between the attainment of choice students and the control group students. There are no findings of participating in a choice program having a negative effect on educational attainment. The next figure shows 3-- 531 findings from a meta analysis that my team conducted on the effect of private schooling on civic outcomes, including political tolerance, political participation, political knowledge, and civic engagement. We found that there were 168 findings of private schooling having a positive effect on civic outcomes, 320 findings of no difference between private and public schooling on those outcomes, and only 43 findings of a public school advantage in promoting civic outcomes. Next graph shows the results from a study I coauthored of the Milwaukee Parental Choice Program, where we found that students who participated in the original school voucher program here in the U.S. experienced 86% fewer property damage crimes, 53% fewer drug related crimes, and 38% fewer paternity suits when they were in their mid-20s, compared to their matched public school students. And finally, the last graph shows the achievement-- the com-- competitive achievement effects on the test scores of students who remain in public schools. When choice programs are launched or expanded, test scores of students in public schools expand.

CLEMENTS: You're out of time, but if you-- you can go ahead with your last slide, if you'd like.

PATRICK J. WOLF: Thank, thank, thank you, Mr. Chairman. These programs have positive fiscal effects, as well. Dr. Marty Lueken has evaluated 48 private school choice programs across the country, determined that they have saved between \$19-46 billion through 2022. And applying Dr. Lueken's methodology to the proposal before us, it's forecasted that this bill would save the state a little less than \$1 million. That concludes my testimony on the, the last page there. You know where to find me and tons of research on private school choice.

CLEMENTS: Senator Spivey.

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SPIVEY: Thank you, Chair. And thank you for being here today and traveling. On-- I'm not sure what page this is, but it's the reductions in crime by paternity suits for Milwaukee. Are you disaggregating your data in this or any of this by race, gender, income at all?

PATRICK J. WOLF: In that study, we did disaggregate. There were no differences by race. There were differences by gender. The effects of private schooling attendance on reducing the likelihood of crime was significant for boys, but not for girls. So significant for males, not for females.

SPIVEY: And are, are you looking and considering in your study, social drivers of health within the spectrum of your research?

PATRICK J. WOLF: We, we control for a variety of student demographic background factors: family income, mother's education, you know, many of the traditional markers of, of disadvantage that many of these kids have. So those are variables that are controlled for in our studies.

SPIVEY: But it's not-- you don't have the controlled information or that here, to look at your-- your approach or your methodology is not listed in this at all.

PATRICK J. WOLF: It's, it's not on the page. I'd be happy to forward the study to you, Senator, and all that information in detail is in the study.

SPIVEY: Thank you.

CLEMENTS: Senator Cavanaugh.

M. CAVANAUGH: Thank you. I would also like that information. On the page of participant achievement effects and rigorous studies, it's unclear to me, are these scholarship individuals or are these just students that are participating in a school choice program?

PATRICK J. WOLF: So on the, the achievement effects, the first achievement effects graph is students participating in a choice program, compared to a control group of public school students who wanted to participate in the choice program but lost the scholarship lottery.

M. CAVANAUGH: OK, but so the children that are participating in the choice program, are-- did they win the scholarship lottery?

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PATRICK J. WOLF: Yes.

M. CAVANAUGH: So they are--

PATRICK J. WOLF: It was a random lottery.

M. CAVANAUGH: Right.

PATRICK J. WOLF: Some won, some lost.

M. CAVANAUGH: So-- OK. I just wanted to make sure I understood that-- so this is reflective of children who had participated in a scholarship.

PATRICK J. WOLF: A voucher or scholarship program.

M. CAVANAUGH: OK.

PATRICK J. WOLF: We, we, we treat them the same for research purposes.

M. CAVANAUGH: Oh, OK. Because I know some states are a little bit different. And in looking at the, the areas, well, specifically, Washington, D.C. I, I lived there for a while and purposely came back to Nebraska to have children because of the school system there, so that's just what I was trying to figure out.

PATRICK J. WOLF: Yes, Senator. I also lived in Washington, D.C., and evaluated the voucher program there, and then moved my family to Arkansas.

M. CAVANAUGH: Yes. So, there you go.

CLEMENTS: Senator Prokop.

PROKOP: Question on the very last bullet you have there, on the \$20 million annual program would save Nebraska line, can you tell me how you define save? Like, where would the savings come from or how you get into that? Because I know it's specific. You said it's a switchers or a diverter, so can you ex-- explain that [INAUDIBLE]?

PATRICK J. WOLF: Right. So, so my understanding is that the state of Nebraska allocates about \$3,500 per student in state funds in support of the foundation aid in public schools. The scholarships that were handed out under the Tax Credit Scholarship program, we're, we're around \$2,800, I believe. What I'm, what I'm estimating here is if the state allocated scholarships of around \$3,100 per child through this

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bill, then it would save the state a little less than \$1 million because of the difference between \$3,500 and \$3,100, and also the fact that most of the students participating in the program would, would not be able to sustain their enrollments in private schools without the program. So this would be replacing the allocation that the state-- the higher allocation that the state would be making if they reverted to public schools.

CLEMENTS: Senator Spivey.

SPIVEY: Thank you, Chair. As-- and I'm asking this-- and again, I'm sorry I don't have your methodology. So when you're looking at and you're comparing the public schools to private schools, do you have a set that you're saying every private school comparing in this study has a class size of 15? Every private school is using this type of curriculum. Like how are you deciding that the private schools have this positive effect, and like what, what are you measuring in-- within that?

PATRICK J. WOLF: So basically, as evaluators, we mainly seek to determine if a student participates in this program, are they better off or not? We're very good at doing that. It's trickier to identify specifically the differences. What, what makes a difference? What is the, the mechanism that leads to that benefit for kids in private schools? To the extent we have done that, it's, it's a little speculative, but what we found is that these private schools, much like many public charter schools, focus a lot more attention on instruction. They give teachers more autonomy and, and freedom within their, their area of operation. And we suspect that the fact that private schools-- most private schools are religious. They have a very rich sort of values base in their educational environment. And we think that that's behind the findings on, on lower crime rates and the findings on civic benefits, is that values-rich environment that, that many religious private schools have.

SPIVEY: But just to reiterate, you have not isolated for that, and that is not a fact that you have proven within your study, to say, what is the difference in why the, the sample that you have is doing better in private school than not in public. Did I hear that right?

PATRICK J. WOLF: Right. We, we have not determined that absolutely conclusively.

SPIVEY: Thank you.

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PATRICK J. WOLF: That's right, Senator.

CLEMENTS: Senator Cavanaugh.

M. CAVANAUGH: Thank you. Actually, a clarification on the answer you gave to my question. You said that you had a control group and then the scholarship group. So the control group that was in the public schools, they were people who had applied to the lottery? OK.

PATRICK J. WOLF: That's correct.

M. CAVANAUGH: I'm just trying to gauge parental engagement because obviously an engaged parent is going to yield different results. Thank you.

CLEMENTS: Senator--

STROMMEN: Just out of curiosity--

CLEMENTS: Strommen.

STROMMEN: --is school is growing throughout the country?

PATRICK J. WOLF: It is growing at a, at a very strong pace, Senator. I think 5 years ago, there were half a million students participating in these programs. This year, there are more than 1.2 million participating.

STROMMEN: What-- what's-- how do parents feel about it? Are they more satisfied, less satisfied? I mean, what's--

PATRICK J. WOLF: Yeah. All, all the studies of the effect to participate in a private school choice program on parent satisfaction shows significant positive effects. Parents are more satisfied with their child's school if they have the opportunity to use a voucher or a scholarship to attend a private school.

STROMMEN: Thank you.

CLEMENTS: Other questions? I had a question. Senator Dover, the introducer, talked about school choice raising all ships. And have you studied the effect on the public schools in states that have school choice programs?

PATRICK J. WOLF: Yes. Yes. That's where we found-- there have been 31 studies, 27 of them finding positive effects on the test scores of

students who are faced with-- whose schools are faced with competition from school choice. And there, we also have some initial evidence about what public schools do differently. Yeah. It's, it's that figure, Senator Clements. We have some evidence about what public schools do differently when they're faced with private school choice competition. They do allocate more instructional time during the school day. They, they give their teachers more, more autonomy. And importantly, they focus more resources and attention on lower-achieving students. And that's where we see the real gains from competition from school choice. We see it in the test scores of lower-achieving students in public schools.

CLEMENTS: Thank you. Any other questions? Senator Spivey.

SPIVEY: Thank you. I'm sorry, Chair Clements. You made-- sparked another question for me. Have your research compared outside of like-- you talked a lot about like, religious private models has been your research. Have you compared to other models like public charter or public schools that have varied curriculum inside of their buildings and they have that autonomy, or are you only focused on religious private institutions within this body of work?

PROKOP: Within this body of evidence, Senator, I'm only focused on private school choice programs for private schools. I've done some additional research on public charter schools, but my main focus here is on private schools.

SPIVEY: And-- sorry. I have 2 follow-ups to that. And I know in this first slide, you mentioned Louisiana, so I'm interested of have, have you done research like, on Louisiana or what we're seeing in Mississippi, even Arkansas, at all?

PATRICK J. WOLF: Yes, Senator. I was 1 of the 2-- I led 1 of the 2 teams that evaluated the Louisiana Scholarship Program. This was a program with certain design features that were problematic. It was written into the law. There were heavy government regulations, including potential regulation of private school curriculum. And so, a lot of the high-quality private schools in Louisiana decided not to participate because they didn't feel they, they, they could allow the state to control their curriculum. So only about a third of the private schools in Louisiana participated in the program, and it wasn't the best third of the public [SIC] schools. And so we think that that was a big reason why the students who participated in that school choice program actually demonstrated significant test score

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losses as a result. Now, fortunately, that program has been replaced. It was repealed by the Louisiana Legislature last session. It's being replaced by a better-designed program called Louisiana Gator, also a better-named program.

SPIVEY: So I went to school actually in the South, so in Mississippi. So I feel like the South are, are my people. And I asked this question to Senator Dover earlier, about-- and some of the things that I kind of named in here, around how do you control for social drivers of health and what's happening in community to really figure out what is that lever for changing. In your personal opinion-- and as you think about this, like using that example with Louisiana, institutional racism, right, has caused-- Jim Crow has caused what we've seen in public-- in the eroding of public education. So would these voucher programs or the dollars that would ideally be going to these programs be better suited to address upstream, core root systemic issues as what can be the, the solve or intervention, versus saying that this structure and this type of proposal is where that investment should lie?

PATRICK J. WOLF: So, Senator, it's, it's interesting you bring that up regarding the, the Louisiana Scholarship Program, because the one positive finding from that program was that the students who participated in it had access to more racially diverse schools. So they were overwhelmingly African American students leaving uniformly African American public schools and transferring into private schools with more racial diversity. So private school choice programs can be an instrument of promoting racial diversity. A lot depends on the context and, and who's participating, but particularly programs that are targeted to low-income populations have that opportunity to be mechanisms for integration.

SPIVEY: Yeah. I mean, I think, though, you proved my point, in that the institutional eroding for especially communities of color and that lack of investment is what is producing the educational outcomes. And when these black students were in spaces that were ideally more white, that they had different set of resources that allowed for them to have a different attainment. So I think that proves that if the investment in what we're looking at can be upstream and address some of these systemic issues, that it's better placed in naming that, reconciling and addressing it, versus saying vouchers in itself, holistically, with the private school is that intervention. So thank you.

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CLEMENTS: Any other questions? Seeing none, thank you for coming. Thank you for your testimony. Other proponents? Good afternoon.

CLEMENTS: Good afternoon.

BEATRIZ ARELLANES: My name is Beatriz Arellanes, B-e-a-t-r-i-z A-r-e-l-l-a-n-e-s, Latino school enrollment coordinator with the Archdiocese of Omaha. Chairman Clements and members of the Appropriations Committee, thank you for holding this hearing for LB624. And thank you, Senator Dover, for introducing this important litigation. And today, I'm deeply honored to testify in strong support for LB624. I believe that it stands to have a positive impact on the future of education in Nebraska. Many families and children come to our Catholic schools not because they seek private education, but because they are looking for a safe learning environment, an opportunity to reach their full potential and, in some cases, escape from severe bullying. We accept every child who comes through our, our doors. But financial barr-- financial barriers remain a significant challenge. For many families, the scholarships are the only way that make quality education accessible. Last year, I had the privilege to help families apply for these crucial, crucial scholarships, guiding them through the process and answering the questions. Their joy and relief upon receiving the support was overwhelming. Unfortunately, the political landscape has put these families at risk. While teachers union and other interest groups play political games, our students are caught in the middle. Hundreds of families now face a heartbreaking possibility of losing those scholarships, the very last line to give their children actions to succeed. These families are not asking for special treatment. They are simply asking for a fair shot at a better future for their children. The bill is critical step toward ensuring educational equity in Nebraska by allocating \$20 million in general funds over the next 2 years. The bill will help ensure that every child, regardless of their economic background, has success-- to-- has access-- I'm sorry-- to quality education and the opportunity to excel in an environment that meet their needs. I implore you to support LB624 and stand with the families who depend on these scholarships. By passing this bill, you are upholding the promise of educational opportunity for all Nebraska children. Let us not turn our backs on their potential. Let us give them the chance to succeed. Thank you for your time and your commitment to the future of the children.

CLEMENTS: Are there questions? Seeing none--

BEATRIZ ARELLANES: Thank you so much.

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CLEMENTS: --thank you for your testimony.

BEATRIZ ARELLANES: I appreciate it.

CLEMENTS: Next proponent. If there are other proponents, please come to the front row. Good afternoon.

YICEL HERNANDEZ: Good afternoon. I apologize. I was supposed to print this, but my printer did not collaborate with me today. Chairman and members of the Appropriations Committee, my name is Yicel Hernandez, Y-i-c-e-l H-e-r-n-a-n-d-e-z. I am here in strong support of LB624. I have been deeply involved in my community, working in nonprofit organizations, a private school, and a public school since 2018. Throughout my experiences. I have seen many organizations and school commit to helping those in need and fostering successful, successful students and thriving communities. However, I question why so many opposed to school choice while claiming to support these schools. There is a misconception that this fight is about public schools versus private schools, and that it, that it aims to take money away from public school teachers and students. This is not the case. School choice is exactly what its name implies: a choice. It is an opportunity for those who need it the most-- those with great potential but limited by income. Some fear that offering this choice will lead everyone to abandon public schools, but this is not true. Just as many programs are offered by schools and organizations, school choice is an option for parents and children. The school choice might not work for everyone, but it should be available for those who need it and want it. As an educator who believes that knowledge is power, I cannot be a hypocrite. I cannot claim to want the best for my students and community while standing against another opportunity for the children in my state, including my sister, cousins, and family members. School choice opens the door to other educational options. I was once a student who wanted more, who sought bigger challenges because I felt I was falling behind. My parents, uninformed and with low income, could not afford the educational opportunities I longed for. Although, although I have a career now, I still feel I could have achieved much more with school choice. I fight for this cause because I don't want children to be stuck in a school, a program or a system that does not work for them simply because they cannot afford a change. I am here for my sister, who attends a Catholic school that offers a private education to low-income families with support of grants and scholarships like the one we fight for today. With this, she's paving a better future than the one I had. I am here for all the families I have served in my previous and current positions. I am here

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because I'm not a hypocrite. In closing, I urge you to consider the true essence of school choice. It is not a battle between public and private schools. It is about granting families the freedom to choose the best educational path for their children. The choice is especially crucial for those living in poverty or with low incomes, who otherwise might not have access to such opportunities. LB624 is not just a bill. It is a beacon of hope for students who rely on scholarships to access quality education. By allocating \$20 million in general funds over the next 2 years, this legislation ensures that students who have scholarships today can retain them, thereby securing their academic future. Thank you for your time and consideration.

CLEMENTS: Are there questions? You said you were an educator. What kind of a school do you teach at?

YICEL HERNANDEZ: I am an ESL teacher. I work for nonprofits. So I teach at 2 different nonprofits, and I do it for adults.

CLEMENTS: Thank you.

YICEL HERNANDEZ: Thank you.

CLEMENTS: Thank you for your testimony.

YICEL HERNANDEZ: Thank you.

CLEMENTS: Next proponent. Good afternoon.

JAYLEESHA COOPER: Good afternoon, ladies and gentlemen of the committee. My name is Jayleesha Cooper, J-a-y-l-e-e-s-h-a C-o-o-p-e-r, and I was a recipient of private donor scholarships here in Nebraska. My mom was 19 when she had me. My story is not unlike many other low-income children growing up in north Omaha. My mom was 19 when she had me, and my dad had been in and out of jail my entire life. By the age of 21, my mom was raising my brother and me by herself. As a young, single mom and first-generation college student. She did her best to give us everything that we needed. But what do you do when your best alone is not enough? I started out in public schools from kindergarten to the second grade. Public schools are great options for some students, but not for everyone. For me and my brother, it just wasn't working out. We both needed smaller class sizes than what our neighborhood school provided us with. My mom began to look at different school options, but quickly realized that she would not be able to afford them by herself. She worked multiple jobs while in college to afford to send me and my brother to private school. Even

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then, it wasn't enough. Without the private donor scholarships my brother and I received, we would not have been able to afford to attend our private school. I can honestly say that attending my private school changed my life. I came out of my shell, joined clubs, participated in mock trial, and found a love for advocacy. My teachers encouraged me to use my voice and reach for the stars. I'm currently a senior at the University of Chicago, one of the top schools in the country, on a full-ride scholarship, majoring in sociology with a minor in inequality, social problem, and change. And I scored in the 92nd percentile on my LSAT and recently received my first law school acceptance. It is very unlikely that I would be in the position I am today were it not for the opportunity I was given a school-- to attend a school that worked for me. The right education doesn't only create an educated student, it can break generational curses. I was the first in my family to beat teen pregnancy, and my little brother was the first man in our family to not be arrested and is currently attending a university with one of the top engineering programs in the country. We are not anomalies. There are many other students in Nebraska who are just as smart and talented, who unfortunately, have not been afforded the opportunity to tap into their full potential. The only thing that makes me different from many of my friends I grew up with is that I was fortunate enough to receive a scholarship, and they were not. I was in the eighth grade the first time I came in front of the Nebraska Legislature in support of school choice. In June, I will be a college graduate on my way to law school. Yet, very little has changed for our students here. How many students have fallen through the cracks? How long must Nebraska families wait for us to get it right? I spent the summer of 2023 helping families sign up for information about the Opportunity Scholarships Act. When the families signed their students up, they were given hope, hope that they would finally be able to send their children to the school that best fits their needs, despite their socioeconomic status, hope that the children could have a better future. I'm asking today that we do not take that hope away, and that you vote in favor of LB624. Thank you.

CLEMENTS: Thank you for your testimony. Is there a question? Senator Strommen.

STROMMEN: Yeah. I understand that you have had some opponents of these scholarship programs misrepresent what they do, who they serve. Can you talk a little bit about how that's affected your, your experience behind that?

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JAYLEE SHACOOPER: Yeah. So as I was saying, in 2023, I actually came back from Chicago and spent a lot of the summer helping families sign up for information about Opportunity Scholarship. So I put on a book bag drive at the Native Omaha Days Parade and gave book bags and school supplies and, and informed parents. And it was there that I learned a lot of people were misinformed on what the petition was. There were people who came up and were like, oh, I signed this petition because I was told that it would hurt public schools. I was told that it was only for rich kids. But you're telling me now that like my student would benefit. And just that feeling alone hurt that the people who would have benefited from this scholarship were misinformed by the petitioners. I also witnessed-- by myself. I was with my little brother. We were at Jazz on the Green. And petitioners were like forcefully trying to get us to sign the petition for school choice, or would say, oh, this is gonna like help public school teachers and it's going to hurt low-income students. And so just hearing that misinformation was really disheartening, and that's why I spent a lot of time trying to tell the other side of the story and making sure that low-income families, especially the families in my community, knew that these scholarships were for their children.

STROMMEN: Thank you. And thank you for testifying today.

JAYLEESHA COOPER: Thank you.

CLEMENTS: Other questions? Seeing none, thank you for your testimony.

JAYLEESHA COOPER: Thank you.

CLEMENTS: Next proponent. Good afternoon.

BRANDON VILLANUEVA SANCHEZ: Hello, everyone. My name is Brandon Villanueva Sanchez, B-r-a-n-d-o-n V-i-l-l-a-n-u-e-v-a S-a-n-c-h-e-z, and I came here today to testify in support of LB624. As a student who attended private Catholic institutions throughout my K-12 education as well as a recipient of private donor scholarships, I can firsthand understand and speak to the power that education has and how it can change the lives or the trajectory of lives of students that have this opportunity. And I was blessed with the opportunity to go to Catholic schools because of my, my parents lived experiences. My parents grew up in Mexico, where they found themselves at a similar-- in similar situations when they were in sixth and seventh grade, where they were forced to drop out of school in order to help their parents meet ends financially, depriving them of a basic education. And when they came

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to the United States and it was time to enroll my older siblings and I into, into school, they told themselves that they wanted to provide for us the best education possible. And in their eyes, that was a private Catholic education. And because at the time, Nebraska was one of the only few states that didn't have school choice, the financial burden fell entirely upon my parents. However, they carried that and did what was necessary in order to send us to these 2 Catholic institutions that required my mom and my dad to work multiple full-time jobs on top of being full-time parents. And because of that, I was able to go to these schools, and actually go and complete and graduate high school, which to some people, you know, is an expectation, but to many, to many students, like myself, was a hope and a dream. And not only that, I was able to actually go on and graduate and attend college, where I went to the University of Nebraska at Omaha and earned a Bachelor of Science in neuroscience, and then was further recruited to several top-tier research universities for my expertise in scientific research. All of this that I have achieved in my own personal and scientific endeavor, I attribute to the opportunity that was awarded to me through the private scholarships and the hard work that my parents put in to send me to private Catholic education institutions. And understanding and seeing this firsthand, I want-- and, and doing what I can to ensure that other students in my position or similar positions have the opportunity to attend these institutions, because I know firsthand that these institutions serve as a catalyst to unlocking our, our potential. And with that, I-- today, I want to ask you to-- for your support in voting for and supporting LB624, and understanding how it can change lives for these students.

CLEMENTS: Thank you. Are there questions? Seeing none, thank you for your testimony.

BRANDON VILLANUEVA SANCHEZ: Thank you.

CLEMENTS: Next proponent. Good afternoon.

ERYKAH DRUMMER: Hello. My name is Erykah Drummer, E-r-y-k-a-h D-r-u-m-m-e-r. Chairman Clements and the members of the Appropriations Committee, thank you for holding this hearing for LB624. And thank you to Senator Dover for inviting me, for inviting me to talk about this important legislation. My school choice journey starts in public schools, where I was thriving, but I felt like I wasn't being challenged enough. My parents didn't want me to go to the middle school that I was zoned to go to, so they began to search for other

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options. Fortunately, I was able to receive private donor scholarships through the Children's Scholarship Fund to attend the private middle school that I went to. I felt that the smaller class settings allowed me to reach my full academic potential, the smaller classes provided me with the attention I needed, and my teachers held me accountable because they cared about me not only as a student, but on a personal level as well. I thrived so much that I knew I wanted to continue my high school education in a private school. I was in honors classes that fit the need for a challenge. I knew I could count on my teachers to help me on-- one-on-one, if I needed help with anything, even with my IEP, they always found ways to accommodate me to make sure that my education fit the needs in relation to my health. My mom and I took multiple tours, and I shadowed at a few different high schools until one stood out to me. I ended up attending Roncalli Catholic High School, but my parents weren't able to afford the full tuition, so I was put on a payment plan. And even on that payment plan, it was not enough for me to cover the tuition. I had to ask to do work study to make up the tuition difference. I would take out the trash in classrooms and the hallways, just to be able to afford to go to the school that I wanted to go to. I would have to miss the beginning of my musical rehearsals, any other extracurricular activities that I had to do after school, just so that I could have the opportunity to stay there. Students should not have to miss out on extracurricular activities to help pay tuition to go to school-- to go to the school that they want to go to. They shouldn't have to go through what I had to go through just to attend a school. There are 4,500 students who were excited to be given the opportunity to go to the school they wanted, and it was taken away from them. Education is the foundation of the lives of children today. I'm asking that we give our families the resources they need to choose the best school for their children.

CLEMENTS: Are there questions from the committee? Seeing none, thank you for your testimony.

ERYKAH DRUMMER: Thank you.

CLEMENTS: Next proponent. Good afternoon.

ROBERT ZIEGLER: Good afternoon. Chairperson Clements, members of the Appropriations Committee, and Senator Dover, thank you for introducing LB624. I'm Robert Ziegler, R-o-b-e-r-t Z-i-e-g-l-e-r. I'm the superintendent of the Lutheran Church of Missouri Synod Lutheran Schools here in the state of Nebraska, 66 schools, 6,318 students, and 515 certified instructional staff. The Lutheran school system, based

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out of St. Louis, Missouri, states that we believe God created the family unit and the parents as the primary educators of their children. The parents should be free to choose the school entity they feel best meets the needs of their unique family. As a matter of accountability today, we are Rule 10 and Rule 14 schools in Nebraska. In our school system, the LCMS Lutheran School System operates the NLSA, National Lutheran School Accreditation process, which is also recognized by the world's largest accrediting agency, Cognia. Schools accredited by NLSA are automatically eligible for dual accreditation with Cognia. In your appendix of your packet is a checklist for Rule 10 accredited schools in Nebraska, and you'll note that the only agency approved for Rule 10 accreditation is Cognia. My Rule 14 schools are accredited by NLSA, and by default then also get dual accreditation with Cognia. The difference is they just have to pay the dues for Cognia. We also work as a national system for special education students with Lutheran Special Education Ministries out of Detroit, Michigan, a national organization to help our schools meet the needs of each unique learner. When I think of accountability in our particular system, I jotted some notes. In my 43 years of faith-based nonpublic schools, I've served in 5 different states: Minnesota, Missouri, Illinois, Florida, and Nebraska. As I've experienced as I checked with my other LCMS school superintendents around the country, I find that Nebraska is one of the most regulated of any state in the nation when it comes to nonpublic schools. We are accountable. We're accountable to God, who declares, be holy, as the Lord your God is holy. We also remind ourselves that we should submit to the governing authorities as Jesus Himself said, render under Caesar that which is Caesar's, and to God what is God's. We're accountable to the parents who entrust us with the Christian education of their children, who gladly pay their due taxes, and then in addition, pay tuition and make donations to our ministries. We're accountable to a governing board of directors, all right, who is a legal nonprofit corporation, provide fiduciary and strategic oversight. We are accountable to the federal government for title funding, special education services, and the food service programs. And we are accountable to the state of Nebraska, to you, the legislators who draft laws that are signed and then brought into functioning with rules and regulations from the Nebraska Department of Education.

CLEMENTS: Your, your time is up. Could you conclude?

ROBERT ZIEGLER: Thank you for fighting for families. I appreciate the efforts that many of you have made to expand school choice the last

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several years, with LB753 and LB1402. Please support LB624, so additional parents have access to more school options.

CLEMENTS: Are there questions? Senator Spivey.

SPIVEY: Thank you, Chair. And thank you today for your testimony. You mentioned in, in your testimony just being faith-based. And you named and explained like, your God and what does that look like. And so this question was asked earlier, Senator Dover, around a-- an, an anti-discrimination statement. And so what if-- and I wanted to ask you, since you operate a Lutheran-based school system. What happens if you have a student that wants a voucher and they are practicing of the Islamic faith, for example. How does that work within your, your walls?

ROBERT ZIEGLER: So in 2015, when I came back to Nebraska to be the superintendent of schools, I had spent 16 years down in Fort Myers, Florida, school of about 550 students. And we had students from no church. We had students from almost every faith base you could think of, which included Muslims and so forth. And so in our denomination, the Lutheran Church Missouri Synod, we are not covenantal. We are evangelical. And so all are welcome. Now, our curriculum will teach our denomination's understandings of faith-based principles, biblical worldview being the primary one, but they would be welcome to come. If they want to come and learn in our system, they are welcome.

SPIVEY: Thank you.

CLEMENTS: Other questions? Seeing none, thank you for your testimony.

ROBERT ZIEGLER: Thank you.

CLEMENTS: Next proponent. Good afternoon.

TOM VENZOR: Good afternoon, Chairman Clements, members of the Appropriations Committee. My name is Tom Venzor, T-o-m, V-e-n-z-o-r. I'm the executive director of the Nebraska Catholic Conference. The Catholic Church has 112 schools and nearly 30,000 students across the state of Nebraska that we're educating. We support LB624 for the fundamental reason that parents are the primary educators of their children. They have a sacred and moral responsibility to ensure their children receive an education that suits their unique academic, social, moral, emotional, and spiritual needs. Where there's a right, there's a corresponding duty. The corresponding duty here belongs to the state, which should ensure that parents have the concrete ability

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to direct their child's education. That said, I want to focus my-- our testimony at the Conference on why LB624 is constitutional, despite opposition talking points to the contrary. The NCC has a long history with Article VII, Section 11 of the Nebraska State Constitution because of its impact on nonpublic schools and the families that they serve. This constitutional provision states in relevant part that appropriations of public funds shall not be made to any school or institution of learning not owned or exclusively operated by the state or political subdivision thereof. The Nebraska State Supreme Court has clearly stated this prohibits a direct appropriations to nonpublic schools, but it does not prohibit programs where a nonpublic school is an indirect or incidental beneficiary. LB624 has students and parents as its direct beneficiaries. Nonpublic schools are, at best, indirect beneficiaries. This is supported by several cases the Nebraska Supreme Court has decided when reviewing programs very similar to LB624. In *Lenstrom v. Thone*, back in 1981, the court held-- upheld the nearly identical scholarship program at the sec-- post-secondary scholarship level, which you know today as the Nebraska Opportunity Grant program. Both NOG and LB624 function the same way. They each provide scholarships to low-income students to use at a nonpublic school of their choice. Opponents sometimes argued that an NOG is constitutional because it allows student scholarships to be used at both public and nonpublic schools, but nowhere in the court's analysis in that case did that fact play a role in their ruling. The court simply asked if the scholarships were a direct benefit to students, or whether they were a direct benefit to nonpublic schools. Their answer was clear. It's the students. In *Cunning-- Cunningham v. Lutjeharms*, a case named after my predecessor and his family, the court reviewed the state's textbook loan program, which still exists today, and provides funding for nonpublic school families to access textbooks that they can take to their nonpublic school of their choice. The court clearly ruled this program does not provide an appropriation to nonpublic schools. The textbook loan program is a direct benefit to parents and students. Similar case there, in *State ex rel. Bouc*. Basically, the-- it dealt with a bussing program and that, and that the benefit there to nonpublic schools was merely incidental, because the benefit is to the students. So in short, LB624 would be constitutional in light of that constitutional provision-- in the several case-- in the several cases that have interpreted that constitutional provision, because the direct benefit is to the child and to the family, it is not to this school. For those reasons and many others, we urge your support of LB624 into the budget. Thank you for your time.

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CLEMENTS: Are there questions? Senator Cavanaugh.

M. CAVANAUGH: Thank you. Thanks for being here, Mr. Venzor. Last year, we had discussion around the various bills-- I can't keep track any more. But-- and there was concern about the-- at least in Omaha, the archdiocese policies around LGBTQ families. And so my question to Senator Dover about a nondiscrimination policy-- I, I think tax dollars should go to serve everyone. And is, is, is that still the position of the archdiocese that-- the policy that they put forward last year, or maybe was the year before?

TOM VENZOR: Mm-hmm. Yeah. I forget, all the years go together. But yeah. So basically, I think what you heard from Mr. Ziegler is the same thing you're going to hear from Catholic schools, which are we're schools that are available to any-- for anybody to come to our schools. We, of course, hold the particular view on faith. That, that understanding of faith permeates all sorts of other issues related to our-- related to human sexuality, to the way we, you know, address issues of poverty, et cetera. So, so, yeah. I mean, we're, we're a school available-- our schools are available to anybody who wants to come to them. And of course, you know, we're teaching, we're teaching in our schools according to our faith principles.

M. CAVANAUGH: So I didn't ask this question of, of him for a couple of reasons. One, I heard a slightly different answer, and I do think that words matter. He said that everyone was welcome and that there was faith-based curriculum.

TOM VENZOR: Mm-hmm.

M. CAVANAUGH: What I'm talking about is the archdiocese specific policies--

TOM VENZOR: Mm-hmm.

M. CAVANAUGH: --that would discriminate against say, same-sex couples that are parents. You recall this debate on the floor last year?

TOM VENZOR: You'd have to refresh me on what specifically in that policy is concerning.

M. CAVANAUGH: About, about participating in school activities, any activity sponsored by the school, using different names-- perhaps we can go into this offline. But that--

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TOM VENZOR: Yeah, with the policy in front of us, I think, would be good.

M. CAVANAUGH: I'm, I'm trying to flag my concern for you.

TOM VENZOR: Sure, sure.

M. CAVANAUGH: Is, is that policy, and how that would be reflected in actually letting families participate. Because these are public dollars. And so, you-- and you know, I love my Catholic education, but I still want to make sure that we're being good steward of taxpayer dollars. So.

TOM VENZOR: Sure.

M. CAVANAUGH: We'll follow-- I'll follow up with you.

TOM VENZOR: Yeah. We can-- yeah. We can chat more about that. And I can get a, a-- the most current version of that policy.

M. CAVANAUGH: Yeah. And it, it may have changed since then, so.

TOM VENZOR: Sure.

M. CAVANAUGH: Thank you.

TOM VENZOR: You bet.

CLEMENTS: Other questions? Seeing none--

TOM VENZOR: All right.

CLEMENTS: --thank you for your testimony.

TOM VENZOR: Thank you very much.

CLEMENTS: Next proponent.

JEREMY EKELER: Good afternoon. My name is Jeremy Ekeler, J-e-r-e-m-y, Ekeler is spelled E-k-e-l-e-r. Senator Clements and members of the Appropriation Committee, I am the executive director of Opportunity Scholarships of Nebraska, an organization founded to implement the now sunset LB753 Opportunity Scholarship tax credit. While OSN did not award LB1402 Education Scholarships, our organization did educate families and schools while providing best practices for formulas that would serve kids most in need. We thank Treasurer Briese for

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fulfilling that mission and Senator Dover for LB624, for which we support. I am here today with full awareness of the ballot result on November 5. That was a tough night. Still, this issue is a fundamental one for many Nebraska families. We see LB624 as an opportunity to retain scholarships for thousands of Nebraska children who are in the right place for them to learn. So, yes, while LB1402 was repealed, I believe Nebraskans would support keeping these kids in the school of their choice. And I believe they would feel especially strong about this if they heard the stories we hear every day at OSN, some of which you got to hear today. I'd like to share just 3 quick perspectives from families who could not be here. Most of the families we work with are very busy and working a lot putting food on, food on the table. So I'd like to share some stories that we had hoped-- the first is a grandmother we talked to in Omaha, who's now suddenly raising her grandchildren because their mother died. In other words, the daughter of this woman died suddenly. She said she did what it took to get them into the right school. And without this scholarship, they'd be dealing with both the loss of their mom and the loss of their community. The second is a family in Grand Island, who has fostered 2 children, in addition to raising their own biological children. Those biological children were all accepted for option enrollment, except her foster son with special needs, who was denied. Rather than splitting up her family, she found scholarship support so her growing family could be together at a K-12 Catholic school where they are all thriving. She said, the school district already denied our family. If the state takes these scholarships, that will be a second blow when all we want to do is raise our kids together in the school that is best for them. The final anecdote literally, literally arrived this weekend from a mother. She told us about the incarceration of her husband, who was the breadwinner, and the sudden burden she was carrying to keep her kids in a school where they'd finally found success. My kids are good kids. They want to do well. If they take these scholarships away from us, they are saying my kids should pay for their father's poor choices. All of our families are unique, different, and special. All of our families face ups and downs, challenges and joys. With that in mind, there are 2 common threads with all the families with whom we work. These are also common to my 25 years in education. First, the families we work with do not disparage public schools. Many of them went to public schools, worked for public schools, or have families in public schools. Like all of us, they want good public schools. Secondly, all these families needed some help to find a better fit. In short, to the families we serve, this is not controversial or divisive, but it is very personal. It is personal for us at OSN, as

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well. Our little staff loves these families and the kids we serve. \$10 million is a lot of money. But for some perspective, this, this bill is smaller than nearly every public school district budget in the state. This is not to be divisive, but rather to create more context. You can help thousands of kids across the state using an appropriation that is roughly half of the transportation budget for LPS-- a single line item in a single district. Please honor the rights of these parents. Please protect these kids who have found their educational fit. Please provide hope for these families who need it most. And I am free for questions if you'd like.

CLEMENTS: Are there questions? Do you know how many scholarships you-- your organization provided?

JEREMY EKELER: Through the tax credit?

CLEMENTS: Last year.

JEREMY EKELER: 1,628 was our number at the end of the year. And we did have a surge of transfers, as well. So yeah, 1,628 was our final number.

CLEMENTS: All right. Thank you. Thank you for working that in with 3-- in 3 minutes.

JEREMY EKELER: I mean, yeah. When I was practicing, it was 3 1/2.

CLEMENTS: I appreciate, appreciate everybody's cooperation with the 3-minute clock. Is there another proponent?

JOHN GAGE: Good afternoon. My name is John Gage. That's J-o-h-n G-a-g-e. I am the state director for Americans for Prosperity, and I'm here on behalf of the thousands of activists across the state of Nebraska to testify in support of LB624. I want to spend my brief time up here discussing public support for this measure. I'm sure you'll hear a lot after my testimony about how the public already voted against similar legislation and that support for this bill violates the will of Nebraska voters. This is false. We know from numerous public polls that the vast majority of Nebraska voters, regardless of party, support school choice, including measures like LB624. To take, for example, polling from Morning Consult and EdChoice this month, which showed that 58% of Nebraskans support these scholarships for kids, and support is at 63% for parents with kids in school. With-- presented with facts and not falsehoods, Nebraska voters overwhelmingly support school choice, including these types of

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scholarships. What occurred at the ballot last fall was a \$7 million unopposed misinformation campaign by radical anti-school choice activists. The campaign against the scholarships included 4 big lies. First, that public school funding would be cut. Second, that these scholarships would lead to larger class sizes and less resources. Third, teachers would be paid less. And finally, these scholarships would lead to higher property taxes. These are all blatant lies, and Support our Schools and their allies know that they can get away with these dishonest statements because, as they stated publicly, quote, we will have more resources and more commitment on this issue. They're right about one thing. They'll be the only organization in the state to spend \$7 million on a ballot fight over a \$10 million program. But they're wrong about who has more commitment. We are going to fight and we are going to win, not because we have more money, but because our side is fighting for kids and the truth, rather than for personal profit and power. Nebraska students deserve better than to have the rug pulled out from underneath them. Legislators should put children and their education first, not the demands of radical activists. I urge the committee to support LB624. Thank you.

CLEMENTS: Are there questions? Senator Cavanaugh.

M. CAVANAUGH: Thank you. Thanks for being here. I just-- oftentimes, organizations will give sort of a preamble on sort of the mission of their organization. I just was curious, what is--

JOHN GAGE: Yeah. So Americans for Prosperity, we're a grassroots organization. We support free markets and issues like school choice.

M. CAVANAUGH: OK. Thanks.

CLEMENTS: Any other questions? Thank you for your testimony.

JOHN GAGE: Thank you.

CLEMENTS: Are there other proponents? Seeing none, we'll now open it up for opposition testimony. Good afternoon.

TIM ROYERS: Good afternoon, Chair Clements, members of the Appropriations Committee. For the record, my name is Tim, T-i-m, Royers, R-o-y-e-r-s. I am the president of the Nebraska State Education Association. I am here on behalf of our members to speak in opposition to LB624. The concept behind LB624 was clearly rejected by the Nebraska voters just 4 months ago. Whether you agree with us on the underlying issue or not, surely as elected officials you recognize

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the importance of respecting the wishes of your constituents. I'm not just refer-- just referring to the statewide results. The majority of the voters in every single one of your districts voted to repeal on Measure 435 in this last election. So on this bill, there is no room for speculation as to whether the public supports this. And so on that issue alone, I would ask you to let this bill die. Some supporters on bills like this have argued, as you have heard earlier today, that the election outcome was a result of misinformation. That argument has absolutely no merit. Opinion polls from before a single signature was collected to now, show consistent opposition to voucher proposals. This most recent election was the fourth time in Nebraska's history the voters have rejected using public funds to pay for private schools. And voters in 2 other states in November, Colorado and Kentucky, also rejected similar measures on their ballots. So it's imperative we acknowledge the broad evidence that these proposals are deeply unpopular with voters of all political backgrounds. Most importantly, however, is the fact that these measures consistently fail to support students. Every time that we have a hearing about this issue, whether it's in this committee or others-- and sadly, we have a new data point to affirm that this is the case. The most recent example is Louisiana. In an article this month, entitled Despite lofty promises, Louisiana's private school vouchers fall short, Patrick Wall breaks down the sobering data that only 14% of voucher recipients in the state achieve mastery on state tests, which is less than half the rate of public school students and 10 points below low-income public school students. I know you heard from proponent testimony that tried to effectively throw Louisiana under, under the bus and imply that that is the anomaly. However, the data that was presented in that proponent testimony has already, has already been largely repudiated by a larger and more comprehensive analysis, including one done by Indiana University-Bloomington in 2022. And I'd be happy in questioning to walk through why the data that you were shared earlier does not, in fact, imply that school choice measures actually improve academic outcomes. To close, I want to make something very clear. We absolutely believe in choice. That's why option enrollment exists in this state. We just feel choice should be publicly accountable and should be for schools that welcome all students. And I think it's interesting that anti-discrimination measures are, are being speculated as a, as a what if, when 2 years ago when LB753 was debated, AM507 by Senator Hunt was introduced that would have had boilerplate nondiscrimination language, as you alluded to. And the sponsor of this bill, Senator Dover, was one of 31 who voted against the nondiscrimination provision. So because of that, because this

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would not promote access to schools that welcome all, I want to make it very clear that if this bill becomes law, we will again collect the signatures necessary and have Nebraska voters repeal it. LB624 is still subject to referendum because this bill is not an appropriation for the expense of state government. We've become used to spending our summers gathering signatures, and we have to make-- if we have to make it a summer habit, we will do so because it is that important to the future of our ability to meet the educational needs of kids in this state. Thank you, and I'm happy to answer any questions you may have.

CLEMENTS: Questions? Senator Spivey.

SPIVEY: Thank you, Chair. And thank you so much for being here and your testimony. So some of the questions that I asked the earlier testifier was around just the methodology and what was proven around to be really the factor of change for the data points that he presented, around positive impact for the private schools. And that wasn't necessarily fact-based. It was more speculative from his words. And so you mentioned in your testimony that there is a newer report from Indiana University.

TIM ROYERS: Correct.

SPIVEY: Would you mind giving a little bit more information around those data points, and if you have that methodology, to share?

TIM ROYERS: Yeah, absolutely. I'll make sure-- I didn't anticipate have-- discussing it. I'll make sure to email all the members of the committee with that information for you to, to see it. But basically, what they looked at is that list of studies that you were referred to, as you acknowledged, didn't necessarily account for the scope of the program, the details of the program. And what it realized when it did take those factors into account-- things like class size, other factors that really have a profound impact on our ability to educate kids, there is a pronounced negative impact on, on academic learning. Specifically, the largest and most-- the, the more recent you go and the larger the program size, the worse the academic outcomes get, in particular, in states like Indiana and Ohio. And the reason that is, is I call it for Office fans in the room, it's the Michael Scott Paper Company problem. You can't scale up what makes it successful small. Right. So like you heard, for example, the Omaha Street School does amazing work for their students. I would be crazy to imply otherwise, because they have. I've seen firsthand. But the reason why is be-- largely because they have that incredibly small student-to-faculty

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ratio that they mentioned in their testimony. That's not something that can be scaled up to meet the needs of hundreds of students. And so when you create a voucher program that implies that they would get access to the same kind of learning environment that's available in those places now, you get these fly-by-night schools that open up using the lesser restrictive Rule 14 piece that we've already discussed, that don't-- that are nowhere near the leagues of the Omaha Street Schools, the Duchesnes, the institutions that you heard today. And so that's why in the Indiana University-Bloomington's meta analysis, it indicated that when states did try and open it up at a much larger scale, it failed to meet the academic needs of those students.

SPIVEY: I have a follow-up question.

CLEMENTS: Go ahead.

SPIVEY: So you and I have had conversations just about performance of schools and public education, and very transparent, tough discourse around what does that look like, which I appreciate. In this specific bill, the language is around at-risk and low-income students. And I asked, again, this question earlier. And so when you think about the performance of students that have specific drivers of health that maybe are producing negative educational outcomes, what does that look like in terms of investment? Do you believe that taking this \$20 million over this 2-year period, investing in vouchers is the answer, or, or what would you imagine that investment to be to really address what we're seeing for educational attainment for low-income, at-risk kids. And then north Omaha has been brought up a lot, which is my district, and what I prioritize around that, as well.

TIM ROYERS: Yeah. I, I, I, I think voucher programs are, in my estimation, an equivalent of offering a lifeboat, meaning there's a limited number of seats. And to me, the solution is to fix the ship, not to shove people off the ship. So to me, that neighborhood school should be able to meet the needs of all students, regardless of background, regardless of need, in part because-- one thing I've learned in my career as a public educator, not every kid has an adult advocate in their life beyond who's in that school building. And so we need to make sure there's a system in place that meets their needs without having to have that extra level of advocacy. I don't think, Senator Spivey, to your question, it's not purely a question of resources, although that certainly does help. I think, I think it's also about how do you create structures and systems that allow for

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parental and community buy-in to those schools. So the main piece that we're an advocate for is what's called the community school model, which we've seen come up in communities that have been historically marginalized and underserved across the country, that don't just say we need to provide what we call wraparound services. Right? Whether it's onsite, you know, medical, dental care, therapy services, those are great and those absolutely have a demonstrable difference in those students' lives. But it's also about letting the parents in that community have a voting say on that school's budget, a voting say on what their staff looks like, a voting say on their curriculum. Because right now, what we see, in, in my conversations, is one of the barriers is they don't really feel that their neighborhood school necessarily is a reflection of what their family needs. And we need to provide an actual seat at the table. You know, like, I get to provide you input, but you are not beholden to what I tell you as somebody testifying, right. Input and voting privileges are 2 fundamentally different things. And so the research indicates-- and that's the power of the community school model-- research indicates that when you provide both resources and a local grassroots capacity to make decisions, those are the 2 key ingredients that allows for you to turn, turn things around for underserving schools.

SPIVEY: And is there-- there's a bill-- this-- I've been kind of head down in my own things.

TIM ROYERS: Sure.

SPIVEY: But is there a bill around the communities and schools model?

TIM ROYERS: Yes. There-- yes, there is. Senator Quick is the sponsor of that bill. It had its hearing recently in the Education Committee. And it-- that bill would instruct the Department of Ed to essentially provide model guidance for how community school model could work.

SPIVEY: Thank you.

TIM ROYERS: Yep.

CLEMENTS: Other questions? Seeing none, thank you for your testimony.

TIM ROYERS: Thank you very much.

CLEMENTS: Next opponent. Good afternoon.

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JOHN HEINEMAN: Good afternoon, Chairman Clements and members of the committee. My name is John Heineman, J-o-h-n H-e-i-n-e-m-a-n. Today, I come before you as a retired public school teacher and also the president of the Nebraska State Education Association retired, with my strong opposition to LB624. This proposed legislation mirrors the controversial and voter-related repealed LB402 [SIC], which we've had, had lots of discussion about today. It differs only in 2 aspects as I can see-- it is a direct appropriations to private school voucher program, and it carries an initial annual cost of \$10 million. Senators, I implore you to listen to the voices of your constituents who have made it abundantly clear that they oppose such measures. Nebraska voters overwhelmingly repealed LB402 [SIC], and disregard to their will is not only unwise, but a disservice to the people of Nebraska. Furthermore, LB624 falls short in essential areas that require our attention. It contains no anti-discrimination clause, which is vital for ensuring equity and fairness in the distribution of public funds. Additionally, there's no priority dis-- "distributial"-- dispersal mechanism established within the bill, leaving room for potential misuse and misallocations and resources. It's those strip mall schools that will pop up, as they have in other states. Most concerning, LB624 lacks adequate reporting standards that would allow us to track the program's efficacy and provide transparency on how the-- it is functioning. Without these safeguards, you risk endorsing a program that could operate without accountability. Finally, let's be keenly aware of the significant legal implications associated with this legislation. If passed, LB624 would undoubtedly face immediate constitutional changes-- challenges. The Nebraska Constitution clearly states that the appropriation of public funds shall not be made of any school or institution of learning not owned or exclusively controlled by the state. This principle stands at the forefront of our legal framework, and passing this bill would embroil the state taxpayers in a costly litigation, diverting our attention and resources from essential services that our citizens need. In conclusion, the potential impacts of LB624 are profoundly concerning. It reflects a disregard for the clear will of Nebraska voters, lacked fundamental protection of equity-- equitable fund distribution, and may invite legal challenges that could jeopardize the stability of our educational funding. I urge you to consider these points carefully and join me in opposing this bill. Thank you.

CLEMENTS: Are there questions? Seeing none, thank you for your testimony.

JOHN HEINEMAN: Thank you.

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CLEMENTS: Next opponent. Good afternoon.

ARIANA AMEZCUA: Good afternoon. Hi, my name is Ariana Amezcua, A-r-i-a-n-a A-m-e-z-c-u-a, and I'm a student at Northeast Community College and a 2023 graduate at Northfork Senior High School. My senior year was difficult because I had multiple brain surgeries and my life was touch and go for some time. While in school, I had an IEP because my epilepsy was so bad it caused me issues with learning. If I would have wanted to go to private school, they wouldn't have accepted me because they don't have the resources for this. School vouchers don't give everyone choice. This past summer, I was motivated to join the Support our School petition drive to allow voters to express their opinions on the repeal of the LB1402 vouchers scheme, which would give taxpayer dollars to private schools. This was not initially easy for me because I had never done anything political. However, I was surprised by the enthusiasm, passion, and support for this effort. Nebraskans truly love their public schools. They showed it through 2 successful, innovative petition drives seeking to repeal 2 voucher schemes, LB753, and then again, LB1402. Last fall, 57% voted to repeal LB1402 and protect public funds for public schools. This is my first time attending a legislative hearing, but I've watched a few. One thing I want you to know from my firsthand experience is that people signed our petition enthusiastically. I personally qualified Stanton County, went door to door, attended farmer's markets, and went to the county fairs to help make sure people had access to signing the petition. Many Nebraskans were actively seeking to sign the petition. Also, I want to add that according to the Secretary of State, there was, there was only one complaint about our petition drive from Nebraskans, and we had the highest signature validity of any petition, at 87%, which is 11% higher than any other petition. Sentiments that Nebraskans were duped into signing this petition are blatantly false. Many other testifiers today will bring you the data on how vouchers have failed in every state that has them, and that they primarily benefit the rich and those already attending private schools. What I'd like to leave you with is that my experience and the vote of Nebraskans have sent you a clear message that Nebraskans clearly do not want bills like LB624, and if passed, they will seek again to repeal them. Thank you for your time today.

CLEMENTS: Are there questions? Senator Spivey.

SPIVEY: Thank you, Chair. I just want to echo Senator Armendariz's just approach of when we have young people here that share their story

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and share who they are with this, that's very impactful. So thank you for being here.

ARIANA AMEZCUA: Thank you.

CLEMENTS: Thank you for your testimony.

ARIANA AMEZCUA: Thank you.

CLEMENTS: Next opponent.

ALECIA AMEZCUA: Good afternoon. My name is Alecia, A-l-e-c-i-a, Amezcua, A-m-e-z-c-u-a. I'm originally from Norfolk and I currently live in Madison. I am here today to ask you not to allow LB624 to continue. LB624 is yet another attempt to use public funds to pay for private school vouchers. In the summer of 2023, there were enough petition signatures to allow Nebraskans to vote on the repeal of LB753. The number of signatures far exceeded what was required to put this issue on the ballot. But to thwart the voters wishes, a new voucher bill was introduced. In 2024, Senator Linehan introduced LB1402, and Nebraskans spoke again, signing a new petition to put the new voucher scheme to a vote of the people. At last November's election, voters repealed LB1402. Now, LB624 attempts to enact basically the same thing that voters rejected in LB753 and LB1402. One problem with school vouchers is there is no discrimination clause. Private schools do not necessarily have the resources or ability to help students with disabilities, so they do not have to enroll those students into their schools. Yet they would still get the \$10 million in public funds while turning away certain students. On the other hand, public schools accept all students. The \$10 million that would be given away to private schools is being taken from public funds. Meanwhile, our public schools are already operating on tight budgets. With this money being allocated to private schools, it can take away from public schools that serve 9 out of 10 Nebraskan students. Why are we taking away from those students to give money to private schools? Private schools offer scholarships and have donors that help pay for things they-- that are needed. Another part of LB624 that has me worried is that private schools do not have to report any data to the state to continue receiving the \$10 million, where public schools always report their data from standardized tests or other state-required tests. Why aren't private schools going to be held accountable? The majority of Nebraskans do not want this, yet it keeps being brought up. Please listen to your constituents and do not advance LB644. Thank you for your time.

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CLEMENTS: And your questions. Seeing none, thank you for your testimony.

ALECIA AMEZCUA: Thank you.

CLEMENTS: Next opponent. If there are other opponents, would you come to the front row, please? Just a minute, please. We have some people moving. OK. Go ahead.

CONNIE KNOCHE: OK. Good afternoon, Senator Clements and members of the Appropriations Committee. My name is Connie Knoche, C-o-n-n-i-e K-n-o-c-h-e, and I'm a senior fellow with OpenSky Policy Institute. I'm here today to testify in opposition to LB624 for a few reasons. Specifically, we oppo-- we oppose putting state dollars towards private schools because evidence doesn't show such spending improves educational out-- outcomes, and it, and it would further stress an already stressed state budget. Also, the voters and thus, the taxpayers have made clear they don't want state dollars going to private schools, having repealed LB1402 just last year. Evidence of voucher expansion in other states, including educational scholarship programs shows many are not delivering on their promise to expand opportunities for all students. And several statewide studies show that voucher programs can actually negatively impact student outcomes, as they've discussed with Louis-- Louisiana, Ohio, and Indiana. If better student outcomes are the goal, then Nebraska could invest in programs with a robust evidence base, such as early childhood education and career and, and vocational education. Next, LB624 raises budget concerns unlike-- likely to be offset by savings, as some-- sometimes promised, due to the volume of students transferring from public to private schools. This is important because the credit can only result, result in savings to the state if significant number of public school kids transfer to private schools in a way that would reduce the public schools' expenses. However, recent study-- recent analysis from voucher programs in Iowa and Arizona showed the majority of students benefiting from those programs were already enrolled in private schools. Additionally, programs in both states have far exceeded their initial cost estimates. In Arizona, the state faced a \$1.4 billion budget shortfall in 2024, largely attributed to the new voucher spending passed in 2022. Iowa also saw costs balloon, with the program expected to cost the state \$375 million annually when fully implemented. Similarly, in Ohio, the governor's proposed budget calls for \$100 million in cuts to public schools over 2 years, while costs for the charter and voucher programs increased another \$500 million over the nearly \$1 billion in state spending in 2024. As you're aware,

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the Nebraska Legislature has the unenviable task of constructing a budget with a projected \$432 million shortfall for the biennium. With so many important programs and line items to consider, there is no fiscal space for the program that may, in fact, be detrimental for many of our students, with data from other states showing a trend of decreasing funding for public schools as a result of voucher programs like private, private school scholarships. And I [INAUDIBLE].

CLEMENTS: That's your time. Could you just clo-- wrap up, please?

CONNIE KNOCHE: The budget should reflect the will and values of Nebraskans. lb624 proposes new government spending without evidence of a return of investment and it does not respect the will of the voters. Thank you.

CLEMENTS: Are there questions? Thank you for your testimony. Next opponent. Good afternoon.

GARRET SWANSON: Good afternoon. Chairman Clements and members of the Appropriations Committee, my name is Garret Swanson, G-a-r-r-e-t S-w-a-n-s-o-n, and I'm here on behalf of the Holland Children's Movement in opposition to LB624. Thank you for your time, Senators. Several great speakers have brought up many great reasons why this committee should not advance LB64 [SIC]. For the purpose of my testimony, I want to touch on the inherency of this issue for Nebraskans. Our sister organization, the Holland Children's Institute, conducts a poll at least once a year to gauge the attitudes and opinions of Nebraskans. Since our polling began in 2021, Nebraskans have never indicated a desire to use taxpayer dollars to subsidize private and charter schools. In 2021, 64% of Nebraskans opposed or strongly opposed giving taxpayer money to private schools, while 28% supported it. In 2022, 67% of Nebraskans opposed it or strongly opposed giving taxpayer money to private schools, while 32% supported it. In 2023, 64% opposed, while 34% were in favor. And of course, Senators, the biggest poll of them all, the 2024 election. The voters rejected Referendum 435, with 57% of Nebraskans saying no and 42.97% saying yes. Although this bill does not establish a full-blown voucher program in our state, it is a dangerous step toward such a program. Recent study from-- recent studies from states such as Louisiana, Arizona, Indiana have shown a decrease in student achievement in private and charter schools. As elected representative representatives, everyone on this committee has a duty to represent the will of the electorate. When we conduct this polling, we do not just question Nebraskans in Omaha or Lincoln. We make sure to include

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voices from every part of the state. Our polling is also representative, as most of the Nebraskans we poll self-identify as Republicans and either moderate or conservative in their political leanings. This, of course, matches the publicly available voter registration numbers. I understand the introducer of this bill and its supporters want what's best for children in our state. I believe we all care for that. However, when it comes to getting a quality education, there's nothing a private school can do that a strong public school cannot. Let's work to find solutions to problems within our current framework so every child in the state has a chance to succeed through our wonderful public education system. Thank you for your time, Senators.

CLEMENTS: Are there questions? Senator Spivey.

SPIVEY: Thank you, Chair. And thank you for your testimony and being here. I wanted to make sure I heard the data points correctly around your polling. So you said that you started to do polling specifically on this issue since 2021. And what has your polling showed?

GARRET SWANSON: Yeah. So we-- I, I want to first preempt that question a little bit by saying that it's very direct polling and that we don't do any kind of push polling. We straight up just ask people, do you support public money going to private education? And since 2021, it's been well over 60% every year that we polled that said no.

SPIVEY: OK. Thank you.

CLEMENTS: Other questions? Seeing none, thank you for your testimony.

GARRET SWANSON: Thank you.

CLEMENTS: Next opponent.

CINDY MAXWELL-OSTDIEK: Thank you. This is a short chair.

CLEMENTS: Good afternoon.

CINDY MAXWELL-OSTDIEK: Good afternoon, Chairperson Clements and members of the Appropriations Committee. My name is Cindy Maxwell-Ostdiek. That's C-i-n-d-y M-a-x-w-e-l-l-O-s-t-d-i-e-k, and I'm a resident of District 4. I'm testifying in opposition to 624, to appropriate funds to the State Treasurer for education scholarships, introduced by Senator Dover. I'm a mom, a taxpayer, a public school parent, and an aunt to many nieces and nephews who attend private

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schools. I do not oppose private schools, but instead believe public dollars should stay with public schools that serve all of Nebraska's children. Senator Dover has essentially re-brought LB1402 with this bill, which Nebraska voters just repealed at the ballot box in November. And the major-- the majority of Nebraskans just voted to repeal this. And the senators have denigrated voters when they say we don't know what we voted for. I wish senators gave more credit to voters that we do know what we want. When I talked with people from all across the state when we were gathering signatures from very different groups of people, they enthusiastically signed petitions. And I don't want to repeat what others have already shared, but I would like to push back against the negative rhetoric about our public schools and our teachers. Voters of all backgrounds appreciate our public schools and admire our educators. In fact, many of the people who signed the petitions were people who were private school parents and grandparents, and they were concerned about the lack of anti-discrimination protections in LB753 and LB1402. Please listen to the will of Nebraska voters. Vote no and don't advance this bill. Thank you.

CLEMENTS: Any questions? Seeing none, thank you--

CINDY MAXWELL-OSTDIEK: Thank you.

CLEMENTS: --for your testimony. Next opponent.

VANESSA CHAVEZ JURADO: Good afternoon. Good afternoon, Chair Clements and members of the Appropriations Committee. My name is Vanessa Chavez Jurado, V-a-n-e-s-s-a C-h-a-v-e-z J-u-r-a-d-o, and I serve as a communications and outreach specialist at Stand for Schools, a nonprofit dedicated to advancing public education in Nebraska. Stand for Schools stands in strong opposition to LB624. Nebraska has a long and proud history of supporting public education, recognizing that a well-educated citizenry is essential to the functioning of democracy. Public schools remain the best way of ensuring that every child has access to a high-quality education, regardless of their background. As demonstrated by the repeal of LB1402 just 3 months ago, Nebraskans have reaffirmed their commitment to public education and rejected attempts to redirect public funds toward private school vouchers. Our opposition to LB624 is based on 3 primary concerns. First, because LB624 fails to provide necessary safeguards against discrimination. Second, because research demonstrates that vouchers do not improve economic outcomes. And finally, we principally oppose LB624 because vouchers divert public funds to private schools. Many of the points

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have already been said, so I will kind of sum up and wrap up here. But I'm happy to answer any questions. And of course, you have my testimony if you'd like to read it in its complete version.

CLEMENTS: Are there questions? Seeing none, thank you for your testimony.

VANESSA CHAVEZ JURADO: Thank you.

CLEMENTS: Next opponent. Seeing none, anyone here in the neutral capacity? Seeing none, Senator Dover, would you like to close?

DOVER: Boy, where do, where do I go from here, right? I'm going to start here. Let me just get this here. They've been talking about discrimination, right? So, in 2021, GLSEN, the Gay Lesbian Straight Education Network national school climate survey of more than 10,000 same-sex attract and transgender students, [INAUDIBLE] student reported less frequent rates of harassment and assault in private than in public schools. And so, we have the stats here from GLSEN. And I would be-- I have this right here, so I can text to anyone that would like this to, to look at. I don't want to take everybody's time, but I can text this document to anyone that would like to see it. I think the worst thing that we're seeing-- that we see every day on that-- on the floor and in hearings is there's 2 sides, and every side has their group. Right. And we all know that. Right. So you know, you know, who is going to testify on one side who's going to testify on the other side. And the worst thing I see, not only on a state level, but on a national level, which we have some of the stats here, is I really think that stats have become politicized. So-- because if you don't go with one side or the other, eventually when there's an opening and say some president-- somebody becomes president or someone becomes governor or whatever, if that person isn't along with that group, they probably won't be appointed. So as people come in the executive branch, they appoint their side, and then the other people come in and appoint their side. So it's really a sad case, I think, here in our country and probably in the world, where scientific data is really politicized. And I, and I think that's kind of what we have. **DOVER:** I mean, Tony [SIC] Royers got up and talked. But instead, he talked about was-- by a gentleman who was funded by this teachers' union, right. And that doesn't mean necessarily that there was any bias in it, but it definitely means there can and-- who many-- who misses Walt Radcliffe? Raise your hand. I miss Walt.

SPIVEY: I didn't know him, so I can't raise my hand [INAUDIBLE], so.

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DOVER: Oh, sorry. Great guy. I miss Walt. And Walt's-- one of Walt's favorite statements that he said many, many times, was if the state legislator-- State Legislature could be bought, NSEA would have bought it. This is one of Walt's most common statements. And it's really interesting. [INAUDIBLE] and was Walt smart? Well, Walt was one of the smartest guys I ever met. And so I, I tended to believe-- I think there's probably some truth to that. And so, you have both sides. I listened to both, you know, I been lining up and kind of stuff like this. But I think we need to take a step back and just look at it this way. I can tell you personally, somebody I met that was-- had a sh-- a sh-- went from one life to a shining life because of Sacred Heart School. And I want everybody to know, I am not, I am not a Lutheran, I'm not a Catholic. I don't-- there-- my religion, my religion-- I'm a nondominational Christian. I believe in unconditional love, and you don't judge people, right? That's what I believe in. So I think anytime we can help anyone, I think we help them. And I think is, is, is Sacred Heart the right school for everyone? No. But I will guaran-- I mean, and, and I had the same discussion. I talked to, to-- about a senator who said, yes, if we passed the Opportunity Scholarship, it would save lives. And they were-- and trust me, I said I would never say their name. They were very familiar with north Omaha. And again, as I stated, it wasn't Wayne and McKinney. Why did Senator Wayne vote for school choice? Why did, why did Senator McKinney get up on the floor and, and, and speak to the benefit of school choice? Because he did. And so, when we-- when we're, you know, we're listening to both sides because the, the, the argument is there and everybody's been paid for and everybody donates money and et cetera. But I'm just simply saying the senators from north Omaha were on the floor talking about school choice. And, and I-- and we had the same discussion, Senator Spivey with the gentle-- the senator that told me that it would save lives. And he said, we [INAUDIBLE] we should send money here and send money here. And eventually, I just-- about 3 times, I said, fine. Just tell me, will it save lives, yes or no? And he said yes. And so, I do agree there's many things that we can do to solve the problem with kids in the state of Nebraska. But I'll say what we have here today is this. And so, we can-- I mean-- and we all know-- I-- well, I think I know. Actually, I, I should take that back. I feel that if you can take a kid that's having a troubled life and get him into a new environment, a private school, perhaps Sacred Heart-- we'll use that because I-- we brought it up earlier. I know a gentleman that came from there that spoke highly of it. But if we can take some kids having trouble at public schools and put them into a private school and turn their life around, what is that worth? I mean, what, what

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does it cost to incarcerate? I mean, it's only like \$41,000 per per-- I mean, what are we doing to keep kids from growing up and going to prison or, or end up dead in the streets? This is-- that-- I mean, I'll tell you when I had gotten up and talked about it, I was about-- I mean, I think you saw, Senator Cavanaugh. I was in tears. I had to stop. And you know what happens when you're on the floor and you stop talking? Everyone turns around and looks at you. And I finally got it out, to say I couldn't believe that some senator would not vote for a bill that saved lives. But I would just ask you just to-- this is one thing we know can work for a number of people, so why don't we support it? And I do believe that if-- you need to-- we're all familiar with polls. I mean, we know how polls work, don't we? If you ask someone, do you want public money to go into a private anything, what are they going to say? No. If you asked them, do you think that chil-- that parents should be able to choose where their child goes to school? I'll bet you'll hear yes. And so we're hearing all this stuff. All I'm saying is I believe there are enough-- there's enough facts out there to say that-- we have 4,500 kids, right? Right now. What are they going to do, send them back to public school? I mean, do you want to really cause disruption? I think that is. I wish, I wish that we would have had-- I mean, I wish there wouldn't have been any polling and a bunch of money spent, because guess what? I wouldn't be here today. But I guess I'll end on that. I am simply here because I honestly believe that there are children out there that could go to-- get out of public school and go to a private school and do better, by changing their environment to having accountability. Probably part of it is because a public school can do things [INAUDIBLE]-- a nonpublic school might be able to do things that a public school can't, and that's not their fault. And if someone gets up and says it's about public versus nonpublic, that's not what I'm about. My grammy would roll over in her grave. My grammy was the best public school teacher. I mean, she went to a little town through blizzards, through everything in the old days. My aunt was a public school teacher. I went to public school. My kids went to public. I mean, this is the kind of, of-- I want-- well, I don't think that-- I should probably-- I'm going to say poison. That's almost too strong of a word. But that's what they try to do to us. They try to put words in my mouth. I have never said public schools were never good. And if you listen to my-- what I said here was, I don't care if it's public or private. Either one's not necessarily a good match for the oth-- all the time. There are-- I mean, I know that there were situations in Norfolk where someone was at a nonpublic school that went to public school because they thought it would be better. I'm simply saying, let's give the kids a choice.

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Let's give the parents a choice. And I'll, I'll end with that. Thank you.

CLEMENTS: Are there questions? Senator Spivey.

SPIVEY: Thank you, Chair. And thank you, Senator Dover. I appreciate the discourse and dialogue, and you're always open to that and, and having a difference of opinion. So I appreciate that. And my questions that I have written just have been over the course of the testimony that I have for you and is coming from a place of better understanding and clarity. So I just want to set that, that context. And so I was looking up as I was sitting here, some reports out of Iowa and again, our closest neighboring state has a voucher program. They have shown that two-thirds of the kids that received their voucher in scholarship program are already going to private schools and receiving some sort of scholarship. And so do you have any data around LB1402 and those kids that received scholarships, how many were already receiving private school scholarships, versus who are new?

DOVER: I don't, but I can try to find out. And I, and I mean, I'm guessing there's probably amount-- I know, I know-- I have a friend that gives to the Lutheran school, right, scholarships. And so I'm guessing if he could-- I mean, there, there's an un-- there's an unlimited amount of need, right, like every one of our causes here. I mean, I don't care what your cause is. There's not enough money to fix it all. And so I'm guessing if there's money that's offsetting somebody that's been given for scholarships, then that goes-- increases the number of scholarships to other kids. But I'll try to find that information out. Jon? Yeah.

SPIVEY: OK. And then my next question is around-- I have like, a few-- like, I have 5, 5 questions, so-- but we'll--

DOVER: Well, I'm getting-- I, I tell you, you are one smart, I mean, Senator. Because I just listen to your questions and they are intelligent. I mean--

SPIVEY: Well, I appreciate that.

DOVER: And I appreciate, I appreciate the question. And I think the answer-- you ask sometimes, questions that someone's thinking in [INAUDIBLE].

SPIVEY: Well, I appreciate you giving me space for us to have the dialogue. So compared to-- I know Senator Sorrentino has a bill also,

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around vouchers. They-- they've had their hearing. And I've glanced at it, more so the fiscal note and some of the, the information. And theirs is projecting a \$6 million loss to TEEOSA and yours is not. Can you speak to the difference of why there's not a loss in public funding with you or as compared to his and-- with the similarities?

DOVER: No, I can't. I'm gonna be quite truthful. And we'll also make sure we give that to you, also.

SPIVEY: OK. Another question that I had was just around-- again, going back to Iowa data, which is the closest neighbor that has this type of program. They talked about their auditors and their process, around the, the bill that was presented and passed, didn't have any language around oversight. So we don't know how the money-- if the money is actually going to vouchers and they're saying it. What is that implication? And I know you are a person that honors like, good fiscal management.

DOVER: Right.

SPIVEY: Are these being used? We talk about it on committee. And so, was there a reason that this bill omits any language around oversight and accountability in, in it as written?

DOVER: No, there is, there is not a reason that's not included. And again, I'll get back to you and then-- I'll get back to everyone with that information.

SPIVEY: OK. And then kind of to that, you don't define low-income and at-risk in this bill. You just name those. And so is there a definition or understanding, from what you're working with, for that in here?

DOVER: In my, in my opening statement, I believe it's-- [INAUDIBLE] I think was 213% to actually qualify for childhood insurance.

SPIVEY: So that's how you're defining-- low-income is based on that 213 of the poverty line? OK.

DOVER: Right. And actually, actually the, the, the secretary did gate. So the second that the Treasurer, Tom Briese, will def-- will set it up. But it is our hope that number one, the first group will go to people who are currently in it and of lower income. And that's a way I believe LB1402 was set up, to where the lowest income-- and, and actually, I think it wasn't until you hit the third tier, once the

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other ones were filled up, that it was 213. It's actually lower than that on the first tier. And then one other thing was if-- obviously, if you had a sibling in school, I mean, the moms-- I mean, we had 4 kids. I remember when I was-- my wife did a great job. And when I had to-- and how did you even do this, right? I mean, when you're dropping kids off at multiple schools [INAUDIBLE] Omaha.

SPIVEY: I mean, we're women. We figure it out. We make it work.

DOVER: And a lot more.

SPIVEY: And then kind of my last question is more just around, like the ideology that you brought and the, the thought process. And I can respect the fact that you're saying, how do we save kids' lives, right? Like that's--

DOVER: Oh, yeah.

SPIVEY: --our goal, and that's your end goal with this. And I might not agree with the vehicle, but I think we agree on we want to save kids' lives. And I, I just want to leave with you or uplift that I think, especially living in north Omaha my whole life, advocating, I run a nonprofit there, I have a small business there. My grandma been there for 55 years. Like, that's, that's my home-- is that I think that when we talk about how do we change the trajectory of our young people, that that starts with a lot of bills that are even currently in session that have not been supported. So you mentioned incarceration. The cost to-- for a juvenile that's in detention is \$100,000 per year that taxpayers are spending, but our body is not wrestling with or supporting mentoring programs. You see that in the governor's budget and cut a lot of these economic development opportunities, affordable housing. And so I just would challenge that if our goal is really rooted in how do we change the, the livelihood and the experience of, of kids that are experiencing systemic inequities--

DOVER: Right.

SPIVEY: --that we really look upstream at things that community are saying, here's where you invest dollars, here's where this would be transformative for that young person, as well as the family. You can't change a young person's trajectory if you cut out everyone that's around them, right?

DOVER: Right.

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SPIVEY: And so, I think that approach-- and, and again, what, what is in front of us as a body and a committee is going to be really important as we think about it. And then the last thing that, that I would say is I can feel your heartburn around saying like, you know, voters voted for this, but you feel like a lot of money was poured in that wasn't aligned. I feel like that about the abortion ballot. I am hot about the abortion ballot, because I work in maternal and child health, reproductive well-being, and we know that the access to care, which includes abortion, is really important and can save lives. When you, when you have an abortion ban on the books in a state, the maternal deaths, people that choose to be pregnant and parent actually go up. You're not able to retain doctors, you're not able to find access to care. And so I felt like people poured into a campaign and spread misinformation. However, this is what the second house decided. This is where we are. And so, what does that line of me and my leadership as an elected official feeling jaded by that or upset, versus I'm trying to honor the, the constituents and, and larger Nebraska, that this other petition passed that I don't necessarily align with. So that's just the other piece that I would just leave you with.

DOVER: Well, I would, I would say this. I would say that if any-- one of these really hot button debates that we're-- we've had, right, that go to ballots, whatever, if anyone thinks are over with-- are they over with? I don't think they're over with, are they? No, I don't think they are. And so, I think it's an ongoing process. I do think that-- and, and I'll speak to my side, conservatives. I think it was ridiculous that we said, no, you have to have the baby, but we weren't willing to take care of the baby. You know what I'm saying? And Anna Wishart had a bill, which I co-sponsored-- so I do think as people get better educated and things, I do think more things are possible. So I think, think-- and I think us working together is really im-- im-- important, too. I would say this is, I think, one of the biggest strengths about nonpublic schools or let's say, just Sacred Heart, because that was a-- that was the gentleman I met, from Sacred Heart and he, he said it was great and it really changed his life. And this-- and luckily, his-- he felt really bad that his friends never-- mom couldn't afford to pay for them to go to Sacred Heart. What-- the magic of the school is, it gets that kid out of their environment for a long period of time. Because-- and I don't know and I don't want to speak for your other ideas, but I don't know that those solutions will take a child and put him in a place from 8 to 5, you know what I'm saying? So from 8 to 5, 5 days a week, I think they have a-- kind of a

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posit-- a different positive, I think accountability. And sometimes, you just got to take a kid and put him in a different room. You know what I'm saying? Take him out of this room because they know, they know what the rules are in this room. They can go in this room where the rules are different. So I think one of the, the greatest things about going to a nonpub-- non-- nonpublic school is it get them out from 8 to 5 Monday through Friday. It changes their life, I think. I mean, not all the time. I mean, it's not-- there's no perfect solution, right. But I think the amount of time that they take that kid out of their environment and put him in a different one-- and then I hear talk up here, where somehow, we just need to make these pub-- and I'm, I'm not against public schools. They're-- I mean, there are wonderful teachers out there. I remember my students telling me about one teacher that was sleeping at his desk, face down in the classroom. So there are-- like every-- there's good side, there's bad side, there's good teachers, bad teachers. But I believe in public schools. That's where all my, my family taught [INAUDIBLE] going to go. But I don't like the fact that they're kind of putting me we're against public schools, and one is better than the other one. But anyway, I, I do think there's a strength with taking the kid out of the environment and putting there for a length of, length of time.

SPIVEY: Yeah. And I didn't hear you say that you were against public, so that-- I hope you didn't feel--

DOVER: Oh, no, no, no, no.

SPIVEY: --like that's what I was implying. I, I didn't hear you say that. I think it's just the discussion again around what is autonomy, and, and this, like, larger conversation. But I did not hear you say that.

DOVER: And I apologize. I was losing my point there. You probably noticed that. But they-- I hear we just need to make these schools better. We just need to spend more time and spend more money. My example was 47 years. That's almost half a century. And they couldn't get it-- they couldn't get north Omaha schools better. So why would we throw more money after a failed system of half a century? I think we need to try something new. And I'm not saying necessarily this is the one solution. I think we need educational choice of all kinds.

SPIVEY: Yeah. And I think for what I am offering is that the solution is upstream and these issues, because North Omaha and educational attainment is not just about that school in the binary sense of when

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they go. It's about redlining that has plagued our community. It's the lack of jobs. It's transportation. It's food access. Like, those are the things that have caused and that you see schools being a symptom of, versus addressing the core root issue. And so what I'm offering is that if we want to put money somewhere, absolutely. And let's put it in the core root issue, because when you do, then you're not only solving for that, but you'll solve for these other drivers of health, which include educational attainment for our young people.

DOVER: Yeah. Oh, I agree, I agree with, I agree with you. I'm just saying that the time, the time you can put them 8 to 5-- and that's just one solution. There's many solutions we have to work on.

SPIVEY: Thank you. Sorry, Chair.

CLEMENTS: Are there other questions? I had one question. One of the opponents said that the vote on the referendum was against the school choice in every district or every county. And-- but your testimony was that in your district, it was favorable?

DOVER: Yeah. Yeah, no, my district said it. And actually I believe there were 4, I believe there were 4 districts and 11 counties that wanted to keep their parochial schools. Some, some, some-- I talked to some senators, they don't even have a parochial school. And the other thing I, I have a problem is I've heard where a person on their board of education says, well, you can just transfer to another public school. Well, this-- if you're-- unless you're in Lincoln or Omaha, guess what? We're driving to Madison, Battle Creek, Pierce. You can't drive-- leave your town to drive--

CLEMENTS: But you did have some statistics, you said, that you did have a favorable voting--

DOVER: Right.

CLEMENTS: --within your district.

DOVER: Yes, a majority of people voted to keep LB1402.

CLEMENTS: OK. There was a conflict there. We'll have to figure that out. Then, you mentioned you had a LGBT report of some sort.

DOVER: Yes.

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CLEMENTS: Would you email that to the clerk so the committee could be given that report?

DOVER: Yes. Jon?

CLEMENTS: All right. Any other questions?

DOVER: I actually have it on my phone. I could actually like, text it to you, but.

CLEMENTS: Seeing none, thank you, Senator Dover. That concludes the hearing on LB624.

DOVER: Thank you.

CLEMENTS: That concludes-- oh, excuse me, as soon as I read position comments for the hearing record. We have proponents, 69, opponents, 196, neutral, 0. That concludes LB624.