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Appropriations Committee February 3, 2026  
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[AGENCY HEARINGS]

**CLEMENTS:** Next, we will open the hearing for LB862, Senator Prokop.

**PROKOP:** Thank you, Chairman Clements and my friends on the Appropriations Committee. My-- for the record, my name is Jason Prokop, J-a-s-o-n P-r-o-k-o-p, and I have the honor of representing Legislative District 27, which covers west Lincoln and Lancaster County. I'm here today to open on LB862. Current funding for regional literacy coaches expires in 2027, and this bill will change the expiration to 2030. Without legislation, the statutory expectation for this work would continue, but the resources to support it would not be-- would not. LB862 prevents that by aligning responsibility by-- that by aligning responsibility with funding. This bill does not create a new program or ask for new funding. It continues the Legislature's original intent to support this work through the Education Future Fund and aligns that investment with long-term outcomes rather than short-term benchmarks. Nebraska has made a deliberate commitment to improving early literacy through evidence-based reading instruction. That commitment is reflected in the Nebraska Reading Improvement Act, and this bill ensures that framework does not stall halfway through implementation. This work began in 2024 with an intentional focus on building capacity. Regional literacy coaches were hired and trained, statewide expectations were established, and schools began integrating job-embedded professional learning into daily practice. Literacy outcomes are not immediate. A student who benefits from improved instruction at age 4 does not demonstrate the full impact until several years later. Educational service units play a critical role, role in that system. They are the regional infrastructure that turns statewide policy into consistent local practice. Through ESU's, regional literacy coaches support educators, ensuring that evidence-based instruction reaches classrooms in every part of Nebraska. Obviously, we've, we've heard a lot this session and the last couple of years around literacy. And it's really important to make sure that we're doing this the right way and making sure that we're kind of, I guess, we're not ending the game at halftime, if you will. It's Super Bowl week, so I guess I've got to bring up a football reference. LB862 keeps that effort moving forward and ensures the work already underway as an opportunity to deliver

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results. I appreciate the committee's attention to LB862, and thank you for your time. I'm happy to answer any questions.

**CLEMENTS:** Senator Dover.

**DOVER:** How long has this program been--

**PROKOP:** So it's been in since 2024, so it's, in effect, three years. The bill would extend it by an additional two years. So what we've seen, and I know there will be some folks coming up behind me that can speak to more of the details, but we've seen the, the children that are three years into the program. And to really measure it, we have to-- we need five years to be able to, to have the full impact. So that's, that's the purpose of the bill and, and to just kind of hammer down on the, the funding piece. This is through the Education Future Fund, so this is not a new funding request. This would be to continue to fund the program through, through EFF.

**DOVER:** Thank you.

**PROKOP:** Yeah.

**CLEMENTS:** Other questions? Seeing none, will you stay to close?

**PROKOP:** I will be here.

**CLEMENTS:** All right. First proponent, please come forward.

**LANE CARR:** Good afternoon, Chair Clements and members of the Appropriations Committee. My name is Lane Carr, L-a-n-e C-a-r-r, and I represent the Nebraska Department of Education as proponents of LB862. Thank you, Senator Prokop, for bringing this bill. As you all know and have heard, especially previously from our commissioner, the State Board has been very clear in their prioritization of literacy outcomes, and especially those early literacy outcomes. In fact, earlier this year, in, in December of 2025, the State Board unanimously passed a strategic plan which centered early literacy outcomes for our earliest grades, our earliest learners. As Senator Prokop mentioned, two years ago, this Legislature, supported by the Governor's Office, made a commitment to funding regional literacy coaches. And as we look to other states that have strong literacy outcomes and have made significant gains, we see coaching and coaches at the center. I think about the work that happened in Mississippi

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over the past decade or so with a significant state commitment and investment in literacy coaches across the state. We've appreciated the last year and a half that we've worked closely with the ESUs to establish our literacy coaches, Senator Prokop mentioned they're already in our school districts making a difference. And we look forward to continuing to deepen that impact that these coaches have and reach all Nebraskan students to prepare for learning, earning, and living. I'll be glad to answer any questions, if there are any.

**CLEMENTS:** Any questions? Seeing none, thank you for your testimony. Next proponent. Good afternoon.

**CLAUDINE KENNICUTT:** Good afternoon.

**CLEMENTS:** And you may begin.

**CLAUDINE KENNICUTT:** Good afternoon, Chairperson Clements and members of the Appropriations Committee. My name is Claudine Kennicutt, C-l-a-u-d-i-n-e K-e-n-n-i-c-u-t-t, and I am a regional literacy coach with Educational Service Unit 10. On behalf of our entire team of coaches, I would like to thank you for the opportunity to visit with you today about our work, both at the system level and inside the classrooms, and I'm here today to testify in support of LB862. This work supports educators in both public and non-public schools, and helps ensure that access to high-quality literacy support doesn't depend simply on a zip code. Whether a school is rural, urban, or somewhere in between, educators from across our state have access to the same evidence-based coaching support. As regional literacy coaches, we work directly with building and district leadership teams as they support literacy instruction and implementation aligned to the science of reading. The goal isn't quick fixes. It's building district-level capacity and sustainability through collaborative planning, modeling, data collection, feedback, and reflection. Over the past year, our team has worked collaboratively to develop the capacity of literacy leaders within their schools. One example is the development of our fundamentals of literacy coaching road shows. Across multiple regions, we've worked with over 150 educators through ongoing multi-session coach training and support. The content focuses on relationship building and communication, effective instruction for both students and adults, using data to guide coaching, and planning and analyzing current literacy practices. This preparation ensures that when coaches and leaders are in classroom, the support is

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consistent, intentional, and responsive to the district's individual needs. Because of this work, district leaders are better equipped to guide tier one literacy instruction within their continuous improvement process, use data more effectively for teacher professional learning, and intervene in more targeted and effective ways. Instruction will continue to be more consistent across classrooms, and teachers will feel more confident using evidence-based literacy practices. Based on what our team of regional literacy coaches is seeing in schools across our state, this work is already having a positive impact. Continued support for regional literacy coaching will allow for continued growth and sustainability. We know that system development takes time, and our team feels strongly that we have just begun to scratch the surface. But know that this is the right work. Thank you for your time, and I'm happy to answer any questions. Yeah?

**CLAUDINE KENNICUTT:** Senator Armendariz.

**ARMENDARIZ:** Thank you. Thank you for being here. So I have two questions, not related. One, my son in second grade was identified in needing extra help reading and went to a program within the, within the school that, that focused on his reading skills. Worked really well within a couple months. By the end of the first semester, he was back in the regular classroom reading better than both of his sisters who didn't need help. So it worked wonderfully. How is this different than what they were already doing? And he's 31 now, so they were doing that then. And my sister works in the Elkhorn Public Schools, and they'll identify kids that need extra help reading already. How is, how is this difference than what they've already been doing to get those kids up to reading levels?

**CLAUDINE KENNICUTT:** Thank you, Senator. I think that over the years in education, we have tended to see that pendulum swing back and forth with what is good instruction and things like that. I've been a reading specialist since 2009. So I've been passionate about this work for a long time. And I do believe that we do have pockets of great instruction in places across our state. But this is an opportunity to provide equitable instruction for all students in Nebraska. I oftentimes use an example as a parent of multiples. I always wanted them to be in different classrooms, but by golly, I wanted to make sure that they were receiving the same adequate, equitable instruction. And our coaching system is really working towards that

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equitable access to strong professional learning for our teachers and then those improved outcomes for students.

**ARMENDARIZ:** So would you say this is layering on top of what's already being done?

**CLAUDINE KENNICUTT:** We are really working to support, first and foremost, that tier one instruction for all students, and then how are we also looking at that tier two for those intervention opportunities and things like that, so.

**ARMENDARIZ:** OK, may I ask a question? I was talking to a principal in Elkhorn about how the national scores impact their funding for programs just like this. So if the national scores slowly go down and their kids that would have qualified for extra help are now within the national average, they no longer do. So how in Nebraska are we making sure we stay at a higher level than what maybe the national average might go to without, without tying funding to the lower score? Because you can see how that would spiral to very, very low if we allowed that to keep compounding.

**CLAUDINE KENNICUTT:** Oftentimes, I and the people that I am surrounded with at work say, when we know better, we do better. And so one of the things that we are really trying to do is make sure that our instruction for students and our educator prep programs are really preparing teachers with the evidence-based science of reading, learning so that they know the best way to support reading instruction for students. We know that it's more than just learning letters and sounds. We know that there is a lot of brain research behind how students are processing information and how those neural pathways really support the growth and progression of reading.

**ARMENDARIZ:** So in your opinion, would Nebraska look-- say the national average is going down, would you take a critical look and say our program should be improving, not going down? So, so how do we tie the funding to not the lower score? If we're doing the right thing with the science of reading, those numbers should only go up.

**CLAUDINE KENNICUTT:** And one of the goals with our regional literacy coaching, too, is to ensure that we are collecting data and looking at district-wide trends, and then making sure that we're steering our

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professional learning for those teachers. I'm not sure if I answered your question on that. Can you--

**ARMENDARIZ:** Well, I just want to make sure that, that we are focused on improving all of those numbers and not saying no, we're in the average, when the average has gone down a certain year or over two years or three years. It's declining and we say, we're staying within the national average, so we're OK.

**CLAUDINE KENNICUTT:** As you know, the Nebraska Literacy Project has a goal by 2030 of 75% of our third-graders will be proficient on the NSCAS assessment. And one of the things that we have seen in our work over this past year as phase one coaches is, it's really important for us to have system-level development of these within our dis-- it's not just going into a district and doing a day worth of walkthroughs and giving them some feedback. It's really having sustainable systems so that if there's turnover in staff or there are new people coming on board, we want to make sure that the system level stays at a high level, and that's where we're going to see those achievement levels rise for our students.

**ARMENDARIZ:** OK, I guess just for the record then, I would want to say let's make sure that we don't follow a declining average--

**CLAUDINE KENNICUTT:** Absolutely.

**ARMENDARIZ:** --and say that we're good. We only improve on where we're at today.

**CLAUDINE KENNICUTT:** That is our ultimate goal.

**ARMENDARIZ:** Thank you.

**CLAUDINE KENNICUTT:** But it's going to take some time because we know that deep implementation takes a good three to five years. And so we are just in the initial stages of this process, so.

**CLEMENTS:** Senator Dorn.

**DORN:** Thank you, Senator Clements, and thank you for being here. And all these questions, I think we have a bill, and I don't remember it's on General File now. I think it's a Murman bill to hold third-graders back if they're not reading-proficient. Can you comment on that, or is

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this, your program, helping to improve that or what what's going on there? Or is that a good idea, bad idea, or yeah?

**CLAUDINE KENNICUTT:** At this time, I don't have enough background on that particular bill, so I would certainly be glad to get back to you on that.

**DORN:** OK.

**CLAUDINE KENNICUTT:** But we know that we need to support our earliest learners as they are coming up through. And so it is just a progression over time. And a lot of the tools that NDE has been working with our educational service units on are really-- our focus is on those four-year-olds to grade three, but that doesn't exclude any of the upper elementary and secondary students as well. So we are tracking a lot of that data as well, so.

**DORN:** Thank you.

**CLEMENTS:** Senator Spivey.

**SPIVEY:** Thank you, Chair. Thank you for being here. Quick clarification before my question. That is the Governor's bill that is inside of Education now. It has not been--

**DORN:** OK.

**SPIVEY:** It's not to the floor yet.

**DORN:** Thank you.

**SPIVEY:** So just as you do your research to look at it. So I'm an Omaha senator, and I represent OPS. And I know they have a moonshot goal around reading. And so I'm just interested on how you work directly with like a school district, as Senator Armendariz kind of mentioned before. Are you all coming alongside a strategy like OPS, as it says, we have this moonshot goal, and then you're integrating that program? Or do you feel like the data that you're collecting and why you need two more years is really because you had your own pilot that you want to be able to then share that case study with school districts like OPS that's trying to figure it out?

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**CLAUDINE KENNICUTT:** Mm-hmm. And I'm fortunate enough to get to work with a coach from the OPS district. So you've heard the term "building the plane as we're flying it." And that's what this, this has been a building year for us. And we have learned as we've gone along. But I can speak from my experience in what it looks like when I go into districts. We are really intentional about having districts identify their literacy leaders within their district because we want administrators to not just be those managers within the-- we want them to be instructional leaders as they are walking side by side. One of the first things that we do as coaches when we have a district that has asked for support from us is sit down and have a conversation with the staff. We want them to know that they are going to be a part of this process along with us and that we're going to be coming through their classrooms doing walkthroughs, we're gonna be taking low-inference notes, collecting data on a tool called an instructional practice guide, and that that's gonna help us identify trends. And so then once we have had that conversation and the literacy leaders walk alongside us through the district, then we put all of those scores into a data tool and then it can help us to identify right away some trend data-- and we know that that's not the end-all be-all, but it helps us to kind of focus in on where are some areas that we are really doing well and where are some areas we can maybe look for some improvements, so that we can steer that professional learning for teachers directly into what those areas might be.

**SPIVEY:** Just a quick follow-up, Chair. So just to make sure I'm hearing you correctly, so this is a pilot and you need the two years to finish the pilot because of the building and kind of learning and identifying trends. And then you are working with districts to say-- like kind of providing TA and expert support of like I know you have this goal, we have this model that could potentially work for you, how can we integrate that to provide support? Is that--

**CLAUDINE KENNICUTT:** So the funding was three years, \$1.8 million, to support the regional literacy coaches coming on board. I'm considered a phase one coach. I'm one of seven that started the work. And then phase two is making sure that we have every ESU in our state has a coach on board, so eventually we'll have 17 of us. And so it's kind of a rip-- rippling effect [INAUDIBLE].

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**SPIVEY:** So that's the two years, why you're needing that kind of elongation of time.

**CLAUDINE KENNICUTT:** And we also know that for this deep implementation and to really be able to see the impact of our work, we need to have longer time to look at the sustainability of what we're, what we're doing, and the impact that it has.

**SPIVEY:** Thank you.

**CLAUDINE KENNICUTT:** Yeah.

**SPIVEY:** Yeah, that's really helpful.

**CLEMENTS:** Senator Lippincott, did you have a question?

**LIPPINCOTT:** Yes, sir. You just said this is a fairly short-lived program so far, right? But do you have any metrics that would, that would measure the success of the program thus far?

**CLAUDINE KENNICUTT:** And I don't even know if I would qualify it as a program, but more of an initiative or a kind of a way to really have a positive impact on literacy statewide. But we do have some initial qualitative and quantitative information, and I'll start with the qualitative. We have, in general, seen an increased awareness of specific literacy look-fors in classrooms. We are really focusing on not looking at just compliance, but what are-- what does student engagement look like? What are the tasks that students are asked to do? Are they working at grade level standards and so on? We are seeing an increased usage in what we call high-quality instructional materials. They've gone through a rubric process so that we know that districts are utilizing materials that are appropriate for that grade level. We've seen increased instructional consistency and alignment between our tier one or that core instruction and interventions. And then the tool that I've talked about a couple of different times is called the instructional practice guide, and there are two of those. One is more of a K-12 tool that's really looking at language comprehension, like are students building their background, are they utilizing vocabulary, are they having conversations about text and things like that. And then, the other tool is a foundational skills IPG, and that tool is more of a K-2 tool where we're really looking at that systematic and, and explicit instruction.

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**LIPPINCOTT:** Yes, those are great objectives, but do we have any measurements as to are we meeting those objectives?

**CLAUDINE KENNICUTT:** And so with that tool, I can go back and look at the districts that I've served and through those walk-through processes, we can start to see the data trending upward, that students are performing at that higher level and that teachers are receiving the professional learning that they need to be the best that they can be in the classroom for students.

**CLEMENTS:** Any other questions? Senator Armendariz.

**ARMENDARIZ:** Thank you. What professionals are, are these reading coaches? Are they teachers that are being reassigned out of the classroom? Are they still in the classroom and just doing this on top of that, or--

**CLAUDINE KENNICUTT:** There, there's a variety of paths that all of us have taken to get here. But some of the minimum expectations were that you have a reading specialist degree, you were in the-- were a teacher for more than five years in the classroom, that you've had specific literacy supports. I'm also a letters-certified facilitator, reading specialist. We have-- the, the average number of years that our seven-member team has had in teaching is probably about 25 years. I've spent 22 years in the classroom and I've been at the service unit for 7.

**ARMENDARIZ:** So are all the coaches then removed from a classroom and just assigned to this initiative?

**CLAUDINE KENNICUTT:** Not necessarily. Nope. A handful of us were already serving in the literacy realms of our educational service units. Others, for like OPS and LPS, were already in a district office.

**ARMENDARIZ:** Administrative roles.

**CLAUDINE KENNICUTT:** Administrative office, yeah. And have taken on some additional tasks.

**ARMENDARIZ:** Thank you.

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**CLEMENTS:** Senator Dover.

**DOVER:** Yeah, just to follow up Senator Lippincott's question. So you're in a, I guess, an industry in a way, but you have, have a kind of teacher speak. So a lot of things that you're saying, and I'm just speaking for myself, I'm sure the other ones kind of totally got what you're saying. It didn't make a lot of any sense to me.

**CLAUDINE KENNICUTT:** I know.

**DOVER:** That's what, that's what-- and so [INAUDIBLE].

**CLAUDINE KENNICUTT:** I didn't even tackle all the acronyms that we have.

**DOVER:** Can you tell us the percentage increase in kids that are taking this versus kids that aren't taking this? So it's a measurable, you know, increase in what we're doing here in this program. I think that-- is that, Senator Lippincott, I think that's what he [INAUDIBLE].

**CLAUDINE KENNICUTT:** I would need to--

**DOVER:** Like numbers.

**CLAUDINE KENNICUTT:** --get back to you on some of those numbers. I would be able to give you a, you know, we have about 150 district leaders who have been a part of our fundamentals of literacy road shows, but we are also trying to honor where each district is at right now. And so I would need to look back in all of our ESUs and give you percentage of districts that are participating in our work.

**DOVER:** Well, not just, jus a percentage that are participating, a percentage-- is there a meas-- a measurable, measurable number, I mean, measurable-- I apologize here, is there-- is this like anything to say like a percentage increase over for what you're doing versus people who don't have it or something, something measurable like, you know, that gives us a number, I guess?

**CLAUDINE KENNICUTT:** Well, considering that we have been building over this past year and I've only been able to be in districts for this

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probably the last six months, I would need to look back at some of those numbers. And I would be happy to provide those to you.

**DOVER:** That would be wonderful. Thank you.

**CLAUDINE KENNICUTT:** Yeah, you bet.

**CLEMENTS:** Any other questions? Seeing none, thank you for your testimony.

**CLAUDINE KENNICUTT:** Thank you.

**CLEMENTS:** Next testifier, next pro-- proponent for LB862. Good afternoon.

**LARIANNE POLK:** Good afternoon. Well, thank you, Chairman Clements and members of the Appropriations Committee. My name is Larianne Polk, L-a-r-i-a-n-n-e P-o-l-k, and I serve as the CEO of the Educational Service Unit Coordinating Council and I'm here today to support LB862 on behalf of the 17 ESUs, as well as Nebraska Council of School Administrators. Much of what I was going to say has been said, so I'm going to skip around a little bit and try to answer some of your questions. I think it's important to understand, as was said before, that this request for additional three years of funding is not new. It is an extension of funding that's already been obligated. So we are just asking, could you please do it for three more years. The reason for that 2030 timeframe, and Senator Spivey, this might help with some of that, you know, we have-- this initiative started in 2024, when students were four years old. The statute requires four years old through grade three. So this year, as Claudine was just mentioning, was the first year that we had our first seven regional literacy coaches placed in, in regions to provide support. This is the first year. Next year, '26-27, will be year two, but that's the end of the funding. So to follow that cohort of four-year-olds through their third grade year, would take us through 2030, which is really the crux of the reason why we really would like to have those dollars follow that cohort of students. As far as the, the changes or have there been any student outcomes that we can share, we'll get some numbers to you that we have preliminarily. But you're going to see more of those outcomes delivered to you as the years progress because more teachers are going to be taught the science of reading techniques. So what we're doing, what Claudine and her colleagues are doing aren't, aren't

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working with students. They're working with teachers, and they're working with administrators. And they're putting systems in place in school districts so that appropriate teaching methods for, for literacy are being practiced across Nebraska. So we wouldn't be able to right now say, I know I'm a regional literacy coach and I'm providing services to kids, and I can tell you exactly what those kids' outcomes are going to be. Because that is not the role of the regional literacy coach. Their role is to provide really foundational work so that there is consistent research-based, evidence-based instruction delivered by teachers K-3, so that we have really good outcomes later on. So that was one thing I wanted to, to specify for you. Let's see, what else can I follow up for you? You know what, one of the things that ESUs just want to make sure that we highlight for you is that I know that you all, the Legislature, has really made a commitment that we've heard that unfunded mandates is not something you want to do. So if this statute continues, 79-2607 is the statute, the statute requires that ESU's provide regional literacy coaching. We think that work is the right work. That funding expires at the end of '26, but the expectation for regional literacy coaching does not. So in order to avoid that unfunded mandate, we would just really appreciate the consideration of continued training-- funding through 2030. I think everything else that is in here has already been covered. I'll just pause here and ask if you have any questions.

**CLEMENTS:** Are there questions? Senator Armendariz.

**ARMENDARIZ:** Thank you. Thank you for being here. I do have a question. So as we transition to the science of reading--

**LARIANNE POLK:** Correct.

**ARMENDARIZ:** --and we need these coaches to teach the teachers and make sure the classrooms are all being uniformly taught this newer reading curriculum, I would expect that, that to drop off. Once it's this new standard, everybody already knows how to do it, and then we could just integrate those coaches back into the classroom or into administration-- excuse me, wherever they were at before. So after this pilot program and we get college students one cycle through that are learning now in college how to teach this, once they graduate, how long, how long do you think that cycle is going to take?

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**LARIANNE POLK:** Yeah, that's a good, great question. This program, what the regional literacy coaches that are our personnel in ESUs are intended to do is provide that just-in-time instruction to teachers who are already in the field, right? They're already teaching, they maybe have other education that has brought them to K-3 teaching that is not science of reading. So these regional literacy coaches are to get out there and really help those situated teachers get to a level that they need for science of reading. There's another part to this whole work under the Nebraska reading plan that NDE is working on that really has a partnership with the teacher ed, the educator prep programs. So there's work being done with the colleges and universities to ensure that the, the programs that are teaching these teachers how to teach literacy, that they are being taught the science of reading. So that when those teachers come out of Nebraska universities and colleges, there would not be that need as much for those regional literacy coaches after they have gone through. That is also a four to five years series of years. So you see how that all kind of aligns together. You know, hope is not always a great strategy. But we hope that by the end of that, that 2030, that we do have all the teachers who are situated and seated, and the teachers who are coming out of Nebraska's EPP programs have that science of reading instruction. And that need for the, the level of regional literacy coaching we're delivering now might be less. But we know we're always going to have teachers moving into the state that may not have science of reading, or we have teachers maybe who have left the profession and come back that don't have that. Or maybe they're coming in with an alternative teaching permit. There's always going to be a need for regional literacy coaching to help ensure that that level of consistency for literacy instruction is in place across the state.

**ARMENDARIZ:** Thank you.

**CLEMENTS:** All right, other questions? Seeing none, thank you for your testimony.

**LARIANNE POLK:** Thank you.

**CLEMENTS:** Are there other proponents for LB862? Good afternoon.

**TOM VENZOR:** Good afternoon, Chairman, members of the Appropriations Committee. My name is Tom Venzor, T-o-m V-e-n-z-o-r, I'm the Executive Director at the Nebraska Catholic Conference. We represent the public

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policy interests of the Catholic Church in Nebraska. And just, you know, we have 112 Catholic schools around the state of Nebraska, around 27,000 kids in our Catholic schools around the state. So just some comments I wanted to make in support of the continued funding of the ESU kind of regional coaches, a little bit to kind of take a step back and give you some context within which the non-public school community is working with in this funding mechanism. As has been mentioned already, back in 2024 the Legislature created base-- changed the Reading Improvement Act to ensure that teachers grade age four through grade three basically ensure-- to ensure they have evidence-based reading science, science of reading training, so that they're trained in that area. Through that implementation of that statute, then the Depart-- Department of Education also kind of further interpreted that through their professional learning system to ensure that, you know, to, to sort of spell out what that means for teachers to have this type of training. So for-- so that's a pretty big change, right, in terms of what the teachers need to know to be able to teach and to, you know, to be certified and licensed and to maintain, you know, just sort of upkeep with state statute. So with that and with those shifts in the training and what the teachers need to know, this ESU coaches provision was offered as a way to help teachers obviously receive instruction in science of reading and evidence-based practices. And it's, it's, it's really the only mechanism the non-public school community and teachers have in terms of being able to access training to the evidence-based reading programs that is funded. So for us, access to these ESU regional coaches is important. That said, you know, the NDE does have other forms of funding that they've been using. They have both a federal grant and then a private grant. Between the two, I think it's \$80 million over five years to also provide other science of reading, sort of science of reading training. Notably, neither one of those grants are designed for non-public school teachers to be able to have access to those. So really the ESU regional coaches program at \$2 million is the only thing we have access to. And even then, as you've kind of heard, you know, it's, it's \$2million, there's only so many regional coaches, they have to serve the entire-- they're serving all the schools in those districts. So, so really the thing that we constantly sort of fight for in these kind of programs is ensuring that, as these programs are implemented, that there's some level of equitable services to ensure that our schools and our teachers are getting a certain sort of percentage and provision of those services so that we

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can benefit from it as well. But that said, we're supportive of this. It's been benefiting some of our non-public schools. Some of them, some of them are a little bit of mixed reviews, depending on the ESU. But so far for many of our schools, it's been helpful to have these ESU regional coaches. So we're supportive of this and just wanted to give some little context and background from the non-public school perspective. Happy to take questions.

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

**TOM VENZOR:** Thank you very much.

**CLEMENTS:** Are there other proponents for LB862? Seeing none, anyone here in opposition? Seeing none, anyone in the neutral capacity? Seeing none, do we have comments for the record? We have position comments: Proponents, 5. Opponents, 0. Neutral, 0.

**PROKOP:** Thank you, Chairman Clements. I'll try and keep the close here brief, but I think just-- and I appreciate really excellent questions I think from, from committee members. I would just reiterate so when this program started in 2024, you know, these are four-year-olds that we're talking about. And as they, as they have continued, and we're three years into the program, and hopefully taking it, you know, if this bill moves forward, through the third grade, then we will really have the metrics to be able to tell if this is-- has been successful or if it's been working. Because I think that data-driven-- at this point in the program, we just don't have enough information to be able to know if it is working. I think we have a lot of indicators and we're seeing a lot of positive pieces, but that hard data, I know several people asked questions about, I think it's pre-- premature to be able to expect that. And that's also kind of why we need to take it through this, through this time period. I also would be remiss if I didn't mention, since there are so many questions about data, that the Department of Ed also has built a data framework to connect these-- this work to students after they get out of the third grade, so you can see those kind of outcomes. So, you know, we would be able have measurements as far as whether or not this program was successful. You know, getting them to the third grade and making sure that, that their reading was, reading was on par and then how that translates into their schooling after the third grade. So I think that's a really important thing to note. And then last, last but not least, I know Senator Murman's bill was mentioned. I just wanted to comment on that.

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I think regardless of how, how people feel about, about that bill in and of itself, is that it's a, it's a program like this that I think is going, you know, these early, these early years and having the early literacy skills built, having the coaches in place to help support the teachers and the teachers who then are, are doing the work with the students, that's ultimately what's going to make those kids successful and making sure that we're getting them on grade-- grade-level reading. So you know, I just wanted to make mention of that too. So with that, I'll, I'll stop talking and happy to answer any questions.

**CLEMENTS:** Any other questions? Seeing none.

**PROKOP:** Thank you.

**CLEMENTS:** Thank you. That will conclude LB862. We now open the hearing for LB1054, Senator DeBoer.

**DeBOER:** Good afternoon, Chair Clements. This is the first time I've been in "Approps" since you guys had a real hearing room. So congratulations on not having the tiniest room in the whole building.

**CLEMENTS:** Monday and Tuesday only.

**DORN:** We have to go back tomorrow.

**CLEMENTS:** You got lucky

**DeBOER:** Well, all right. Sorry.

**CLEMENTS:** Welcome.

**DeBOER:** Good afternoon, Chair Clements and members of the Appropriations Committee. My name is Wendy DeBoer, W-e-n-d-y D-e-B-o-e-r, and I represent the 10th Legislative District in vibrant northwest Omaha. Today I'm introducing LB1054. LB1054, while a simple bill, represents part two of efforts to increase our K-12 schools' cybersecurity posture. To bring everyone up to speed, let me fill you in on part one, which I am passing around. That is a different bill, you will note, but I wanted you to see it because it's part of the same overall effort. So part one is LB599, the Holistic Approach to Cybersecurity for K-12 Education Resources Act, or the HACKER Act. Yes, I love that acronym. It is designed to improve the cybersecurity

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capabilities of our K-12 schools, and it does this through a few different ways. First, the bill creates a framework by which schools can assess their cybersecurity posture right now and into the future to understand the vulnerabilities that might exist. Second, it creates the process by which cybersecurity equipment can be vetted by our state's OCIO and made available to schools based on the assessment that I just mentioned. Finally, the Department of Education, in consultation with the state's OCIO, shall develop a model cybersecurity policy for Nebraska schools, so we can all kind of get to the same page. The most recent amendment, which you have in front of you now, because I passed it out, brings the first year price tag for this bill down to \$250,000. In a tight budget, budget year, any new dollar we are spending needs to be justified, I know that, and that's why I'm here today. I think this is an incredibly wise investment. Cybersecurity should be the-- of the utmost importance when we're thinking about how to protect our children. Our schools have a lot of data on our children. Valuable and important information to be sure, but nonetheless, in the wrong hands, it could be easily abused. Our students' schedules and specific whereabouts could be deduced from information seized in a cyber attack. Their academic performance, health information, social security numbers, and that of their parents', and more could be used against parents or our kids themselves. Network outages or disruptions caused by cyber attacks harm the quality of lessons being given and the coordination between staff, all negatively impacting the education provided. Without cybersecurity investments, our schools are in jeopardy. LB599 and LB1054 are smart investments in cybersecurity, ensuring schools can get the assistance they need to improve, improve their cybersecurity posture without increasing the school's property taxes. So this is the kind of-- I know it's a tight budget year. I know you all have a really hard job. But this is a type of thing where I think a kind of investment now helps to forestall costs later. Because if we do have one of these big attacks like we've seen in other states, where one of our school districts is held for ransomware or whatever. The cost that that incurs is much higher than \$250,000. So the idea is try and get an assessment of where we're at. Try and vet the products that we're using so that we are all kind of on the same page. Getting everybody kind of together and then creating a plan so that can all get where we need to go on cybersecurity. So that's the bill. Happy to answer any

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questions. Also, I have Dr. Polk behind me who will answer some questions for me, so yeah.

**CLEMENTS:** Senator Armendariz.

**DeBOER:** I'm sorry.

**ARMENDARIZ:** Thank you for being here. Have you received-- so this is for the assessment-- the \$250,000. And then have you received a, a fiscal note from OCIO? Inevitably, they're going to say how much it's going to cost to implement cybersecurity at all the K-12 institutions, so how much will that cost?

**DeBOER:** I don't think we know until we know what we don't know. So part of the problem is we don't know where the vulnerabilities are entirely. And so we have to kind of-- part of assessment is to figure out, OK, how vulnerable are we? And then once we know that, then we can start to figure out how much it would cost to remediate all of that. And also, I've done enough work with the cybersecurity stuff now to know we're never going to get to zero risk.

**ARMENDARIZ:** You cannot get to zero risk--

**DeBOER:** Right, we're never gonna get there.

**ARMENDARIZ:** --just so you know.

**DeBOER:** We're never going to get there. So at some point, we look at our vulnerabilities and we say, where are we comfortable? And it might be different for each school district, right? So there'll be a model program that's written, but there might be a difference between school districts on how much risk they're willing to accept for a variety of reasons, right? And so that will affect how much it costs too, is, you know, do I want to get to 90% risk-free or 15% risk-free? Those are very different things. And there, you know, I don't think anyone's wanting to get 15%. But, you know, there's, there's a range. So I'm not trying to dodge your question, I'm just saying like I don't think we know yet.

**ARMENDARIZ:** Is this gentleman going to testify?

**DeBOER:** That's my staffer, but--

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**ARMENDARIZ:** OK.

**DeBOER:** --there's Dr. Polk over there. She'll testify. He's not allowed-- he's not allowed to testify.

**ARMENDARIZ:** OK. She can--

**DeBOER:** She can give you a sense--

**ARMENDARIZ:** --better give me an, an idea.

**DeBOER:** She can give you a sense, but I don't think-- again, I don't think we're gonna know until--

**ARMENDARIZ:** I think it's really important for people to understand just how expens-- not that it, I mean, it's always said it's not a matter of if, it's when.

**DeBOER:** Sure.

**ARMENDARIZ:** It's going to happen eventually. And the less you are protected, the more impactful that might be. But it's very important to let the taxpayer know how costly that is.

**DeBOER:** And that's part of--

**ARMENDARIZ:** It's very, very costly.

**DeBOER:** --what this first step is, is to say, where are we at now, like--

**ARMENDARIZ:** But once you get that ball rolling, and that's why I want everybody to be very clear in the beginning-- once you get the ball rolling, it can't stop.

**DeBOER:** You mean once we assess--

**ARMENDARIZ:** That's right.

**DeBOER:** --how vulnerable we are?

**ARMENDARIZ:** Yes.

**DeBOER:** Do you think it would be better not to know?

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**ARMENDARIZ:** No. That's why I want to know as much as possible, and the public to know as much as possible the path you're going down is going to be extremely expensive for the cybersecurity infrastructure that needs to be put in place.

**DeBOER:** Yeah, I mean, I have done enough work-- so I'm the Legislature's representative on the Nebraska Information Technology Council, and one of the things that the NITC does is it works with cybersecurity. Which is why like this summer we had the cybersecurity briefing and different things like that. And I know that the OCIO has made some pretty great strides here in Nebraska, and that there are maybe some efficiencies to be had working to get all of us together.

**ARMENDARIZ:** Yeah.

**DeBOER:** And that's part of the reason I brought the HACKER Act is because I think if we all work in little silos trying to figure out how we're going to address this issue, it gets more expensive than if we work together.

**ARMENDARIZ:** I agree.

**DeBOER:** So.

**ARMENDARIZ:** I agree.

**CLEMENTS:** Are there other questions? I have a couple of questions. Talking to the analyst here, looking at LB599, NDE has on page 3, \$250,000 for fiscal year 2027 and each fiscal year thereafter. Would that be in addition to this \$250,000, or are they the same number?

**DeBOER:** It should be the same.

**CLEMENTS:** Same request.

**DeBOER:** Maybe I did this wrong with asking you guys. I think I'm supposed to come ask you guys for the money, right?

**CLEMENTS:** Well--

**ARMENDARIZ:** [INAUDIBLE].

**CLEMENTS:** --this bill has \$250,000 and this bill as 250--

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**DeBOER:** It's the same 250. I mean, the amendment that you have in front of you is a bill that is still st-- still sitting in committee. I haven't asked for it to be exec on.

**CLEMENTS:** OK.

**DeBOER:** And I am, I am thinking that that 250 is the same 250 I'm talking to you about today.

**CLEMENTS:** Then on page 6, it mentions \$250,000 again.

**DeBOER:** I don't have the pages to look-- oh wait, I bet I do.

**CLEMENTS:** And then \$4,250,000 in 2028.

No, I don't.

**CLEMENTS:** So I think you could just clarify that back to us, and especially to our analyst--

**DeBOER:** Sure. It's all the same?

**CLEMENTS:** --if it's 250,000 one-time. That's--

**DeBOER:** It's all the same \$250,000.

**CLEMENTS:** Need to clarify if it's--

**DeBOER:** I intend-- I will tell you what I intend. I intend it to be the same \$250,000. I intend the total amount I'm asking for, Senator Clements, to be \$250,000.

**CLEMENTS:** For this next fiscal year.

**DeBOER:** This year. Yes, correct. We can talk about it more, but I am trying to say--

**CLEMENTS:** [INAUDIBLE].

**DeBOER:** --\$250,000 is the amount.

**CLEMENTS:** Yeah. If this amendment is-- passes, then this bill will need to be IPPed so that otherwise it would add, it would add together and be doubled, so.

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**DeBOER:** However--

**CLEMENTS:** That's just technicalities.

**DeBOER:** Yeah, however we need to do that technically, we'll figure it out.

**CLEMENTS:** So, we'll ask them to monitor that.

**DeBOER:** I will work with the committee to make that work.

**CLEMENTS:** Thank you for the clarification.

**DeBOER:** Yeah, sorry about that.

**CLEMENTS:** But that's, that's all right. Any other questions? Seeing none, are there proponents for LB1054? Good afternoon again.

**LARIANNE POLK:** Good afternoon again. Thank you for letting me be here again, Chair Clements and members of the Appropriations Committee. My name is Larianne Polk, L-a-r-i-a-n-n-e P-o-l-k, and I serve as a CEO of the ESU Coordinating Council, representing ESU's, 7-- Nebraska's 17 ESUs, Nebraska Rural Community Schools Association, Nebraska Council of School Administrators, and the Schools Taking Action for Nebraska Children's Education organization. I'm here today in support of LB1054, the A bill for LB599. Doing nothing will not cause the cybersecurity threats to our schools to go away. Waiting will only lead to greater disruption, higher costs, loss of instruction. Cybersecurity is an area where proactive investment is far less expensive than reactive response. LB599 continues to move forward through the Education Committee, so I want to focus a little bit of my testimony on two parts: statewide collaboration and the grant program. Cyber threats don't stop at a district boundary, state boundary, governance boundaries. A coordinated statewide approach allows Nebraska to reduce duplication, share expertise, and build consistent systems for risk analysis, cybersecurity frameworks, and the vetting of products and services. This collaborative approach is supported by the Nebraska Department of Education, the Catholic Conference, educational service units, and other partners across the state, reflecting broad agreement that cybersecurity in education requires coordination rather than isolated district-by-district solutions. The State Office of the Chief Information Officer has been an essential partner in the redrafting of LB599 and in conversation around this

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work. LB1054 provides the funding mechanism to begin the work of laying the foundation and creating a grant program that will allow public schools, ESUs, and non-public schools to apply for cybersecurity goods and services. This is especially important for schools that don't have the internal capacity to do this work on their own. It's also important to note that this re-- request reflects a significant scaling back from earlier concepts. The original ask I have here is \$6.5 million, but originally it was a \$10 million price tag. What's before you now is a modest, targeted investment to get the groundwork laid at \$250,000. It would build a foundational system that's needed for statewide coordination. LB599 received overwhelming support when it was heard in the Education Committee on March 11th, 2025. It sits in committee at this point. Advancing LB1054 allows that policy work to continue through that Education Committee. For these reasons, I respectfully ask the committee to advance LB1054. From a budget perspective, the most expensive thing that you can do is nothing. So I appreciate your time, and I'll answer any questions you have.

**CLEMENTS:** Are there questions? Senator Lippincott.

**LIPPINCOTT:** A couple years ago, I got to visit the ESU in Columbus. I learned a lot, saw the room full of computers. This bill is not adding more bureaucracy. Just confirm that. And also, just more specifically, why is it that the state needs this versus each individual school district or each individual ESU? Because we're obviously all tied together with the internet. So elaborate on this, if you would, please.

**LARIANNE POLK:** Sort of answered the question in your question. So we're all tied together. So you're right. First of all, what I want to clarify is that the \$250,000 in year one is not adding government. Nobody wants more government than we already have. NDE, OCIO's office, the ESUs already exist. So what it is doing to help establish statewide consistency is putting someone as a point of contact to coordinate the work. So my CIO will be talking to you in a little bit, and he can talk to you a little more about what that would look like. But right now, the potential could be we have 245 school districts purchasing goods and services one at a time, 175 non-public schools purchasing services one at a time. We can scale up our, our purchase power by having that work done through one collaborative point of contact. So that's what this will be doing: organizing and

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collaborating based on that assessment that Senator DeBoer was talking about earlier, identifying where the gaps are in our cybersecurity posture. Then the, the work would be done by the implementation coordinator to start doing some negotiations to get the price tag down on some of those products. I know that the OCIO's office is doing a lot of work on, on vetting products and services through a program that they're starting to implement. And with their partnership, we can, we can feel comfortable that the products that are being put into the school districts and trained in the districts are of the level that meets the scrutiny of our state OCIO. Does that answer your question?

**LIPPINCOTT:** Mm-hmm.

**CLEMENTS:** Other questions? Seeing none, thank you for your testimony. Are there other proponents for LB1054? Welcome.

**LANE CARR:** Thank you. Good afternoon again. My name is Lane Carr, L-a-n-e C-a-r-r, and I represent the Nebraska Department of Education, and we are in support of LB1054. Thank you, Senator DeBoer for bringing this important bill and keeping the conversation of cybersecurity in our schools going. The safety and security of our students each day is so important to our educators, as you all know, and so important to us as well. Increasingly, as we've heard already, threats have been manifesting themselves in our schools, not necessarily in the physical space, but rather online, and that makes cybersecurity a key component to conversations around school safety. We appreciate LB1054 and the flexibility it provides to the State Department of Education to provide these grants to public and non-public schools in collaboration with the ESUs, the OCIO, and Dr. McCarville and his team, and our public school and non-public school districts as well, and lays a strong foundation for future investments that this Legislature may make. We are appreciative of LB1054 and ask you to advance it to-- through committee. And we look forward to working with Senator DeBoer and all of those partners once again, should any other versions of additional funding or asks of the state board come through. So with that, I'll pause and see if there's any questions.

**CLEMENTS:** Do you have any questions? Seeing none, thank you for your testimony. Other proponents for LB1054. Good afternoon.

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**SCOTT ISAACSON:** Good afternoon. Thank you, Chair Clements and members of the Appropriations Committee. My name is Scott Isaacson, I'm the chief information officer for the Educational Service Unit Coordinating Council, and I appreciate the opportunity today to talk to you in support of LB1054. Every day, Nebraska schools--

**CLEMENTS:** Would you spell your name please?

**SCOTT ISAACSON:** Oh, I'm sorry. S-c-o-t-t I-s-a-a-c-s-o-n. I wrote that down, sorry I didn't say that.

**CLEMENTS:** Thank you.

**SCOTT ISAACSON:** Every day, Nebraska schools face ongoing cybersecurity threats. A school to the east of us a few years back suffered a ransomware attack and required them to rebuild their entire network over the summer to be able to open school on time in the fall at a, at a great expense. Two school districts to the west of us, here in Nebraska as well, have also experienced ransomware attacks and had to suffer some hours of lost instructional time and some recovery costs as well to do that. Here to the northwest of us in just in the last year, a district experienced a phishing attack where a bad actor was able to cause them to redirect a substantial payment by impersonating one of their trusted vendors. And it's very difficult to recover those funds when that happens. So far in 2026, so a little more than a month, our email filtering software that a number of districts use has examined 21.5 million email messages. Of those, it's blocked 4.9 million of them and identified 4,500 as especially containing malicious content or malware. Today, cybersecurity efforts across schools and ESUs are uneven. We can see inconsistent readiness, limited visibility into risks, and lack of a shared framework to guide decisions. Those gaps create vulnerabilities that can be exploited, often resulting in lost instructional time, financial costs, and reputational harm. Nebraska school districts vary widely in size, staffing, and internal capacity. Larger districts often have dedicated people and internal systems to manage this cybersecurity work, while smaller or more rural districts may rely on limited staff who carry multiple responsibilities. A coordinated statewide approach would allow districts to retain local control while still benefiting from shared frameworks, expertise, and infrastructure that would be inefficient to replicate independently. This funding enables critical foundational work. First, it establishes a statewide coordination

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structure, a clear hub that aligns public and non-public schools, educational service units, the Department of Education, Office of the Chief Information Officer, and other partners. Without that coordination, efforts remain siloed, duplicative, and less effective. Secondly, the work supported by this appropriation is carried out close to schools where readiness assessments, tool adoption, training, and local partnerships already occur while benefiting from the shared statewide infrastructure. The funding in LB1054 is not about purchasing a product or a solution, it's about getting foundational systems in place so Nebraska can manage cybersecurity in education more effectively and responsibly. Shared systems and coordinated support reduce risk, improve response, and lower long-term costs. The question is not whether schools will face cyber incidents-- I think I heard this a little bit ago. The question is whether we invest modestly now to prevent them or pay a lot more later to recover from them. For these reasons, I strongly support advancing LB1054. Thank you.

**CLEMENTS:** Are there questions? Senator Lippincott.

**LIPPINCOTT:** Yes, sir. One out of five searches on the internet done on our mobile devices is for pornography. Does this bill help protect kids from inappropriate material on the Internet?

**SCOTT ISAACSON:** It does. The content filtering systems that are in place at schools are one part of that protection. And these additional assessments and cybersecurity prevention measures and services that will, will be coming and recommended are additional layers in that to protect our kids from being exposed to those types of things, and also from their data from being exposed to others who would misuse it.

**LIPPINCOTT:** I have an additional question. This is about three years old. I heard a statistic that at 9/11, 2001, the Pentagon got hit one million times a year for cyber hits. But as of three years ago, it gets hit one billion times a day. How many times does our systems here in the state in for the high schools with the ESUs and all that, how often do they get hit?

**SCOTT ISAACSON:** It's a, it's a delicate question to answer, and a part of the, the strategy for this is to establish a more standardized reporting channel for those kinds of incidents. The Office of the CIO is working on a center for collecting and automatically logging those

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types of events. And right now, because there's not a standard way of reporting those things, we don't have great data. I had those anecdotes that I mentioned before. I'm, I'm on a chat with a number of ESU and school technical directors, and we, we talk privately about those kinds of things. But we want to make sure that there's a more standardized way of reporting those and also collecting technical information privately that we can use to help secure each other without exposing those school districts to vulnerabilities and liability by exposing that information. So that's a part of the strategy.

**CLEMENTS:** Have a question, Senator Prokop?

**PROKOP:** Thank you, Mr. Chairman. And thank you for being here, Mr. Isaacs-- Mr. Isaacson. Just a quick question. So in absence of the HACKER Act, how, you know, we have this patchwork of, of school districts and how, how they approach this. What, I mean, could you give any insights into, you know, are half of our schools have some type of plan in place? Are there, I mean, do you have any ballpark information around that, that how unprepared are we for this on an individualized basis?

**SCOTT ISAACSON:** I don't have hard numbers to offer there. But I observe that all of the ESUs and, and lots of the school districts are taking steps. And we're, we're preaching about this and getting the word out there. Just this, this winter, spring coming up, I know that the Department of Education is adding questions to the technology profile that schools complete, which will start to collect some of that information. Our, our national cybersecurity agency, CSA, has a recommended baseline assessment that is more in depth and that's something that we, with our partnerships with the OCIO and the NDE, would work to put in place with schools with this funding.

**PROKOP:** OK, thank you.

**SCOTT ISAACSON:** But we don't have heart numbers right now.

**CLEMENTS:** Senator Spivey.

**SPIVEY:** Thank you. Thank you, Chair. Thank you so much for being here. So this is kind of a follow-up to Senator Lippincott's question. With the shift in tablets and kids having more access to tablets, I just read an article actually maybe yesterday around how adults are getting

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into like these apps like the Roblox and things like that. And they lured two kids, one from Omaha actually, into sex trafficking, and one of the kids was just recovered and brought back home. And so do you imagine like outside of hacking and information for like ransom, are you seeing a need of like these kids are on their tablets doing work, there's apps that they're using to read or do whatever, that there's, there's vulnerabilities on that aspect? Or is it more so the cybersecurities and vulnerabilities that you can see now are more so just people taking the data?

**SCOTT ISAACSON:** All of that happens, I think. And so that, that is also a concern. Some of the more advanced services that are available, I call it endpoint detection and response capabilities. It can be on school-owned devices, can start to detect that type of activity and block it as it happens. It's sort of an extension to the content filtering that we have had in place before. So I expect that we'll find a need for that. We've already done some work with cooperative purchasing to try to lower the cost of those things. But that-- those are more expensive technologies and not, not widely deployed yet.

**SPIVEY:** Thank you.

**SCOTT ISAACSON:** We're working toward that.

**CLEMENTS:** Senator Armendariz.

**ARMENDARIZ:** Thank you for being here.

**SCOTT ISAACSON:** Thank you.

**ARMENDARIZ:** Can you tell me if you have a standard plan, say to Senator Spivey's point, use of tablets and phones while you're in school, if somebody is on the Wi-Fi, do you have pretty robust lockdown of what they can access while they're on schools or recommendation to all the districts of really filtering? I mean, in the professional world, that's really locked down. And is it in the schools as well?

**SCOTT ISAACSON:** Yes, it is.

**ARMENDARIZ:** Like no social media sites?

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**SCOTT ISAACSON:** Those-- right now, those decisions are up to the local school districts, and I think the decision probably would remain that way. Recommendations are definitely that a lot of those things that don't necessarily have an instructional purpose are blocked, filtered. And certainly there are requirements for eligibility for the federal e-rate funds that require a certain level of content filtering. I don't believe it goes to the level of social media, but certainly for the more objectionable content like pornography and, and those malicious sites, those types of things are expected to be filtered.

**ARMENDARIZ:** Largely in professional life you can't get on social media, you can't get on YouTube, you can't get on Netflix.

**SCOTT ISAACSON:** I think, I think that that's--

**ARMENDARIZ:** I would expect that should be in children's classrooms as well.

**SCOTT ISAACSON:** Mm-hmm. I, I can only say it's not a universal policy across the state yet.

**ARMENDARIZ:** Thank you.

**CLEMENTS:** Any other questions? Seeing none, thank you for your testimony.

**SCOTT ISAACSON:** Thank you.

**CLEMENTS:** Are there additional proponents for LB1054? Good afternoon.

**TIM ROYERS:** Hello. I think we're safely in good evening territory, I think, at this point. Hello again, Chair Clements and members of the Appropriations Committee. For the record again, my name is Tim, T-i-m, Royers, R-o-y-e-r-s, I'm the president of the Nebraska State Education Association and I'm here on behalf of our members to testify in support of LB1054. I'm also here on the behalf of the Nebraska Council of School Administrators and the Nebraska Rural Community Schools Association who are also in support. As you've already heard, LB1054 is the latest iteration of a series of bills to try and secure the needed first steps to tackle cybersecurity concerns within our public schools, ESUs, and approved or accredited non-public schools. I try and frame this, I taught geography for eight years, and so one of the core concepts we teach in geography is about infrastructure and how

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infrastructure can be kind of a hard thing for 15-year-olds to really get excited about. And so we talk about how infrastructure is something that you fundamentally engage with on a daily basis, and you don't even usually think about it until it's not working, right? You don't come into the Capitol and say, hey, I'm thrilled my shower turned on this morning, or hey, the light switch actually, you know, turned the light on. You just assume those things are gonna happen. But when they don't, again, your day can come to a grinding halt. And one of the things we teach is that what constitutes infrastructure evolves over time. You know, like when I was in high school, we wouldn't consider cell phone towers part of infrastructure, but now we certainly do. And cybersecurity would certainly fall into something that has evolved into being truly core infrastructure with what we do now. There are a lot of issues surrounding education being debated in this building right now, from third grade literacy to behavior policies to how we can improve benefits for educators. And I would bet, if I were to ask you as state senators to name the top 30 most important issues in schools, you would not name cybersecurity, which is why we're here and why we wanted to testify on this in person. Because not only from the 30,000-foot view that you already heard from previous testifiers, but from within the classroom even itself, school has evolved dramatically in the last two decades. And a ridiculously large amount of what we do is now digital. If I even want to give a student permission to go to the restroom, I used to hand them a pass, a physical pass. I don't even do that anymore. It's called an e-hall pass. I do it on the computer. So in many districts even, phones are now done over the network via voiceover internet protocols. So if there's an attack that disrupts service, which has happened to me as a teacher, where I had no ability to call parents during my planning period because we were dealing with a disruption and our phones were down, not just the internet. In addition, as you already heard, private data can be accessed, phishing scams are becoming more and more sophisticated to the point where even the most tech-savvy educator can click on the wrong link and compromise the system. There was a year as a teacher where we had a, there was a DDoS issue. We couldn't access our grade book and it was parent teacher conferences that night, which made parent teacher conferences a little interesting when we don't have access to our, our gradebook. These are just some of the reasons why Harvard University declared that cybersecurity is quote, the greatest threat schools are not ready for last year. Last year's version of the bill, as you already heard, I would consider

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what it had an aspirational price tag with a \$10 million fiscal note. This newest iteration has been adjusted to better accommodate the fiscal realities of the state, and again is only asking for a quarter of a million dollars. The old saying, an ounce of prevention is worth a pound of cure, is certainly true here. This incredibly modest price tag will help us avoid millions of dollars in future costs by helping us mitigate or outright steer clear of a serious cyber attack on one of our schools. I'm happy to answer any questions you may have, and I thank you for your consideration.

**CLEMENTS:** Senator Lippincott.

**LIPPINCOTT:** Has Nebraska schools, have they been attacked with ransomware, and can you elaborate on that, that a little bit?

**TIM ROYERS:** Yeah.

**LIPPINCOTT:** In other words, my question I'm trying to get to is sometimes getting cybersecurity can be cheaper than experiencing ransomware attacks.

**TIM ROYERS:** Yes. And yeah, we certainly have. I can't speak to the extent, because again, when I knew about it, it was when I was in the classroom and we were notified that we were dealing with it. But yes, we have, and I would certainly agree with your sentiment that it's far cheaper for us to invest in strong cybersecurity than deal with that on-- I mean, you already heard an example. We had a school district lose \$1.8 million this summer because of a sophisticated phishing attack. And so I think we've already seen a very real example of the cost of not having robust cybersecurity.

**LIPPINCOTT:** Where was that?

**TIM ROYERS:** It was in Broken Bow.

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

**TIM ROYERS:** Thank you.

**CLEMENTS:** Additional proponents, please. Welcome.

**TOM VENZOR:** Good evening, Chairman Clements and members of the Appropriations Committee. My name is Tom Venzor, T-o-m V-e-n-z-o-r,

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I'm the executive director of the Nebraska Catholic Conference. And don't let it go to waste that I followed Tim Royers to support a bill today. But anyhow, I won't reiterate-- I'm not going to pretend to be an IT or a technology expert of any sort. You've heard a lot of, I think, the rationale behind why this is important. We're grateful, of course, that in, in something like this, when we talk about things like health and safety, cybersecurity being, I think, in, in that place of safety, that we're ensuring that this is something for all schools, all kids, you know, everywhere. So we're appreciative, of, of course to be in, in this bill, to ensure that we can be part of this. Talking with kind of our school IT people, including people who worked previously for IC-- OCIO, they find this to be a really important aspect in terms of having the assessments and the collaboration. I think one thing I can sort of testify to that we've experienced in the non-public schools setting is just being able to be connected to the ESUCC, particularly on textbook purchasing. Their ability to kind of collaborate with them and their purchasing power when they have their collaborative agreements really helps us to be able to purchase things at, at much lower costs than what we would be able to do on our own. So I think there's a lot of value. When we have issues like this where you can scale them, where we can come together and basically work together to address really major issues, I think is pretty important. So I just wanna testify to our support of this, and I think we will feel confident too about it being housed with the ESUCC and the other partners that will be involved in this effort. So with that said, thank you very much for your time, and I'm happy to take questions.

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

**TOM VENZOR:** Thank you.

**CLEMENTS:** Any other proponents for LB1054? Seeing none, anyone here in opposition? Seeing none, anyone here in the neutral capacity? Senator DeBoer, would you care to close?

**DeBOER:** Just briefly, because I do want to take a victory lap that I did have Tom Venzor and Tim Royers both on the same side. Just wanted to do that. Also say that really what we're looking at here, of course, is just trying to get everyone going in the same direction and get some efficiencies out of it. And at the same time, get the best outcomes for everyone. So the technical question we can resolve, I don't think that's a problem. But no, we're looking for \$250,000 to

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get the ball rolling, to get everybody going in the same direction. I can tell you that the OCIO has already done a good job of, of starting to get that going, and they've put together the JSOC. And we have things happening in Nebraska that are going in right direction. We just need to get the schools dovetailed into all of that, so yeah.

**CLEMENTS:** Are there questions? Seeing none, thank you, Senator.

**DeBOER:** Thank you.

**CLEMENTS:** We have comments for the record. Proponents, 6. Opponents, 0. Neutral, 0. That concludes the hearing for LB1054. We'll now open the hearing for LB1140, Senator Spivey.

**SPIVEY:** Thank you, Chair Clements and members of the esteemed Appropriations Committee, which I heard is the best committee. I'm ready to land this plane. So hopefully I don't keep you here this long. So LB1140, and you have a handout for LB1140, really came out of my experience last session in this interim. I found myself doing a lot of work in the juvenile justice space, not thinking that I would be. Most of the kids that are represented in detention centers, as well as on supervision are black boys explicitly from District 13 and District 11. District 13 is mine. And so I spent a lot of time going inside of DCYC. I've been on shadowing with probation officers to really think about what policy can we have to go upstream on this issue. It's really important. I think it's not a good use of taxpayer money. And we know that kids that are navigating-- juveniles that are navigating being system-impacted have the highest opportunity for rehabilitation to integrate back into society successfully. So I flat out asked these kids, I'm like, hey, you are 16, you are facing adult charges. What could I do as a policymaker to change your experience? What would that need to look like? And a number of kids in all of these different settings, from radius of DCYC at their home, on their supervision visit said, I want a job. I want a job. I need to be able to help take care of my family, and I want work with my hands. And so I set off on this quest to think about how can I find money, knowing that we are in a deficit to pilot this type of opportunity to see in a city of metropolitan class, which is what the bill looks at, which would be in Omaha, Douglas County, how can we pilot an opportunity for these kids to think about getting a job and, and really changing the trajectory of their life? And so LB1140 does that. It earmarks dollars that are within NDE, so it's not a new ask, to help kids think about a

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pre-apprenticeship program. We know that we have workforce shortages within the trades. We know you can make a, a living wage and make really good money, have a longstanding career, and it allows kids that are system-impacted to hopefully see themselves differently. There are some adult programs, second-chance programs already in the trades, and so it would be modeled after that. The other piece that is really important to this is, as I was talking to kids within these areas, they all have some sort of disability. They have an IEP, they have a behavioral health diagnosis. And so the earmark of the \$500,000 comes from VR. You heard a little bit about the vocational rehabilitation program when NDE was talking. And so it leverages that program that has been widely successful to say, let's earmark this and let's try this with this specific population that we know is on a path that doesn't lead to their success, it's on a path that causes taxpayers to spend more money. Let's try to go upstream and give them this pre-apprenticeship to really try to change their life's trajectory, honestly, both economically and socially. And so, again, this bill is an earmark. I have talked to NDE about this. I'm not hijacking anything. They are in support of this bill. And I've really worked closely with them, as well as some of the other direct service providers in the juvenile justice space to see if they are open to this pilot, and they are. The handout that you have in front of you just has some more information about VR, how the program has been successful. Again, just to reground yourself in that. And so again, as we are having really tight budget conversations, as we think about how do we best use taxpayer dollars, I think this is a, a good opportunity to use dollars wisely and earmark them and to really hopefully see some change that we can then replicate across the state for other geographies. So with that, I will answer any questions the committee may have.

**CLEMENTS:** Senator Armendariz.

**ARMENDARIZ:** Hi. Hi. Thanks. How does this differ from what VR already does? Don't they already serve this type of student?

**SPIVEY:** So VR serves all populations in schools, and so this is specifically saying we know that this population will need additional supports. And so they would partner in conjunction with like a DCYC, with the probation officer, to also ensure that there's additional wraparound supports for their success. So I actually met the VR program administrators inside of DCYC at a career day, and we were

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talking about some of the continuation that would need to be able to follow a kid that is in detention. They usually transition out to probation on some sort of supervision, but there's not necessarily continuity of care with them with what they got inside to then now that they're on supervision, and then how do they go from supervision back to just regular, I'm in school, what's my next step in my career? And so this is more of an intentional strategy to say how do we ensure they're getting that career readiness, they're getting that support in a coordinated fashion to see if that makes a difference with their experience being system-impacted.

**ARMENDARIZ:** So it's specifically for kids that are in the juvenile justice system to work with VR, and VR is expanding their service offering for those kids?

**SPIVEY:** It would still be kids that are system impacted and have the disability.

**ARMENDARIZ:** Correct.

**SPIVEY:** So it is still within the scope of what VR already does. It's saying here is-- and like, so for example, VR can go into Northwest High School, right? And that kid might be on supervision there in their home school, but usually they're not. This is saying this specific population of kids are needing job training and they're needing an alternative that allows for them to not continue a path to go from "kiddie prison" to adult prison, honestly. And what I heard the young people saying is, I want a meaningful career with my hands. And so this will take specifically not just career training, it takes career training--

**ARMENDARIZ:** Which is what VR does.

**SPIVEY:** It takes career-training coupled with pre-apprenticeship so that they can then be successful in having opportunity to think about their career path in that specific field. So it's elevating the work that VR is already doing with other partners in community that are looking at this. And so some of the conversations that I had with NDE and VR on this is there's already a labor union that has an adult program for second chances for apprenticeship. So could they be your partner for the pre-apprenticeship program to model it because they know that they have seen great impact with adults, can they leverage

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that curriculum for juveniles? And so while this is held in the NDE budget in VR, we've already had a conversation around the other partners that need to be at the table to ensure that this could be successful.

**ARMENDARIZ:** And they don't need any more funds for that?

**SPIVEY:** Not outside of what we've earmarked, no.

**CLEMENTS:** OK. Any other questions? Senator Prokop.

**PROKOP:** Thank you for, for bringing this bill. Interesting idea here. I'm just looking at the agency offward cuts, and so within VR they've got a \$466,000 roughly general fund reduction. And it, and, and it speaks to matching federal funds, so that reduction in federal fund-- or reduction of state funds impacts federal funds. Do you know does this earmark within that? Does that impact federal matching funds at all as far as how it would apply? Or--

**SPIVEY:** It does not.

**PROKOP:** --I know you're just replacing funds or how does that impact them?

**SPIVEY:** Yeah, it does not. I asked NDE when working on this what they would feel comfortable with and what would not impact their federal match for leveraging additional funds, and this is the number that we've come up with.

**PROKOP:** OK, thank you.

**SPIVEY:** Thank you for your question.

**CLEMENTS:** Other questions? Seeing none.

**SPIVEY:** OK.

**CLEMENTS:** We'll ask for proponents for LB1140. Welcome.

**LINDY FOLEY:** Hello, thank you. My name is Lindy Foley, L-i-n-d-y F-o-l-e-y, and I am the administrator for the Office of Vocational Rehabilitation, or Nebraska VR. We are an office within the Nebraska Department of Education, and I want to thank the Chair and the committee for the time today to share information about Nebraska VR.

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And a special thanks to Senator Spivey for bringing this forward, LB1140. I'm pleased to be here at the request of the commissioner and also the State Board of Education in support of the bill with enthusiasm, not only to support this pilot, but to strategically think ahead about how this work could be expanded across the state in the future. I'd like to share a few details about Nebraska VR and how this pilot aligns with our mission and existing priorities. Nebraska VR has 11 offices across the state. Our mission and vision actually reflect a dual-customer approach. We're here to help young adults and students with disabilities prepare for, find, and keep employment while also serving adults with disabilities. We're also here to assist businesses to recruit, retain, and advance their employees. Nebraska VR staff are assigned to work directly with students and youth with disabilities and each Nebraska high school setting. We're here to support them in the preparation for the world of work. We also have dedicated staff with the primary responsibility to engage with Nebraska businesses to best understand their hiring needs. Consistent with the NDE strategic plan, Nebraska VR is here to do our part to equip learners for the workforce. We're committed to bridging the gap between education and employment for young adults with disabilities by fostering robust, proactive partnerships with education, training programs, community partners, and businesses, which seem to align well with the direction of this bill. Today, I've shared a one-page summary of the services that we deliver to students. The overall intent is to provide young adults with the information they need to gain skills and abilities to be successful after high school. After students finish their high school experience, when or if employment challenges occur, Nebraska VR can provide comprehensive employment services to eligible individuals as well. Though the focus of this bill is on services to young adults with disabilities, as I mentioned previously, Nebraska VR serves adults with disability and aims to help individuals engage and retain their employment in the workforce. Our outcomes result in a return on investment of approximately \$3.25 to Nebraska taxpayers for every \$1 spent through Nebraska VR services. In conclusion, LB1140 represents a new path for serving young people with disabilities, and Nebraska VR welcomes the opportunity to lead and collaborate with internal and external partners with the intent to improve outcomes and experiences for young Nebraskans with disabilities. Thank you. Happy to answer any questions.

**CLEMENTS:** Any questions? Senator Dover.

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**DOVER:** Yeah. How did you come up with the, you said \$1 results in \$3 and some odd cents--

**LINDY FOLEY:** Yes.

**DOVER:** --for Nebraskans.

**LINDY FOLEY:** So we use the FY total cost to provide services to individuals and then we use the number of successful outcomes to divide that by the number of successful outcomes of the individuals that we employ. We average the earnings of the individual that we've helped to place in employment, and then using a federal state sales and social security tax rate to estimate the amount of taxes either paid for or returned.

**DOVER:** OK, makes, makes sense. I'm glad your number makes sense. Sometimes we have multipliers, you're wondering, how did they get that number, you know?

**CLEMENTS:** Yeah. Thank you.

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

**LINDY FOLEY:** Thank you.

**CLEMENTS:** Additional proponents for LB1140. Seeing none, are there any opponents? Seeing none, anyone here in the neutral capacity? Seeing none, you may close.

**SPIVEY:** Thank you, Chair Clements and members of the Appropriations Committee. Again, I just want to thank NDE for working with me on this. I think it's a really important collaboration around, as a state policymaker, me identifying an issue and then working with the agency that has oversight implementation to figure out an innovative way to solve for what we're seeing in our communities. And so I appreciate the committee's consideration on this earmark. And I look forward to having further discussion, and would be happy to answer any other additional questions you have.

**CLEMENTS:** Are there any additional questions? Seeing none.

**SPIVEY:** Thank you, Chair.

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**CLEMENTS:** Thank you. We have position comments for the record.  
Proponents, 8. Opponent, 1. Neutral, 0. That concludes the hearing for  
LB1140, and that concludes our hearings for today.