MURMAN: Welcome to the Education Committee. I'm Senator Dave Murman from Glenvil, Nebraska, represent the 38th District, and I serve as Chair of the committee. This public hearing is your opportunity to be part of the legislative process and to express your position on the proposed legislation before us. The committee will take up agenda items in the order posted. If you wish to testify on the mic today, please fill out a green testifier sheet. The forms can be found at the entrances to the hearing room. Be sure to print clearly and provide all requested information. If you will testify on more than one agenda item, you will need a green testifier sheet each time you come forward to speak on the mic. When it is your turn to come forward, please give the testifier sheet and any handouts you might have to the page as you are seated. If you have handouts, we request that you provide 12 copies for distribution. If you do not have 12 copies, please alert the page when you come forward. At the microphone, please begin by stating your name and spelling both your first and last names to ensure we get an accurate record. Observers, if you do not wish to testify but would like to indicate your position on an agenda item there are yellow sign-in sheets and notebooks at the entrances. The sign-ins sheets will be included in the official hearing record. We will begin with the introducer giving an opening statement at the mic, followed by proponents, opponents, and those wanting to speak in a neutral capacity. The introducer will then have an opportunity to give a closing statement if they wish. We will be using a 3-minute light system for all testifiers. When you begin your testimony, the light on the table will be green. When the yellow light comes on, you'll have 1 minute to wrap up your thoughts, and the red light indicates that you have reached the end of your time limit. Questions from the committee may follow off the clock. A few final items to facilitate today's hearing. Please mute your cell phones or any other electronic devices. Verbal outbursts or applause are not permitted. Such behavior may be cause for you to be asked to leave the hearing room. Know that committee members may need to come and go during the afternoon for other hearings. I will now ask committee members with us today to introduce themselves, starting on my left.

HUGHES: Good afternoon. Jana Hughes, District 24. Oh, sorry, which one gets to go first?

JUAREZ: You can go.

MURMAN: You're [INAUDIBLE].

HUGHES: Jana Hughes, District 24: Seward, York, Polk, and a little bit of Butler County. Welcome.

G. MEYER: I'm second, evidently. I'm Glen Meyer, District 17: Dakota, Thurston, Wayne, and the southern part of Dixon County.

HUNT: Hi everyone, Megan Hunt, and I represent the northern part of midtown Omaha.

LONOWSKI: Good afternoon. Dan Lonowski, District 33, which is Adams County, Kearney County, and rural Phelps County.

JUAREZ: Welcome everyone. Senator Margo Juarez, District 5, south Omaha.

MURMAN: I apologize for the committee. We're, we're easily confused. OK. Staff with us today are, to my immediate right, committee's legal counsel, Don Garrell; and to my far right is committee clerk, Connie Thomas. The pages who serve our committee today are-- I'll let them introduce themselves.

ELIAS REIMAN: Elias Reiman from Lincoln, Nebraska, studying psychology on the prelaw track.

GRACE HARPER: Hi, I'm Grace Harper. I'm from Loveland, Colorado, and I'm a junior studying political science at UNL.

MURMAN: Thank you. We appreciate your help today. With that, we'll begin today's hearing with LB1112. Senator McKinney.

McKINNEY: Thank you, and good afternoon, Chair Murman and members of the Education Committee. My name is Terrell McKinney, T-e-r-r-e-l-l M-c-K-i-n-n-e-y, and I represent District 11. I'm here to present LB1112. LB1112 adopts the Statewide Standardized Grading System Act. The bill directs the Nebraska Department of Education to establish a uniform statewide grading system to be applied consistently across public, private, parochial, and denominational schools for credit bearing coursework in grades 3-12. Under current practice, Nebraska school districts use a wide range of grading skills and definitions of academic proficiency. As a result, student performance is measured inconsistently across districts. These inconsistencies can disadvantage students who transfer schools, enroll through the option system, apply for scholarships, or attempt to meet graduation requirements simply because their grades are calculated differently depending on where they attend a school. The purpose of LB1112 is to promote fairness, transparency, and comparability in how student

achievement is measured statewide. The bill requires that, that resident students and enrollment option students be graded under the same standards, establish consistent grading calculations and course weighting and provide clear guidance for how grades are reported on transcripts. LB1112 does not dictate curriculum or instructional methods, instead it focuses on ensuring that grades carry the same meaning across schools and communities. The bill also includes training and technical assistance for educators to support implementation with attention to evidence-based and equity-focused practices. Beginning the '27-28 school year, schools would be required to implement the statewide grading system, allowing sufficient time for planning support and transition. This hearing provides an opportunity to hear the testimony on the impacts, benefits and concerns related to adopting a standardized grading system including consideration of equity, student mobility, and statewide accountability. I also passed out an amendment that addressed the issue with a lot of the online comments where individuals who participate at homeschool and they didn't want to be included in the bill. So I did an amendment to exempt them out of the requirement of this legislation. I also had received a letter from the Department of Education that they were neutral, but they also brought up the issue that the implementation period probably needs to be a little longer if this was to pass just to give them some time to work with districts and everyone else who would be affected by this bill and that is something I'm also open to. With that-- no, well, also I brought this because of an issue that has been perplexing me for some time that a, a student could literally, in the school district I represent, average a D minus and graduate high school. And also, the system, it's harder to get an A and easier to get a D minus. And both of those issues still rack my brain because I, I, I just don't understand how we're graduating kids that are, that are averaging D minuses. And I think part of the reason is the grading systems and it's a huge reason why I brought the bill. And with that, I'll take any questions.

MURMAN: Thank you. You mentioned consistency was a good reason for bringing the bill and I agree there definitely would be some advantages especially on higher education, how higher education is, you know, can be kind of uniform on how they rate kids coming in. Would you think it would be a good idea to also grade schools the same way? Because, right now, I think we grade schools excellent, I think great, good, and needs improvement. I think, you know, A, B, C, D or however we grade the, the kids, too, would be easier for parents and everyone involved to understand with rating schools also.

McKINNEY: Yeah, I would agree with that. I think all school districts should more than likely be judged and graded on the same scale, just so we get a better picture and idea of, you know, schools that are excellent or proficient and those who may be struggling, I think they all should be graded on the same scale, no matter where you're at in the state.

MURMAN: OK, thank you. And I, I haven't looked closely at the bill, is it an A, B, C, D, F?

McKINNEY: They would come up with that.

MURMAN: OK.

McKINNEY: Yes.

MURMAN: OK. And there's definitely inconsistencies now. I mean, for instance, A, I think sometimes can be 90 to 100, and, and other schools use 93 to 100, so. And I think on the lower end, probably the same way, I suspect. So I appreciate you bringing the bill. Any, any questions?

McKINNEY: No problem.

MURMAN: Senator Hughes.

HUGHES: Thank you, Chairman Murman. Thanks for bringing this, Senator McKinney. How many-- do you know how many other states have a statewide grading system?

McKINNEY: None.

HUGHES: None. We would be the first?

McKINNEY: Yeah. So it's a novel--

HUGHES: Because my next question was going to be, OK, if there's other states that do it, do they go to that? Because your detail is so specific, like how you handle late assignments would be part of it. So never mind. No schools do it. Thank you. Thanks for bringing it.

McKINNEY: Yeah, from the research that my office did, we didn't find any that have, maybe we missed it, but, yeah.

HUGHES: Yep. Thank you.

MURMAN: Senator Meyer.

G. MEYER: Thank you, Chair Murman. Good to see you here today, Senator. Is there any grade or scaling, A, B, C, D have, 100 down to what, is 50, is 50% is that an F, is that a D minus? I mean, is there any uniformity as far as grading across schools? What-- what's your understanding of grading?

McKINNEY: Not that I'm aware of, but I think it's a little more context to it, too, as far as how assignments are judged and graded, too. It's not just the A, B, C, D, F, the 90, 80, 70. It's a lot of other factors that factor into how grades are calculated.

G. MEYER: So just the quality of the work, accuracy of the work does not necessarily reflect the grade?

McKINNEY: It does and it doesn't because in some cases you could just write your name on a piece of paper, essentially, and get a grade. And because you wrote your name on a piece of paper and wrote something, you could pass a class and you could graduate. That's the problem is that, yeah, we have systems where that's able to occur.

MURMAN: Any other questions? If not, thank you for your open and--

McKINNEY: All right.

MURMAN: --we'll ask for proponents for LB1112. Proponents for LB1112? Any opponents for LB1112? Good afternoon.

TIM HECKENLIVELY: Yes, good afternoon, Senator Murman and members of the Education Committee. My name is Tim Heckenlively, spelled T-i-m H-e-c-k-e-n-l-i-v-e-l-y. I'm here on behalf of the Nebraska Council of School Administrators today. I'm also representing the Nebraska State Education Association to testify in opposition to LB1112. While we share Senator McKinney's commitment to fairness and consistency, as he mentioned, for students across our state, however, LB1112, while well-intentioned, represents a significant shift away from one of Nebraska's greatest strengths, local control of our public schools. Nebraska public schools have long relied on locally elected school boards, administrators, and teachers to develop grading practices that reflect the instructional needs of their students and the values of those communities. Mandating a single statewide grading system undermines that flexibility and it limits the ability of districts to respond to local circumstances. This bill also requires districts to report standardized grades for all students in grades 3-12 to the Nebraska Department of Education. This creates a new layer of reporting and oversight without clearly articulated education

outcomes. Implementing such a system would require new data infrastructure, staff training, and changes to existing gradebooks and student information systems. These changes divert time and resources away from direct instruction. LB1112 may also restrict a teacher's professional judgment. Uniform rules on governing late work, reassessment, and grading timelines reduces the flexibility educators need to respond to the individual learning differences, personal circumstances, and student growth over time. Furthermore, LB1112 is silent on how the standardized grading system would apply to students with individualized education programs, leaving unresolved how individualized grading accommodations would be honored within a uniform statewide framework. So, ultimately, LB1112 shifts those critical instructional decisions away from the local educators who we believe know students best. For these reasons, the NCSA and NSEA urge the committee to oppose this proposal and instead pursue more collaborative, voluntary approaches that preserve local control while continuing to promote fairness and transparency for students. So I thank you for your time and your consideration and I'd be happy to answer any questions you may have.

MURMAN: Thank you. If only the uniform grading part of it was in, like, A, B, C, D, F or whatever it is, 1-4, if that was the only part in the bill, would that be acceptable? I mean, other than local-- saying, saying you have local control, I can't see any other advantage really to having different ways.

TIM HECKENLIVELY: Right. That's-- Senator, that's a good question. And, you know, as, as things are right now, districts do, for the most part, have uniformed grading systems that are, like I said, they're locally adopted and locally approved through, through the school boards and the administrations and, and with the teachers. And, you know, it would be-- you know, if all the schools had, had the same exact uniform method, that local control would be lost, as I mentioned before.

MURMAN: OK, let's see if anybody else has any questions. Senator Meyer or Senator Juarez, I think she was first.

JUAREZ: Thank you very much for being here.

TIM HECKENLIVELY: You're welcome.

JUAREZ: As a former school board member, I actually can relate to some of the frustrations that Senator McKinney has expressed--

TIM HECKENLIVELY: OK.

JUAREZ: --because I also wonder why is it OK with school boards that they are graduating students with a D grade average? That-- I don't see any basis for doing that. And all I, all I think it's going to do is to lead more failure for our students when they exit out the doors. You want to have local control, well, why are you letting students graduate with grades like that?

TIM HECKENLIVELY: Right. And I, I certainly understand and appreciate your comments, Senator. And, you know, you know-- for example, you know, school districts right now, like I said, it is local control and school districts have that flexibility to work with the local circumstances of their communities and the expectations of their districts and communities. What we do not have is, is like-- is a uniformed, I guess, guidance, a voluntary guidance on what those grades would look like.

JUAREZ: The other thing I wanted to mention also is that, you know, I'm sure that Senator McKinney can continue to make amendments for his bill, for example, that would only cover the 3rd to the 12th grade if, if it's going out beyond that.

TIM HECKENLIVELY: Right.

JUAREZ: But I think that it, it would be a good idea to, to continue to work with him on why-- on how he could improve it because I-- honestly, I do see some good reasons for it. Thank you.

TIM HECKENLIVELY: OK, thank you. And I, and I did stop last week, stopped into Senator McKinney's office and talked to his legislative aide, you know, about a couple key components. One, one thing that I, you know, would want to strike upon a little bit here is that especially how the schools treat, like, late assignments in the grading process. Having one just, like, statewide mandate or one rigid rule on how that's handled definitely takes that flexibility away from how teachers and administrators handle certain, certain circumstances. So, for example, if you had, if you had a student that had a chronic illness or, you know, missed a period, missed a period of days in school, teachers currently have the flexibility to work with those students, work with those families on getting that work completed and how that-- how they're going to grade that work. And they can, they can, you know, individually look at those circumstances, you know, case by case the way it is. And kind of the way we interpret this bill

a little bit would maybe would take some of that flexibility away on how school districts deal with those circumstances with families.

MURMAN: Senator Meyer.

G. MEYER: Thank you, Chair Murman. We have standardized tests in fourth and eighth grade, right?

TIM HECKENLIVELY: That's correct.

G. MEYER: And they're graded on a standard, there's no deviation, you're graded based on the outcome of that particular test.

TIM HECKENLIVELY: Yeah, the state standard assessments, you're talking about.

G. MEYER: So why wouldn't a standardized grading system across the state be beneficial? Because we're grading the fourth and eighth grade tests on that basis.

TIM HECKENLIVELY: Right. And you're right, like, the, the current state assessment does-- it does not mandate what the-- what curriculum and instructional methods are used in the schools. But it is a one-time-- it's a, it's a test that those students, which you mentioned, take on an annual basis and then those, those results for each student and the school district are reported to the Department of Education.

G. MEYER: But the districts are held to state standards.

TIM HECKENLIVELY: Correct.

G. MEYER: So there should be some uniformity across the education process?

TIM HECKENLIVELY: And there is uni-- there is uniformity on those-- on the state standards, Senator.

G. MEYER: But not on a promotional basis because a D minus might-- you might pass in one school district with a D minus but you might need a--

TIM HECKENLIVELY: Right, there's, there's not-- exactly, there, there are not like a state framework or state mandate for promotion.

G. MEYER: That might be an argument to have standardized grading systems so everybody's on the same page.

TIM HECKENLIVELY: Yeah, I understand that.

G. MEYER: Seems like everything's uniform except the grading process and advancement process.

MURMAN: Senator--

G. MEYER: Accountability.

MURMAN: Excuse me. Senator Lonowski.

LONOWSKI: Thank you, Chair Murman, and thank you for being here, Mr. Heckenlively.

TIM HECKENLIVELY: Thank you.

LONOWSKI: As a teacher of 35 years, I'm going to, I'm going to buck this system, and I, and I didn't want anyone telling me how to grade. I thought my way was the best for the way I taught, but I do have a question here as far as having a, a grading system for 3rd, 4th, and 5th and 6th that's uniform, and 7th and 8th. Do you see a difference between maybe having a uniform system for 9-12 versus junior high versus elementary?

TIM HECKENLIVELY: As I mentioned before, could the, could the consistency, especially at the high school level, be improved? I think there's always room for improvement on grading practices. From my experience, the, the school districts, you know, are continually looking at ways to improve the grading system, which then requires changes. But I think just communicating with students, communicating with parents on how, how-- what those methods of a grading system are within a school would, you know, go a long ways here.

LONOWSKI: Sure. I, I guess I think back and the one issue I had is when a school had a 4.0 grading system and some kid got a 4.5 or a 5.0 and I said that's not possible, 4.0 is the top but because their grading system is different it makes their kids maybe look like they stand out more than the guy that got an A+ out of an A+ possibility.

TIM HECKENLIVELY: And that's where, like the, like the, the waiting for dual credit or, you know, advanced level courses plays in as well.

LONOWSKI: I get it, yep. Thank you, sir.

MURMAN: And I, I don't know if you're the best person to answer this, maybe, if there's anyone from the department to testify. But do you

have any idea what school-- how many schools use, like, A-F, and how many use 1-4, in high school, especially?

TIM HECKENLIVELY: Yeah, I do not have that statistic in front of me.

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

TIM HECKENLIVELY: OK. Thank you for your time.

MURMAN: Other proponents for LB1112? Or, excuse me, opponents? Excuse me, opponents for LB1112? Any neutral testifiers for LB1112?

JASON WITMER: Thank you for having me, Chair and committee. My name is Jason Witmer, J-a-s-o-n W-i-t-m-e-r. I am the Policy Strategist with the ACLU, and I'm bringing our perspective on this in the neutral position. Often when people hear the term of school-to-prison pipeline, they think, first, the disciplinary or law enforcement actions in the schools. In practice, though, pipeline begins much earlier through the academic system that shapes whether students stay engaged or fall behind. Grading is one of those systems. Grades do more than measure, measure learning. They influence course placement, eligibility to activities, graduation timelines, and students' sense of belonging. When grading practices are inconsistent or overly punitive, students disengage academically long before formal discipline actions occur. That disengagement is one of the earliest predictors of later exclusion and the pipeline to prison, as we call it, which is disciplinary actions and then involvement into the legal system, which can usually escalate after a time. From that perspective, statewide consistency and grading is not just an academic issue, it can be an important upstream intervention. Done well, it can reduce arbitrary disparities and support student mobility. LB1112 creates a framework with the real potential to do that. However, one of our concerns for why we're in the neutral capacity is, is at the same time, statewide system carries weight. Once graduating practices are standardized, they are scaled across every district and school. That makes implementation especially important. How grading rules, how grading rules are understood and applied will determine whether the consistency LB1112 creates supports learning as intended or unintentionally reinforces practices that disengage students rather than keep them connected. So our concern is that implementation process. What Senator McKinney is doing, we are in full support of. We think we need to have a standardized grading practice to try to level out the arbitrary ways things are done, which often, as was put forth before, maybe participation. We don't know what's happening at home

with some of these kids, you know, etcetera. Attendance that tend to affect the grades, them are great predictors of what changes this grading standard amongst one school and the next and, and opportunities and, etcetera, that lead down these paths. With that said, we see LB1112 as a strong foundation. With careful, careful attention to implementation, it can advance fairness, transparency, and student success across Nebraska. With that, that is a-- we do support it to move forward. I hear McKinney has-- the senator has amendments. We are in strong support of that. We will work with the senator in any way. And I'll take any questions if there is any at this time.

MURMAN: Thank you. Any questions for Mr. Witmer? Senator Meyer.

G. MEYER: Thank you, Chair Murman. It sounds like you're concerned about being able to impose a statewide uniform grading system. Each school will interpret that their own way, and so there won't be any uniformity with regard to grading. Is that what you're hearing? That's what I thought I heard.

JASON WITMER: Yes. Yes. The implementation. So if there's bad practices in, in place-- bad might not be the right terminology, but practices that affect students, disproportionality is one of them, disabled students, students of color, students in poverty are often highly impacted by implementation. If them just continue forth, then they'll be standardized. That is a concern. However, I think some of the vagueness that the senator is doing, and I have not talked to him with, is he doesn't want to dictate overall every single detail what they do. I think the expectation is the implantation-- when this is put forth, this bill passes, that the schools and those in charge will get together and figure out the best practice just like they did and every institution does when something is put forth. They come together, that's the minds. That's, that's what you guys are doing, correct? When we put forth-- when a senator puts forth a bill and we come forth with our suggestions, you guys get together as you're supposed to do and figure that process out.

G. MEYER: If, if I may continue, and this goes somewhat along with Senator Juarez's concern, it seems like we're more concerned about hurting their feelings than getting a, a good outcome with our student grades. And we've seen a degradation, we've seen a regression in our outcomes over the past decade. Shouldn't we be trying to get better outcomes and not worry so much about hurting their feelings?

JASON WITMER: I absolutely agree with better outcomes. I don't know about hurt feelings. I guess it depends what exactly that is that would hurt the feelings. However, we are all about outcomes. When we talk about things that tend to shut some minds down, the disparities of race, more kids of color are twice as much impacted. That's an outcome. We are concerned about the outcome and not concerned about hurting feelings if somebody feels like, well, why do you-- why you just consider the race factor or why you consider the disabled children, they also get other resources because when you patch up the, the worst outcomes you build it up for everybody. So I think I would just be opinionated upon hurt. So that's why I'm not leaning either way because I don't, I don't know what the right answer is, but I do agree about outcomes as long as it takes the arbitrary factors out and equals that playing field for everybody.

G. MEYER: We could go on a long time about this.

JASON WITMER: We could. You probably got some professionals that could give you way better answers.

G. MEYER: I, I appreciate your time. Thank you.

MURMAN: Any other questions? Would you say it's more important to have a grade system for, like, middle school on up or junior high on up? I mean, I can see maybe K-6, especially, you don't want to do anything at all to discourage anybody so if you have to give-- you know, if you feel like you have give a certain number of Ds or, or Cs or even Fs, that can only discourage those young kids because, you know, starting right off as a young kid they're kind of rated low, maybe.

JASON WITMER: Yeah, so when I was doing up my research, part of reason why I say is their sense of, their, their self and their connection, if they're struggling and they're seeing them numbers, I can only imagine that that's completely undermining their confidence. You undermine children's confidence in a thing and it quickly comes apart where it's just easier to start avoiding that, which where does that go? So I definitely can see what you're saying.

MURMAN: But as maybe middle school on up or even high school, I mean, it's more of, of something to try and achieve and it can be more concrete rating-- you know, something more concrete to grade them on rather than when they're younger.

JASON WITMER: Well, their cognitive abilities are way more advanced by that time so--

MURMAN: Yeah.

JASON WITMER: --I think we can-- I do see what you're saying.

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

JASON WITMER: Thank you.

MURMAN: Any other neutral testifiers for LB1112?

DAVID LOSTROH: Senator Murman, members of the Education Committee, my name is David Lostroh, D-a-v-i-d L-o-s-t-r-o-h. I serve as Legislative Coordinator for the Nebraska Christian Home Educators Association. The NCHEA is neutral on LB1112 with the AM1944. As introduced, LB1112 drew grave concern from exempt homeschools because of the requirements of state standards and state testing on the proposed state grading system. The current exempt school law, under which homeschools thrive, recognizes God-given and constitutional rights of freedom of religion and parental rights to direct the education of our children. The original LB1112 would have forced exempt schools to forfeit those rights via statute. However, we are grateful to LB1112 sponsor, Senator Terrell McKinney, for considering all this and responding with AM1944. The amendment makes it clear that exempt schools are not included in the bill since AM1944 only applies the bill to approved and accredited schools. Therefore, the NCHEA is neutral on LB1112 with AM1944 and we trust that should LB1112 be voted out of the committee to the full Legislature that AM1944 or at least the content removing exempt schools from the bill would be included. Thank you.

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

JUAREZ: I have one.

MURMAN: Senator Juarez.

JUAREZ: Oh, I have one just informational for me. With your Christian home system that you have for teaching, do you guys actually have a graduation ceremony?

DAVID LOSTROH: There are some, yes. We have a, a ceremony at our annual curriculum fair here in Lincoln. And also various counties or groups will have their own graduation in various locations scattered around the state.

JUAREZ: OK. Thank you.

DAVID LOSTROH: So, yes, there are graduations.

MURMAN: Senator Meyer.

G. MEYER: Thank you, Chair Murman. Thank you for coming today. Homeschool kids, how do they qualify for academic scholarships to the university, to postsecondary? Is that through the ACT? Are there other, other exams that they take in, in order to get academic scholarships?

DAVID LOSTROH: Well, in the early days of homeschooling, there was some-- a few rough years trying to sort through that. But it has been for some time now that the colleges will accept ACT or SAT scores to indicate academic ability. So that's, that's one of the primary things that they look at for exempt school kids. And it's worked pretty well, I think.

G. MEYER: There's no lower-- a disproportionate lower amount of homeschool kids that are academically doing very, very well academic excellence and compared to public or private school kids as far as getting academic scholarships and those types of things. Do you think proportionally they're-- it's, it's kind of the same?

DAVID LOSTROH: Well, I, I think they're proportional and I think, potentially, even some better, but certainly equal to or, or, or some better than other schools, as it turns out.

G. MEYER: Is there a universal grading system or something very comparable to a universal grading system in homeschools?

DAVID LOSTROH: Well, every homeschool family has its own system. Just like what we heard before about the local control, we have local control, too, just fewer people in it. So, so, yeah, we like to have local control, you know, of our own children's education. And it's worked out really well, because homeschooling has been a great success with very little regulation. And, fortunately, other-- most other states are like Nebraska. It's fairly low regulation and still very good results.

G. MEYER: OK. Thank you.

DAVID LOSTROH: Sure.

MURMAN: Senator Lonowski.

LONOWSKI: Thank you, Chair Murman. Thank you for being here. One of the problems I have is when we do have different grading systems it affects the GPA, but let's say, like, my school says we have to have a 76 to be a C and the school down the road says 70 is a C, and 69 is, is the D, and then they might have-- you know, a lot of schools say if you're failing two classes you're not going to participate in the basketball game, football game, whatever. And so and I know this has happened where the schools say, well, we have three kids ineligible because they're getting 75s and the other participating school says, oh, we can still get 70s and be eligible because we're passing everything. So that's one of the issues. I know some schools have 60 and above as passing. I know of some schools where the middle school policy is nobody fails. And so they take it, and the teacher tries to help them understand it and understand it again. But they have a, a no-fail policy. So I guess you-- do, do you see a need for consistency across that, that type of basis?

DAVID LOSTROH: Well, I, I mean, it's an interesting thing that I think it would be very, very difficult to achieve considering all the schools and all the teachers. I mean, I think every teacher wants to do a great job and has a, a good opinion of what they can do. I, I think you commented earlier to that effect that-- concerning your own teaching. And I, I think that-- you know, that's, that's-- I think it could just be very difficult to make that work, even though it sounds really wonderful.

LONOWSKI: Thank you.

MURMAN: Senator Hughes.

HUGHES: Thank you, Chair Murman. Thanks for coming in, Mr. Lostroh. You just said something and then it made me curious. You said you guys with homeschool have very good results. What-- can you-- what's your results? Is it number of kids that graduate high school? Like, do you have those numbers, the number of kids who go to college, number of students that graduate from college?

DAVID LOSTROH: Well, there have been studies done where homeschool students perform 10 to, to 20 percentage points higher than the average.

HUGHES: On, on what?

DAVID LOSTROH: On achievement tests.

HUGHES: Like the ACT or something, SAT, ACT?

DAVID LOSTROH: I don't have ACT data, per se, but, but kids in the, in the schools who have not graduated, they do very well. So it's, it's not been a concern. We've, we've had this freedom since 1984, and there hasn't been much of, of an issue with homeschool kids not being able to perform at their jobs or, or in college.

HUGHES: I just didn't know if your organization for Nebraska pulls that information. We have this many kids that are homeschooled for the state, this many kids graduate by age 18, this many kids go to college. I didn't know if that's out there or--

DAVID LOSTROH: Well, sometimes we've had a little bit of trouble getting that information. There's been reports that the Nebraska Department of Education has generated regarding exempt schools. Right now, they're behind several years to get that, that out. However, in it aren't any grades there just because every, every school is--

HUGHES: It'd be so different. Yes. Every family would be different.

DAVID LOSTROH: Yeah. I mean, the, the thing about home education is that we have low regulation and still have good result. And that's always been a-- early on that was a huge problem in thinking that how can these parents teach their kids. But time has proven that they do. And I'll also comment saying that home education is, I think, largely self-regulating because these parents generally want to do a good job when they homeschool and if they perceive that they're maybe not doing as well as they like. They put them back in, in, in another school again after-- usually after a year or less. And so, yeah, I just think it's a self-regulated situation because there are kids that go back each year.

HUGHES: I was just curious, you just said that, so I was like, what are the results, I'd love to see them. Thank you.

MURMAN: Now that we're on that subject, isn't there a, a-- haven't the homeschoolers dominated the national spelling bee in recent years? I think I'm right in saying that.

DAVID LOSTROH: Well, I, I guess, I can't comment on that. I wish I could comment on it, but I haven't followed that as closely to, to, to make a comment.

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

DAVID LOSTROH: Thank you.

MURMAN: Other neutral testifiers for LB1112?

CONRAD: It always does that, you're good.

NICK SUTTON: Hi, my name's Nick Sutton, S-u-t-t-o-n. I'm just a citizen of Omaha, concerned citizen. First, I want to ask is, would a standardized grading system have benefited Einstein? Would that have helped in any way nurture genius or is that something that would have hindered it? I don't really have a ton to say. I just want to kind of make everybody think, like, is this bill-- who's this bill supposed to benefit? Is it for the children or is it to make the lives of the adults easier? And we have to really think about that. Because if we're only doing it to, like, line up paperwork, we're just making kids suffer for no reason. And that's all I got.

MURMAN: Thank you. Any questions for Mr. Sutton? Senator Lonowski.

LONOWSKI: Thank you, Chair Murman. Thanks for being here, Mr. Sutton. Just real quickly, do you have kids that are in a certain system?

NICK SUTTON: Homeschool.

LONOWSKI: You homeschool?

NICK SUTTON: Yes.

LONOWSKI: OK.

NICK SUTTON: This is--

LONOWSKI: OK. So how do--

NICK SUTTON: --kind of a learning experience for them right now.

LONOWSKI: So are they old enough to be in the high school activities yet?

NICK SUTTON: No. No, not, not yet. My oldest is 11.

LONOWSKI: OK, so if that's the plan, how will-- you know, do you have a way forward with, with being able to say, hey, my grades are this? I know it doesn't compare exactly--

NICK SUTTON: There's-- there are a lot of tests you can take to compare your student to the average public school student or parochial or whatever it is. And it's just kind of one of those things where knowledge is subjective. It's like some kids are going to need more

time on certain things and some kids are going to need more time on others. And I don't think they should be forced through stuff to get there.

LONOWSKI: Thank you.

NICK SUTTON: Mm-hmm.

MURMAN: Any other questions for Mr. Sutton? If not, appreciate your testimony.

NICK SUTTON: Thank you.

MURMAN: Other neutral testifiers for LB1112? If not, Senator McKinney, you're welcome to close.

McKINNEY: Thank you. Thank you to those who came to testify today. Again, I think there might be some confusion. I don't want standardized teaching where every kid is-- I, I think there should be flexibility in teaching. I'm just talking about grades. Honestly, how, how do we grade their work? That's all I care about is making sure it's fair and equal across the board. As far as teaching, I think, there should be flexibility because every classroom is different, every teacher is different, every student is different. But at the end of the day, I do think when you go to grade the work, the work should be graded the same so we can properly judge every Nebraskan kid and actually get a real picture of how are we actually doing as a state. Because I went to a conference, I would say a year or so ago, maybe longer, and it was this graphic, and I wish I had the picture because I should have printed it out, even our highest performing kids are miles, miles behind some of the-- some kids in China and India. And it's because of our systems of education. So maybe this is not the answer, but I do think there needs to be a revolution in our education system because our kids are not being prepared for the world and we're behind. So we need to figure something out. So this is part of my, you know, a way to try to address the issue or to just continue the conversation that we can say our systems are working and we need flexibility in all these things, but when we grade ourselves against countries that are-- some, some people are less well-off than ours, our kids don't even compare, and it's because of our systems of education, and we have to find a way to improve them. And all I'm just saying is, is let's just grade them the same. So we've got a real understanding of who's failing and who's doing great. But with that, I'll take your questions.

MURMAN: Thank you. Do you have any information on how much emphasis colleges put-- I was hoping somebody from higher education would come up and testify-- how much emphasis they put on, like, high school grades?

McKINNEY: I think they put some emphasis on it. I know some schools are kind of going away from just looking at ACT and SAT scores because of the issues with standardized testing and the biases in those, but I think it depends on the school. Some put more, some put less.

MURMAN: OK. Thank you. Any other questions? Senator Lonowski.

LONOWSKI: Thanks, Chair Murman. Thanks, Senator McKinney. I want to, I want to make sure I got this straight. You're not, like, trying to mandate, like, hey, you have to, you have to do this, this or this. You're just saying if a D is 60% in Hastings, a D should be 60%--

McKINNEY: Exactly.

LONOWSKI: --in Omaha. Correct?

McKINNEY: Yes.

LONOWSKI: OK. I just want to make sure.

McKINNEY: Yep.

LONOWSKI: So we're, we're not really, like, getting into the weeds, we're just trying to say let's make it the same across so it's easier to compare. OK.

McKINNEY: Yep, and maybe the bill needs to be, you know, amended to kind of make that clearer, but that's all I wanted. If a 60-- if a D is a D, it should be a D everywhere.

LONOWSKI: OK. Thank you.

McKINNEY: Yep.

MURMAN: Senator Juarez.

JUAREZ: Thank you. Senator McKinney, I think that it's really great that you got the conversation going on this. And so I thank you for bringing this bill. But one other question I still had was, what, what about the students with the IEPs? What are your thoughts about that?

McKINNEY: I think there should be some flexibility with students with IEPs because they have individual learning plans, so I'm OK with, you know, flexibility in how they're being taught and also how they're being scored because of, you know, the IEP, so.

JUAREZ: Do you think that we'll have to add another amendment to clarify the students with the IEPs or not?

McKINNEY: Maybe just to be clearer, even the individual from the school administrators brought up treatment of late assignments, but in the bill it says they should use consistent rules to treat late assignments. I, I, I read that as some flexibility, maybe it's not, but the way I read it is there is flexibility already in how you would treat a late assignment and I think there should be flexibility in how you grade a student with an IEP. So, yes, that probably could be an amendment as well.

JUAREZ: And the other clarification that I wanted on the fiscal note, do you-- I guess I'm concerned now based on our conversation today.

McKINNEY: I think the fiscal note has a lot to do with just the implementation date in the bill. I would argue if I extended it out another year or so it would be less than $1 million so that's probably why.

JUAREZ: And also I'm wondering what population-- I mean, I see the schools that they talked about, but are the IEP folks in this figure, too? So I just think we could get clearer--

McKINNEY: I would assume so.

JUAREZ: OK.

McKINNEY: Yeah.

JUAREZ: Thank you.

McKINNEY: No problem.

MURMAN: I, I asked the NCSA guy, Mr. Heckenlively, about if there's uniformity-- how much uniformity is there in the state in high school grading and he didn't know. But--

McKINNEY: I don't think there's none.

MURMAN: --but, but my other question is nationwide, you probably don't have any information on that either. Do most states use A, B, C, D or, or 1-4?

McKINNEY: I don't know that, I don't know that answer. I think it's different depending on the state. And, and also I think it's different, especially with our state, because we don't allow charter schools and those type of things and it's different scoring and grading even in those systems because, because of that, so. Yeah.

MURMAN: OK. Thank you. Any other questions? If not,--

McKINNEY: Thank you.

MURMAN: --appreciate you bringing the bill. And online, there were 107 opponents, zero proponents, and 1 neutral. And we'll close the hearing on LB1112, and open the hearing on LB1184. Senator Fredrickson. Welcome to the Education Committee.

FREDRICKSON: Thank you. Ready to go?

MURMAN: Yep.

FREDRICKSON: Perfect. All right. Good afternoon, Chair Murman and members of the Education Committee. For the record, my name is John Fredrickson, that's J-o-h-n F-r-e-d-r-i-c-k-s-o-n, and I represent District 20, which is in central west Omaha. I'm here today to introduce LB1184. LB1184 would create the Nebraska Tribal College Investment Act. Under this bill, we would set up a private-public partnership program that would allow tribal colleges to fundraise public donations and in the future the tribal colleges could come before the Legislature and ask for matching dollars. When I was considering bringing this legislation, I am also very cognizant of current budget realities that we are facing. So after speaking with the tribes about the fiscal picture, we came to the conclusion that it would make more sense to ask for a fund to be created and not an appropriation at this time. The intent of this bill is to allow for a fund to be created and then when the Legislature has money available, we could potentially match those private dollars. You know, I was really inspired to bring this bill. Over the interim, I had the opportunity to go up to Winnebago, which I believe is in Senator Meyer's district, and I visited Little Priest Tribal College. And for those of you who have not had the opportunity to go up there and see some of the work that they do there, it's really inspiring. They have incredible programs, state-of-the-art facilities, and, and they

educate both indigenous and nonindigenous Nebraskans up there. So a really great program there, a really great workforce development program there. There's members of the tribe as well as some of the leaders, college leaders behind me who are going to testify more about their experiences. But I was really interested in learning more from them about how can we, as a state, further support the opportunities that they are creating on that campus. So that was a big inspiration for me. So happy to answer any questions from the committee, and we'll go from there.

MURMAN: Any questions for Senator Fredrickson at this time? Senator Hughes.

HUGHES: Thank you, Chairman Murman. Thanks for bringing this, Senator Fredrickson.

FREDRICKSON: Yep.

HUGHES: So if this would go through and get created, could private entities start donating into that fund as soon as it's ready and then it could just start filling up and then at some point potentially a bill could come through that match the part of it or whatever?

FREDRICKSON: That's exactly right. So it, it would allow for private donations, philanthropy to contribute, and should they choose in the future if they wanted to come ahead of the Legislature and say, hey, could we do a matching grant for this, so something along those lines.

HUGHES: And I'm assuming that college probably already has a foundation stand-alone right now.

FREDRICKSON: I believe they do, the representative will be--

HUGHES: Yes, I can ask him.

FREDRICKSON: Yeah. So, yeah.

HUGHES: Thank you.

FREDRICKSON: Mm-hmm.

MURMAN: Is that not what the federal legislation does now, except it doesn't have the matching grant part?

FREDRICKSON: Correct. So, currently, there's no state funds that go to tribal colleges.

MURMAN: OK. Thank you. Any other questions? Senator Lonowski.

LONOWSKI: Thank you, Chair Murman. Thank you for this bill, Senator Fredrickson.

FREDRICKSON: Sure.

LONOWSKI: What, what percent does the federal government pay currently, do you know, or does it vary?

FREDRICKSON: Ooh, that is an in-the-weeds question that someone behind me will definitely have the answer to.

LONOWSKI: OK.

FREDRICKSON: Yeah.

LONOWSKI: Thank you.

FREDRICKSON: Mm-hmm.

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

FREDRICKSON: All right.

MURMAN: And we'll ask for proponents for LB1184.

MANOJ PATIL: Good afternoon, Chairman Murman and esteemed members of the committee. My name is Manoj Patil, spelling M-a-n-o-j P-a-t-i-l. I currently serve as the President of Little Priest Tribal College, also known as Little Priest, on the Winnebago Tribe's reservation in northeast Nebraska. I'm here to testify in support of LB1184, and I would like to thank Senator Fredrickson for introducing this important legislation. I have served as President of Little Priest for 7 years, and advocating to expand access to quality education, support student services and success, and advance institutional growth for all students and the Winnebago community. Named after Chief Little Priest, the last war chief of the Winnebago Tribe, Little Priest provides associate degrees, diplomas and certifications, supports transfer to 4-year institutions, and preserves the Ho-Chunk Winnebago language, culture, while expanding workforce and employment opportunities. For many students, it is the only viable pathway to higher education. Approximately 320 students attend Little Priest, of which roughly 79% are Native American and 21% is non-Native American students. Most are from Winnebago or neighboring communities. We offer associate degrees in various disciplines and diplomas and certificates in carpentry and

certified nursing aid. About 50 students graduate each year and many transfer to 4-year colleges. Little Priest relies largely on federal funding that is insufficient for general operations and does not support non-Native students. Unlike state community colleges, tribal colleges receive little state funding which is formula driven and provides no support for infrastructure or for Native students who are also citizens of Nebraska. Neither the state nor the federal government provide any funding to Native dual-credit students. These funding caps limit program growth, student services, and workforce development. LB1184 would address these disparities by establishing a state investment in a matching fund for tribal colleges. Under the bill, the colleges would apply to match verified private contributions for academic programs, student services, workforce development, or infrastructure, which would multiply the impact of each state dollar. Predictable, equitable funding is vital to Little Priest's ability to continue serving its students and community. And LB1184 offers a physically responsible high-impact solution that leverages private dollars, strengthens tribal colleges, and expands opportunity without disrupting existing community college budgets. I ask that LB1184 be passed because investing in tribal colleges like Little Priest Tribal College ensures that the students from underserved communities have a viable path to higher education, strengthens communities, and advances equity and opportunity for all Nebraskans, particularly those in rural and tribal communities. Pinagigi. Thank you for your time.

HUGHES: Thank you for coming in, Mr. Patil. Do we have questions for him? OK, thank you. Next proponent.

MANOJ PATIL: Thank you very much.

CONRAD: Thank you.

HUGHES: Thanks for your time. Start whenever you're ready.

AMY LaPOINTE-HOUGHTON: Good afternoon, Chairman Murman and esteemed members of the committee. Hanac hinikaragi. Amy LaPointe-Houghton higaire. Waka hikikarac hiza waa'uaje. My name is Amy LaPointe-Houghton, spelling A-m-y L-a-P-o-i-n-t-e-H-o-u-g-h-t-o-n. I'm an enrolled member of the Winnebago Tribe of Nebraska and a member of the Snake Clan. I was born and raised on the Winnebago Reservation. I currently serve as the Chairperson of the Board of Trustees for Little Priest Tribal College, which I'll refer to as Little Priest. I am also the Education Director for the tribe, a graduate of Little Priest, and a proud parent of a current Little Priest student. I'm here to testify in support of LB1184. Thank you, Senator Fredrickson, for introducing

this important legislation. I appreciate the opportunity to share why this bill is vital to the success of Little Priest and my community. I have watched Little Priest grow from a small institution into a central part of our tribe's educational and economic future. It provides culturally grounded higher education, prepares our workforce, strengthens our sovereignty, and ensures that our young people can pursue their education close to home. I am, I am a testament of Little Priest's success. As a graduate who went on to earn a 4-year degree, I have been able to stay in my community, serve in various leadership roles, and ultimately become the primary manager for the tribe's entire education programs. Unlike many other rural communities that are shrinking, Winnebago's population is growing, which is only constrained by housing, job opportunities, and infrastructure needs. Accordingly, the tribe has invested in economic development, job creation, and building systems to support our growing community. Naturally, this includes expanding Little Priest's capacity to meet the demand for higher education, workforce training, and trade programs. Little Priest has developed a $60 million long-term campus expansion plan. Phase 1 is estimated at $20 million and includes two essential buildings: a career and technical education facility for electrical, plumbing, and HVAC programs; and a building to house a student center, cafeteria, and administrative offices. These facilities will help meet students' needs and support the tribe's workforce and economic development goals. Little Priest operates primarily on federal funds and limited state funding provided only for non-Indian students. The state support is also limited to instructional and operational use and does not authorize facility or infrastructure investments. The private matching fund created by LB1184 would be transformative for Little Priest, providing a flexible way to support growth that state funding does not address, including campus expansion and trade program offerings. I respectfully ask for your support of LB1184. Thank you for your time and commitment to expanding educational opportunities for all students. Pinagigi.

MURMAN: Thank you. Any questions? Senator Meyer.

G. MEYER: Thank you, Chair Murman. Probably questions I should have asked Mr. Patil, but I really didn't have my thoughts organized at that point in time, so I apologize. Anticipating growth of the college, what, what are long-term plans? I, I know that there's essentially a capital construction plan. It's very impressive what you've done in the past. Is there a target as far as how many students you anticipate in the future, say 10 years out? Do you have a long-term plan? All you can get?

AMY LaPOINTE-HOUGHTON: Well, I, I mean, if he can't answer, I'll make a guess.

G. MEYER: Yes. Yes.

AMY LaPOINTE-HOUGHTON: From my point of view, I would say, yes, we-- by offering more programs, we're going to be able to support more students, more of our community members, members from the outside of the community. I don't know that there's a projected number, but I know that they expect--

MANOJ PATIL: 300 in the next 5 years.

AMY LaPOINTE-HOUGHTON: 300 in the next 5 years.

G. MEYER: One at, one at a time. One at a time. One of the things that I think needs to be addressed down the road is the fact that our, our dual credit-- the Native dual-credit students are not getting state support like the non-Native students are, and I think that's something that needs to be addressed in the very near future, so. But once again, it's a very impressive campus. I know you've got some, some very, very good plans going forward, and I wish you all the best and hope to help in any way I can, so.

AMY LaPOINTE-HOUGHTON: Thank you.

G. MEYER: And I apologize for not having my thoughts organized previously. So thank you.

MURMAN: Senator Hunt.

HUNT: Thank you, Chair Murman. Thank you for being here. If there's other people coming to testify, they can answer these questions too, of course. I have an ignorant question because, though I've been here for 8 years, education issues have never really been in my wheelhouse, and so I'm new to a lot of things in this world. Why is it, why is it that state funding can't go to any Indian students? In your testimony, you said limited funding from the state only for non-Indian students. Someone, someone coming up later can address that, too. That's fine.

AMY LaPOINTE-HOUGHTON: Yeah, I'm sorry, I don't have an answer for that.

HUNT: That surprised me. I mean-- what was my other question? I'm going to be in the same situation. It will come to me. Thank you.

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

AMY LaPOINTE-HOUGHTON: Thank you.

MURMAN: Other proponents for LB1184?

LAILA PETITE: Good afternoon, Chairman Murman and esteemed members of the committee. My name is Laila Petite, spelling L-a-i-l-a P-e-t-i-t-e. My Rosebud Sioux name is Oyate Wica Glu Han Mani Win, which means woman who walks and carries her people. I am an enrolled member of the Rosebud Sioux Tribe and a direct descendant of the Winnebago Tribe of Nebraska. I'm the President of the Little Priest Tribal College Student Senate and have been a student at the college since 2023. I am here to testify in support of LB1184, and I appreciate the opportunity to share my perspective with the committee. I earned my associate degree in biology from Little Priest last year and will receive an associate degree in indigenous science health in May. I will then transfer to a 4-year college to study pre-medicine and continue on to medical school. I choose to attend Little Priest for several reasons. As a daughter of a tribal college graduate, I saw firsthand how a culturally relevant education allows Native students to stay connected to their community while pursuing higher education. When my mother earned her degree at a tribal college on our Rosebud Sioux Reservation, I watched her remain rooted in our culture while contributing to our people. At Little Priest, I can stay near my family and community while learning in a culturally rich, indigenous-centered environment. Through the Student Senate and attending national tribal college conferences, I have developed leadership skills and strengthened my commitment to serving Indian country. My degree in indigenous health is preparing me for a future medical career focused on our communities. Little Priest continues to invest in students through improved programs, services, facilities, including a new science building that supports hands-on learning and community-focused research. It has become an important gathering and support space for students. At Little Priest, professors know me by name, I benefit from hands-on learning experiences, and I have a clear pathway to a career in Indian country after graduation. These opportunities depend on stable and adequate funding. I have seen how budget constraints limit updated equipment, strain faculty and advisors, and reduce the support students need to stay on track. LB1184 would make a meaningful difference by keeping Little Priest affordable, supporting high-quality faculty, updating learning spaces, and expanding academic support so students like me can graduate prepared for the workforce. Thank you for your time and considering

the impact this legislation will have on students like me. I respectfully urge you to advance LB1184.

MURMAN: Thank you. I'm impressed by how well you thought out your higher education and even your whole career at such a young age. Thank you for your testimony. Any questions? Senator Meyer.

G. MEYER: Thank you, Chair Murman. Thank you for coming today. Very, very impressive. You plan on returning to your community and providing medical care?

LAILA PETITE: Yes, I, I grew up on the Rosebud Sioux Tribe Reservation and I've seen firsthand how that I just-- I'm sorry, I don't-- I'm, I'm really nervous.

HUGHES: That's OK.

G. MEYER: You're doing great. You're doing fine.

LAILA PETITE: How, how the IHS impacts my family, a lot of, I come from a long line of diabetics and I just love to help any way I can.

G. MEYER: Do you, do you have the opportunity to encourage friends and classmates to follow in your footsteps to, to do some of the same things you're doing, get the education and come back and, and make a very positive, very positive difference in your community?

LAILA PETITE: Within this last year, I've been able to make a handful of friends at Little Priest Tribal College thanks to the new science building. They have student support services right as you enter and there's a staff member who welcomes you every day. I'm in there every day and a lot of the people that are in there do have plans to return back to the community and help.

G. MEYER: Well, I'm sure you're going to be very successful. So thank you for coming in.

LAILA PETITE: Thank you.

MURMAN: Thank you. Any other questions?

CONRAD: Great job.

MURMAN: If not, appreciate your testimony. Thank you. Other proponents for LB1184?

MICHAEL OLTROGGE: Well, good afternoon. My name's Michael Oltrogge. I'm the President of the Nebraska Indian Community College. That's M-i-c-h-a-e-l O-l-t-r-o-g-g-e, and I'd like to thank the committee and thank Senator Fredrickson for introducing the bill and having it on this day when it's 76 degrees outside. So I'm, so I'm able to get out and see it. But, basically, I'm here to support the bill, LB1184. Basically, the Nebraska Tribal Colleges have-- well, we've been in the state since about 1973. NICC has a location in Santee, Nebraska on the Santee Reservation, one in Macy, Nebraska on the Omaha Reservation, and one in South Sioux City. So it's one of our urban locations. We also are gaining more of an online footprint. As mentioned earlier, we serve Native and non-Native students. And also, the Nebraska Tribal Colleges are a great investment. According to a recent economic impact study done by AIHEC, the American Indian Higher Education Consortium, Nebraska Tribal Colleges contribute $19.2 million to the state's economy and 337 jobs. Every federal-level dollar that we get turns into $1.60 for the state. Every state dollar that we get turns into $3.60 for the state. For the state taxpayer, that equals a 14.4 rate of return, and the rate of return for our learners is 27.8%. So we are an excellent choice for anybody who wants a very affordable education. NICC, in particular, we offer associate-- well, certificate degrees, associate degrees, and bachelor programs. I mentioned a lot of these things just to showcase that tribal colleges do great things with all the funding available to us. We try to pass those, those successes onto our learners. The private-public partnership being discussed today can increase those rates of returns for the state and the taxpayer while we continue to educate all learners who come to our door in their chosen program of study. And I didn't even get to the yellow light, so.

MURMAN: Appreciate that. Any questions for Mr. Oltrogge? Senator Meyer.

G. MEYER: Thank you, Chair Murman. Good to have you here today. Tuition wise, how would your tuition, tuition rates compare with other community colleges?

MICHAEL OLTROGGE: We are incredibly low. Basically, I charge $1 per credit and I waive the remaining tuition. We also provide all textbooks and every degree-seeking student enrolled at least half time receives a laptop. During COVID, we used COVID funding to set up two educational broadband systems so then that way we could eliminate some of the issues that were happening within just community colleges. Because, you know, transportation, childcare, and work conflicts were always an issue, and on the reservations we didn't have any reliable

Internet access at the time. You know, and it was partially a self-motivated move as well because, you know, your first thought during COVID was, uh-oh, how am I going to keep educating my student? And then the high-- then you start thinking about, well, how are the high schools and the grade schools going to do it? They're the moms and dads of the students there. So we made the K-12 partnerships work right away. So most of the EBS systems were broadband off of the, the K-12 schools on the reservations. So if you're, if you're within the boundaries of the reservation, if you are in K-, what, 14, K-16, you shouldn't have an Internet bill if you can't afford it.

G. MEYER: So from the standpoint of tuition, then, is it based on donations and private donations?

MICHAEL OLTROGGE: No, a lot of it is through the federal government because we're able to get reimbursed in 2 years for the student that we serve today who is a beneficiary student. So if you're a non-Native student, we get funding from the state for those students. And, and it's about the same amount. It'll vary between, like, $7,000 per FTE, and that's a 1-year FTE. So we're still-- yeah-- well, generally underneath most of the community colleges and the university systems.

G. MEYER: So it's not, it's not part of the standard community college funding?

MICHAEL OLTROGGE: Well, there is some method in there, but I would love to explain it to you easily, but it would take me [INAUDIBLE] somebody else to go through the formula, because it's based on-- like, if it's a STEM-related course, it's reimbursed at this amount. If it's a humanities course, it's this amount, and if that's an enrichment, they don't call it enrichment, but like those other free-for-all electives, then it's charged at a different amount. But basically, and I don't know if it is done through the formula or what, but basically, it ends up about being our ISC count at the same levels as the ISC count for the non-Native students.

G. MEYER: In other words, it's like magic, huh?

MICHAEL OLTROGGE: Yeah.

G. MEYER: Yeah.

MICHAEL OLTROGGE: I don't know how that works, but it did.

G. MEYER: OK. Thank you.

MICHAEL OLTROGGE: No, not a problem. Oh, and please come visit anytime. Generally, I think I'm in-- is it two or three of your counties?

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

MICHAEL OLTROGGE: Thank you very much for your time.

MURMAN: Other proponents for LB1184?

MARTHA DURR: Good afternoon, my name is Martha Durr, M-a-r-t-h-a D-u-r-r. Thank you, Chairperson Murman and members of the Education Committee. I am an instructor in the math and science department at Nebraska Indian Community College and have taught eight courses. Furthermore, I serve as an advisor for students obtaining Associates of Science degree. I'm here to voice my strong support of the Nebraska Tribal College Investment Act, which will strengthen our state by strengthening families and communities. Tribal colleges serve as an anchor for economic vitality. Nebraska is home to 2 of the 37 tribal colleges and universities in the U.S. Our student population has strong and deep ties to their families and their communities. Educating a tribal college student means impacts are felt far beyond our college doors. Fields such as health care, business, and skilled trades are in high demand for our students and are growing. Tribal colleges help build a talent pipeline that benefits communities and employers. Through stable and targeted investment, we are opening doors and keeping young people and their families in our state. This bill is not only about education but a workforce and economic development strategy. It will help ensure every person has an opportunity to contribute to our shared future. Thank you very much.

MURMAN: Any questions? If not, thanks for your testimony.

MARTHA DURR: Thank you.

MURMAN: Other proponents for LB1184?

LeANNE WALKER: Hello. Thank you for having me. [speaking Native language]. Hello, my name is LeAnne Walker. Today's a good day. Thank you for having me. Thank you, for the bill. Sorry, I'm a little nervous.

MURMAN: Sorry, could you spell your name, please?

LeANNE WALKER: Oh, yes. L-e-A-n-n-e, Walker, W-a-l-k-e-r. Since starting my journey, I have learned-- my college journey, I have

learned that I walk in two different worlds. I know this now. Due to walking in two different worlds, I experienced some struggles and teachings I received not only while I was a child, but also as an adult. They didn't line up with the cultural teachings I was taught as a child. While attending NICC, I have gained so much due to the environment that, that they provide. They have bridged the gap that made, that made being a woman like myself who was taught cultural ways difficult to succeed in today's society. Sorry. I think that having the ability to incorporate traits like NICC and Little Priest are wanting and doing will not only give our people a better chance at survival but make it a lot easier for our children to access. Tribal colleges do bridge the gap of walking in two worlds. They incorporate teachings needed that may help those who weren't able to receive those teachings from their elders and families growing up. I was one of those people. I went off to Boys Town and I missed a lot of those teachings. I got involved with drugs and alcohol, ran away from school, was pregnant at a young age. All, all-- I meet all the statistics. But being at NICC, I have learned a lot. I learned that the teachings that I had in treatment, the reason why I struggled with them so hard-- so badly was because they were-- they taught me that I should introduce myself, like, in a AA meeting, like I'm a drug addict, I'm an alcoholic. Those teachings-- my behaviors were wrong. While being at an NICC, I learned that I needed to heal. And I was never taught that in treatment. I was-- the books that they give you to-- for recovery don't teach you those kinds of things. But today, I'm able to, I'm able to heal and I'm able to-- I work at Tractor Supply, and I am able to help with policies. I helped with a, a new survey that not only keeps their safety in line, but also helps for the future. And we're-- and I'm able to-- I was able to help correct some overlap in policy that caused a trainer to teach all our new incoming people in a way that they shouldn't have been taught. And that's all I have. Thank you.

MURMAN: Thank you. Any questions? Senator Hunt.

HUNT: Thank you, Chair Murman. Thank you for being here, Ms. Walker. Congratulations on all your success.

LeANNE WALKER: Thank you.

HUNT: It sounds like you have a lot to be proud of. Would you say-- what I'm hearing you say is that-- so you went to NIICC. Are you there now or did you--

LeANNE WALKER: Yes, I graduated from there, magna cum laude.

HUNT: OK.

LeANNE WALKER: And I decided to pick up the-- one other certificate-- degrees.

HUNT: Cool. What I'm-- am I correct in what I'm hearing you saying is that part of the reason that was so valuable to you, especially in the context of your life at the time, was the cultural competency? That-- do you think that you would have gotten the same type of values out of a, a, a state school necessarily or something?

LeANNE WALKER: Don't get me wrong, being in public schools, being in Boys Town, I learned a lot. But they always kind of overlapped with what I was taught. Like with you, I'm able to speak with you and look at your face, but not directly into your eyes. Because growing up, that was a sign of disrespect. Today, it's like I'm holding your attention. I know-- and I've learned how to speak in a professional, productive manner. But it took me a long time to be that-- to get that way. Can you ask me the question again? Sorry.

HUNT: My question is more about-- you know, we're, we're talking about creating a fund in a way to possibly bring more funds and more resources to students like you who attend these schools. And if part of the value to you was the cultural competency, meaning that, you know, being taught by people who understand Indian teachings and values and the culture that you came from, that you were raised in, like you told us about.

LeANNE WALKER: Those help, but I've had instructors who aren't Native American, who have also been able to look at our culture and put a spin on it, I guess I would say, and help things be understood in a different manner, which kind of helped, too. But, yeah, the, the cultural teachings do help also.

HUNT: Thank you.

MURMAN: Any other questions for Ms. Walker? Senator Meyer.

G. MEYER: Thank you, Chair Murman. Thank you for coming today. You're the perfect individual to ask this question, not, not the college presidents, not the, not the administrative staff.

LeANNE WALKER: OK.

G. MEYER: No disrespect to you guys at all. Do you find with your student colleagues as you were going, going to school that it's easier

for an indigenous person to realize they can go to college and advance themselves as opposed to one of our, our other community colleges or our, you know, universities or anything like that? Is there a greater comfort level going to school like at Little Priest or any of our other Native colleges, community colleges? There's a, a greater comfortable level there, easier to go, easier to excel?

LeANNE WALKER: I, I guess it is easier. But when I first started at NICC I was just as nervous as I was when I started University of Phoenix. They were able to-- I wouldn't say gage, but when there-- when there are students struggling in, in the classroom, the teachers are able to-- I wouldn't say-- I don't know how to say it-- the teachers, the teachers know when we're, we're not hitting our full potential just by the way we communicate. When we communicate, it's like communicating with family. So when Native Americans-- I know for myself, when I'm not communicating with somebody who doesn't feel like family, then I get to not only closing myself off, but it-- it's, it's harder to understand. And I think the teachers are able to spot those type of things. So I learned to be comfortable with my, my educators and they have-- it, it helps tremendously because they, they have a very welcoming persona about them, not only the Native American teachers but the other teachers, too, because we have Hispanic teachers there. We have people who are from Middle East, Middle East and there are Caucasian people there. So I don't know if it's the training that they have to go through or what it is, but it's because of them and the way they teach, it's, it's-- it becomes welcoming.

G. MEYER: Well, I appreciate that. Thank you.

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

LeANNE WALKER: Thank you.

MURMAN: Other proponents for LB1184?

JASON WITMER: Good afternoon. I'm Jason Witmer, J-a-s-o-n W-i-t-m-e-r. I am here on behalf of the ACLU in support of LB1184. By all accounts, LB1184 was written with restraint. It is not a spending mandate, it is not an entitlement, and it does not bypass legislative or agency oversight. LB1184 creates a limited controlled framework that may be utilized only if the Legislature chooses to appropriate funds for that purpose. Nothing in this bill compels future funding, reallocates existing education dollars, or operates outside established oversight by the Coordinating Commission for Postsecondary Education. LB1184 authorizes a matching grant structure, requires private commitment

before state participation, places administration within existing accountable agencies, and limits eligibility to federally recognized Nebraska Tribal Colleges. It is a cautious design. It ensures state dollars are leveraged, not assumed. Furthermore, Nebraska's tribal colleges are federally recognized 1994 land-grant institutions. They already function as an access point for education and workforce training in communities where options are limited. With that in mind, LB1184 does not elevate tribal colleges above other systems. Instead, it creates a pathway for partnerships with external investments already exists-- where they already exist and when workforce needs justify it. This is not a preference-based policy. It's a capacity-based policy. Passing LB1184 does not lock Nebraska into future action, it preserves legislative "opportunality" while ensuring that any future use of this framework is deliberate, structured, and accountable. This is prudent governance. For those reasons, we respectfully ask the committee to advance LB1184 to General File.

MURMAN: Thank you. Any questions?

JASON WITMER: Thank you.

MURMAN: Thank you.

JUDI GAIASHKIBOS: Good afternoon, Chairman Murman and members of the Education Committee. My name is Judi gaiashkibos. That is spelled J-u-d-i g-a-i-a-s-h-k-i-b-o-s. And I'm here to testify in support of LB1184 and I thank Senator Fredrickson for introducing this bill to create this fund for tribal colleges. I am an enrolled member of the Ponca Tribe of Nebraska and Santee Sioux as well. I have been very impressed with the testimony that I've heard today and so proud of my tribal relatives today that testified. It is quite amazing what an education can do for all of us. I think sometimes people forget here in Nebraska and in America as we prepare to celebrate our 250th anniversary that our schools in Nebraska are public schools and the tribal schools on the tribal lands are public schools in Nebraska. And, as you know in our history, going back to the days of Standing Bear in 1879 when that trial was happening in Omaha, the first Indian boarding school was opened in Carlisle, Pennsylvania to kill the Indian and save the man. So coming to that school, there were 40 different tribal nations all over the United States that children were brought to this school. And today, with the way the United States is-- has been settled and developed, we have tribal reservations throughout the United States of America. And that is why the federal government determined that it was wise and just to honor creating these tribal colleges. And they are all throughout Montana, South Dakota, North

Dakota, and we have two in Nebraska. Originally it was NICC, and then Little Priest also was chartered. So, myself, I did not grow up on the reservation. I was first generation off reservation growing up and I went to a community college in Norfolk and-- so my mother went to the Genoa Indian School, and both my daughters graduated from the University of Nebraska, and my eldest daughter graduated from Columbia Law School, and she is a partner at Akin Gump, and she practices Indian law. And I think-- so what you've heard today is a lot of the people that live, and myself, I'm so pleased and honored that I have served in my position for 30 years working for our tribal people. And that my daughter is carrying on that tradition from the arc of Genoa to here. And I guess what I would say-- I would leave you with, I hope that you will support this legislation, which right now is kind of a placeholder. But that going forward as funds come in and the budget gets better, that the tribes can have matches and they can receive more money than they have in the past. So if you historically look at what all of the community colleges received from the state, that would be much more than what our tribal colleges have. And so overall, on behalf of the Commission on Indian Affairs and all of our tribes, we support this legislation and believe that it would be beneficial to the whole state of Nebraska because we are dual citizens and we contribute and we love our homelands and we appreciate your leadership and what you do and we think this is a, a good bill that will help our tribal children and all of America. So with that, I say [speaking Native language].

MURMAN: Thank you. Any questions for Ms. gaiashkibos? Is that close?

JUDI GAIASHKIBOS: That's good.

MURMAN: Senator Meyer.

G. MEYER: Thank you, Chair Murman. Good to see you here today.

JUDI GAIASHKIBOS: Thank you, Senator Meyer.

G. MEYER: We've had the opportunity to have many discussions and I appreciate those. Where do you see the tribal colleges going in the future? Do you see an expansion in the state to other parts of the state with tribal colleges, Omaha perhaps, different? You know, where, where indigenous communities congregate, are you looking at an expansion or are we just trying to really give a shot in the arm to the ones we have existing?

JUDI GAIASHKIBOS: Oh, you know, it's hard to say, they've grown so much from when they started in the 30 years I've been the Director and you were at the ribbon cutting for the Louis LaRose STEM Center. It's just a beautiful campus and all-- with the campus at Macy and at Santee and Sioux City, right there you see that expansion and then Little Priest. And these students often go on to Wayne State College with the program, with the Susie Buffett Scholarship. And they also go to the University of Nebraska and all around the whole United States of America. And I do want to say one thing: In my work, over the years, we have partnered with the University of Nebraska on many NSF grants, and they have partnered with the tribal colleges because to get some of these funds, they need something that will rise above. So diversity, I know that's a bad word, but tribal cultural richness has helped. Recently, I've been working on a biodiversity grant that you've seen those books that we received, $1.4 million grant. That funded libraries for each of the tribes here and libraries in Wyoming. And so the Mid-American Transportation Center, they work with our tribal colleges. So there are partnerships with the tribal colleges that could be very beneficial to the university as we currently are struggling. And I think it's always good to remember that if you go down on the mall and you see Dr. Susan La Flesche, America's first doctor, Standing Bear, that circle, those tribal nations that you see, all of those who were here, they get in-state tuition to come to our college because of the repatriation settlement back in the 1997 time period. So I think that there are many untapped opportunities and partnerships that could draw from the strength of the culture because we're not going anywhere. This is our homeland. We can't go to Germany or Sweden to get our language. It's right here and we love and we serve our country and the military at a higher rate than anyone. And so I think we're all here to understand that we have to try to find a way to get along and we are Nebraska strong when we all can work together. So I thank you.

G. MEYER: Thank you.

MURMAN: Any other questions? Senator Conrad.

CONRAD: Thank you, Chair. Thank you, Director. Good to see you, as always. Just two things and I know that you have a, a long tenure in public service and advocacy and one thing that I was thinking about when Senator Fredrickson presented his bill is that this is not a novel concept. We've seen this type of approach particularly in budget short years for a variety of different worthy programs. So I think there's a lot of good models or mirrors in existing law and past precedent to raise an important issue, get a cash fund in place, and

then work towards matching funds or additional funds down, down the road. So I, I did just want to note that. And then I also was wondering if you'd like to think about it or other testifiers would perhaps like to weigh in, but in an effort to continue the great work of our community colleges across the state and to find some property tax reduction. In recent years, the Legislature's worked to pick up all the cost of operations for our community colleges across Nebraska. But I don't know if that applies to the tribal colleges that are at issue in, in this legislation here. So it seems perhaps that, that policy effort maybe left behind some of the good work that's happening at the community colleges, the tribal colleges, and that might be something that we need to think about as well. Because the state's picked up a pretty hefty tab there to take over operations for our other community colleges for good reason, both property tax relief and because they do, they do great work, but I know that the same amount of incredible work is, is happening at Little Priest and, and the other tribal colleges in Nebraska. So I just wanted to lift that equity issue and see if you had any thoughts or response to it or wanted to noodle on it and, and maybe follow up with the committee later, that would be great.

JUDI GAIASHKIBOS: Sure. Well, one question that I heard asked today and I don't know the answer to it. I'm going to flip the question--

CONRAD: Great.

JUDI GAIASHKIBOS: --that the tribal colleges get federal funding. Well, do the community colleges get any federal funding? Do they?

CONRAD: I, I don't-- I should look, as I'm not 100% sure, but I think most institutions of higher ed have a mix of funding streams from federal and--

JUDI GAIASHKIBOS: OK, which I think, I think that's probably true.

CONRAD: Yes. Yeah, tuition and federal and state.

JUDI GAIASHKIBOS: So often when it comes to us, the tribes, I've heard this over the years, well, they get federal funding. They don't need state funding. And, you know, forgetting that we're dual citizens and we go to public schools and it doesn't seem quite fair. So I think there's-- everybody here is willing to have dialogues that the tribal colleges can find partnerships with local communities through employment. And, you know, there's so many things going on in Nebraska with WarHorse that I never dreamed of. You know, you see people like

Lance Morgan, what he's done with his education and brought to our state, so many great people that our young people can be inspired by. And an education is the equalizer in life, I believe, that empowers us and gives us choices and helps educate us and all that you've heard from the testifiers overcoming many challenges and through sobriety and through education and cultural support, we're blessed. We're really thankful to be alive. I'm, I'm so happy to be a survivor descendant and in March we're going back to Genoa to look for the 100 children or more that died there and didn't walk out of that school. And that's a part of our history that during the 250 we have to tell the whole story so don't forget the little children.

CONRAD: Well, I know that you serve as a role model for many. And thank you for your service and, and for your advocacy. Appreciate it.

MURMAN: Any other questions? If not, appreciate your testimony. Thank you. Other proponents for LB1184? Any opponents for LB1184? Neutral testifiers for LB1184? Senator Dungan, you're welcome to close.

HUGHES: Fredrickson.

MURMAN: Or Fredrickson, sorry.

FREDRICKSON: All right. Thank you, Chair Murman, and thank you to the committee for your engagement during this hearing. I also really appreciate all the testifiers who came out today to share their experiences and, and their stories. I took some notes. Some folks had different questions that came up throughout the hearing, so I kind of wanted to circle back to a couple of those. Senator Hunt, you had asked about state funding versus federal funding. I think some people covered that a little bit. But, essentially, tribal colleges are sovereign institutions that are chartered by Native nations versus chartered by the states. So part of that is, and I think the Director gave a good example of this as well, one thing that these colleges are unable to do is levy local bonds or receive funds from local property taxes. So they, they do have a limitation with funding in that sense. Senator Lonowski asked about the federal funding. Again, I think that was kind of covered. Like Little Priest College, for example, I think it's around 75% to 80% of, of the federal-- funding is through federal grants. Senator Meyer asked about strategic plans. So the different colleges have on their websites, I saw on Little Priest's website, for example, they have a strategic plan over-- I think it's over the next 5 or 6 years or so, which is really worth looking at. They've, they've got some really exciting developments happening there. And when I toured the college, I was able to see some of the land where they're

hoping to expand, do new housing, for example, for students, and so there's, there's a lot to see there as well. I just also want to really encourage committee members, if you, if you do have the opportunity, I feel like I'm sort of doing like a little tourism push here, but I really do encourage members to go visit both the tribes, but also these colleges. I was really impressed with the educational opportunities and programs that were there. That's what inspired me to bring this bill. They also have a museum on the college campus. And it was actually kind of cool, because some of the students from a local community college had come there while I was visiting. And they were learning about the history of the tribe at that museum. So they, they collaborate a lot with, with local other schools as well. They also have a Native language lab at Little Priest College. That's a new program looking to preserve some of the dying languages and indigenous languages. So really impressive stuff happening there. So I hope the committee really considers either advancing this bill or even considers putting it possibly in the committee packages here. I think it's a piece of legislation that could be really beneficial for years to come for, for our state. And with that, I'll answer any questions.

MURMAN: Thank you. Any questions for Senator Fredrickson? Senator Juarez.

JUAREZ: Thank you, Senator Fredrickson. It was really interesting to listen to everyone and I definitely want to go on that tour. I have my note ready to hand to someone to go and see the tribal colleges because I've never been. And I just wanted to get a clarification for the purpose of the bill. So I was looking at the fiscal note and I saw the funding that was awarded by the MacKenzie Scott Foundation. So for clarification purposes, I was wondering, do we have to pass this bill so that they could use those funds or if that's not a part of it?

FREDRICKSON: No. So I think that's just used as an example of some of the private philanthropy that, that has funded the colleges. What this bill would do is it would set up a cash fund where the colleges could engage with private philanthropy. And then, potentially, in the future should they choose, they could come in front of the Legislature and ask for, for example, a, a matching grant of sorts. But that, I think, is just illustrative as an example, but they can still have access to that without the, without the bill.

JUAREZ: OK. Thank you.

MURMAN: Any other questions? If not, thanks a lot.

FREDRICKSON: Thank you.

MURMAN: And online, there were nine proponents, zero opponents, and zero neutral. And we will close the hearing on LB1184.

HUGHES: Do you get to open for him?

WHITNEY NOLAN: Mm-hmm.

MURMAN: We'll open the hearing on LB1086 and we have a sit-in for Senator Dover.

WHITNEY NOLAN: I apologize, he is opening right now in General Affairs. My name is Whitney Nolan, W-h-i-t-n-e-y N-o-l-a-n, and I'm the LA for Senator Robert Dover out of District 19, which consists of Madison County and the southern half of Pierce. LB1086 is a narrowly tailored, technical bill that corrects an unintended barrier in statute that limits how Nebraska coordinates workforce training and education resources. When the Community College GAP Assistance Program was originally enacted, the Supplemental Nutrition Assistance Program Employment and Training, commonly referred to as SNAP E&T, and I will refer to that moving forward, did not yet exist. As a result, current statute unintentionally treats participation in SNAP E&T as a duplicative public funding source which can disqualify otherwise eligible individuals from receiving GAP Assistance. While both programs are designed to address funding apps, they do so in different ways. GAP Assistance may be used for tuition, tools, books, and related educational costs, while SNAP E&T funds are primarily used to provide wraparound services, such as transportation, childcare, resume writing, or mental health counseling, which GAP does not cover. Again, current statute prohibits the coordination-- coordinated use of these complementary programs. As you know, and will hear more about today, Nebraska's community colleges play a critical role in workforce development, particularly through short-term, high-demand education and training programs that help individuals move their public assistance into full-time employment. Under federal SNAP E&T rules, approved third-party providers-- excuse me-- such as community-based organizations, workforce development providers, and community colleges may receive a 50% federal reimbursement match for nonfederal dollars spent on eligible education and training expenses. However, the existing statute restricts colleges from fully coordinating GAP Assistance and SNAP E&T, leaving available federal dollars unutilized. LB1086 removes this barrier, does not create a new program, expand eligibility or appropriate state funds. Instead, it aligns state statute with federal program structure, improves efficiency, and

ensures Nebraska can better leverage existing resources to serve individuals seeking to enter the workforce. You will hear today from testifiers who can speak directly to how this clarification improves outcomes without increasing state cost. First, you'll hear testimony from Metro Community College's long-standing use of SNAP E&T, including its successful implementation, student outcomes, and the leveraging of federal resources to expand services and staffing. You will hear testimony about GAP Assistance interacts with federal workforce Pell Grants, and how coordinating these resources allows state dollars to go further while preserving the original intent of statute. Finally, you'll hear about the approval process required for community colleges to participate in SNAP E&T providers and why the statutory clarification is necessary for newly approved colleges to fully utilize the program and serve eligible students. In closing, LB1086 is about better coordination, smarter use of federal funds, and ensuring Nebraska's workforce training programs work together as intended. It is a technical fix with meaningful impact and a respectful ask for the committee's consideration. Thank you.

MURMAN: Thank you. And we can't ask questions, so thanks for the open. Proponents for LB1086?

EMILY DUNCAN: My name is Emily Duncan, E-m-i-l-y D-u-n-c-a-n, and I'm the Director of Adult Education Northeast Community College. Us and Metro have decided to flip our testimony so as the introduction, we figured you better understand the bill and then Metro will come up with the outcomes of what they're doing. I am here to testify in support of LB1086 introduced by Senator Dover. Our college was recently approved to become a part of the state's plan and are preparing to begin offering this program. We are the second college to be approved in Nebraska behind Metro. Northeast serves a diverse 20-county region across northeast and north central Nebraska. Many of our students are working adults, parents, and individuals balancing employment, family responsibilities, and coursework. A significant number meets the income-based criteria, meaning that SNAP Next Step Employment and Training Program directly aligns with the needs of the populations we serve. Through SNAP E&T, participants gain orientation, employability assessments, individualized plans, job readiness support, and access to short-term, high-demand training programs, including health care, trucking, manufacturing, agriculture, and registered apprenticeships. These programs are already built, accredited, and in operation at Northeast, enabling us to launch SNAP E&T quickly and effectively. LB1086 makes a simple but powerful change. It clarifies GAP Assistance eligibility cannot be denied simply because of a student is receiving SNAP E&T benefits. With this

legislation, the committee may no longer consider SNAP E&T benefits as other available funding when determining a student's eligibility for GAP support. The bill removes the barriers that previously forced colleges to deny GAP funding if other public support, even supportive services, not tuition, were available. LB1086 ensures that GAP and SNAP E&T can fully function as complimentary programs instead of mutually exclusive ones. The legislation allows Nebraska to full leverage available federal resources while maintaining the integrity of GAP as a state workforce development tool. GAP Assistance pays the tuition fees, books, and program supplies for short-term, high-demand workforce training. And SNAP E&T covers wraparound support, such as transportation, work wear, background checks, licensing exams, job readiness training, and ongoing advising. In general, these two programs, GAP helps our students enter the program and SNAP E&T will help them persist and succeed. LB1086 allows maximized Nebraska's return on investment. GAP funding is limited. SNAP E&T brings a 50% reimbursement for availability support services to approve third-party providers. In short, LB1086 allows GAP and SNAP E&T to do what they are designed to do together: remove the barriers, support training, and help Nebraska achieve family-sustaining employment. I urge you to advance this bill, and thank you for your time and consideration.

MURMAN: Thank you. Any questions for Ms. Duncan? Senator Hughes.

HUGHES: Thank you, Chairman Murman. So I'm reading how the bill-- like how this was originally and it, it basically said that they can deny an application when they think that the funding-- that the person, the person-- the persons asking for is available from a different program-- eligible from a different program. But you're pretty clearly stating that GAP funding covers ABC, SNAP covers, you know, XYZ. I guess why do we need this legislation? They're covering different costs, so if the person-- the participant or whatever needs funding for ABC and XYZ, why would the, the Commission or whoever's looking at it deny when they're covering different things?

EMILY DUNCAN: I'd say I'm not comfortable answering that question, I'll let somebody that's coming up behind me testify to it.

HUGHES: That's perfect. Yep. Thank you. Thanks for coming in.

EMILY DUNCAN: Yes. No problem.

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

EMILY DUNCAN: Thank you.

MURMAN: Other proponents for LB1086?

MIKE BAUMGARTNER: Good afternoon, Chairman Murman, members of the Education Committee. My name is Mike Baumgartner, M-i-k-e B-a-u-m-g-a-r-t-n-e-r. I'm the Executive Director of the Coordinating Commission for Postsecondary Education, and I'm here today to testify in support of LB1086. I am going to speak specifically to GAP and the new Workforce Pell Program, but I think I can probably address some of your other questions, too. The GAP Assistance Program was created in 2015 to address gaps in federal and state financial aid. Before the creation of Workforce Pell in the One Big Beautiful Bill Act last summer, Pell Grants were limited to for-credit academic programs consisting of at least 15 credit hours or 600 contact hours. The state's Nebraska Opportunity Grant basically mirrors that requirement. The GAP-eligible programs are short-term and targeted to prepare low-income students for jobs in high-need fields. A GAP Program must either be noncredit with a duration of not less than 16 contact hours or for-credit, but of insufficient credit hours to be Pell eligible. Furthermore, under the current GAP statute, a student is not eligible for GAP if the college receiving his or her application determines that funding for an applicant's participation in an eligible program is available from any other public or private funding source. Last summer, Congress passed the One Big Beautiful Bill Act, which for the first time allows Pell Grants to be used for certain short-term workforce training programs. The programs must be at least 150, but less than 600, clock hours during a minimum of 8 weeks, but less than 15, and they must be aligned with high-skill, high-wage, and in-demand occupations, as defined by the state. Eligible workforce programs must be offered by Title IV institutions of higher education, that's institutions that participate in federal financial aid. And the programs will have to be approved by the Governor. That means but-- some, but by no means all GAP programs may be eligible for Workforce Pell in the future. The advent of Workforce Pell is a happy occasion, but it could create new issues for low-income students who are eligible for GAP programs. As I mentioned, a student cannot receive GAP if his or her college determines that funding for an applicant's participation in an eligible program is available from any other public or private funding source. However, there could be instances when a student's Workforce Pell Grant is less than what they would have received from the GAP Program. This will generally be for more expensive Workforce Pell Programs, because Pell Grants are prorated based on the length of the program compared to the full-year award. In that case, there's a disincentive for the student to apply for a Workforce Pell, so the state would have to bear the entire cost of the

program rather than paying what remains after Pell. I put together a small list of some of the more expensive programs under GAP. There are many that fall underneath them, but these are some of the more expensive ones that you can see are, are important for our economy and could have issues with Pell. If you turn to the next page, I gave you this in a printed copy, because I didn't think I'd be able to get through it all. But it's a demonstration of how clock hours and 14-week programs and it's a demonstration how the Pell is going to be calculated, Workforce Pell. And the bottom line is that there are instances for these more expensive programs where Workforce Pell will probably not cover the entire program, and the current GAP statute would not allow GAP funds to be used for that. LB1086 will allow students to receive Workforce Pell first, then allow them to receive a GAP award if any part of the total eligible cost of the GAP Program has not been met. This is not a bonus for students, they will not receive more than the cost of the eligible program from either the state or the federal government or the combination, but it will allow the state to take advantage of federal dollars as well as meeting the needs of students. And, sorry, I don't want to run over that.

MURMAN: You can continue.

MIKE BAUMGARTNER: Oh, OK. Well, let's go back to the examples then. So let's say that you are, in Example 1, a 14-week or 599-clock-hour program, which just fits under Workforce Pell, so to figure out what the Pell Grant is going to be, we take the ratio of the weeks to the weeks or the clock hours to the maximum clock hours, and then we apply that ratio to the Pell Grant. And there are two examples there, a maximum Pell or a minimum Pell, Pell could fall anywhere in between there, depending on the student's-- Student Aid Index. But in the first example, the maximum Pell would give $3,995. If you were a little bit higher income, you might get down to $400. So if you turn to the page that has the cost of some of the programs, let's say you wanted to go to Central Community College in plastics engineering technology, and that program, that GAP Program, costs $5,710, you can see that the maximum Pell in that instance is not going to cover it. Well, the way that GAP is written, there are other funds identified for the program so the student should not be getting GAP funds. The incentive for the student then is just to take the GAP funds and not take the Workforce Pell. But that spends state money when we could have used a combination of funds. So that's really what we're trying to do here in the bill. This is more-- in, in the middle section of, of section (3) where it says: the total eligible cost as defined in Section 85-206 [SIC], that's-- this will get to the Workforce Pell issue by saying if the Workforce Pell does not cover the entire cost

for the GAP Program, then GAP Program funds can be used to meet the rest of it. That's a, that's a different but not completely different issue from SNAP. The SNAP is that we can't use that money to match and we're leaving federal dollars on the table for that one as well. This is more the traditional. The SNAP is more bringing along the wraparound services that really help these students get through. But in both cases we're, we're just amending this piece of the act or asking you to amend this piece of act so that we can take advantage of both the federal dollars and state dollars because the federal dollars were not available at the time that the GAP statute was written.

MURMAN: OK. Thank you. Any questions for Mr. Baumgartner? So you summarized it right there at the end, I think, that if federal dollars aren't available, state dollars will be able to be used.

MIKE BAUMGARTNER: Yes. Yeah, right now, they couldn't use the state, because if you got a, if you got a Workforce Pell, then the committee would say or the institution would say, well, there's another funding source so no GAP. So that leaves you with a shortage. Whereas, when we change it, we can say Workforce Pell first and GAP second if there's anything left over.

MURMAN: OK, thanks. I haven't got a chance to look at the fiscal note on one sheet.

MIKE BAUMGARTNER: There is no fiscal note to this--

MURMAN: OK.

MIKE BAUMGARTNER: --because the GAP funds already exist. In both cases, it's students who would already be eligible for GAP. In the case of Workforce Pell, there could be a little saving to the state, but I don't know that for sure because I don't know how many Workforce Pell programs there will be, and if they will be mostly entirely covered by, by the Pell Grant. But it's not going to change the amount of money coming into the GAP fund and I don't think it's going to change it much going out. It should be pretty, pretty flat.

MURMAN: OK. Thank you. Any questions? If not, appreciate your testimony. Other proponents for LB1086?

TAMMY GREEN: Good afternoon. My name is Tammy Green, T-a-m-m-y G-r-e-e-n, and I am here on behalf of Metropolitan Community College who has been operating a SNAP Employment and Training or SNAP E&T Program for a little over 3 years now. I think, first, what we'd like to start with is what LB1086 does and does not do. LB1086 clarifies

that SNAP Employment and Training supportive services do not count as other funds or other funding that would disqualify students from receiving Community College GAP tuition assistance. LB1086 aligns Nebraska statutes with federal SNAP Employment and Training rules enabling colleges to coordinate funding streams. LB1086 does not create a new program. It does not expand eligibility or require new state appropriations. And why that matters: SNAP E&T is an education-to-employment pathway that helps individuals receiving SNAP move towards living-wage jobs. SNAP E&T funds supportive services like childcare, transportation, required tools and not tuition. GAP covers tuition and training costs for MCC. But, together, these programs remove barriers, speed completion, and improve job placement. Alignment allows Nebraska to leverage the required 50% nonfederal match and draw down additional federal workforce funds. In simple terms, any SNAP Employment and Training Program that is offered is required to have a 50% match that cannot be federal funds. So that is going to limit any SNAP E&T provider because they must find the additional 50% in order to provide the programming and the funds necessary to actually support students through education-to-employment pathways. Nearly 200 SNAP E&T participants served in high-demand career programs. Training pathways include health care, transportation, skilled trades, and technical programs. Participants transition into full-time employment with higher wages and career advancement. A couple of things-- just a couple of students that I thought this would help to understand. So a good example is Amy, she completed coursework for Nebraska real estate licensure, SNAP E&T support licensures and continued educational costs, opened the door to a professional career. Nicole is another example, she completed her pharmacy tech training, securing full-time health care employment, earning $6 more per hour than her previous job. Now, of course, that is self-reported. And then Kati completed pharmacy tech training as well. New employee-- she was now employed full-time with benefits and high wages, later volunteered as a graduation speaker and aspires to teach in the programs. In closing, aligning SNAP E&T and Community College GAP programs doesn't just fund training, the reality is it helps parents, workers, and families step out of poverty for good-paying jobs.

MURMAN: Thank you. Any questions for Ms. Green? If not, thank you for your testimony.

TAMMY GREEN: Thank you.

MURMAN: Other proponents?

CONNOR HERBERT: Good afternoon, Senators. Thank you, Chairman Murman and members of the committee for the opportunity to speak today. My name is Connor Herbert, C-o-n-n-o-r H-e-r-b-e-r-t, and I serve as a staffer with the Nebraska Commission on African American Affairs. In Nebraska, many adult learners pursuing workforce credentials are parents, first-generation college students, and working adults in lower wage jobs who are also eligible for programs such as Supplemental Nutrition Assistance Programming, right, SNAP. Community colleges consistently report that students who complete high-demand certificate and degree programs supported by GAP Assistance experience strong employment and earnings outcomes. These programs are closely aligned with workforce shortages in fields that are essential to our state's economy. However, financial strain remains one of the primary reasons adult students stop out before completing their training. Treating potential SNAP Employment and Training, E&T, participation as a reason to deny or reduce GAP Assistance, it works against the purposes of both programs. SNAP E&T is designed to help individuals gain skills and move towards self-sufficiency. GAP Assistance serves a similar function by covering short-term educational costs directly to employment. And when one support is used to disqualify a student from another, the result is not efficiency but barriers. It effectively penalizes individuals for using lawful, work-focused public programs intended to help them advance. LB1086 provides clarity that SNAP E&T eligibility should not be used to deny GAP Assistance. This promotes coordination rather than competition between programs and allows community colleges to build practical student-centered funding strategies, as was just mentioned. The bill supports a stronger workforce pipeline, helps adults complete training that leads to stable employment, and ensures that public investments in education and workforce development operate as intended. For these reasons, LB1086 is a commonsense step that supports students, employers, and Nebraska's long-term economic strength. Thank you.

MURMAN: Thank you. Any questions for Mr. Herbert? If not, thanks for your testimony. Other proponents?

SHANNON GROTRIAN: Good afternoon, Chairman Murman and members of the Education Committee. My name is Shannon Grotrian, S-h-a-n-n-o-n G-r-o-t-r-i-a-n, and I am the Director of the Office of Economic Assistance in the Department of Health and Human Services. I am here to testify in support of LB1086. The Nebraska Department of Health and Human Services administers the SNAP Employment and Training, or SNAP E&T Program, which empowers SNAP participants to build pathways towards long-term economic stability and mobility. Through access to skills training, vocational education, and credentials, participants

gain tools that position them for in-demand careers and self-sufficiency. Nebraska's SNAP Employment and Training Program utilizes a partner network, which includes community organizations such as YMCAs, Goodwill, Inc., and community colleges. The program has significantly increased its drawdown of federal funds by expanding this network of third-party partners, utilizing a 50/50 reimbursement model. Every dollar invested by a third-part partner is matched by a federal dollar, effectively doubling the impact of the local investment without increasing reliance on state general funds. The changes made in this bill allowing community colleges to use GAP Assistance funding as a match for SNAP Employment and Training is a commonsense change. It would allow Nebraska to effectively double the funding available to support these eligible SNAP participants without duplicating expenses. LB1086 allows community colleges to stretch their resources further while bringing additional federal funds into the state, strengthening the connection between education, training, and workforce opportunities, and creating a clear incentive for more community colleges to participate as third-party partners with SNAP E&T. With these changes, more students would benefit from case management support that SNAP E&T offers, which guides them into career pathways, leading to long-term self-sufficiency. We respectfully request that the committee advance the bill to General File. Thank you for your time. I'd be happy to answer any questions on this bill.

MURMAN: Thank you. Any questions for Ms. Grotrian? If not, thanks for your testimony. Other proponents for LB1086? Any opponents for LB1086? Neutral testifiers for LB1086? If not, Senator Dover, you're welcome to close.

DOVER: Thank you, Chairman Murman and members of the committee. I also want to thank our testifiers for being here today and for taking the time to clearly and concisely explain the interaction between GAP Assistance, SNAP Employment and Training, and related federal programs. While the mechanics of these programs can be complex, today's testimony demonstrated how this bill simply allows existing resources to work together as intended. LB1086 is a technical clarification that improves coordination, maximizes federal funding, and it's worth individuals working to enter the workforce without creating new programs or additional state costs. I appreciate the committee's time and consideration. I would be happy to answer any questions. And just to simplify things, basically GAP came out before. They couldn't utilize GAP. GAP started building up and the Governor wanted to sweep the funds. And I think it's a really good, I think it's a really good source, a really good source of funds to use to get people back in the workforce and that's why I brought the legislation.

MURMAN: Thank you. Any questions for Senator Dover? If not, we had one-- online, we had one proponent, zero opponents, zero neutral. And we'll close the hearing on LB1086. Thank you.

DOVER: Thank you.

MURMAN: And we'll open the hearing on LB1039. Welcome, Senator Dungan.

DUNGAN: Thank you. Good afternoon, Chair Murman and the members of the Education Committee. I'm Senator George Dungan, G-e-o-r-g-e D-u-n-g-a-n. I represent Legislative District 26 in northeast Lincoln. Today, I'm introducing LB1039, which seeks to prohibit any school resource officer or security guard, commonly known as SROs, from subjecting a student to corporal punishment. SROs are obviously common in almost all of our schools across the entire state. In 2019, the Legislature passed LB390, which required schools to have SROs to adopt-- that have SROs to adopt a memorandum of understanding, or MOU, between the school districts and law enforcement with certain minimum requirements. These requirements include training from law enforcement in matters of school law, student rights, and preventing violence in school settings, among other subjects. This bill simply would add into that MOU that they're-- sorry-- this bill would also require that the MOU describe the type or category of student conduct or actions that will be referred to law enforcement for prosecution and the type of student conductor actions that will resolved as a disciplinary matter by a school official and not subject to referral to law enforcement. LB1039 specifically requires that the MOU include a provision prohibiting any SRO from subjecting any student to corporal punishment. For years, Nebraska has prohibited school officials from imposing corporal punishment on students. Corporal punishment is defined as the intentional infliction of discomfort or pain in response to an undesired behavior, and it has no place in our schools. It is harmful to children, contrary to best practices in education and child development, and expressly barred in Nebraska. This bill simply extends that prohibition that already exists to SROs. You may ask, if corporal punishment is already prohibited, why do we need this bill? We have a testifier coming up after me who can speak to specific occurrences, so I would ask that you hold on to that specific question for her. Police are expressly trained in various tactics for subduing or restraining individuals they encounter. What may be appropriate in certain circumstances outside of schools is not always appropriate inside schools. Physical force is not how we should make children obey. Schools have a myriad of other successful de-escalation techniques they use every day. Additionally, school districts have not requested permission to use corporal punishment and our ban on such

punishment has been successful. Our current law requires the duties of SROs who interact with students while they are in schools be clearly defined. This bill would clarify that corporal punishment not be used in any schools by any adults. I encourage the committee to be supportive of this bill and I'm happy to answer any questions you may have. I would also note for the committee, I did have conversations with Lincoln Public Schools, in particular, but I've also spoken with officials from other schools. I am more than happy to have an amendment drafted that, that does clarify that this bill is not intended in any way, shape, or form to inhibit SROs from doing their job. I'm open to specific language on that, but if we needed to add a line of some sort after this that specifically said that this provision is not intended to prohibit them from conducting their business pursuant to the current MOU or to best practices for law enforcement, happy to do that. This is simply pertaining to corporal punishment. We do not want to stand in the way of SROs doing their job that they're there to do. So with that, happy to answer any questions.

MURMAN: Any questions at this time? If not, thanks for the open.

DUNGAN: Thank you.

MURMAN: Proponents for LB1039?

LAUREN MICEK VARGAS: Good afternoon, Chairperson Murman and members of the Education Committee. My name is Lauren Micek Vargas, L-a-u-r-e-n M-i-c-e-k V-a-r-g-a-s. I am here today as a lawyer, a former teacher, and the CEO of Education Rights Counsel to testify in support of LB1039. Nebraska law is clear: corporal punishment is prohibited in our public schools. LB1039 is a commonsense bill that ensures this prohibition is consistently and effectively enforced by requiring that contracts between school districts and school resource officers, law enforcement agencies, and private security providers explicitly require compliance with Nebraska's laws on corporal punishment. This bill addresses an important gap between policy and practice. While school districts are bound by state law, many rely on external law enforcement or security personnel whose contracts may not clearly state that they are subject to the same legal and disciplinary standards as school employees. LB1039 ensures there is no ambiguity. Anyone working in a Nebraska school must follow Nebraska law. This clarity matters for student safety, student rights, and accountability. Students must not be subject to physical punishment simply because discipline is administered by a contracted officer, but rather than a school employee. Parents should not have to wonder whether different rules apply, depending on who is engaging with their

child, and school districts deserve clear guidance so they can structure contracts and protect students and reduce legal risk. This is especially important for students with disabilities who are almost three times more likely to experience behaviors related to their disability and may be misinterpreted as defiance or noncompliance by a nonschool employee. When physical force is used in response, it can result in physical injury, emotional trauma, and the denial of a student's right to a free, appropriate public education, which is protected by federal law. Federal laws such as IDEA, Individuals with Disabilities Education Act, and Section 504 of Rehabilitation Act emphasize the need for positive behavioral supports, not punitive or physical discipline. Let me also be clear that this bill also does not change the duty for SROs as stated by Senator Dungan. It does not impact their ability to intervene physically where safety is concerned. What it prohibits is using pain tactics to discipline a child. For example, under current law and this proposal, an SRO could certainly intervene if necessary use-- and use physical action where a child may be in danger to himself or to others. But when physical force is used as discipline, we know based on decades of research, it is ineffective. Fear does not teach a child why a behavior is wrong. Force creates fear and distrust. LB1039 does not create new prohibitions or impose unreasonable burdens on schools or law enforcement. It simply requires that existing law be acknowledged and followed through contractual agreements. I provided some examples to each of you today of what we are seeing across the state of Nebraska as a nonprofit who provides pro bono legal representation to families across the state. And we hope that you can take these into consideration. And, Chairperson, I see that my time is up.

MURMAN: Thank you. Any questions? Senator Lonowski.

LONOWSKI: Thank you, Chair Murman. Thank you for being here.

LAUREN MICEK VARGAS: Of course.

LONOWSKI: I looked this up this morning just out of curiosity, and SROs are already prohibited from using corporal punishment. So what else does this do?

LAUREN MICEK VARGAS: Yes, so specifically what this does is it puts it into the contract. You're right that the law already explicitly states that. But what we are seeing, as you will see in the examples that are provided, is that oftentimes because it's not explicit in those MOU contracts, that there have been arguments about what is needed and required. For instance, there's an example of a child who, for

instance, was in the bathroom. They thought he was doing something inappropriate, right? To get the child out, instead of, you know, bringing him out of the space, they ended up tasing the child. And so that is an example of corporal punishment. As you know, Senator Lonowski, because you were a teacher, that even flicking a child in the ear in Nebraska under state law and under the precedent of the Supreme Court states that that actually-- just that simple action also can be considered corporal punishment. So any punitive or active type of touching of a child that would be for discipline measures is what we are seeking here to clarify.

LONOWSKI: Were those cases in Nebraska?

LAUREN MICEK VARGAS: All of them were in Nebraska. Yes.

LONOWSKI: OK.

LAUREN MICEK VARGAS: All the cases provided here are in Nebraska and through phone calls that we've received or, or clients that we represent.

LONOWSKI: Thank you.

MURMAN: Any other questions? Senator Juarez.

JUAREZ: Thank you very much for coming in today. I guess, you know, I could see in some of these examples the, the points that you're trying to make about what-- the corporal punishment, but what about in a, a scenario when the students-- you know, there are students physically fighting between each other, you know, and, and I get concerned about, you know, the safety of other students in the classroom because kids do fight.

LAUREN MICEK VARGAS: I think, Senator Juarez, this speaks to what myself and Senator Dungan said before. This is not stopping SRO or law enforcement from doing what their job is. It's to clarify when they can utilize these punitive metrics and pain tactics. So if two children are in a fight and, obviously, it's escalating, then that would be an exception to what this MOU would require.

JUAREZ: OK. Thank you.

MURMAN: Could you tell me again why is that an exception?

LAUREN MICEK VARGAS: It would be an exception in terms of let's say that a child comes in with, like, brass knuckles, OK?

MURMAN: Yeah, let's say two big high school kids.

LAUREN MICEK VARGAS: Yeah, like, two kids come in, right, with, like, brass knuckles or something and they're going to beat you know the crap out of each other, right Senator? So in that instance, obviously, there's a threat and there's also a potential weapon. That is exactly why we have SROs in our schools is to prevent those aspects from happening. What we do not have SROs in our school is to implement discipline when a child is acting out and saying, hey, you know, hey teacher, I dislike you, you know, F off or something like that. And then they now are being pulled by the hair, taken down to the ground, tased, etcetera. That's what we're seeing for simple things that really should require, in my day were detentions, they didn't require SRO involvement.

MURMAN: Say they didn't have brass knuckles, they were just fighting with fists.

LAUREN MICEK VARGAS: Yes, I think that there's some clarity in those spaces as well, that that would be part of their role.

MURMAN: They could do whatever it takes to break up the fight.

LAUREN MICEK VARGAS: Specifically, as it states in that MOU, if it impedes the safety of others or that other child, I believe that the MOU and this bill specifically designates that they can use those tactics. This just provides clarity for when that isn't the case, when a reasonable person would not believe that the child or somebody else would be at harm, that pain tactics under corporal punishment would be prohibited. Is that helpful?

MURMAN: Yeah, sounds good.

LAUREN MICEK VARGAS: Thank you, Your Honor. Your Honor-- I'm too used to being in court.

MURMAN: I like that.

LAUREN MICEK VARGAS: I'm too used to being in court, Judge. See-- Judge-- I'm so confused. Senator, thank you.

MURMAN: I'm not called that very often. Senator Conrad.

CONRAD: Thank you so much. So Ms. Micek Vargas could you just perhaps help the committee to, to clarify this just a little bit more? So the Nebraska Legislature set a policy against corporal punishment being

utilized in our schools before I was here, back in the '80s, right? So that's been our public policy for a long time. And then I think perhaps Senator Pansing-Brooks and others on the Education Committee had worked together to pass a strong framework not to abolish SROs but to ensure best practices for them when they're interacting with students in our schools. And then what Senator Dungan's measure does today is just kind of update the cross-references between those two existing public policies rather than create new rights, prohibit any other behaviors, but just to make sure that there's some clarity that we say it when we mean it, no corporal punishment in schools that includes other actors like SROs who weren't perhaps contemplated in the original discussion back in the '80s.

LAUREN MICEK VARGAS: That's correct. That's correct, Senator. It's just to provide clarification and to rectify those two public policies.

CONRAD: Right. And so the difference, I think, that perhaps colleagues are struggling with is recognizing that from time to time SROs do need to utilize de-escalation techniques or intervene for public safety purposes, that's not what we're talking about in terms of physical contact that's already covered by their MOUs and their special training and the legislative framework, etcetera. What we're talking about here is corporal punishment, which is the infliction of paying for a punitive purpose within the context of the school setting. Is that fair?

LAUREN MICEK VARGAS: That is correct.

CONRAD: OK.

LAUREN MICEK VARGAS: Yes.

CONRAD: All right. And then I know that since your nonprofit provides free legal support for students across the state, student families across the state who are dealing with some pretty striking issues in our public school, particularly for kids with disabilities, you had listed some of the examples, I think, in your testimony or Q&A, but I-- the handout that you passed out to us is really striking, and I just want to make sure that that's included in the actual transcript record instead of just a handout to us. So if you had perhaps just a moment to recount just a few of these other specific examples from your case so that we have that for, for other people who might be looking at the transcript record who don't have this handout.

LAUREN MICEK VARGAS: Yes, Senator. The first example that is on the sheet that was provided to this committee is regarding a child who did not follow instructions to walk with his hands folded in front of him in silence. He was then, excuse me, forced to the ground by security because he was not following directions, held there for nearly 20 minutes as punishment for disobedience. That's the first. This other one is a student who was smoking a vape in a bathroom and he was pulled down the hall by his hair because he would refuse to leave. The third is a child who was waiting outside in an office for his counselor-- thank you so much-- which is where he was supposed to be per his IEP. In that situation, the SRO told him to go back to class. The child refused, understanding what his rights were under his IEP, the SRO put him into a headlock and cited him. So these are instances in which-- all three of these instances are spaces where educators, as a former educator, would normally step in and either de-escalate the situation or engage in those discipline tactics. Hey, you're not listening to me or you're smoking a vape, you're going to get a detention, etcetera. But the SRO is stepping into that role and utilizing, as you mentioned, that pain tactic for the purpose of discipline, not the purpose of safety.

CONRAD: Great. Thank you. Thank you.

MURMAN: Senator Lonowski.

LONOWSKI: Thank you, Chair. These situations-- seems like-- these are SROs that should have known better. I mean--

LAUREN MICEK VARGAS: Well, amen.

LONOWSKI: You cannot write a specific policy for everything. It's like, hey, no headlocks. Hey, no pulling. I mean, it's got to be like common sense where the SROs had to know we can't touch kids, right?

LAUREN MICEK VARGAS: Well, I think that's exactly why Senator Dungan is seeking to clarify with the MOU specifically states, which is to say, even though it's Nebraska state law, you cannot use corporal punishment. It would specifically state it into that contract. So more clarity doesn't hurt accountability.

LONOWSKI: OK.

MURMAN: Senator Meyer.

G. MEYER: Thank you, Chair Murman. Do these occurrences happen in Nebraska?

LAUREN MICEK VARGAS: Yes, all of them. We only represent students in Nebraska.

G. MEYER: Do you videotape?

LAUREN MICEK VARGAS: In some instances, yes.

G. MEYER: Legal disposition.

LAUREN MICEK VARGAS: Meaning was there a lawsuit as a result or what do you mean by disposition?

G. MEYER: For assault. It would seem some of these would, would rise to the level of assault.

LAUREN MICEK VARGAS: Your Honor, I would-- or Your Honor-- I'm sorry, I can't stop this.

G. MEYER: I like this promotion. [INAUDIBLE]

LAUREN MICEK VARGAS: Senator Meyer, OK, then I will say it for you. Senator Meyer, I actually would encourage you to speak to Senator Conrad who has a bill specifically in regards to why legal disposition and other actions cannot be taken when assaults happen in school. There is a very-- it's very complicated and I don't know if it is meant to be heard here, but it specifically-- there is an exception into the tort bill that currently exists in terms of negligence for a state actor that specifically says that if something arises out of an assault, you cannot take civil action. In fact, on Tuesday, my team was arguing a case in which a teacher abused a child physically and we have not been able to take action. And so we were in front of the Supreme Court on Tuesday arguing that same thing. So this is not something that doesn't happen, we're seeing it frequently.

G. MEYER: Time frame on these? I mean is this in the last 5 years or--

LAUREN MICEK VARGAS: Yes.

G. MEYER: --last couple of years or-- I'm just, I'm just curious, you know, how--

LAUREN MICEK VARGAS: Yes, the first one happened 4 weeks ago. The student vaping, 3 years ago. The one in the office, it was about 6 years ago. The case that we argued in front of the Supreme Court happened within the past 4 years.

G. MEYER: OK. All right. Thank you.

LAUREN MICEK VARGAS: Thank you, Your Honor. Sorry, I can't help it.

MURMAN: Any other questions?

LAUREN MICEK VARGAS: I've been trained well.

CONRAD: Yeah.

MURMAN: If not, thanks.

LAUREN MICEK VARGAS: Thank you so much.

MURMAN: Other proponents?

VANESSA CHAVEZ JURADO: Hello. Good afternoon, Chair Murman and members of the Education 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 am here today on behalf of Stand For Schools in support of LB1039. LB1039 amends current state statute to further prohibit corporal punishment and applies a prohibition to school resource officers. In 2019, LB390 passed and approved by the Governor, directed the Department of Education to develop a model memorandum of understanding, as we've been discussing, that outline training requirements for school resource officers and school administrators, and outline processes for recordkeeping on student referrals. The bill back then also required the identification of school policies that address when a parent or guardian will be notified if a student is subjected to questioning by a school resource officer or a security guard, under what circumstances a student will be advised of constitutional rights, that type of student conduct that is or is not subject to referral to law enforcement, as well as a complaint process for a student or parent expressing a concern and filing a complaint about a school resource officer or a security guard. In our view, LB1039 builds and clarifies these important foundations. As has been mentioned today, Nebraska already has a broad prohibition on the use of corporal punishment in public schools, which has been in law for 38 years. And that prohibition is for good reason. Corporal punishment is associated with higher rates of mental health issues, including mood, anxiety, and other personality disorders, drug and alcohol use disorders, higher rates of aggression, antisocial behavior, and other externalizing problems, and lower cognitive ability relating to verbal capacity, brain development, and academic achievement. So while previous Nebraska legislatures understood that corporal punishment does not serve the needs of students and while that prohibition is generally constituted in state statute, the

Nebraska Supreme Court has only examined its applicability towards teachers. LB1038 would reaffirm 79-295's prohibition as to school resource officers, providing important, excuse me, important clarity to existing law. Excuse me, I meant LB1039, would reaffirm 79-295's prohibition as to school resource officers, providing important clarity to existing law. Because this bill aligns with current statutes and Stand For Schools supports measures that enhance student safety and well-being and provide transparency on the expectations of school employees and support staff, we urge the committee to move this bill to General File. Thank you for your time. I'm happy to answer any questions.

MURMAN: Thank you. Any questions? Say a student is, like, throwing chairs around, you know, things that could harm other students.

VANESSA CHAVEZ JURADO: Absolutely.

MURMAN: What, what could an SRO do? I mean, if-- and also the student is difficult to restrain, I should say?

VANESSA CHAVEZ JURADO: Well, so the bill, as previously mentioned, does not prohibit harm mitigation and so I would not-- we-- our position remains that corporal punishment would not be required in that situation because that is something that we oppose. And so I would say going back to the point of harm mitigation not being prohibited within the language of this bill, I guess that remains our position where our understanding of the bill's intention isn't to prohibit that harm mitigation of making sure that the students remain in that safe environment. The solution to that issue wouldn't be to harm the child. As a former teacher, I guess in my opinion, if I were in that situation, I would probably call for support, have the students exit the room. And then, of course, with the behavioral team support, work on addressing that issue that way.

MURMAN: Have all the other students exit the room. Is that what you said?

VANESSA CHAVEZ JURADO: Yes, for sure. But if I, if I were in the classroom and that were happening, I immediately would be-- my priority would be making sure that the rest of the students are safe and, of course, calling for support and addressing it in a way that keeps that student in that situation safe as well, while also making sure there are no other students around that could be harmed by a chair being thrown around, but still not resorting to corporal punishment. And as I said, our understanding of the bill isn't that it

would prohibit any of that harm mitigation strategies that teachers and SROs are already able to apply in these similar situations.

MURMAN: If the student was throwing chairs and difficult to restrain, wouldn't that, wouldn't that be interpreted as a threat to the other students?

VANESSA CHAVEZ JURADO: Absolutely, so that's why I would get the kiddos out of the classroom and then with the behavioral support team there, assess the situation and see what would need to be done.

MURMAN: Well, sometimes in that situation, it'd be difficult to get the other kids out of the classroom, too. In the midst of all the confusion, you know, the uprise and confusion and all that, would-- wouldn't sometimes the immediate response be good to restrain that student as whatever it takes to restrain that student?

VANESSA CHAVEZ JURADO: As a former educator, my immediate response would be to make sure the rest of the kiddos are safe and, of course, I want the student who is displaying that behavior to also be safe, which is why I would not advise anybody resort to corporal punishment. And so I would-- yeah, I guess my first thought would be to make the rest of the students are safe, get them out of the classroom, and then work with the rest of the behavioral support team to address the student who is causing the harm and who could also be a danger to themselves in that case.

MURMAN: OK. Any other questions? Senator Meyer.

G. MEYER: Thank you, Chair Murman. Generally-- you have classroom experience?

VANESSA CHAVEZ JURADO: Yes.

G. MEYER: Yes. Generally, schools have their own policy with regards-- certainly, elementary, from my experience, they, they have their own policies, practices to follow, the ability to call for help, things of that nature. So there is a structure, generally, within, within every school with regard to disruptive students or, or those that are threatening the other students or even the teachers. So, so there is process. There's a protocol or procedure that, that they all follow so that protects both the, the student that's acting out, plus certainly the teacher and also the other students. So, so that, that's, that's a process that every school pretty much has as part of the policy, I would say, wouldn't you?

VANESSA CHAVEZ JURADO: Yes, you're 100% right. Absolutely. And I recall my first year teaching, there was a kiddo who was just not in a good mood after lunch, which is fair, and he was just throwing crayons around and just, you know, making a little mess here and there. And, yes, my first-- I was like, OK, I cannot continue teaching because he's starting to, you know, knock some chairs over. He was a little kindergartner, so not necessarily throwing them. But my first instinct was, OK, you know, I got to call for help while that was happening, trying to calm him down, trying to, you know, put a video on the screen so that the kiddos could, you know, feel like they were still in a safe environment while I got some support, and while also making sure that, again, all the students were safe, but also the kiddo who was throwing the crayons and knocking chairs over was not a harm to himself either. So, yes, you're absolutely right.

G. MEYER: There's a difference between naughty, disruptive, and dangerous, so.

VANESSA CHAVEZ JURADO: Yeah, exactly. And I think that--

G. MEYER: And you had the training to, to take care of those situations, so.

VANESSA CHAVEZ JURADO: Yeah. Thank you.

G. MEYER: Thank you.

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

VANESSA CHAVEZ JURADO: Thank you.

MURMAN: Other proponents for LB1039?

JASON WITMER: Good late afternoon, Chair Murman and committee. I'm Jason Witmer. I'm a policy strategist with the ACLU. I'm here in support of LB1039 and I'll just begin. LB1039 is a narrowly tailored clarifying bill. It does not rewrite, rewrite Nebraska disciplinary statutes, expand criminal law, or restrict lawful law enforcement authority.

MURMAN: Could you spell your name, please?

JASON WITMER: Oh, did I not spell my name? Sorry.

MURMAN: Didn't say your name.

JASON WITMER: Jason Witmer, W-i-t-m-e-r. I'll begin again. LB1039 is a narrowly tailored clarifying bill. It does not rewrite Nebraska disciplinary statutes, expand criminal law, or restrict lawful law enforcement authority. What it does is prohibit school resource officers and school security from subjecting students to corporal punishment while operating in schools under the memorandum of understanding. Under current law, Nebraska already requires school districts and law enforcement agencies to enter into a memorandum of understanding governing the role of school resource officers. Those agreements must include training on student rights, adolescent development, trauma-informed responses, de-escalation, and special education. Yet despite this framework, the statute remains silent on whether corporal punishment may be used by school-based law enforcement personnel. LB1039 closes that gap. Some districts treat school, school resource-- sorry, school resource officers as part of that educational environment and some treat them as traditional law enforcement operating on a campus. When the law is unclear, students, particularly students with disabilities and students of color, bear the risk. LB1039 provides clarity by stating that corporal punishment, as defined by existing Nebraska Law, has no place in the hands of armed and uniformed officers in the school setting. Importantly, this bill does not interfere with officer safety or emergency responses. It does not change use-of-force standards, arrest authority, or lawful self-defense provisions under Nebraska's criminal law. Officers retain full authority to intervene in emergencies or criminal conduct. LB1039 simply draws a clear line between discipline and law enforcement. This distinction is critical. Schools are learning environments, not correctional facilities. Nebraska law already recognizes this by requiring trauma-informed training and detailed referral tracking when law enforcement becomes involved in student behavior. LB1039 aligns statutory language with the existing policy direction. From a practical standpoint, the bill imposes minimum administrative burden. Most districts already prohibit corporal punishment by school resource officers through policy and practice. LB1039 assures that that expectation is uniform, enforceable, and transparent across the state. From the rights perspective, the bill strengthens the students' protections without expanding litigation or bureaucracy. It supports due process, bodily integrity, and equal protection while preserving local control and operational flexibility. So, for those reasons, we respectfully ask this committee to advance LB1039 to General File.

MURMAN: Thank you. Any questions for Mr. Witmer? Senator Hughes.

HUGHES: Thank you. Thank you, Chair Murman. And, sorry, I was at another hearing so I didn't hear the whole opening and stuff. But in

statute 79-295, it says "Corporal punishment shall be prohibited in public schools." So why doesn't-- why do we need this? I guess.

JASON WITMER: It's-- I believe it's vague in, in the memorandum of understanding. So it's prohibited across the state. What we're doing is-- what the senator, I believe, is doing is clarifying it specifically for these officers for incidents like them where some people it should be common sense. But some of us have to see it in our contract and in writing for it to become common sense. Where are you reading this particular area?

HUGHES: It was just in our state statute, so. I, I can ask Senator Dungan, too, so. Thank you. Thanks for your time.

JASON WITMER: Sorry. I'm not supposed to ask questions.

HUGHES: I know you're not supposed to.

MURMAN: Any other questions? Didn't mean to interrupt you.

HUGHES: No, I'm good.

MURMAN: Any other questions? If not, thanks for your testimony. Other proponents for LB1039?

BRAD JACOBSEN: Good afternoon, Senator Murman and Education Committee. My name is Brad Jacobsen, B-r-a-d J-a-c-o-b-s-e-n. I'm with Lincoln Public Schools. We support this concept of LB1039. LPS has a long-standing MOU with the city of Lincoln and Lincoln Police Department that we would feel like, you know, actually utilizes those statutes, 79. I believe it's 01, 03, and 04 are the ones that really focus in on the MOU for an effective SRO program, and that's how we evaluate that annually along with the city. And there's actually even a stand-alone board called the SSKI, Safe and Successful Kids Initiative, in Lincoln that has really been instrumental in helping continue to make that, that program improve along the way. So, you know, our only concern that we had was just we didn't-- we wanted to make sure we didn't hear any murkiness or create murkiness for those SROs in those situations that are law violations. I think you've heard from Senator Dungan and he also met with us and, and listened to those concerns. And I think that you've heard that addressed from previous testifiers that this doesn't interrupt those school law-- or those, those SROs from intervening when there are law violations. This is totally-- and the-- you know, our perspective and our training is always about schools handle discipline, SROs are there for law enforcement and for safety purposes. And so that needs to stay

separate. And so we definitely appreciate Senator Dungan bringing this forward and we would support the ongoing conversation of, you know, if there's an amendment needed to clarify that language, we certainly would, would be happy to be part of that conversation.

MURMAN: Any questions for Mr. Jacobsen? If not, thanks for your testimony.

BRAD JACOBSEN: All right.

MURMAN: Other proponents for LB1039? Any opponents for LB1039? Neutral testifiers? Are you opponent or neutral?

WILLIAM RINN: Yes, sir.

MURMAN: Opponent? Opponent?

WILLIAM RINN: Opponent.

MURMAN: OK.

WILLIAM RINN: Good afternoon. My name is William Rinn, W-i-l-l-i-a-m R-i-n-n, and I'm the Chief Deputy of Administration for the Douglas County Sheriff's Office, under Sheriff Hanson in Omaha. We're here in opposition to LB1039 as drafted. And I'll kind of freestyle this here because you have our letter and what our explanation is. I think we can agree that there's two types of opposition, one in concept and then one maybe just in language. Here we have no problem with the concept of this bill. I'll remind this body that the Sheriff and Douglas County met last year with the Legislature on the bill to include SROs in the language of sexual assault and harassing as, as-- of students, and we were for that. We're for any bills that assist the Sheriff's Office in holding our officers and deputies accountable. What we have here is just a little bit of fundamental disagreement as to how clear this bill is, as to the exemptions for performing lawful actions as the statutes allow for a certified law enforcement officer under Title [SIC] 79. And we just have some concerns that, although we've heard a lot of testimony about how clear the clarification is, we disagree that it's that clear, and we don't want there be any murkiness between an officer who or law enforcement officer or deputy who is, you know, acting to detain or arrest someone or keep them from doing some sort of mitigation of harm, and that later being separated somehow as, well, you were just punishing this person or it caused harm. Because I can tell you that our-- the, the language as far as the education piece of that and the MOU, no problem with that at all. We already hold our officers to that standard. We probably train them

more than that anyway. In fact, we offer training for other law, law enforcement bodies who can't afford to do that training or don't have the expertise to do it. So there's no problem there. The issue, again, we're talking about language of just kind of more specifically carving out what would be the, the definition of corporal punishment as it doesn't pertain something to the effect of when in the execution of law enforcement officers doing their duties as prescribed under state law. We don't-- you know, anything short of that arbitrary use of force or doing it at the direction would be assault and, and we hold our officers accountable for that, so we don't want to see that. As far as having those, what things are, are outlined in policy, what, what things will be referred and when you will use force, you can't anticipate all those circumstances. We certainly try and outline the big ones as we can. And so it's difficult to categorize those things. And the last thing I would point out is, again, we're, we're trying to use the least amount of force necessary to obtain a lawful, a lawful objective, which should start with de-escalation. However, some of those are situated by the persons who are being detained as well. The more they resist, the more painful it becomes sometimes, and it's kind of out of control with that until, until the behavior is ceased. So we just don't want to have any misunderstandings between school boards, parents, and the Legislature as to what constitutes corporal punishment.

MURMAN: Thank you. Any questions? Senator Conrad.

CONRAD: Yeah, thank you, Chair. Thank you for being here, Officer, appreciate it.

WILLIAM RINN: Sure.

CONRAD: And I know when the previous Legislature was working with law enforcement and with schools to develop the best practices framework for these MOUs, you know, they relied heavily on information and feedback from the National SRO Association and local law enforcement, and I know that it's really a consistent principle in this work that school resource officers are not to be utilized to enforce school discipline, that they're there for other purposes, for public safety, etcetera. And I know that as part of the training and part of the best practices that school resource officers put forward is a general abhorrence towards using corporal punishment. It's, it's really not within kind of the scope of their mission and, and actually their training helps to guide them away from inflicting pain or the utilization of corporal punishment to enforce school rules or school discipline, etcetera. And I, and I think that maybe-- I understand

your concerns here, but I, I do think that perhaps, and I don't want to speak for Senator Dungan, but we're actually all rowing in the same direction here.

WILLIAM RINN: I would agree.

CONRAD: And if it takes just a, a little bit of maybe massaging the language or taking the conversation offline, because I, I know, having worked with Senator Pansing-Brooks, the framework that she put in place with law enforcement and with schools was literally to try and codify the best practices for SROs, which includes not utilizing corporal punishment. So if we need to, to marry that up, I, I-- I'm-- we'll, we'll, of course, work with you and appreciate you being here.

WILLIAM RINN: And I think-- and if I might add this-- those, those changes and, and those collaborations are quite helpful. Actually, for me, one of the things we do is, you know, I came from the criminal investigative world. Now I'm, now I'm in the internal affairs world. So when we have these further clarifying issues, it makes our job easier to keep the top-tier people doing the right job, at the right time, the right way.

CONRAD: You got it. Very good. Thank you. Thank you, Officer, appreciate it.

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

WILLIAM RINN: Thank you.

MURMAN: Any other opponents for LB1039? Neutral testifiers for LB1039? If not, Senator Dungan, you're welcome to close. And while he's coming up, there are 15 proponents, zero opponents, and zero neutral online.

DUNGAN: Thank you, Chair Murman and members of the committee. I want to thank everybody that came and testified here today. Just to respond to a couple of the questions that came up, and I think some of the conversation that just happened, I would agree with Senator Conrad that I think we're all rowing in the same direction. What I don't want LB1039 to be is a relitigation of what is corporal punishment and what isn't corporal punishment, nor do I think that we necessarily have to litigate specific fact patterns of when it is or when it isn't allowed. As has been noted, the, the use of force in law enforcement, even as it pertains to SROs, is well established and well documented, and SRO's are well trained in understanding the processes and procedures they have to follow when dangerous incidents arise. I went through some of the statutes that pertain to the MOUs that currently

exist. It is very well delineated in there what SROs are going to be used for and what they're not going to be used for. Senator Hughes, to your point, why is this necessary? We talked about this, I think, right before you came in, but the Legislature had, at one point in time, has established that corporal punishment is not to be used in schools, and Senator Lonowski also referenced that. Decade or so, decades after that, there's been the establishment of the SROs and the MOUs that are in there. What LB1039 seeks to do, to do is essentially put those two things in harmonization with one another. It really is a simple bill that's putting into the MOUs the requirement that corporal punishment not be used, which, again, has been noted multiple times, is best practice. We believe that it is clear that there is a bifurcation of discipline and safety. And we know that, as has been noted by the many testifiers here today, discipline in schools is to be conducted by teachers, and then safety as it pertains to law enforcement, security, enforcing the laws, that is for the SROs. And so this bill does not seek to inhibit or hinder in any way, shape, or form what SROs can or can't do. Certainly, Senator Murman, in the circumstances you were talking about with throwing chairs and things like that, an SRO absolutely could intervene under current law. And if this was passed, I think they could also intervene. If there's a threat of violence or if the safety of a student is in danger, they can always do their job as a law enforcement officer the way they could in any circumstance as a law enforcement officer, and we'd expect them to, to step in and make sure we have a safe community and a safe environment. As for the opposition testimony, I am more than happy to work with the Douglas County Sheriff's Office. As was noted by LPS, we've met, we've talked about this. If we need a clarification that clarifies the purpose of this part of the MOU, specifically pertains to corporal punishment and doesn't in any way, shape, or form hinder law enforcement's ability to do, to do their job, I'm happy to work on that. I want to make sure that language is clear. But this is not meant to step in and inhibit their abilities, but rather to clarify the separation of discipline and law enforcement. So I think this really is a harmonization of two different parts of the statutes and, hopefully, we can get some language worked out that is specific enough to remove that opposition and I'd like to try to get this bill moved quickly if at all possible. With that, happy to answer any questions.

MURMAN: Well, I think we're all on the same page, that we want to keep classrooms safe and a good learning environment also. At the start of your close, you said something about when these dangerous incidents

arise. That's not a direct quote, but it's pretty close. So it can get pretty murky in, in situations. So--

DUNGAN: And to that point, Chair Murman, I, I think that you're correct that there are dangerous circumstances that arise. And I guess my response is that there's already quite a bit of training and expertise that goes into how law enforcement and how teachers respond in those circumstances. So what I, what I very much don't want LB1039 to be is to become a corporal punishment bill in so far as debating what is corporal punishment, what isn't corporal punishment. That's all been well litigated and resolved. I simply want to make sure that the current laws that are in place pertaining to corporal punishment are incorporated into the MOUs between the SROs and the school districts to make sure it's all aligned. So I agree it can from time to time get murky and I don't envy the people who in those emergency situations have to make decisions, but I do trust law enforcement to make the right decisions. I just want to make sure that in these contracts it's clear what they're expected to do and what they're not expected to do.

MURMAN: OK. Thank you. Any questions, then? Any others? Senator Conrad.

CONRAD: Thank-- thanks. And just to maybe try and clarify just or put a bow on it at the end of the hearing here. So we've had a long-standing policy in Nebraska schools since the '80s that, that has a prohibition on corporal punishment. We wouldn't allow the school to-- what they can't do, they can't contract with somebody else to do, right?

DUNGAN: Correct.

CONRAD: And that's kind of at the heart of your bill is just SROs and the SRO framework that's now part of our laws wasn't contemplated in the '80s. That was adopted just a few years ago. So we just need to bridge the gap between those two sections of law.

DUNGAN: That is correct. Yeah, when I say harmonization, that's what I mean. It's just incorporating what is currently the law into that MOU statute.

CONRAD: Very good. Thanks.

MURMAN: OK, any other questions? If not, that will close the hearing on LB1039.

DUNGAN: Thank you.

MURMAN: Thank you. And we'll open the hearing on LB1182. Senator Lippincott.

LIPPINCOTT: Chairman Murman and members of the Education Committee, my name is Loren Lippincott. That's L-o-r-e-n L-i-p-p-i-n-c-o-t-t, representing District 34. Before we dive into the details of LB1182, this bill, I want to very briefly reference my testimony on LB1183, which was heard in the Revenue Committee recently. LB1183 focuses on the supply side of our state's fiscal health, reducing the taxable value of property by 50% to provide long overdue relief to our farmers, homeowners, and business owners. However, we cannot talk about tax relief without talking about how we fund our most vital state obligation, and that is education. LB1182 is the necessary partner to do that effort and with LB1183, fixes the way we collect revenue. LB1182 reforms how we invest it, specifically by ensuring our teachers are paid a professional wage while transitioning the state toward a more predictable block grant funding system. Commencing with next year's school year, 2027-28, LB1182 establishes a statewide annual minimum base salary of $50,000 for every full-time certified teacher in Nebraska. This $50,000 floor would apply to all certified teachers regardless of their years of experience or educational attainment. To prevent this base from stagnating, the bill mandates biennial adjustments linked to percentage change in state General Fund receipts. While the state sets the floor, local districts maintain the autonomy to pay above that minimum to remain competitive. I recognize the diverse perspectives on this committee, from those focused on fiscal responsibility to championing student outcomes. Currently, our TEEOSA formula is a, quote, black box that creates unpredictable swings for your local districts and LB1182 states the Legislature's intent to transition toward block grant funding by providing quarterly grants based on enrollment and the new salary floor we give your school boards the predictability they need to lower property tax levies back home. We're facing a teacher recruitment and retention crisis. And by establishing a $50,000 base, we're signaling to every college student in Nebraska that teaching is a respected, viable profession. We are putting our money where our values are, ensuring that a teacher in a small rural district is valued as highly as one in our largest metros. According to the fiscal note, while there is a see below notation for future years, the Department of Revenue estimates minimal impact on state revenues and zero implementation cost for their agency. The intent is to shift existing TEEOSA resources into this more direct, transparent salary support and foundation aid model starting in fiscal year 2027 and 2028. So I ask you to entertain this

thought today. We can provide massive property tax relief, raise teacher pay simultaneously if we are willing to reform the system. I'm happy to answer any questions.

MURMAN: So $50,000 base salary for teachers, what are you doing with the rest of TEEOSA then?

LIPPINCOTT: Yes sir.

MURMAN: Right now, I think there's 18 adjusters, I think, if I remember right for TEEOSA. So are you still using those too?

LIPPINCOTT: Yeah, TEEOSA right now gets approximately $1.2 billion. And we have 23,000 school teachers in Nebraska. So you take 23,000 times $50,000, that's approximately $1.2 billion. It's actually 1.115, but it's close to 1.2. And so what this proposal is doing is it suggests taking the money from TEEOSA and giving it directly to the school teachers. Now, just as a very brief review, we know that approximately 60% of our property taxes go toward schools. We know that. And of the school budget, approximately 80% of the school budget goes toward salaries for the schoolteachers. So we know that. So what this would do is, it would take the $1.2 billion TEEOSA, slide it toward the teachers' pay, and it would start at $50,000. Now we also know that Nebraska is near the bottom, if not at the bottom, in terms of new teacher pay. It can be as low as $39,500. That's pretty low. And what this would do is it would start all teachers, all certified teachers off at $50,000. Now, also we know that the average salary for the schools statewide is approximately $54,000. So let's just say, for instance, you have a teacher that makes $60,000 a year. Obviously, that's more than $50,000 a year, so the state will pay for $50,000 of that salary and then the local school district will pay for the additional $10,000 to equal $60,000. It's also interesting to note that this would not pay for the superintendent or the principals, the administrative people, or the custodians. This is for certified school teachers only in the classroom. That's what we're talking about. That's what the 23,000 number is here in Nebraska.

MURMAN: OK. Thank you. Any other questions? Senator Hughes.

HUGHES: Thank you, Chairman Murman. Thank you for bringing this, Senator Lippincott. So you're basically doing a minimum wage for teachers, just like we had our bill last week for minimum wage just for employees. Your minimum wage is $50,000 a teacher. I looked up-- so I was on Seward School Board before, our starting salary for teachers this year is $43,615 at Seward Public Schools. When I-- and

I'm having this conversation actually to Facebook, I posted a, a thing of our minimum wage and our cost of living in our state. When I look at minimum wages, whether it be a minimum salary like this or minimum wage, I think you, you have to look at cost of living wherever it is. So when you say $50,000, if you're in Omaha, it's a different cost of living than if you were in Seward, which is a different cost of living if you're in Eustis, Nebraska. So this kind of takes that away and says a minimum of all. So if I'm a new teacher, I think I might be more inclined to go work somewhere with a lower cost of living than stay maybe in Lincoln or Omaha where it's a higher cost of living. Do you see any issue with that? Because when I was on school board and we decided-- we looked at salaries and things, there's a lot that goes into it. You look at your neighboring schools that are in your array, the same size. I mean, for Seward, you'd have to look at what's Milford paying, what's Centennial paying, because you can't-- and it'll be too low, too high. There's a lot of work done when they create these, these salaries based on what's going on in your area around. And I feel like this is a little bit of, OK, it has to be this, and now, you know, you're stuck a little bit. So did you want to talk on that? Yeah, go ahead.

LIPPINCOTT: What you say is correct. So school teachers in Omaha versus Central City, for instance, yeah, the cost of living is a little bit different. So there's nothing in this that would not allow the local school board to adjust differences in pay. It's just that the first $50,000 would come from--

HUGHES: The state.

LIPPINCOTT: --the state. And then let's say you pay your teachers $70,000, more than 50. So with the additional $20,000 you have to make up for it yourself with property taxes or however you--

HUGHES: Is there any other state funding coming to schools or is it pretty much the $50,000 for the teachers?

LIPPINCOTT: Yes, that's pretty much it. Yeah, it's the $1.2 from TEEOSA.

HUGHES: OK, so, so then I'm going to throw out the other problem that I've got in my district. So I've got York and Seward. They're essentially the same size school. Just for, for fun-- and they both have about 1,500 kids. Let's just assume they both have-- need-- have the same amount of teachers, right? They're run the same. So each school, Seward needs 110-- has 110 teachers, York has 110 teachers.

They receive the same amount of funding from the state for those teachers. And anything more, all the rest, the running of the school, any-- a little bit higher salaries, because you had teachers there longer, whatever, falls on property. York tax base is a lot less than a Seward tax base. So let's say the residual numbers, I don't know, I'm making up a number, $10 million. So York and Seward both now need $10 million more from the state. And when you take that against all the property tax owners of that district, York will be taxing almost double what Seward is just to get the same amount of money. Does that make sense? So how-- like, where-- where's that piece of it? And that's the piece that TEEOSA gives when it looks at resources and compares what-- that, that difference, that, that valuation difference per student makes such a big difference with our levies. Is there anything that can help adjust for that?

LIPPINCOTT: Well, I hear what you're saying. This is pretty straightforward.

HUGHES: It is very straight-- it's, it's the same argument as-- I would love to just say let's give a certain amount per student. Every student gets the same. That's why I don't like foundation aid. Every student gets the same, oh, we'll do a little bump up for poverty, we'll do a bump up a little for English Language Learner, we'll do a bump up for whatever. But it still comes down to your tax base for the district. And those district lines were drawn well before my time, 100-some years ago, and it makes a huge difference when we turn around and do property tax asking. Yeah.

LIPPINCOTT: The issue that we know that we have right now, this TEEOSA thing, you know, it started back in 1990, a long time ago. It's had some tweaks ever since then and we've got 245 school districts around the state of Nebraska and, right now, only approximately 25% of the schools are getting that TEEOSA money, right? So it's not-- it's approximate. Yeah.

HUGHES: Every, every school is getting some state money,--

LIPPINCOTT: Right.

HUGHES: --not every school is equalized, which is-- anyway, every school is getting some TEEOSA money.

LIPPINCOTT: Yeah, so bottom line is it's not proportionate very well and--

HUGHES: LB1038, my friend.

LIPPINCOTT: There you go. But the system-- even, even you would agree, because you, you proposed something that fixes the status quo. So the status quo is not working very well.

HUGHES: No, I agree. We're-- it's not right, right now, yes.

LIPPINCOTT: Yeah.

HUGHES: Yep.

LIPPINCOTT: So this is just something that is for you all to consider.

HUGHES: Yep, no, I appreciate it. Thank you for bringing it.

MURMAN: Any other questions? Senator Juarez.

JUAREZ: Senator Lippincott, thank you for bringing this bill, because, obviously, I'm right there with you and wanting to support greater pay for our teachers. Do you know if anybody has ever looked at combining school districts so that we didn't have the differences in these levies and stuff? Do you know if anybody has ever looked at that?

LIPPINCOTT: Not directly, no, but it's a good thought. Long time ago, shortly after the Civil War, that's when I went to school. You know, I, I went to a one-room country school. And when I was going into seventh grade, they consolidated the schools because cost savings. And some would argue, well, did that help or hurt our education? And so, yeah, we need to look at all of these different things. It's kind of a shame when you have to bus kids or they have to drive a long distance just so they consolidate schools. So there's pluses and minuses on all these different things.

JUAREZ: Yes, I think that, you know, when it comes to trying to do-- get the funding, really what is the bottom line and what is important? Do we want to get these teachers paid on a livable wage for them or do we not? And I, I just think that it's important that we look, you know, at everything and look at things instead of always thinking that our school systems need to function in the same way. Into the future, we need to make some hard decisions about where else do we need to make adjustments?

LIPPINCOTT: Yeah.

JUAREZ: Thank you.

LIPPINCOTT: I agree with you completely. I do want to just do a little footnote. I don't want to beat up on Nebraska school teachers and the low pay because I've had some superintendents, they'll pull me aside and say, you know what, your-- the money that school teachers get is more than just your salary. It's a lot of, of the benefits, you know, whether it's health insurance. And Nebraska really does have some pluses that make it somewhat competitive with our surrounding states.

MURMAN: Any other questions? Senator Lonowski.

LONOWSKI: Thank you, Chair Murman. Thank you, Senator Lippincott, for bringing this. And a lot of people say, you know, desperate times, call for desperate measures. And I don't think we're there yet, but this is a-- this is bold. What I want you to do, so we're looking right now at about 50 schools that really receive the, the TEEOSA. I mean, some others get some as well. So 50 out of 245. Is it fair to say that every school district is paying in, but maybe only 50 are benefiting to a big cause? Is that a fair statement? OK, help me put this together. So you said 23,000 teachers will receive $1.2 billion to basically get every up-- everyone up to a minimum of $50,000 and then their schools can, can still take their money. So give me the property tax part of this. If we, if we bring property taxes down to 50%, is that, is that a $1 billion difference or how does that work?

LIPPINCOTT: Some of the guys with the slide rule, they will tell you that it can, that this formula can reduce your property tax by 50%. So you sit back and you think, again, 60% of your property tax goes toward the schools, 80% of the school's budget, teacher salary. So this is $50,000 for their salary of the schoolteachers. The average pay of a schoolteacher is $54,000. So that's $4,000 there. Again, you have to use your slide rule on this one. So that is going to reduce the need for local property taxes substantially. And the architect for this bill is sitting in my left 7:00 position right now, and he can answer all the nuances on this. But, in short, it should have a significant impact on property taxes.

LONOWSKI: Thank you.

LIPPINCOTT: Thank you, sir.

MURMAN: Any other questions? If not, thanks a lot for the open.

LIPPINCOTT: Thank you, sir. I'll waive my close.

MURMAN: Oh, OK.

LIPPINCOTT: Thank you.

MURMAN: Yeah. Proponents for LB1182?

TOM NESBITT: Chairman Murman and members of the Education Committee, my name is Tom Nesbitt, T-o-m N-e-s-b-i-t-t. I'm here today as a private citizen, and I want to begin by sincerely thanking Senator Lippincott and Senator Lonowski for sponsoring LB1182. What they are doing takes courage because it's not easy to challenge a system as we know has been in place for decades. But I'm here to tell you today, Nebraska's education funding system is broken. And the property taxpayers of this state are being crushed under the weight of it. This fall, while collecting signatures for the Apple Plan, I met a retired teacher in Kearney. She taught for 30 years. She served Nebraska children for three decades. And she told me something I'll never forget. She said, Tom, I love our schools, I support our teachers, but I'm terrified I'm going to be taxed out of my home as I've lived in for decades. That is not a political talking point. That is a Nebraska reality. And it is happening everywhere, in Omaha, in Lincoln, in the smallest towns in the state. Seniors, farmers, ranchers, young families, small businesses are watching their property tax bills rise faster than their income, and they're losing faith that everyone, and anyone in government, is willing to fix it. For years we have been told the answer is to tweak the formula. We've been told to trust the experts. We have been told to wait for the next study, the next committee, and the next adjustment to TEEOSA. But here is the truth, TEEOSA has become a shield, not a solution. It has become a way for the state to pretend it is addressing education funding while local property owners keep paying more and more. LB1182 is important because it forces Nebraska to confront what the people already know. You cannot fund public education on a property tax system that punishes home ownership, punishes farming, ranching, and punishes success. The Apple Plan recognizes that education is a constitutional responsibility of the state of Nebraska, not something that should be shoved onto local taxpayers year after year. That's why the Apple Plan supports a new model built on block grants. Instead of a system where only some districts receive meaningful support, this approach ensures that all 245 Nebraska school districts receive predictable foundational funding and it does something else that is long overdue, it puts teachers first. The Apple Plan establishes a $50,000 state-funded base salary for every full-time certified public school teacher while keeping teachers and employees of their local school districts. If the Legislature does not fix education funding, the people of Nebraska will. We're already organizing. And we're already gathering signatures. We're already building the momentum to force

this issue into the ballot because the citizens feel like it's important. So, today, I respectfully challenge you, do not treat LB112 [SIC] just as another bill. Treat it like a warning sign and also as an opportunity. Please advance LB1182. Thank you.

MURMAN: Thank you. Any questions for Mr. Nesbitt? If not, I totally agree with you. We're trying to find solutions.

TOM NESBITT: I know you are.

MURMAN: Thank you for your--

TOM NESBITT: Thank you. Appreciate it.

MURMAN: --testimony. Other proponents for LB1182?

DANNA SEEVERS: Forgive me if I leave my coat on?

MURMAN: Sure.

HUGHES: It's freezing.

DANNA SEEVERS: Good afternoon, Chairman Murman and members of the Education Committee. My name is Danna Seevers and that's spelled D-a-n-n-a S-e-e-v-e-r-s, and I'm testifying today as a concerned parent and taxpayer from Seward, Nebraska in strong support of LB1182. This bill is a vital step toward fairly compensating our teachers and providing stable, predictable funding for Nebraska's public schools through a modernized system. LB1182 sets a minimum base salary of $50,000 for certificated teachers beginning in the '27-28 school year. By providing a state-funded block grant for the $50,000 base, we actually enhance local control. We free up local boards to focus their local property tax dollars on the unique needs of their students rather than just fighting the equalization formula. This creates a simple, fair alternative to today's complicated formula, allowing us to shift the power away from the bureaucracy and back to the local communities. This bill isn't an isolated policy. It's directly tied to Senator Lippincott's LB1183, which reduces property valuations by 50% starting January 1, 2027, delivering real relief to overburdened farmers, homeowners, and businesses. When paired, these two bills move primary education funding to the state level, easing property tax pressures while ensuring schools have reliable resources. LB1183 tackles the property tax crisis at its source, and LB1182 ensures the transition with solid state-supported block grants. From the recent Revenue Committee hearing on LB1183, opponents, including the Nebraska Association of County Officials, NACO, and Omaha Public Schools

expressed worries about revenue losses impacting local services and schools. Respectfully, these fears missed how LB1182 complements LB1183 perfectly. Block grants will secure essential funding, including competitive teacher pay, without requiring districts to raise levies or slash programs. Groups like NACO, focused on county operations, and OPS, on urban school district needs, appear committed to defending the existing system. Yet, that system has bred inequities and excessive reliance on property taxes, hitting our rural communities the hardest. LB1182 and LB1183 stimulate growth by returning $2.6 billion to Nebraskans and promote true local control with statewide fairness, avoiding the shortfalls and disruptions those opponents described. I want to sincerely thank Senators Lippincott and Lonowski for introducing LB1182. Nebraska families need immediate property tax relief and excellent schools. Advancing LB1182 helps achieve both. I urge the committee to put the people of Nebraska first and move this bill forward. Thank you.

MURMAN: Thank you. Would, would you agree that the amount of owning property is not a good measurability to pay?

DANNA SEEVERS: Absolutely, I've run into folks out in western Nebraska that are-- have tons and tons of land and they're barely able to survive and their, their choices are sell out to, to survive or continue at a, at a poverty level. It's awful.

MURMAN: I think that's the biggest reason that we can-- I think almost everybody can say that TEEOSA is broken and needs to be fixed.

DANNA SEEVERS: Yeah.

MURMAN: Senator Hughes.

HUGHES: Thank you, Chair Murman. Thank you for coming in, Ms. Seevers. Her and I go back a long way. So no one is more vested in this either-- discussion than myself. It's why I got on Seward's School Board. It's also now why I'm here. I, I think you get it. So my question that I framed to Senator Lippincott was Seward and York get the same amount of money for teachers because they're the same size schools, same amount of kids, essentially. You go and turn around whatever else you need, assuming they're run exactly the same, you have the same-- you need 10 more million dollars, each school to run. Why is it fair that York farmers will be double taxed than a Seward farmer for the same 80 acres of ground just because of how that school district was drawn? Do you know what I'm saying? Because you're, you're--

DANNA SEEVERS: Absolutely, I do, but--

HUGHES: --you're taking that amount of money that York needs left, spreading it over X amount of dollars, same with Seward, and it's how the districts are drawn that makes the difference. That's it.

DANNA SEEVERS: So one thing I don't think you're accounting for is just how conservatively both Seward and Centennial schools probably already run. And one thing we don't know and you, you know, you're, you're using general figures, but what we don't know is once these salaries are applied, you don't know what the gap is. Some schools will not experience a gap at all and other schools are going to probably have to tighten their belt a little bit. So I'm not sure that it's fair to say that just because they have the same amount of expenses, because it's going to come down to the number of teachers. And if the schools don't have the same number of students, they don't, they don't need the same number of teachers.

HUGHES: But York and Seward have 1,500 kids.

DANNA SEEVERS: They both have the same?

HUGHES: Yes.

DANNA SEEVERS: OK, so that's fair.

HUGHES: They both have the same amount of kids, so I'm assuming, yeah, if York has 10 more kids--

DANNA SEEVERS: Then they're going to get $50,000 per teacher.

HUGHES: Yes.

DANNA SEEVERS: And that's going to take a huge portion of the budget.

HUGHES: Yes. And-- right, but no matter what there's going to be some left to go back on property tax and assuming they're run the same it's the same amount of money, but you're-- you've got a much smaller tax base in terms of value, in terms of number of corporations, in terms of ag valuations, in terms of residential valuations then Seward. It's-- so you could even do the same as Seward.

DANNA SEEVERS: Well, our plan doesn't interrupt the foundation aid, so doesn't that help to offset that difference?

HUGHES: I thought you would--

DANNA SEEVERS: No, foundation aid, this has nothing to do with your K-12 foundation aid. Nothing would change there.

HUGHES: But you're cutting-- on the other bill, you're taking property tax or the valuations down by half. So you're not cutting half of the TEEOSA. There's still money, TEEOSA going out, is what you're saying.

DANNA SEEVERS: I don't believe foundation aid comes through TEEOSA.

HUGHES: Well, foundation aid is flawed, too, but that's another-- that's for another story.

DANNA SEEVERS: Yep.

HUGHES: When my staff ran the numbers, the biggest indicator of a high levy was low valuation per student. Period. End of story. So, basically, when you've got a lot of kids and not very much valuation on it, it lends itself to a higher levy, even though that school is getting more state aid because of different factors, that, that made the biggest determination. So high valuation per student gives you a low levy, which is like a Centennial case. I mean, honestly, to do what-- to do it right, we should redraw our school districts every 10 years if you want to do that, but we would all be tarred and feathered, so.

DANNA SEEVERS: Well, with all due respect, Senator, and I know you've put a lot of time and energy into your own version of a bill to help Nebraska, but at the end of the day, we've been seeking property tax relief for almost 60 years.

HUGHES: Oh, I agree.

DANNA SEEVERS: And of that 60 years, politicians have been promising us tax relief for 59 of those years. And so being out on the street collecting signatures for our ballot initiatives, I can tell you that Nebraska citizens have had a belly full of it. And if we can help schools and help teachers and reduce property taxes, we all, we all ought to be working together to make that happen.

HUGHES: Yes, thanks for coming in.

DANNA SEEVERS: So we'll see what happens. Thank you.

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

DANNA SEEVERS: Thank you.

MURMAN: Other proponents for LB1182?

ERIC UNDERWOOD: I heard this chair is a little susceptible, so I'm going to ease into this, not using up my time to sit down quickly. Chairman Murman and members of the Education Committee, my name is Eric Underwood, spelled E-r-i-c U-n-d-e-r-w-o-o-d. I am appearing before you testifying as a private citizen. My thanks does go to Senator Lippincott and Lonowski for cosponsoring this bill and the leadership that it's bringing, that it can bring to a structural shift in how we operate. As I did last week, I just want to give a, a small Bible verse that I think is appropriate here, and it comes from Luke 6:40: Students are not greater than their teacher, but the student who is fully trained will become like the teacher. And that's really where, as we work through a transition of the property tax challenges in Nebraska, the number one challenge was going to be school systems. And we get that, and that's where the solution from this is coming from. So for decades, we have, as a state, been delegating away the constitutional requirement to fund public education regardless of whether the term of, of free instruction in the common schools means what we can assess it to mean. The state is supposed to be funding public education. And in that Article VII, Section 1 of that constitution, it doesn't necessarily indicate how, but we're supposed to. But, unfortunately, it's been on the backs of property taxpayers for decades. And when it comes to what we're establishing here, this base salary for $50,000 for teachers, we need to remember that in state statute 79-101, Section 9, indicates exactly what a teacher is, including education levels, certification, as well as classroom instruction and what they're there to accomplish. So as you start to eliminate the variables of what this would do, I also presented for you information on the top 10 schools and the bottom 10 schools as far as what this will do for the amount of teachers they have. I'm encouraging you to take a 10,000-mile view from this, as I like to say, and in consideration of school budgets, as has already been indicated, teachers' salaries are 60-80% of the budgets, and that's where this solution comes from. This is an elimination of variables, and as you already know with TEEOSA, there's 24 variables into it, 18 potential resources and 6 potential needs, including federal aid, property taxes, and then, of course, what state aid comes from it. And it doesn't matter the name, whether it's foundation aid or TEEOSA, there's a lot of money already being spent to educate our students. And you've already dealt with today the conversations of, is that education meeting the needs of our students? So the quarterly block grant program, that concept is doing two things: One, it's creating a sustainable way of providing that fund to all 245 school districts, as

well as establishing the base minimum wage. As the fiscal note indicated, it does not impact the state's general funds and the Department of Revenue would have no immediate impact to it. The reference to Educational Service Units, if you're looking into that, it does indicate what Educational Service Units have is certificated teachers as well. And so that would be another $640,000 depending on if you left it silent as the bill is drafted or it's interpreted that Educational Service Units, their teachers are considered the same as a public school district teacher. So it may or may not be an actual expense. And so this bill goes from a people-first mindset that puts the teachers also in the part of the solution to eliminate property taxes and provide a way to fund public education. And as I've been appropriately indicated, I guess, as the architector-- or architecture of this, I would be happy to answer questions on what provided this.

MURMAN: Thank you. Any questions? Senator Hughes.

HUGHES: Thank you, Chair Murman. Thanks for bring-- or for coming in, Mr. Underwood. So I was looking through your stats by district, number of teachers and stuff. What is going to prevent me-- I always look for ways of how I get around something. What's going to prevent me from putting five kids in every classroom and tripling my teachers?

ERIC UNDERWOOD: Well, I'm going to--

HUGHES: Is there, is there language to--

ERIC UNDERWOOD: I'm going to start with the premise that we had last week with LB1183, everything is underneath your statutory opportunity. So, currently, in the public school systems, it's roughly a 1 to 30 ratio, depending on if you include paras, but 1 to 30 teacher ratio, teacher to student ratio. In the private school systems, it's a little bit closer to 1 to 25. Is that a statutory limit? No, but it seems to be the, the, the ratio that's currently out there. Well, it would be the same as if somebody decides to say that the janitor is now a, a certified teacher. It's in statutes. So, yes, there may need to be additional amendments added to this or other concepts to, to clarify what the Legislature, the senators, believe the way to properly educate our students. If you believe there should be a better ratio of teachers to students, then draft it into statutes. But in a context, same conversation that you asked about local school systems and maybe condensing down and consolidating, I would strongly urge, as we've seen the conversations across the state of Nebraska, we've been from Madison County to Johnson County, the 245 school systems are the heartbeat of a lot of those districts, a lot of those cities. And I

think the challenge that's going to come before you this year is whether you legislate all things, one-stop solutions, or whether you provide some basic foundation to move forward. And when it comes to school systems, that's where the teachers come in. If you look at a capping of revenues, you're basically telling them, you need to go educate, but you can't make any more money to do it. And we're not going to help you do it unless you have some sort of funky math that you can get through the TEEOSA formula. This is the challenge when you're looking at the sizes of, of Omaha to those small school systems. Can you legislate a one size fits all to their budgets? I would strongly encourage you not.

HUGHES: That's the biggest problem. We've got--

ERIC UNDERWOOD: You're right.

HUGHES: --schools with 56 kids, and we've got schools with 50,000, so that's our problem.

ERIC UNDERWOOD: And through statutory components, it allows them to, to identify students. And maybe it's identifying perfectly their needs, whether it's SPED or ELL, or maybe it's being used as a, as a way to manipulate the system and get more money from, from the state. That's not what I would put in front of you to decide. Today, you would decide whether or not teachers matter. And, yes, as you discussed minimum wages earlier this week to answer probably a question, are other states doing this? 30 other states have a minimum wage for their teachers drafted into statutory or constitutional language, including some that have the actual stairstepping or the career model designed into that statute. Again, I would recommend not going that far because that takes away the local control. But you have states that have from minimum of $40,000 to some of them up to $72,000, including our neighbors where Iowa has minimum $50,000. And if you have 12 years, they'll pay you 62. So your conversation was about whether rural and urban communities are going to lose teachers or move, move out there. What about our teachers going to other states?

HUGHES: OK. Any other questions for Mr. Underwood? All right, thank you for coming in.

ERIC UNDERWOOD: Thank you, all.

HUGHES: Next proponent for LB1182? We'll have opponents now to LB1182.

CONNIE KNOCHE: Good afternoon, Senator Hughes.

HUGHES: Yep, start whenever you want.

CONNIE KNOCHE: Good evening,--

HUGHES: Good evening. It is officially evening. It's after 5.

CONNIE KNOCHE: --members of the Education Committee. My name is Connie Knoche, C-o-n-n-i-e K-n-o-c-h-e. I'm a Senior Fellow at OpenSky Policy Institute and we're testifying in opposition to LB1182 because it shifts Nebraska away from our current approach to K-12 funding, which carefully calibrates student needs and resources. Instead, LB1182 creates a funding formula that only focuses on resources in ways that are likely to lead to inadequate funding to our schools. LB1182 promotes funding model that creates block grant funding system for salary support. It establishes a $50,000 annual minimum base salary for teachers that's adjusted biannually by the percent change in Nebraska's total General Fund receipts. Evidence indicates that fair and sufficient allocation of financial inputs to schools is necessary to improve student learning and outcomes. Further, it's best practice for the state funding formulas to provide school districts with the resources needed for high-quality education while creating the flexibility to account for differences in the student populations and economic conditions from district to district. Block grant-- block grants are often used as a mechanism to reduce the total amount of funding over time by substituting a lump sum for targeted formula-driven funding. When a program is not tied to a clear purpose or metric, it's difficult to measure if the investment actually improves student outcomes or even increases teacher pay. Nebraska's current TEEOSA formula recognizes that school districts have different needs, like special education population, English Language Learners, poverty, and transportation needs. Whereas, LB1182 proposes a formula with a one-size-fits-all based salary and would, therefore, prevent schools from directing funds to their most critical needs. LB1182 also erodes local control by limiting the ability of school districts to set teacher salaries based on local labor markets and conditions. 37 states in the U.S. use a student-based funding formula, including Nebraska. And it ensures that state aid is directed to address student needs. Because a resource-based formula such as LB1182 does not, does not meet those guidelines, it doesn't ensure adequate funding for schools and students. We suggest referring this proposal to the recently established School Financing Review Commission, as their mission is to provide policy advisory recommendations related to school funding.

HUGHES: All right, thank you, Ms. Knoche. Questions for her? Oh, you're getting off easy. Thank you. Thanks for coming in. Next opponent.

SHANE RHIAN: Good evening, Senator Hughes and members of the Education Committee. My name is Shane Rhian, S-h-a-n-e R-h-i-a-n, and I am the Chief Financial Officer for the Omaha Public Schools. I'm here today on behalf of OPS in respectful opposition to LB1182. I want to first acknowledge Senator Lippincott's efforts to address teacher pay. Ensuring that teachers in the Omaha Public Schools are well compensated has long been and continues to be a priority for our Board of Education. We are proud of the fact that our starting teacher pay, which will rise to $51,380 for the '26-27 school year, is the highest in the state. While the threshold set forth in LB1182 remains below the starting pay at Omaha Public Schools, we have significant concerns about setting a statewide minimum starting salary for teachers. These concerns stem from several factors. First, one size does not fit all schools. Today, there are only a handful of schools that set their starting pay at the $50,000 level. The reason for that is largely practical as school districts set their starting teacher pay at the rates they need to attract qualified candidates. The cost of living varies widely from one end of our state to the other, and local school boards are best positioned to determine the starting salaries for their teachers. The imposition of a statewide minimum starting salary will have a ripple effect across the state, creating upward pressure on teacher pay in communities with higher cost-of-living rates at a time when the Legislature is trying to limit school spending. Second, and perhaps more importantly, we anticipate that the increased costs associated with this legislation for local school districts, particularly when coupled with the various property tax limitations currently in place and more being considered by the Legislature will dramatically increase the amount of resources the state will need to allocate to fully fund TEEOSA and meet its other education funding obligations, such as special education reimbursement and maintaining the Education Future Fund. Third, LB1182 also proposes to replace current mechanisms under TEEOSA with block grant funding for foundation aid and salary support, but does not provide details for those changes. Those details are necessary for us to evaluate the impact of such a change on our school district, and until that evaluation is done, we cannot support such a change. We also oppose the proposal to provide block grant funding on a quarterly basis. This change from the current monthly funding schedule will dramatically and negatively impact cash flow for all Nebraska school districts. For those reasons, we respectfully oppose LB1182. We appreciate your

consideration of our concerns, and I would be happy to answer any questions.

MURMAN: Any questions for Mr. Rhian? If not, thanks for your testimony.

SHANE RHIAN: It's dinner time.

MURMAN: Other opponents?

DANIEL RUSSELL: Good evening, Chair Murman and members of the Education Committee. My name is Daniel Russell, D-a-n-i-e-l R-u-s-s-e-l-l, and I'm here today on behalf of Stand For Schools. We're a statewide organization that supports strong, equitable, and sustainable public education systems across Nebraska. We appreciate the committee's attention to educator compensation and the ongoing challenges districts face in recruiting and retaining teachers. However, we're here respectfully to oppose LB1182 as drafted. Stand For Schools agrees with the goal of strengthening teacher pay. Educators deserve competitive professional compensation, and the state has a clear role to play in supporting that goal. Our concern is not with the intent to raise salaries, but with how LB1182 attempts to do so, by imposing a statewide minimum salary without a defined equitable funding mechanism, and by signaling a shift away from Nebraska's existing school finance framework towards a block grant system. First, LB1182 risks significant salary compression within school districts. By establishing a flat $50,000 minimum-based salary for all certified teachers, regardless of experience or educational attainment, the bill raises the floor but does not address how districts are expected to preserve meaningful salary differentiation above that floor. We heard a little bit about that earlier. But for many districts, particularly those already near the threshold, the practical effect may be a compression of early and mid-career salary schedules. Without additional targeted state funding, districts may struggle to reward experience, advanced credentials or advanced credentials or longevity. Over time, this can undermine retention of veteran teachers and weaken the professional structure of the educator workforce. Importantly, the fiscal note explicitly states that increasing staffing costs for school districts cannot be determined at this time, highlighting the uncertainty districts would face in implementing this mandate. Second, and more importantly to us, LB1182 proposes a fundamental shift away from TEEOSA towards a block grant funding model for foundation aid and salary support. TEEOSA is not simply a funding mechanism. It's the state's primary equity tool. It accounts for differences in property wealth, enrollment, and local fiscal capacity to ensure that students

across Nebraska have access to comparable educational opportunities. Replacing or substantially weakening that system with block grants introduces serious risks. Block grants are typically less responsive to enrollment changes, special education costs, and student need, and they are more vulnerable to erosion over time, especially during budget shortfalls. LB1182 provides no statutory detail on how a block grant formula would preserve the equity principles embedded in TEEOSA. Instead, it defers those decisions to legislative action, offering predictability without clarity, and simplicity without safeguards. For districts serving higher-need populations or operating in lower property wealth areas, this shift could result in reduced support over time and fewer tools to respond to local changing conditions. And so for all of these reasons, while we very much appreciate Senator Lippincott bringing new and fresh ideas, especially with regards to school finance, we don't support the fundamental shift in the TEEOSA formula. And so we oppose LB1182, and I'm happy to answer any questions.

MURMAN: Thank you. Any questions for Mr. Russell? Senator Juarez.

JUAREZ: OK. Thank you for coming in today. I wanted to know if you could help me understand a little bit about your comments here on compression of early and mid-career salary schedules. Why do you think that that will be an event?

DANIEL RUSSELL: Yeah, so I think as the proponents laid out, and I appreciate them explaining that earlier in the hearing because I don't know that it's necessarily in the bill, what LB1182 would propose to do is pay-- have the state pay for the first $50,000 of a teacher salary. So my understanding, based on proponents' testimony, was that then local property taxes would be used to pay any additional or above $50,000 for those. When we subject those sorts of decisions, I would say, to local property tax questions, I think school boards would maybe be reluctant to either retain or incentivize teachers to stay on for longer. And so I think you would see a compression of teacher salaries into $50,000 because that's the state support without property tax-- without burdening property taxpayers.

JUAREZ: OK, so your hypothetical is that we have this $50,000 base and then school boards aren't going to see a need to give teachers more raises in the long run.

DANIEL RUSSELL: I, I, I should say for the record I hope school boards wouldn't do that, but I think that this-- that would be what this bill incentivizes is leaning on the state support and not going beyond that

through property taxes and maybe that's the point, I think, of some of this is to lower property taxes. Yeah.

JUAREZ: OK. Well, personally, I don't think that that will be a result. Obviously, we're all entitled to our opinions, but I just wanted to get a clarification of what you meant.

DANIEL RUSSELL: Yeah.

JUAREZ: Thank you.

DANIEL RUSSELL: Thanks.

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

DANIEL RUSSELL: Thank you.

MURMAN: Other opponents for LB1182? Any neutral testifiers for LB1182? If not, I believe Senator Lippincott has waived closing. And online we had 8 proponents, 8 opponents, and zero neutral. And that'll close the hearing on LB1182. And we'll open the hearing on LB1029.

CONRAD: Good evening, colleagues, Chair Murman, members of the committee. My name is Danielle Conrad. It's D-a-n-i-e-l-l-e, Conrad, C-o-n-r-a-d. I'm here today representing north Lincoln in the Legislature and proud to introduce LB1029. I know you hear this a lot, but let me add my voice to the chorus. This is a small technical cleanup bill, meant to address reporting requirements. You might remember our friend Senator Andersen had a measure, I think last year, to provide for a state-level reporting that mirrored some federal reporting in regards to foreign funds. That measure passed and he worked with our institutions of higher education to kind of harmonize that and make it work. There are a few tiny technical tweaks in terms of that negotiated legislation that need a few additional refinements. So because I'm proud to have the University of Nebraska's flagship campus in my district, I frequently work with the institution and in preparation for this legislative session, there was this measure and another measure that they brought to my attention that I agreed to introduce. It's my understanding that the university officials have already visited with Senator Andersen about this, flagging it for him. And it seems that it doesn't change the spirit or intent of the law that he passed and should be a consensus-based refinement to that new reporting requirement. There are folks here today behind me who can speak specifically to the bill and how it works and what's not working and why we need this change, but I'm happy to answer questions.

MURMAN: Thank you. Any questions for Senator Conrad? If not,--

CONRAD: Great. Thanks.

MURMAN: --thanks for your open. First proponent.

MATT BLOMSTEDT: Good evening, Chairman Murman and members of the Education Committee. For the record, my name is Matt Blomstedt, M-a-t-t B-l-o-m-s-t-e-d-t. I serve as the Associate Vice President for Government Relations at the University of Nebraska System. I'm here today on behalf of the university to support LB1029. We certainly want to thank Senator Conrad for introducing this bill for your consideration. LB1029 is a straightforward cleanup bill, as the senator noted. It does not change the underlying policy related to transparency around foreign and adversarial funding, but it does make important clarifications to ensure the statute is implemented as intended. Specifically, the bill makes clear that employment contracts and routine expenditure contracts made in the normal course of business are not unintentionally swept into reporting requirements. With these clarifications, postsecondary institutions are required to track and report transactions that were never meant to be included and that do not raise concerns related to foreign influence. By refining the definitions of contract and reportable funding, LB1029 helps focus reporting on the types of financial relationships the Legislature intended to monitor while avoiding unnecessary administrative burden. These changes will save staff time and resources by reducing compliance work that does not advance the purpose of the law. Importantly, LB1029 maintains transparency. Institutions will continue to report qualifying funding and those reports will remain publicly available through the Coordinating Commission for Postsecondary Education. This bill improves clarity, supports efficient implementation, and prevents the unintended administrative impact. We respectfully ask that you advance LB1029 to the floor. Thank you for your time and I'm glad to take some questions. I will just add one quick clarifying thing. One of the things that swept in was Amazon contracts. Like if you purchase something through a third-party provider, the way that when we are working with the Attorney General's Office, and I think Mr. Baumgartner can kind of highlight a bit more of this, but that was one of the things that got swept up in it. And that's one of things that I don't believe was intended. And I certainly did speak to Senator Andersen about that, and it wasn't his intent, and wanted to make that clear, so.

MURMAN: Senator Hughes.

HUGHES: Thank you, Chair Murman. Thanks for coming in, Mr. Blomstedt. This report is supposed to be on the public website for the Coordinating Commission. Do you know if it's up there yet or have you--

MATT BLOMSTEDT: It will be due later. I'll probably let, let Mike.

HUGHES: Oh, OK.

MATT BLOMSTEDT: I know that there's been quite an effort. We actually worked really closely together to make sure all the reporting and elements would come together, but this was probably the, the one tricky element of it, so.

HUGHES: OK. Thank you.

MATT BLOMSTEDT: Yeah.

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

MATT BLOMSTEDT: Yeah.

MURMAN: Other proponents for LB1029?

MIKE BAUMGARTNER: Good evening, Chairman Murman, members of the Education Committee. My name is Mike Baumgartner, M-i-k-e B-a-u-m-g-a-r-t-n-e-r. I'm the Executive Director of the Coordinating Commission for Postsecondary Education, here today to testify in support of LB1029. I'm going to be very brief. LB1029 clarifies a couple concepts that determine what constitutes reportable funding from foreign adversarial sources to Nebraska postsecondary education institutions. In the process of developing the guidelines that institutions are following to report reportable funding, it became clear that the definition of contracts was quite broad, perhaps broader than the sponsor of LB306 and the Legislature had intended. LB1029 will put the foreign adversarial source reporting requirements more in line with the U.S. Department of Education's foreign funding source disclosure requirements by limiting contract reporting to contract for the benefit or use of the foreign adversarial source. As, as Dr. Blomstedt said, we're not looking at those Amazon contracts. And right now the way that it is written in our discussions with the Attorney General's Office to make sure that we were following the statute as we develop guidelines, they determined that it looked like it was contracts going both ways, us purchasing from a foreign adversarial source and a foreign adversary source purchasing from us. It was including a lot of things that were not intended. This change

will exclude purchases made in the ordinary course of business by our institutions unless items are purchased below market value to the extent that a discount can be considered a gift. LB1029 also excludes salary, wages, and compensation related to employment contracts, which will codify the current interpretation, which is, again, as we were developing this, the way the contract was written, it appeared to include human resource contracts as well, and we do not think that was intended and would like to see that out. As you consider LB1029 and other similar bills such as LB1262, which will come before you in a couple weeks, please keep in mind that hewing closely to current federal definitions and federal disclosure of foreign gifts rules will align current institutional processes and get you probably most of the information if you want. If they can't be aligned because you want different or additional information, I'd ask please be sure that the definitions are, are as clear as possible because we want to avoid these cleanup bills if we can. I'm happy to answer any, any questions. And, Senator Hughes, the-- we are collecting the responses now. They are due February 28. We had-- they're due biannually. So for the first 6 months we were going to collect in January to post in January from July 1 through December 31. We were going back and forth with the Attorney General's Office for quite a while on what should be included and what should not. We really did have it in time to say, turn it in to us by the 31st, but we felt bad sending things out right at the beginning of January saying have it to us by January 31. So for the first submission only, we were going out to the end of February. So those will be on our website at the end of February.

HUGHES: OK. Thank you.

MURMAN: Any other questions? Senator Lonowski.

LONOWSKI: Thank you, Chairman Murman. And thank you for being here, Mr. Baumgartner. Can you tell me, like, in, in terms of the heavy lift you've had to do, were eyes already on these types of things before, and now it's just, like, we have to report it, or have we, like, said, oh, wow, we really should have been watching closer or--

MIKE BAUMGARTNER: Well, I think that some institutions, and I won't say Nebraska institutions, because none of them came up in the news, but there were institutions across the country that were not very diligent about reporting to the federal government. This is a federal requirement, but the federal requirement kicks in at $250,000 a year in, in gifts or contracts.

LONOWSKI: So anything under that we don't have to worry about so much?

MIKE BAUMGARTNER: Well, that's where the state decided that that was incorrect.

LONOWSKI: OK.

MIKE BAUMGARTNER: So the state, the state now starts at, at any amount. So we went from $250,000 or above for the institutions to anything at all, which certainly broadens the category of things that might be included, particularly because those purchases were included. That's, that's really a bigger issue because there aren't that many. If you have some foreign adversarial sources, it's, it's very small.

LONOWSKI: Sure. OK. All right. Thank you.

MIKE BAUMGARTNER: Yeah.

MURMAN: Senator Juarez.

JUAREZ: I just, I just had a quick question here. Could you give me an example of an employment contract that may originate from a foreign adversarial?

MIKE BAUMGARTNER: Yeah, if there is a contract for, let's say there's a renowned researcher in swine genetics at a university in China, and the University of Nebraska would like that person to come over for a year as a visiting professor. If there was a contract between that professor and the University of Nebraska, that would be a contract that may have fallen under this in the past. Now, the Attorney General decided that the history of the bill and the conversations within the Legislature and the legislative debate that that could be excluded, but it's still a concern. So this would keep it out completely. So it's, it's, it's basically-- it, it could come down to even more than that. It could have come down to a graduate student if, if, if it was really interpreted very tightly. But it's somebody coming from a foreign adversarial source, I'm just using the, the example of China, who would have an employment contract with the university for a year. That would be a contract that would be to the benefit of either of the parties. So that would have fallen under this. Although, again, working with the Attorney General, there was language in an amendment that struck some explicit language about compensation. And we're hanging our hats on, that, that is enough to keep it out, but this would really make it clear that it-- those aren't included.

JUAREZ: Thank you.

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

MIKE BAUMGARTNER: OK.

MURMAN: Any opponents for LB1029? Neutral testifiers for LB1029? Senator Conrad, welcome to close. She waives. There were zero comments online. With that, we'll close the hearing on LB1029, and the hearings for today.