

Transcript Prepared by Clerk of the Legislature Transcribers Office
Education Committee January 22, 2023

MURMAN: I'm Senator Dave Murman from Glenvil representing District 38. And that consists of Thayer-- or excuse me, Clay and Nuckolls County on the east and Red Willow County on the west and includes 8 counties along the southern border. I serve as Chair of the committee. The committee will take up the bills in the order posted. This public hearing today is your opportunity to be part of the legislative process and to express your position on the proposed legislation before us. If you are planning to testify today, please fill out one of the green testifier sheets that are on the table at the back of the room. Be sure to print clearly and fill out completely. When it is your turn to come forward to testify, give the testifier sheet to the page or to the committee clerk. If you would like to have your position known but not testify, at the front desk, there is a white sheet next to the green sheets where you can state your name and position for, for the permanent record. If you do not wish to testify but would like to indicate your position on a bill, there are also white signing-- sign-in sheets back on the table. These sheets will be included as an exhibit in the official hearing record. When you come up to testify, please speak clearly into the microphone. Tell us your name and spell your first and last name to ensure we get an accurate record. We will begin each hearing today with the introducer's opening statement, followed by proponents of the bill, then opponents, and finally by anyone speaking in the neutral capacity. We will finish with a closing statement by the introducer if you wish to give one. We will be using a 3-minute light system for all testifiers. When you begin your testimony, the light on the table will be green. When the yellow light comes on, you have 1 minute remaining and the red light indicates you need to wrap up your final thought and stop. Questions from the committee may follow. Also, committee members may come and go during the hearing. This has nothing to do with the importance of the bills being heard. It's just part of the process as senators may have bills to introduce in other committees. A few final items to facilitate today's hearing. If you have handouts or copies of your testimony, please bring up at least 12 copies and give them to the page. Please silence or turn off your cell phones. Verbal outburst or applause are not permitted in the hearing room. Such behavior may cause for you to be asked to leave the hearing. Finally, the committee procedures for all committees states that written position comments on a bill to be included in the record must be submitted by 8 a.m. the day of the hearing. The only acceptable method of submission is via the Legislature's website at nebraskalegislature.gov. You may submit a written letter for the record or testify in person at the hearing, not both. Written position letters will be included in the official

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hearing record, but only those testifying in person before the committee will be included on the committee statement. I will now, now have the committee members with us today introduce themselves starting on my right.

SANDERS: Good afternoon. Rita Sanders, District 45, which is Bellevue.

LINEHAN: Good afternoon. Lou Ann Linehan, District 39, which is Waterloo and Elkhorn and Douglas County.

ALBRECHT: Hi. Joni Albrecht, District 17.

WALZ: Lynne Walz, District 15, which is all of Dodge County and Valley.

MEYER: Fred Meyer, District 41, north of Grand Island and Central Nebraska.

MURMAN: Also assisting the committee today to my right is our legal counsel, John Duggar. And to my far right is our committee clerk, Shelley Schwarz. Our pages for the committee today are Isabel Kolb-- if you would like to stand up, tell us what, what you're doing.

ISABEL KOLB: Oh, I'm studying political science at UNL.

MURMAN: And Shriya-- I'll let you pronounce your last name.

SHRIYA RAGHUVANSHI: I'm Shriya Raghuvanshi, and I'm also studying political science at UNL.

MURMAN: OK. Thank you for being here. With that, we will begin today's hearings with LB915. Senator Brewer.

BREWER: Thank you, Chairman Murman, and good afternoon, fellow senators of the Education Committee. I'm Senator Tom Brewer. For the record, that's T-o-m B-r-e-w-e-r. I represent 11 counties of the 43rd Legislative District of central and western Nebraska. I'm here to introduce LB915 on behalf of Nebraska's three state colleges. LB1-- LB915 provides a change to the law that gives greater financing authority to the Board of Trustees of Nebraska State Colleges that is related to student housing and student activity facilities. LB915 will also provide framework for the Board of Trustees of the State College Systems to add broader lease purchase options that would enable a private-public partnership structure as an option for replacing existing facilities in Chadron, Peru, and Wayne State Colleges. Current statutes 85-401 and 85-402 impose restrictions limiting the

pledged source of financing of revenue for the leased facilities to cover lease payments. The additional language outlined in LB915 is intended to provide a new financing method without this limitation, allowing the Nebraska Board of Trustees to engage private development using private-public partnership structure. This will allow state colleges a bigger number of funding options to secure the finance-- financial needs, to build large projects like a dormitory, or expanding funding sources to enhance financial stability and make private partnership possible. Providing-- let's see, providing the expanded financing options to replace our outdated and tired housing facilities is driving the need for this legislation while providing additional financing and legislation ensures accountability required for this project and approval from the Coordinating Commission for the Postsecondary Education aligning with the standards set forth in Section 85-1414. This dual-later-- dual-layered approval process ensures that the projects meet the necessary qualifications and compliance standards. In conclusion, I strongly urge you to support LB915, recognizing its potential to drive positive changes to our state college systems and to support our rural communities that serve them. Thank you and I will be available to address any questions now. Because of my requirements in General Affairs, I will waive the close. So open for questions now. And also, just as a side note, Chancellor Turman's here and he'll be following me with more in-depth explanation on how we got to where we're at and why we need to go with LB915.

MURMAN: OK. Thank you, Senator Brewer. Any questions for Senator Brewer while he's here? OK. Thank you very much.

BREWER: All right.

MURMAN: I'll ask for the first testifier. Oh, first proponent.

PAUL TURMAN: Good afternoon, Chairman Murman, members of the Education Committee. My name is Paul Turman. I'm the chancellor of the Nebraska State College System. That's spelled P-a-u-l T-u-r-m-a-n. I'm here to ask you to request-- or that you support LB915. I'm very grateful for Senator Brewer being willing to bring this piece of, of legislation forward to really create some opportunities in the state college system. The handout that is going around right now just gives you a quick overview of the kind of history of auxiliary systems in the state colleges. The first page that has the timeline on it demonstrates that the vast majority of our residence halls in the state colleges were built in a relatively narrow time frame between 1950 and 1967. The two that fall in between 1975 and 2000 were renovations or additions that were made to our student activity

centers. But more recently, in 2014, Chadron became essentially the first institution over about a 50-year period to add a new residence hall. And so they added suite-style housing on the outskirts of campus that allowed for 74 new beds at that institution. Wayne is now the most recent one, a facility that's being constructed right now on that campus that created a-- or eliminated a void of more than 60 years of no new residence halls on our campuses. So the, the project at Wayne is really what brought about this legislation. We, with the board of trustees, we spent time at our July retreat in 2022, working with a consultant about the opportunities that might exist for a public-private partnership. What became evident as we worked with our bondholders-- or bond covenant group was that the statutes that were referenced by Senator Brewer limit that opportunity primarily because it forces that any revenue that's generated from that type of lease has to be given specifically to the bond payment that would, would occur. Right now, our facility corp structure is set up in a way that all of our residence halls, all of our activities that fall or facilities that fall under the auxiliary spectrum can be comingled to provide for the type of upkeep that's necessary. Revenue comes in from a student who may live in Berry Hall. That revenue can be devoted to wherever the institution sees as the biggest priority. We are expected to make sure that we have at least 110% of our revenue in reserve to cover the bond payment if something happened. All three of our institutions are well above that 110%, Wayne State actually being at 319%. So we believe we're doing the fiduciary responsibility that, that is there to maintain our institutions. The statute changes or the change really does try to address a weakness in 85-41 [SIC] and 42 [SIC] that will create an opportunity for us if there are developers that have designs and the capacity to come into Wayne, Chadron, and Peru, the next time that we see new housing become an option, which certainly is going to happen in the next decade, doesn't mean that this is the path we are going to choose, just that it creates a tool for us to use as many resources as we can to keep our costs as low as possible for students. I know that our board is very vested in making sure that they're fulfilling their fiduciary responsibility to the state and to the students that we serve. And I'd ask that you would support LB951 [SIC]. I'd be happy to answer any questions that you might have.

MURMAN: OK. Thank you. Any questions for Chancellor Turman? Senator Linehan.

LINEHAN: Thank you, Chairman. Could you give us-- give me an example of what a private-public relation--relationship-- partnership would look like?

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PAUL TURMAN: The ability for us to-- thank you for the question, Senator-- the ability for us when we're going out to pursue maybe the construction of a new residence hall to allow developers to come in and present proposals that might be something that's viable for us that they-- and a good example, South Dakota has done this quite a bit where they've worked-- the University of South Dakota, worked with a contractor that does this around the country for postsecondary institutions. They have a design, they bring that design, it meets the requirements that the board would need. And then it allows us to move forward without all the design development costs and, and requirements that are there. And so our goal-- primarily it's residence halls, but we also have our student centers that at some point may need the capacity. And we may see some vendors that are actually interested in, in working with us. We won't know until we have the opportunity presented. Right now, we're restricted by this statute that everything that is collected from that facility has to go toward the amortization requirements for paying down the, the lease that we have with the contractors themselves.

LINEHAN: Thank you. That's very helpful.

MURMAN: Any other questions? Senator Meyer.

MEYER: I had a quick question. What are your-- over the last 5 years, what are your student numbers? Are they holding steady? Are they increasing or decreasing slightly?

PAUL TURMAN: They're increasing. I think we've been fortunate. This year we saw a slight decline. As a system, we declined about 200 students overall, but we'd seen 5 straight years in enrollment growth. A lot of that coming from Wayne, a, a significant amount of really good engagement that's happening at that institution, which is driving the need for them to have, you know, gone through our traditional process to put in place the, the new beds that will exist there, but holding our own at the other two institutions in comparison to what we're seeing around the country right now, Senator.

MEYER: Thank you.

PAUL TURMAN: Yeah.

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

PAUL TURMAN: Thank you.

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MURMAN: Any other proponents? Any opponents? Anyone testifying in neutral position? If not, that will close our hearing for LB915. And-- oh, online comments for LB915, we did not have any online comments. And we will open the hearing for LB835. Welcome, Senator Blood.

BLOOD: Well, good afternoon, Chairman Murman, and members of the Education Committee. My name is Senator Carol Blood. That is spelled C-a-r-o-l B-l-o-o-d and I represent District 3, which is the western half of Bellevue and eastern Papillion, Nebraska. Thank you for the opportunity to bring forward LB835 for the School Psychologist Interstate Licensure Compact. As with my other interstate compacts introduced, the Department of Defense and the Council of State Governments have collaborated to ensure professionally licensed school psychologists that are spouses of active military members have portability and mobility with their professions when reassigned. Other collaborators of this legislation are the National Association of School Psychologists as a partner organization with input from the National Association of State Directors of Teacher Education and Credentialing, the National Association of State Directors of Special Education, and the Association of State and Provincial Psychology Boards all held meetings and submitted feedback to help craft the final draft being introduced today. As you can see, many stakeholders within the school psychologist profession had major input and oversight into this legislation. This compact allows school psychologists from another member state to hold a multistate license and practice in any compact member state. This allows military family members and others moving to Nebraska to hit the ground running. School psychologists participating in this compact must have taken and passed a qualifying national exam, and completed a minimum of 1,200 hours of supervised internship, 600 of which must be completed in an accredited school. The process for obtaining a multistate license for a school psychologist is as follows: once established, the professional who has a legitimate license in a compact member state would apply to be a member in another compact member state where the ICSP Information Exchange System would validate their home licenses' legitimacy and transfer data to the new state they wish to practice in. The state would then grant the applicant the closest equivalent license after a background check and whatever mandatory fees are required. This is a streamlined process removing licensure hurdles in this industry in a member compact state, and getting licensed school psychologists into the workforce as quickly as possible. The benefit-- the benefactors for this compact range from the school psychologists themselves, state education licensing authorities and Nebraska's workforce needs, which we talked about a lot already today. School

psychologists that have to move, especially those in active duty military families, would not have to face reexaminations and additional tests that cost valuable time and are a burden on their finances. A recurring talking point I have made with every compact I've introduced is the fact that active military spouses face higher rates of unemployment and more financial insecurity than the average American because of the many relocations they face throughout their partner's military career. The prospect of costly licensing fees and time-consuming examinations dissuade spouses from continuing their profession in another state, often resulting in a loss of income. The various interstate compacts are meant to remove these barriers and allow spouses of active military families or veterans to pursue their licensed professions. The compact will also expand this pool of schools and school districts, allowing for professionals to find a better fit for their career path. Through the compact, school psychologists will be able to work remotely in multiple states, as well as mutually benefiting both parties and workforce needs. Nebraska state education licensing authorities will benefit from the ICSP with the aforementioned, aforementioned data-sharing system between states. The compact makes the background check and relicensure process more efficient for the respective licensure authorities in Nebraska. The ICSP also facilitates a direct line of communication to peer agencies across compact member states to collaborate on problems within the school psychology field, and they share information. Critically, Nebraska maintains their sovereignty over licensing requirements for school psychologists, and scope of practice within Nebraska is not altered. Once 7 states join this compact, it becomes an official compact and is ready to roll out. Nebraska will have a person assigned to this oversight committee, as we have with every single compact that's passed here in Nebraska. The critical shortage of healthcare workers in Nebraska has been talked about exhaustively with many floated solutions. The American School Counselor Association calls for no more than 250, 250 students per school counselors, but many Nebraska school districts, especially rural ones, far exceed this. Mental health issues for students are increasing at an alarming rate, rate, and we are woefully understaffed in schools to deal with this. As mental health issues, more students are exhibiting problematic behaviors and disrupting classrooms. We need more mental health professionals in schools equipped to deal with these issues, and not have our teachers become glorified babysitters, while adding to the responsibilities that they are not professionally trained to handle. The ICSP removes these time-consuming licensure barriers that allow immediate placement of school psychologists in Nebraska schools where they are needed. So today you heard a little bit about this, and I

talk about this a lot, but I'm-- I always find that we have people that still don't understand the difference between compacts and other tools that we have in our toolbox. So it's been suggested that alternatives to interstate compacts, including reciprocity and universa-- universality-- I don't know why I have trouble with that word-- these try to solve the same issue of workforce shortages, but have major shortcomings compared to interstate compacts. Notably, compacts are all tailored to a particular profession with major stakeholders from that profession having input into the creation. They allow licensed professionals to quickly obtain a multistate license while still maintaining public welfare and safety with a shared database through background checks. Universality and reciprocity streamline the licensure process, but at the expense of lowering the threshold or baseline requirements for licensure, especially in things that pertain to healthcare. This leads to diluted requirements to be licensed in industries, and could actually harm consumers and businesses to creating public safety and welfare. There is room for all licensure tools in our toolbox. It is not an either or, but an and. In closing, the ICSP removes licensing hurdles for military spouses and others moving to Nebraska that are working as school psychologists, improves public safety in Nebraska through coordination and shared databases, and helps address a critical workforce need, especially for rural Nebraska. Also, for some time, Nebraska has always wanted to be, for as long as I've been here, the most military friendly state in the United States. And these compacts, every single one of these compacts that I have brought forward, were a direct request from the military families' office of the Pentagon to ease military families' process of moving to Nebraska. I thank the committee for your time today, and I'm happy to answer any questions. I'm not sure I can come back from my closing, because I was just told that they're really moving fast in another committee that I, I need to be in front of so just a heads up.

MURMAN: Thank you, Senator Blood. I have a question. Do all states allow for an in-school psychologist or do, do some states mandate?

BLOOD: I, I would not know what goes on in other states when it comes to school psychologists. My guess would be that there's enough of them that they wanted to form a compact. It's pretty rare to have like 2 or 3 states that want to form a compact, that usually takes 7 to 10 states for it to happen. So I can't answer that question with anything but a guess, but I bet there's somebody really smart behind me that knows that answer.

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MURMAN: OK. And your proposal is to start a compact. There's no states in it now, is that correct?

BLOOD: You know, I don't know. It seems like everybody's bringing it forward this year, so I'm guessing by the end of this year we'll probably have the 7, just like we always do. When these compacts come out, the states that are in competition, especially like Colorado, to be the most military friendly state in the United States, they jump on these and they get passed quickly. So when we first started doing interstate compacts, there was a little bit of training that was involved in convincing people that it was a good idea. But we have been a leader, and that's something that this body should be really proud of. And what we find is once we join that compact, usually within a year or two, it's up and running.

MURMAN: OK. Any other questions for Senator Blood? Senator Sanders.

SANDERS: Thank you, Chairman Murman. Senator Blood, thank you for bringing this bill forward. I'm right there with you to make us the most friendliest state for the military. But I do have a quick question, and maybe in your conversation as working through this bill, they don't know what the fees and the due-- the annual dues will be while working through this. Have they given you any indication on what possibly would be the fees? Are we in the millions or hundreds?

BLOOD: So I don't know if you saw our fiscal note, but the fiscal-- the, the fees have always been minimal. It's not going to be, oh, we have 9 compacts, and here's number 10, and it's going to be 10 times more because Nebraska has a seat at the table. So I can tell you that the fees have always been reasonable. I can't tell you what the fees are because that's, that's not legislative. That's the people who represent our state that sit on that panel, that sit on that committee. So I really don't have an honest answer for that. But, again, the fees have always been reasonable and we have always had a, a seat at the table. And we want a seat at the table at the beginning, not in the middle or the end when they do talk about the fees.

SANDERS: Thank you.

MURMAN: Any other questions? Senator Linehan.

LINEHAN: Thank you, Chairman Murman. Is this just for spouses or is this a compact then would cover all, everybody, everybody that's--

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BLOOD: It cover-- it, it benefits military spouses, which is why the Pentagon pushes for these. But it benefits anybody that wants to come and work in to Nebraska.

LINEHAN: That's what I was hoping was the answer.

BLOOD: And, and it also, Senator, say that you live in southern Nebraska and you can't find a job in Nebraska but you do want to move because you love Nebraska, you could practice across state lines in Kansas because Kansas usually joins compacts as well. So it also opens up job opportunities for people that are in more rural areas that maybe don't have as many choices.

LINEHAN: OK. This is going to be an off-the-wall kind of question, but is there a compact for psychiatry?

BLOOD: Yes. But that was one that we passed, I believe, 4 years ago.

LINEHAN: How about a-- nurse practitioners?

BLOOD: Yes, we passed that my first year here.

LINEHAN: OK. So does that mean if I'm in a different state I can still work here because--

BLOOD: If it belongs in the compact, you'll-- you have what-- you have your home state license and then, yes, you're allowed to come and practice across state lines.

LINEHAN: OK. I'll have a follow-up conversation with you because I ran into something that doesn't seem to jive with that, but--

BLOOD: OK.

LINEHAN: OK. Thank you very much.

BLOOD: See if they're coming from a compact state.

LINEHAN: OK. Thank you.

MURMAN: Any other questions?

BLOOD: So I apologize--

MURMAN: That, that question made me think of one. OK, so if someone was a school psychologist who was remote or lived in a different state and could practice in Nebraska in a school--

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BLOOD: They could and vice versa. Yes. Tele--tele-- just like we do telemedicine with the other compacts. That, that was one of the bad things about before compacts existed and why the psychologists who are so, so excited to pass that bill, because if they had somebody who was in a crisis and say that person was on vacation in Florida, if they weren't licensed in Florida, legally they couldn't even talk on the telephone and counsel that person. So it's going to-- it opens up opportunities for us to bring people in to work in the more rural schools that might not be in the state, but it also offers secondary job opportunities for-- I apologize, that is my-- I think my phone buzzing. I apologize. Sorry, my husband just got out of the hospital and my phone keeps blowing up.

MURMAN: If you wouldn't have said it, nobody would have known the difference.

BLOOD: So it also offers a secondary job opportunity for people here. So say that you're only a part-time school psychologist and you really need to generate another 20 hours of income, you could feasibly do that by practicing across state lines with another compact state via the phone or whatever they use utilize.

MURMAN: And I assume the income would-- whatever state was receiving the service would be where the income would be declared.

BLOOD: Um-hum. I assume so. I'm, I'm the wrong person to talk about taxes.

MURMAN: Senator Linehan probably knows.

BLOOD: That's a Linehan question.

LINEHAN: That is right.

MURMAN: OK. Any other questions for Senator Blood?

BLOOD: All right.

MURMAN: OK. Thank you for--

BLOOD: I will try and get back for closing. But if not, thank you.

MURMAN: OK. Thank you. Proponents for LB835? Good afternoon.

JENNIFER POLLOCK: Hello. Good afternoon, Senator Murman, members of the committee. I want to thank Senator Blood for her work on LB835 and

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the support of this bill. My name is Jen Pollock, and I currently serve as the government and public relations liaison of the Nebraska School Psychology [SIC] Association. I'm a trained school psychologist, and I currently work coordinating school-based mental health services for 8 rural districts for ESU number 3 here in Nebraska. As an organization, NSPA represents over 340 school psychologists from dozens of districts and service units across the state. I'm handing out my testimony as well as some support letters from the Nebraska Child Health and Education Alliance. I'm here today to share NSPA's support of LB835. As you know, Nebraska faces significant workforce shortages in education, including special education and with school psychologists. School psychologists are crucial team members with--

MURMAN: Excuse, excuse me, could you please spell your name?

JENNIFER POLLOCK: Sure. It's Jen or Jennifer, J-e-n-n-i-f-e-r, Pollock, like the fish or the artist, P-o-l-l-o-c-k.

MURMAN: Thank you.

JENNIFER POLLOCK: You're welcome. School psychologists are crucial team members with a depth and breadth of advanced training, including academic interventions and instructional supports, mental and behavioral health supports, and school-wide practices to promote learning. Data from this school year shows there are currently 21 vacancies of school psychologists here in Nebraska. Additionally, we are currently operating on a ratio of 1 school psychologist per 921 students, which is double the recommended ratio from the National Association. This would indicate that our vacancies would be closer to 41 school psychologists if we are operating in this, demonstrating a critical need to address this workforce shortage. Recently, I had the opportunity to speak to 2 school psychologists here in Nebraska who have experienced several relocations as military spouse; Dr. Cindy Page of Blair and Kimberly Rausch of Bellevue. Both indicate that the process to obtain their license was unnecessarily complicated. Things like completing the applications again, ordering and sending official transcripts and test scores and syllabi took time and delayed the ability for them to continue their career weeks or even months. Additionally, it treated them professionally as inexperienced. Not only does this process delay their ability to practice, but it's arduous and one can easily lose steam and gravitate towards different career paths altogether for a simple entry point. It's relevant to note dozens of school psychologists from across the country in this past short week have offered to share similar experiences. Removing

the burden of restarting licensed process through this compact allow us to support their career after these changes. I see my yellow light. Should I keep going?

MURMAN: Sure. You got a minute.

JENNIFER POLLOCK: Yep. This contract aims to support our school psychology profession and state workforces by streamlining the licensure mobility in member states. Last session, the Unicameral supported and passed a teacher compact. There are many parallels between the teacher compact and the school psychologist compact. In fact, they will work quite well together. There are several benefits engaging with the compact. From a workforce perspective, this is a great opportunity to attract school psychologists to Nebraska, and once they make it to our great state, connect them to districts and ESUs for immediate impact.

MURMAN: I'll ask you to go ahead and finish up,--

JENNIFER POLLOCK: OK.

MURMAN: --we see you don't have very far to go.

JENNIFER POLLOCK: Thank you. Simply put, this will allow those who relocate remedy for the paperwork burden to obtain certification without decreasing Nebraska certification standards. Additionally, this will connect and decrease wait time to start employment and provide services to our districts and students. It's clear we need to grow our workforce in Nebraska and this creates that ease. For Nebraska Department of Ed, it creates a compact information system which supports the facilitation of licensure and certification, as well as discipline information on relocating school psychologists. This provision is a direct line of communication with those engaging in-- engaging in the Interstate Compact, which allows for collaboration and efficiency. Thank you for your time today. I'm happy to answer any questions related to my testimony.

MURMAN: Thank you. Are there any questions for Ms. Pollock? Senator Linehan.

LINEHAN: Thank you, Chairman Murman. Is there an educational difference or what is the educational difference attainment between a psychologist or a school psychologist?

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JENNIFER POLLOCK: Great question. There's really kind of a couple paths in education specialist degree, which is a master's plus 36 or there is a PhD level for school psychology.

LINEHAN: OK. So if, if you're-- you have to be a psychologist and then you become a school psychologist. Is that how it works?

JENNIFER POLLOCK: Correct. I got my master's in school psychology and moved on for my education specialist.

LINEHAN: OK. All right. Thank you very much.

JENNIFER POLLOCK: You're welcome.

MURMAN: Any other questions for Ms. Pollock? If not, thank you very much for testifying.

JENNIFER POLLOCK: You're welcome.

MURMAN: Other proponents for LB835?

LAURA EBKE: Good afternoon, Chairman Murman, members of the Education Committee. My name's Laura Ebke, L-a-u-r-a E-b-k-e, and I'm the senior fellow at the Platte Institute. On behalf of the Platte Institute, a free market think tank here in Nebraska, I'd like to register our general support for LB835. In the last 5 or 6 years, one of our focus areas has been reducing barriers to employment and encouraging workforce growth. And one of the ways that we've done that is through our attempts to make it easier for people who live and work in Nebraska and for those who would like to live and work in Nebraska to get licensed in our state. So depending on how you count, somewhere between 170 and 200 occupations are licensed in our state. Interstate compacts are one method of increasing the mobility of workers into and out of our state, and we generally support licensing compacts as 1 method to improve mobility. It is important to remember, though, that while licensing compacts can help to normalize requirements across state borders, and that's a good thing, and can simplify multistate licensure, another good thing, for those who seek to work or move to another state while also providing a central database for membership-- member states of the compact. It's important to remember that it also adds a layer of, of bureaucracy, which can have significant amount-- a significant amount of power. And if you look at Section 7 onward of this bill, you'll see that, that the language is very similar to every interstate compact I've seen. And understand that by entering into a compact, Nebraska agrees that with respect to this particular occupation, rules and regulations promulgated by the Compact

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Commission have the force of law in Nebraska. And you can see that in Section 9. And that's only removed, when a majority of the legislatures of all the compact member states reject the rules. So you do bind yourself to, to some other rules, which is not necessarily a bad thing, but just be aware of that. Compacts by themselves only guarantee movement between the states that are part of the compact. So from what I can tell, this is the first legislative session that the school psychologist compact has been proposed anywhere but maybe last year. But there aren't very many of them out there, and this compact doesn't go into effect until at least 7 states have actually enacted it. Again, compacts can be a useful way to increase mobility among the member states. But until multiple states have enacted, Nebraska would see little benefit in terms of adding to our workforce numbers. I've handed out with my testimony a comparison between compacts and universal recognition, which you-- I thank you all for, for voting this morning to advance to Select File our LB16. Both tools can be very useful to increase the mobility of workers. Compacts require both the originating state and the state the worker seeks to go to, to be part of the compact. Universal recognition can be used in addition to compacts allowing state-- the state to recognize licenses and experience from noncompact states unilaterally. So with that, I thank you for your time. Thank you to Senator Blood for continuing her efforts with respect to the compact.

MURMAN: OK. Thank you. Any questions for Senator Ebke?

LAURA EBKE: Thank you.

MURMAN: Thank you very much. Any other proponents? Good afternoon.

ASHLEIGH CLARKE: Good afternoon, everyone. My name is Dr. Ashleigh Clarke. That's spelled A-s-h-l-e-i-g-h, last name Clarke, C-l-a-r-k-e, and I appear on behalf of Nebraska Psychological Association, or NPA for short, in support of LB835. I thank everyone today for taking a couple minutes out of their day to listen to some of my experiences. My agency is headquartered in Lincoln, but we have offices in our rural communities in Wahoo, Fremont, and Beatrice. So today, I'd like to talk to you a little bit about my experiences in Beatrice. Seven years ago we were approached by Beatrice Public Schools, who sought to contract with us to provide behavioral health services in the schools. During that time, they quickly asked that we help support the school psychologist for those of us with doctoral degrees, due to a shortage of school psychologists and an increase in demand. One of the things I wanted to highlight is that the responsibilities that school psychologists are responsible for are federally mandated and they are

federally mandated timelines that if they are not met, then the school is considered to be out of compliance with providing special education services to students. I'm providing my full testimony with you guys, but with respect to time, I'm just going to kind of jump and highlight the most important things that I feel are necessary. So the things that school psychologists are responsible for include completing classroom observations, intellectual and education assessments, completing individualized education plans, and attending collaborative meetings to present their findings and to identify the appropriate supports necessary to help a child be successful in school. Since we accepted this contract, we have continued to grow and engage more and more in this process. What began as 2 to 4 hours 1 day a week for me has now grown into 2 full school days each week, and that doesn't account for the other clinical psychologist in my agency who does even more than I do. Here's the thing: The time that we're spending completing the demanding tasks that school psychologists are completing is time that I'm not spending being a clinical psychologist in that community. So, for me, those tasks as a clinical psychologist include completing comprehensive psychological assessments for community members, medical facilities, Department of Health and Human Services, and the Corrections system. This also limits my time providing therapy services to individuals in the community and doing the original job of our Beatrice Public School contract, which is providing therapy to the vulnerable and underserved children who have too many barriers to obtain traditional therapy services in an office setting. And don't get me wrong, I love being in support with the school system that I loved-- I've grown to love, but every hour I'm completing an IQ test in the school, I'm not completing an evaluation to help a community member. Every hour I'm completing the classroom behavioral observation, I'm not completing a parent-child observation for DHHS. And every time I'm sitting in a meeting talking about academic supports where a child could benefit from, I'm not actively engaging in providing therapy services to a child in that very school. So, again, while I love the communities I serve in both Beatrice and all the other communities we work in, and some of my favorite days are the days that I spend in the Beatrice Public Schools-- I love those kids and I love that community-- I'm going to continue to act as both a school psychologist and a clinical psychologist until I'm no longer needed. But Nebraska needs more. We need more, more of both clinical psychologists and school psychologists. And I believe that LB835 will assist in addressing these shortages. So I, along with Nebraska Psychological Association across the state, are in support of LB835.

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MURMAN: Thank you. Any questions for Dr. Clarke? If not, thank you very much.

ASHLEIGH CLARKE: Thank you.

MURMAN: Oh. No.

ASHLEIGH CLARKE: Sorry.

MURMAN: Any other proponents for LB835? Any opponents for LB835? Anyone in the neutral capacity for LB835? If not, the online comments, we had 16 proponents, zero opponents, and zero neutral. And that will close the hearing on LB835. I think everybody-- and we'll open the hearing on LB1010, LB1010. We're skipping over LB1027. Senator Clements is busy in the Appropriations Committee.

WALZ: Oh, so that's me.

MURMAN: He'll come in at the end. He'll be the last bill of the day. So we're opening on LB1010. Didn't mean to surprise you. We'll welcome Senator Walz.

WALZ: Thank you, Chairman Murman, and members of the Education Committee. My name is Lynne Walz, L-y-n-n-e W-a-l-z, and I represent Legislative District 15. Today, I'm introducing LB1010. LB1010 would transfer tax credit funds that remain-- that remain unclaimed for 4 years under the Nebraska Property Tax Incentive Act that would otherwise revert to the General Fund to the Education Future Fund instead. These transferred funds would then be used for special education reimbursements. This committee has discussed the teacher workforce shortage in Nebraska at length and over the interim the workforce shortage in special education specifically became apparent. By shifting unclaimed funds from the property tax credit to the Education Future Fund, we are able to provide some more sustainable funding to the Education Future Fund and ensure that special education programs in our state are being adequately funded. By funding special education needs with the excess funds, we are fulfilling the intent of the property tax relief by alleviating part of the burden for education funding on taxpayers. I believe that LB1010 is a simple step to funding our special education services in the state and sustaining the Education Future Fund that can help generations of students. I would be happy to answer any questions the committee may have.

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

LINEHAN: Are you going to be here to close?

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WALZ: Sure. Yeah, yeah.

LINEHAN: I'll wait until after.

MURMAN: OK. Any other questions for Senator Walz? If not, we're ready for the first proponent of LB1010. Thank you, Senator Walz. Thank you.

WALZ: Yeah.

MURMAN: Any proponents for LB1010? Any opponents for LB1010? Any neutral for LB1010? If not, you're right back.

WALZ: Well, you had a question, Senator Linehan. I didn't think we had any, but I'll do my best to answer.

CONRAD: Your efficiency will be rewarded.

WALZ: For sure.

MURMAN: Oh, any questions for Senator Walz?

LINEHAN: Thank you, Chairman Murman. We're a little rusty. So would this be-- would it change a percentage that the schools get? Are you just trying-- so we're at 80% now, so are you upset about that?

WALZ: No, I'm not trying to--

LINEHAN: This is just--

WALZ: --change any percentages, just making sure that it continues to be sustainable, that Future Fund.

LINEHAN: OK.

WALZ: So we can continue to fund special education, that where the Governor had put or you guys had done last year.

LINEHAN: OK. So this whatever millions would be on top of the \$250 million each year that's in the budget already, I think.

WALZ: Yeah.

LINEHAN: OK.

WALZ: Yeah, it's on you--

LINEHAN: Right.

WALZ: --and on it.

LINEHAN: I get it.

WALZ: Yeah.

LINEHAN: OK. All right. Thank you very much. Appreciate it.

WALZ: You're welcome. Thank you.

MURMAN: Any other questions? Senator Meyer.

MEYER: I had a question. So if the Property Tax Credit Fund disappears, which it could, right?

LINEHAN: Anything is possible.

WALZ: Right.

MEYER: [INAUDIBLE]-- and that's just part of the ball game?

WALZ: Then this would not be--

MEYER: That's just-- OK.

WALZ: --right-- applicable at all. Yep.

MEYER: This is if it remains 4 years in arrears.

WALZ: This is just if it remains in effect and-- yeah.

MEYER: OK. Thank you.

WALZ: Rather than it go to the General Fund, we just put it with the--

MURMAN: Any other questions for Senator Walz? I have one. If the extra funds or leftover funds go into the Education Future Fund, how would you-- how would it be assured that those funds would be used for special education? And if so, how would it be determined where it would go to, what school or what program or-- for special ed?

WALZ: Well, I would imagine that it would use the same process that it does currently. I'm looking at Senator Linehan. I mean, I don't think anything would change. It, it would still go through the way it does now, it would go through the TEEOSA process and [INAUDIBLE].

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MURMAN: So the 20% that is not funded with state and federal funds now, it would be on top of that? The 8-- it's 80%, would be 80% reimbursed now.

WALZ: It goes into that-- the Future Fund, which is the fund that would, you know, that fund special education. So I guess my point is that we want to make sure that Future Fund is always sustainable so we can say what we were going to do, and that's fund special education at 80%. If, if we have excess funds, I don't think that they would go beyond 80% because that's not according to statute. So, no, it wouldn't do that.

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

LINEHAN: I think what you're saying is you just want to make sure the Education Future Fund is solvent forevermore, and you're not trying to adjust the percentage or anything or how it's done. You're just making sure that that money doesn't end up being zero.

WALZ: Right.

LINEHAN: OK.

WALZ: That's exactly what we're trying to do.

LINEHAN: OK. Thank you.

MURMAN: Any other questions for Senator Walz? If not, thank you very much. And we had 7 proponents online, zero opponents, and zero neutral. And with that, we'll close the hearing on LB1010 and open the hearing on LB1014. Senator Walz.

WALZ: All righty.

MURMAN: But let's wait till Isabel close-- changes the card. There we go. OK.

WALZ: Thank you, Chairman Murman, and members of the Education Committee. Again, my name is Lynne Walz, L-y-n-n-e W-a-l-z, representing Legislative District 15. As we all know, and that we've already heard today, there's a workforce shortage among mental health and special education providers in Nebraska. The key player in both of these worlds is a school psychologist. This is amplified with research that tells us that our students receive up to a majority of these services in a school setting. School psychologists are in short

supply, and we must do everything we can to build this workforce. LB1014 is one of the steps we can take to enable schools to be reimbursed if they need to contract with school psychologists to support the tremendous workload seen every day. The bill amends the school Psychologist [SIC] Practice Act to include the ability for school districts to receive reimbursements if they contract with special education service agencies for help in delivering services to students. The rates for services are set by the Nebraska Department of Education and would not change whether it's an employed school psychologist or a contracted provider. There will be a school psychologist coming up behind me that will fill you in on the details of their rules at schools, as well as a representative from the Nebraska Association of Special Education Supervisors, who can talk about how this reimbursement works and what it means to their workforce. I am pretty excited to tell you that finally I want to report to you that a bill I introduced last year, LB523, that would allow for Medicaid reimbursement for school psychologists' services in schools, it is moving forward without legislative action. We have been working very hard with the Department of Health and Human Services CEO Steve Corsi on getting a Medicaid state plan amendment filed soon with the Centers for Medicare and Medicaid to make this happen. I thank the Pillen administration for the support of school psychologists and mental health services for Nebraska's children and youth. Thank you.

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

WALZ: Thank you.

MURMAN: Proponents for LB1014. Good afternoon, again.

JENNIFER POLLOCK: Good afternoon, Senator Murman, and members of the committee. I want to thank Senator Walz for sponsoring LB1014 and her support and understanding related to this issue. My name is Jen Pollock, P-o-l-l-o-c-k, and I currently serve at the-- as the government and public relations liaison at the Nebraska School Psych Association. I'm handing out my testimony as well as testimony from the Nebraska Child and Health and-- Health and Education Alliance. I currently am a trained school psychologist, and I coordinate school mental health services for ESU 3. I'm here today to share and express support of LB1014. Nebraska faces significant workforce shortages as I mentioned earlier. School psychologists are crucial members of those teams, with a depth and breadth of advanced training across academic and behavioral interventions to support and promote learning. These provisions of services are mandated by Nebraska Rule 51, which

includes mandates related to educational assessments. These assessments, which determine eligibility for special education, include assessments for things such as specific learning disabilities and are mandatory, mandatory services that cannot be exempted. This has been confirmed by the Office of Special Education and Rehabilitative Services during and returning to learn after the pandemic. Nebraska districts and ESUs have engaged in countless efforts to ensure that Nebraska students receive these mandated services every day through a pandemic and throughout a period of critical workforce shortage. One of these efforts include engaging in contracts with authorized agencies to fulfill required services of school psychologists. Specifically, schools and districts are following NDE guidelands-- guidelines, rather, for contracted services in order to receive their special education reimbursement dollars for the service delivery. That means ensuring contracts are with approved agencies and that school psychologists they are utilizing through these approved agencies are appropriately approved to provide these services in Nebraska. Unfortunately, after doing that work, they are learning that they are not, in fact, reimbursable due to language in the Psychology Practice Act. Putting the problem to number, school year data indicates 20.7 or 21 school psychologist vacancies in the state. The average cost of contract is \$100,944. Multiplied by that shortage number, that's over \$2 million of unrecouped cost. Ultimately, given the mandate in Rule 51 for school psychologists and lack of reimbursement for these contracted services, this has become an unfunded mandate that our districts and Educational Service Units must make up in some way. Another important point is that the unique training of school psychology does not allow for any other educational role to absorb these responsibilities, thus leaving these mandates' requirement incomplete without utilizing contracts with approved providers. The solution is a relatively simple one, amend the Psychology Practice Act, include language that allows school psychologists employed through these approved service agencies to be eligible for special education reimbursement. Remove these barriers so districts and ESUs are not stuck dealing with unfunded mandates as they rise to the challenge of meeting these federal and state guidelines of service provision in a critical workforce shortage. I urge your support of LB1014. I'm happy to answer any questions that you may have.

MURMAN: Thank you. Any questions? Senator Linehan.

LINEHAN: Thank you, Chairman Murman. Wouldn't the Psychology Practice Act be under the purview of Health and Human Services Committee?

JENNIFER POLLOCK: It is. Yes. So several districts who have been going through this process and are seeking that reimbursement have had that denied by the Nebraska Department of Education because of the-- this Practice Act, specifically related to the term around independent contractor and utilize-- stating that that's the same as this when they're, in fact, may be different.

LINEHAN: My question is more of a legislative question.

JENNIFER POLLOCK: Sure.

LINEHAN: I don't know why it's in the Education Committee. I mean, I, I understand we've got the problem, but I think we probably need to discuss this with [INAUDIBLE] Hansen-- Senator Hansen because we wouldn't want them messing in our stuff.

JENNIFER POLLOCK: That's your expertise.

LINEHAN: But so this didn't become-- this became more of a problem when we moved from 42% to 80% reimbursement because it was a pro-- it's been a problem, just now it's a bigger problem.

JENNIFER POLLOCK: My understanding is that it's actually more due to the workforce shortage and not being able to track school psychologists to fill the vacancies and being left with having to fill the vacancy and provide those services somehow.

LINEHAN: All right. Thank you very much for bringing this to us.

JENNIFER POLLOCK: Yeah.

LINEHAN: Appreciate it.

JENNIFER POLLOCK: Absolutely.

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

MEYER: I have one, one quick question. So when, when you hire a person from this outside agency, is there kind of a set pay schedule that--

JENNIFER POLLOCK: Yes.

MEYER: --those follow that everybody would be uniform for reimbursement purposes?

JENNIFER POLLOCK: Yeah. Yes. And the next testifier will--

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MEYER: Oh, sorry.

JENNIFER POLLOCK: --provide some more specific information to that.

MEYER: Thank you.

MURMAN: Any other questions for Ms. Pollock? If not, thank you very much.

JENNIFER POLLOCK: OK. Thank you.

MURMAN: Other proponents for LB1014?

KRISTY FEDEN: Good afternoon, Chairperson Murman, Vice Chairperson Albrecht, and members of the Education Committee. My name is Dr. Kristy Feden, K-r-i-s-t-y F-e-d-e-n. I am a special education coordinator representing the Nebraska Association of Special Education Supervisors in support of LB1014. I am also a certified school psychologist, so I'm very excited to hear all of the positive discussion of the impact of school psychologists today. I would like to thank Senator Walz as well for introducing this important legislation. In the interest of time, we've heard quite a bit this afternoon about the importance of school psychologists and their impact, and as well as the requirements for having a school psychologist working in our schools. So in the interest of time and not wanting to reiterate that, I will shift directly to your questions about the, the rate and the reimbursable rate. So with the, the kind of the cleaning up of the wording that's been proposed in this-- in this bill, what this would do is it would just clean things up. The agencies that are employing school psychologists would still have to go through the same process with the Nebraska Department of Education to request that rate. So we would keep some of those safeguards and that procedural piece in place. The school psychologists employed by these service agencies would also meet Nebraska certification requirements. So hopefully that assists with some of those components and the questions about, about the Department of Ed reimbursable rate. So LB1014 will allow districts to recoup those contractual fees through the state special education funding process when they utilize these agencies that have been approved through the Nebraska Department of Education and provided a reimbursable rate to provide those crucial school psychological services. I urge the committee's support of LB1014, and I would be happy to answer any questions or provide any further clarification. But, again, I didn't want to reiterate things that have been stated already today.

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MURMAN: OK. Thank you. Any questions for Ms. Feden? Senator Linehan.

LINEHAN: Thank you, Chairman Murman. So are the mandates federally mandated or Rule 51 mandated? Or I guess I'm asking this so maybe somebody here or the committee can figure out what's federally mandated and what's mandated by Rule 51.

KRISTY FEDEN: Oh, great question. Thank you, Senator. So IDEA or the, the federal legislation outlines the requirements for special education. And then our Rule 51 provides our state regulations for carrying out and making sure that we're complying with IDEA requirements.

LINEHAN: So it doesn't add regulations to IDEA, it just spells out how to do-- how to--

KRISTY FEDEN: In its purest form, absolutely. Yes.

LINEHAN: OK. All right. Thank you.

KRISTY FEDEN: Yeah.

MURMAN: Any other questions for Ms. Feden? If not, thank you very much.

KRISTY FEDEN: Thank you.

MURMAN: Other proponents for LB1014? Any opponents for LB1014? Any neutral testifiers for LB1014? OK. Senator Walz, you're welcome to close. While she's coming up, we had 5 proponents online, zero opponents, and zero neutral.

WALZ: Thank you, Chairman Murman. I just want to answer Senator Linehan's question first of all. It's in Education because we're not trying to change the scope. We're not amending the scope of what the school psychologists are doing, but rather we're allowing the payment to be made through the Department of Education.

LINEHAN: Thank you.

WALZ: OK?

LINEHAN: Um-hum.

WALZ: I think that was the only question people had, so. Thank you, first of all, to the testifiers who came today. Appreciate their input and their-- on this important issue. I think, as we've heard today,

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it's important that we do whatever we can to address the shortage of special education services and school psychologists in our state and just better be able to support our kids and our families here in Nebraska. With that, I will finish.

MURMAN: Thank you, Senator Walz. Any questions for Senator Walz? If not, thank you very much, Senator Walz. And that will close the hearing on LB1014. And we will open the hearing on LB1052, also by Senator Walz. Good afternoon again.

WALZ: Good afternoon again, Chairman, and members of the Education Committee. My name is Lynne Walz, L-y-n-n-e W-a-l-z, and I represent District 15. Today, I'm introducing LB1052, which I-- this is a bill that I love, and I wish I would have introduced this bill 7 years ago. I like this bill because, first of all, I know our teachers are underpaid. Yet, because of their passion for kids and their passion for teaching, they are spending money out of their own pockets for school supplies in the classroom. A report from the Institution-- Institute of Education Sciences found that in 2015, and that's, you know, almost 10 years ago already, teachers spent an average of \$478 in a school year. And I can say from my own experience, being a teacher, I was spending quite a bit of money in my classrooms to provide not just pencils and paper, but also to provide snacks and Kleenex and whatever it is that I could for the kiddos. I saw that kids who didn't have breakfast-- I saw kids who didn't have breakfast before coming to school were struggling more, and I wanted to make sure as a teacher that I would be able to support all my students as much as I could with each of their unique struggles. And I will tell you that being a young teacher, we were struggling ourselves, so. Teachers feel a personal responsibility to their students to make sure that they are able to learn in a safe, healthy, and well-supplied classroom. This bill is meant to recognize and show appreciation for the work that they do, and to let them know that our state is here to support them, too. When we're discussing this, I think it's important to remember that the needs of teachers are not uniform. They're all different. Every teacher requires different supplies. For instance, an art teacher may spend more, more on art supplies or an orchestra teacher, which I was very surprised to hear, has to purchase their own sheet music for their class. LB1052 allows-- it allows the state to provide a reimbursement to teachers for up to \$300 spent per year on school supplies. The bill charges the State Board of Education to develop a comprehensive policy on what can qualify and create a process for reimbursement. I understand the fiscal note on this is high, but I think that's a testament to how much our teachers are spending each year on school supplies to provide a positive

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environment for their students. Additionally, I didn't get the amendment back before this hearing, but I'm having one drafted that exempts this from the Nebraska income tax. Again, I love this bill, and I'm excited about, about it. And I wish it was something that I had introduced a while back. I'm happy to take any questions that you might have.

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

CONRAD: Thank you so much, Chair Murman. Thank you so much, Senator Walz, for bringing this forward. I agree, this is a very exciting proposal and I know you speak passionately about it based on your personal experience and your close communication with educators across our state who are struggling with these very issues. I was wondering if you had any thoughts about, perhaps, how this may interface with our constitutional demand for free instruction in our schools to our students? And I know different districts handle that in different ways. For example, in my home district and LPS, they provide school supplies for all of the kids as part of how they interpret the, the free instruction mandate. But I know that there are still teachers who are stretching their personal budgets to provide extras sometimes, even beyond what, what that school district might provide. Have you thought about, perhaps, this issue in terms of our proud tradition and history and legal and moral obligation in terms of free instruction for our students?

WALZ: Well, I think it's part of it, Senator Conrad. I, I just feel that that's also--

CONRAD: Yeah.

WALZ: --this is part of it. It's part of providing free instruction to our kids, allowing our state to provide funding for our students to-- or for our teachers to buy the extra supplies that are needed. I think that's part of it. I think that's part of it.

CONRAD: Very good. Thank you.

MURMAN: Any other questions for Senator Conrad [SIC]? If not, thank you.

WALZ: Yeah.

MURMAN: Proponents for LB1052? Good afternoon.

TIM ROYERS: Good afternoon, members of the Education Committee. For the record, my name is Tim, T-i-m, Royers, R-o-y-e-r-s. I'm the president of the Millard Education Association, and I'm speaking on behalf of the Nebraska State Education Association in support of LB1052. I want to start by thanking Senator Walz and Senators Conrad and Vargas for putting forward this bill to help alleviate the out-of-pocket expenses that come with the teaching profession. Every year as a teacher, I spent hundreds of dollars to get the supplies I needed for my students and classroom. Some of them are the kind of rote yearly purchases: markers, highlighters, pens, supplies for my students. But they can be different, too. When I offered my practice advanced placement exam and preparation for the real thing, I always made sure to, to feed the kids on Saturday morning. Because if they're willing to give up four hours of their Saturday, I'm going to make sure they're fed. And also because I found out Panera bagels are a really powerful motivator to get teenagers to show up to a Saturday morning. And the reason that was important was because I found in my data that every kid that passed my practice exam would go on to pass the actual exam. So it wasn't just about, you know, giving them food, it was about making sure they take advantage of an opportunity to be successful on a high-stakes examination. I can tell you many more stories about how I would spend my own money for my students, but I can also speak to a number of other educators as well. The Millard Education Association provides an annual micro grant program where our members can request up to \$250 in funding to purchase classroom materials, which is an amount pretty close to what this bill is proposing the state cover. Having, having reviewed these grant applications for four years now, I have seen teachers purchase books in different languages to help with their growing refugee population who are still acquiring English proficiency. Teachers are purchasing headphones and other equipment to help set up listening stations for world language classes or podcast corners for social science classes so they can analyze perspectives on content they're studying. They're helping cover field trip expenses to make valuable enrichment opportunities more accessible to their students. This bill would allow our teachers to continue to do these important things to enhance student learning, without as much of the personal financial impact that it currently puts on Nebraska's educators. While we fully support this bill, that does not mean that we do not have suggestions for how to make it even stronger. Our higher education members, as well as our paraprofessionals, have requested that LB1052 be amended to include them as well. As an adjunct member of the history department at UNO, I can tell you I absolutely spend my own money on materials for my undergraduate course. And our paraprofessionals certainly do the same,

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whether it's purchasing, you know, manipulatives for interventions, or materials for the libraries that they work in, they are doing that as well out of their pocket to serve students. When I shared that I was going to be testifying in support of this bill, I had some people ask if reimbursing expenses was really the best approach as, as opposed to improving educator compensation? While I certainly appreciate that sentiment, I do believe the importance of this bill goes beyond just the dollars provided. The acknowledgment by the state that our teachers are taking these extra steps to make our classrooms welcoming learning environments goes a long way. I know all of us in this room have participated quite a bit in conversations about educator shortages and discussions on recruitment and retention. And what I hear time and time again from our educators is the acknowledgment is something that they crave. There will always be circumstances and challenges that will be unique and inherent to our profession. And one of the problems right now is that many educators feel like those aren't recognized, and this bill would acknowledge our reality and support us in our efforts to do the best we can to meet the needs of all of the students that we serve. I encourage you to support this bill. Thank you.

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

TIM ROYERS: Thank you. Enjoy the rest of your afternoon.

MURMAN: Other proponents for LB1052? Good afternoon.

KEVIN REIMAN: Good afternoon. My name is Kevin Reiman. It's K-e-v-i-n R-e-i-m-a-n. I'm the superintendent of Weeping Water Public Schools. But my reason here is, is more personal and my experience in providing these types of grants. My oldest son, Kade, started his teaching career two and a half years ago at Bennett Public or Bennett Elementary at Palmyra Public Schools. He was a young teacher just getting started and he didn't have a whole lot of money to get his classroom going. My wife, who was an elementary teacher, and myself being a public educator, we understood the importance of an inviting classroom, and he didn't have a whole lot of money because he was a first-year teacher. And so we helped purchase some of the things that he needed and his favorite movie was Toy Story. And so his movie or his theme was: they must reach for the stars. And so his, his thing was reach for the stars and his classroom was talked about reach for the stars. And unfortunately, in November that year, he was killed in a tragic hunting accident. And his kids talked a lot about how much that meant to him and, and how much his classroom, and talked about

reaching for the stars. And a lot of kids came up and talked to us about that. And so we were very fortunate and we used some of the money that came from his memorial to create the Kade Reiman Foundation, and we wanted to give back and provide first-year teacher grants. And so when we saw Senator Walz's bill, I mean, it kind of fit kind of what we've done for the past two years. So for the past two years, we've provided grants for the-- 13 grants of \$150 to teachers in schools that Kade had an impact on. It started in Auburn, which he graduated from. He student taught at Elmwood-Murdoch. Weeping Water, where I was the superintendent, he was a youth coach and then Palmyra he was at. So that first year we had 8 scholarships and we received just some wonderful things back from those teachers. And then we received a foundation grant from the Midlands Foundation. We've been able to expand it to Cass County schools. So that included Louisville, Plattsmouth, Conestoga, and Louisville. And so I guess I'm here to tell you that the things we've gotten back, this would be a wonderful thing. And if you can put us out of business, we would be really OK with that, so. We've just seen the impact, and I just wanted to let you know that, that we've seen the impact and it would be a really good thing, so. I appreciate your time listening to me. Thank you. I guess if you have questions, I'd certainly take them too.

MURMAN: Thank you, Mr. Reiman. Any questions for Mr. Reiman?

CONRAD: Thank you.

KEVIN REIMAN: Thanks.

MURMAN: So, so sorry for your [INAUDIBLE].

KEVIN REIMAN: Thank you.

MURMAN: Other proponents?

EDISON McDONALD: Hello. My name is Edison McDonald, E-d-i-s-o-n M-c-D-o-n-a-l-d, representing the Arc of Nebraska. I'll be brief. We're supportive of this bill. I feel like I've come here, I can't even say how many times, and said over and over again we're in a special education crisis. And last year, the action that you all took is definitely-- we've made progress. I have had so many fewer calls that we've had to respond to this year in comparison to last year. But it's still far too significant. And the more support that we can offer teachers in schools in providing adequate funding is just so important. I think, for this portion in particular, really ensuring for kids with disabilities, they're going to need different types of

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support. So I've seen teachers who have gotten sensory items for them or items to help with their FBA. So that's really just kind of provides a little bit of a different angle for it. And that-- those supports are critical. I'll just close with reminding you that for the last 20 years, we have been one of the worst states in the nation in terms of providing adequate special education support. And last year, we were the only state in the nation to have such a, a really thought-through package addressing such a wide variety of issues within the special education crisis. And I hope that you'll continue to act on that. Thank you.

MURMAN: Thank you, Mr. McDonald. Any questions for Mr. McDonald? Yes, Senator Linehan has a question.

EDISON McDONALD: Yeah.

LINEHAN: So you think the fewer calls are related because they now have more funding for special ed? We still have a shortage, though, so.

EDISON McDONALD: Oh, yes.

LINEHAN: What do you think-- you said the things we did last year. We did a lot of things last year.

EDISON McDONALD: Yeah.

LINEHAN: So what specifically are you talking about?

EDISON McDONALD: Yeah. So I, I think in terms of providing the extra special education funding and providing some of the extra incentives, and then obviously the training and stuff is still on the way. But I think that that's been helpful and I think kind of providing the, the future structure. It is definitely still a crisis, just, you know, again--

LINEHAN: We have more schools now.

EDISON McDONALD: --we've seen-- we've seen the, the worst of the worst. I compare it to kind of, on the other side, we spend a lot of time on the HHS side. And a couple of years ago, we had a really significant package that helped that. And, again, it kind of took off those worst of the worst cases. But there's still a whole bunch more that's just, you know, like getting it off the front page of the paper almost when you still have such a broad and significant need, just it's not seen as much. It's like OPS being short 3 schools worth of

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special education teachers. Well, for smaller districts, you know, percentagewise there's still a huge amount of vacancy. It's just not seen as much and it's not quite at that extreme of level.

LINEHAN: Thank you very much for being here. Appreciate it.

MURMAN: Any other questions for Mr. McDonald? Senator Meyer.

MEYER: I, I think this testimony is for LB1010 not LB1052 so--

EDISON McDONALD: Yeah, no, I--

MEYER: [INAUDIBLE]

EDISON McDONALD: I, I was--

MEYER: I mean, it's OK, just--

EDISON McDONALD: Yeah.

MEYER: --so the [INAUDIBLE].

EDISON McDONALD: No, and I, I left a call-- I left a-- the-- I took a call there in the first one, meant to testify on that is you'll notice in the, the-- my written comments, and just planned to testify on this, but we're supportive--

MEYER: I was going to file your testimony in the wrong place and I can't have that.

EDISON McDONALD: Yeah. No, no, but we're, we're supportive of both LB1010 and LB1052.

MEYER: OK. Thank you.

EDISON McDONALD: And I think those are two bills within a number that you all have introduced that will be helpful for special education. So thank you.

MURMAN: Thank you. Any other questions? OK. Thank you very much. Any other proponents for LB1052? Any opponents for LB1052? Good afternoon.

HEIDI GILLILAND: Good afternoon. My name is Heidi Gilliland, H-e-i-d-i G-i-l-l-i-l-a-n-d. I had no intention of speaking here today. But in response to this, I appreciate what teachers do. I've been a youth director for youth, youth programs at my church before, and I think we all know what extra mile teachers go to. I live in Papillion, and my

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school board just passed a \$130 million bond. OK? \$130 million. And when you talk about giving more money to teachers, while I appreciate everything they do, that's my money. That's my taxes. So my question, and I'm just going to throw it out there, where is this extra \$300 going to come from when you have school districts that already provide school supplies? You obviously have school districts that don't. They're not budgeting their money. And, again, when I say their money, that's my money. That's my taxes. So when we sit here and we talk about schools being short on this need or that need, this is the fifth bond that's currently on my property tax statement. That's my taxes that they're not managing. So when we talk about these supplies, we talk about the money involved, I challenge the state and every single person here and school board to think about why teachers don't have enough in their classrooms. The administrator-- I'm sorry, the superintendent makes hundreds of thousands of dollars a year, and we have teachers making \$23.22. No wonder their classrooms are underfunded. It's all going into a couple people's pockets. In the meantime, we're going to come back here and have the same conversation about we need to throw more money at the problem. That's everybody's money out here. That's my money. So when we talk about this, let's talk about how that budget really looks. Where is that coming from? What are you asking all the taxpayers out here? And on a side note, I started homeschooling my kids this year. Before that, I paid tuition for a private school. OK? So I'm being taxed for the school system, then I pay tuition, and this year I started homeschooling. Do I get reimbursement? Because I pay out of pocket for not only the school down the street that's a couple blocks down, but also I pay for every bit of curriculum my kids learn, every bit of it. The gas to come down here so they could have a civics lesson. OK? So I'm just going to lay that on the table. We're not doing right by teachers. That's for sure. I know teachers who have left the system. We're not doing right by them. But it is not a throw more money at the problem. We're not budgeting. You have enough. There's enough there. But you're not doing what you should be with that. And I don't mean you personally, obviously, but the school boards across the state are-- they're hurting their teachers and you are hurting your taxpayers and you're hurting your constituents every time you say, well, more money. Comes from everybody in this room. So that's my 2 cents. Thank you.

MURMAN: Thank you. Any questions for Heidi Gilliland? Is that right?

HEIDI GILLILAND: Gilliland. It's a mouthful.

MURMAN: OK.

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HEIDI GILLILAND: I know.

LINEHAN: Can she spell it again?

MURMAN: I don't know. Did, did you-- did you spell--

LINEHAN: She did spell it, but--

MURMAN: --your name? I can't remember.

HEIDI GILLILAND: Yeah, it's a lot of "i's" and "l's".

MURMAN: OK. Well, we have-- we should have it then.

HEIDI GILLILAND: G-i-l-l-i-l-a-n-d.

LINEHAN: Thank you.

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

LINEHAN: Thanks.

MURMAN: Any other opponents for LB1052? Anyone in the neutral capacity for LB1052? If not, Senator Walz, welcome to come up and close. And while she does, we had online 9 proponents, zero opponents, and zero neutral.

WALZ: OK. Just very quickly, I just want to thank the testifiers for coming today. Especially, thank you, Kevin Reiman, for your personal story. Very much appreciate that. You know, we all know that education is the cornerstone of success for our, our state. We all know that. And we owe so much of that success to our teachers who support our kids and care for our kids 8 hours a day, every day for the majority of the year. So, again, I just think that we can show our appreciation for what they do by helping them with purchasing their school supplies and the things that are needed throughout the year. So with that, thank you very much and I will answer any other questions that you might have.

MURMAN: OK. Thank you, Senator Walz. Any questions? Senator Linehan.

LINEHAN: This isn't a question so much as I think this would be informative to the committee. Do you have any idea how many schools, like-- I think Mr.-- or Dr. Royers said that they have something through their foundation, and I think Senator Conrad said that the Lincoln Public Schools provides. Can we get a picture of what's going

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on across the state, because it goes back to, like, our schools are not treating-- how do I say--

WALZ: Some, some schools are helping out, some aren't.

LINEHAN: Something-- have more ability, whatever, but just so we could see what's going on.

WALZ: Yeah. And I think that a lot of those-- I'm not going to say a lot, but I think a lot-- I think some of those may be purchased through some foundations, private donations, things like that as well, so.

LINEHAN: Right. And some schools have big foundations and some schools have none.

WALZ: Yeah.

LINEHAN: Yeah. OK. All right. Thank you very much.

MURMAN: Any other questions for Senator Walz? If not, thank you very much. And that will close the hearing on LB1052 and we will open the hearing on LB1027 that we did skip over earlier. And welcome, Senator Clements.

CLEMENTS: Thank you, Mr. Chairman. And thank you for rearranging your schedule so I could participate longer on my committee. Chairman Murman and members of the Education Committee, my name is Senator Robert Clements, R-o-b-e-r-t C-l-e-m-e-n-t-s. I represent Legislative District 2, which covers Cass County and eastern Lancaster County. I'm here to present to you LB1027, which revises Section 79-1601, which covers requirements for exempt schools that include private, parochial, group, and homeschools. LB1027 aims to eliminate some cumbersome administrative barriers for parents or guardians who elect to educate their children in exempt schools. Currently, both parents are required to sign an election form for their child to attend an exempt school. My bill would provide that only one parent signature is required. This would align it with the requirement for public schools where only one parent signature is required. Exemption applications currently require 3 individual multipage forms for the parents and schools to file annually under NDE Rule 13. LB20-- LB1027 would also eliminate this annual requirement. Currently, if the Department of Education has not sent a return letter to acknowledge the exempt status, parents have had to go ahead and educate their kids without the acknowledgment from the department. According to a recent survey, a majority of these parents had not received a response for the

current school year. I'm told that lengthy delays in responses have been the norm for these applications for several years. The bill would replace this annual requirement with an assurance. This assurance is satisfied by a signed statement by a parent or guardian that the education provided complies with the law. Should any changes come in the student's enrollment, it will be left up to the parent to notify NDE with another signed statement. LB1027 also removes some other language to harmonize the statute with current NDE practice. The requirement in subsection (5) for employees of an exempt school to offer evidence of teaching competence has never been used by the department to stop the employment of an individual. Standardized testing of exempt school teachers has never been implemented. LB705 by Senator Walz in 2023 eliminated the requirement of a Praxis test for public school teachers in Nebraska. LB1027 aligns exempt school employee requirements with public schools in terms of testing requirements. Provisions for visitation and inspection of exempt schools, and the testing of exempt school students by NDE found in subsection (2) have also never been used. LB1027 removes this language as well. This would also align the law with historical practice. I believe it's important to respect the privacy of parents who have elected to pursue alternative educational settings for their children. The parents should be the primary person in charge of a child-- children's-- child's education. I learned how this process works in Iowa. Exempt school parents in Iowa are not required to annually report to the Department of Education. They do supply 3 facts, but only when requested: (1) the primary instructor; (2) the name and location of the school; and (3) the name of the student. Regarding achievement testing, I believe the satisfactory performance of exempt school students has made additional testing unnecessary and the limited resources of the state Department of Education could be better, better utilized in other areas. I thank you for your consideration of LB1027. Mr. Dave Lostroh, representing the Nebraska Christian Home Educators Association, will follow me to testify and is better equipped to provide details. I'll take any general questions at this time. Thank you, Mr. Chairman.

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

CONRAD: Thank you so much, Chair. Thank you, Senator Clements. Good to see you. Sorry if I, I missed this part in your opening, but I think maybe this came up during some of our work last year. I think Senator Murman had a bill to maybe make some updates to assist for participation for homeschool students, but was it something like maybe about 10,000 kids in Nebraska are currently exempt or homeschool? Is,

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is that number close to the right ballpark? Or maybe there's some folks in the audience who can-- who can help us get--

CLEMENTS: I have not been-- I have not been given those numbers here.

CONRAD: --put a scope on it. Well, I know you're our numbers guy, so that's why I thought I-- I didn't-- I didn't mean to catch you off guard, but, yeah.

CLEMENTS: I should have asked that.

CONRAD: All right. Thanks.

CLEMENTS: Thank you.

MURMAN: Thank you. Any other questions for Senator Clements? Senator Linehan.

LINEHAN: I'm-- I think I understand this, but I, I just want to make sure I'm right. This is only on exempt schools, not approved and accredited.

CLEMENTS: Correct, exempt schools.

LINEHAN: Thank you very much.

MURMAN: Any other questions for Senator Lin-- or Clements at this time? If not, thank you. And we will ask for opp-- or excuse me, proponents for LB1027.

DAVID LOSTROH: Excuse me. 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, NCHEA. We are a proponent of LB1027. In 1982, I heard officials from the Nebraska Department of Education and the University of Nebraska Teachers College, the State School Board Association, and the Nebraska State Education Association claim that students from unapproved schools without certified teachers would be scholastic and social misfits, incompetent to hold a job, on welfare, in prison, and so on. Nevertheless, homeschooling has proven to be a very successful legal mode of education in Nebraska for the last 40 years, and the NCHEA believes that LB1027 is a welcome simplification for both parents who file their exemption notices, and for the Nebraska Department of Education personnel who process these Rule 13 filings. LB1027 substantially reduces the amount of information to be provided to the commissioner. The predominance of the language in 79-1601 was

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language included in 1984 as LB928, the bill that originally exempted religious home and church schools from school approval and teacher certification requirements. At that time that LB928 was going through the Nebraska Legislature, the track record for unapproved religious homeschools and church schools was very short. Later, after the success of these religious schools, the Legislature passed LB268 in 1999 that allowed nonreligious schools to also be exempted from school approval and teacher certification requirements. And since 1984, the track record of exempt schools, both religious and nonreligious, have proven to be excellent. Most colleges and universities actively seek homeschool students. LB1027 removes unnecessary requirements for exempt schools, including removing options for the government school visitations and government achievement testing of students. Second, it would replace the submitting of evidence that the requirements of 79-1601 will be satisfied with assurance of such. Three, removes the providing of information that individuals teaching students have demonstrated an alternate competency to monitor instruction or supervise students. This removal is appropriate in view of the passage of LB705 in 2023 removing basic skills competency testing requirements for the teaching profession, replacing the requirement to annually submit an exemption filing to the Commissioner of Education to only have to file again when students are added or subtracted, and remove the requirement of both students to file the-- parents to file the exemption filing. By requiring only one parent to sign the exemption form, LB1027 would change the little or no dynamic by placing the burden on the joint custody parent not wanting to homeschool, often showing little or no physical or emotional involvement with their child, to responsibly file a petition in court to challenge the homeschool-minded parent. As it is right now, there's nothing an economically challenged, shared custody, homeschool-minded parent can do because the law clearly requires two parents. I believe the NDE has felt largely restrained from doing school visits, testing, and so on, due to Attorney General Robert Spire's Opinion to the department on July 30, 1987. Robert Spire-- Robert Spire had chaired Governor Bob Kerry's Christian School Issue Panel in late 1983 and early 1984, and therefore was very familiar with the problems of the old law and the Nebraska Supreme Court rulings that had unconstitutionally created for Christian families. I believe that his AG Opinion shows that he was still concerned that the new law and rules were still too stringent even after the Legislature used the panel's report for guidance on LB928 and urged the department to operate on the lenient end of the spectrum given within Rule 13.

MURMAN: Excuse me, you do have the red light, but I'll, I'll ask you to continue.

DAVID LOSTROH: Well, thank you. Thank you, Senator. The point here is that homeschool children have flourished with, with NDE operating on the more lenient end of the, the scale. Nevertheless, the NCHEA's current concern is that the NDE in the future may decide to operate on the restrictive side of 79-1601 and Rule 13. Currently, that is within their purview and they need only to decide to do it. In conjunction with this concern is that the NCHEA does not trust the department because of ongoing problems and significant-- and quite significant negative events in the past. For details, please see Sections 1, 2, and 14 of the attached details supporting LB1027 document. The NCHEA is not aware that the NDE rejected any monitors as the-- as language is used, teachers, for lack of training or experience. According to the Home School Legal Defense Association, there are 11 of the 50 states that do not even require notification to homeschool. The reason for homeschooling success across the United States is because of the freedom available to the parent to provide a high teacher/student ratio, and to provide what they believe to be the best educational style, best curriculum, and the best activities for each of their students. Homeschooling has proved to be a self-selecting, self-deselecting activity, not needing more regulation, but rather deserving less. And since homeschooling is not at all easy, many do not start. And if homeschooling is harder than expected, many quit. And I might add that if they feel like they're not doing their children right by homeschooling, they quit for that reason, too. Current statutory requirements were placed in the law based largely on presumptions about uncertified teachers and unapproved schools that have long been proven incorrect. In 1984, a few people had high confidence that uncertified teachers and unapproved schools would satisfactorily educate children and LB928 reflected this by requiring lots of evidence. LB1027 replaces evidence requirements with an assurance requirement to replace the annual exemption filings with an original filing, and then only when adding or subtracting children from the list. Additionally, the NDE Rule 13 staff workload would be dramatically reduced, thus allowing a much more timely processing of Rule 13 notifications which currently is not very timely at all. Per an NCHEA survey with over 400 respondents, 94% of Rule 13 filers from last summer have not yet received their acknowledgment letter. The NCHEA supports LB1027 as written. Please forward to the full Legislature and I'd answer any questions.

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

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LINEHAN: Sir, you have piqued my, my, my interest here. Thank you, Chairman Murman. I'm sorry. In your footnotes here, Nebraska teacher certification procedures as currently defined violate the First Amendment free exercise for religious rights of Christian schools. Can you-- can you give us a little more history on that whole-- what happened? Usually when there's a panel, something bad happens. The Governor--

DAVID LOSTROH: OK. Please, let me better understand where you're looking at.

LINEHAN: I'm looking right down here. What is-- what-- why was there a panel? Why did Senator Kerry create a panel? And then why did Robert Spire weigh in?

DAVID LOSTROH: OK. Back in 1980, my wife and I started a homeschool in 1981. And it was not legal to homeschool in Nebraska. This went to the Supreme Court, who ruled in January of 1981 that the school laws were constitutional. But there was a big fuss. There were people coming in from all over the country, other states were worried that this kind of restrictive language would come to their state, too. So there were hundreds of pastors from church schools and homeschoolers from across the country who came to Nebraska at that time. Governor Kerry was receiving a lot of negative press. And so in view of the courts not dealing with the situation, he created this panel that was spearheaded by Chairman Robert Spire. And so they had recommendations and LB928 was actually generated using some of the recommendations in this Christian school panel, in spite of what the Supreme Court had said in their ruling in 1981. So this was to get rid of the bad press out of state because of overregulation. And there are quite a few states that do not regulate schools that are not public, you know, non-- so anyway, they were worried about it going there. So does that help you understand this?

LINEHAN: Yes. It gives me something to study. Thank you very much. I appreciate you being here.

MURMAN: Any other questions for Mr. Lostroh? Senator Albrecht.

ALBRECHT: Thank you, Senator Murman. And-- OK, so your role is as legislative coordinator--

DAVID LOSTROH: Right.

ALBRECHT: --for this group.

DAVID LOSTROH: Um-hum.

ALBRECHT: So what was it that inspired this particular bill? Is there-- is there something that is so egregious that your people feel that something is wrong or is there-- do you have some examples of problems?

DAVID LOSTROH: Well, OK, let me briefly try to cover as some of the reasons why. This has to do with the, the Department of Education. We have limited trust there. Right now we have this letter of acknowledgment. That hasn't been a major issue, but in their website, and I've got a copy of the website in your packet, it implies that the filings are not yet reflected on the report that's available to schools to see if your child is, is actually enrolled in a homeschool or not. Now that may not be true, but that's what was on this website as of last week. That, that report may still not even be up to date. And so it just seems like this isn't being handled with much high interest to get that particular thing done. They, they also used to provide a, a report that could be used for people who are interested in home education to find out about things. It was called the Report on Participants in Nebraska Exempt Schools. That hasn't been published for several years now, and I'm not sure why because they have all the data and nobody else does have it, seems like that should be-- being taken into consideration. Also, we've had cases where near the end of the school year the parent is wanting to get their child out of the school for various reasons, some of them are potentially quite serious. And the website is taken down as far as being able to sign up on, on the website and do it electronically. You can also download paper documents, PDFs, and use that and take it in by hand. Well, those things disappear on May 1. And we've had people who want to homeschool, they don't know how, and there's no way to sign up on the website. In the Thacker case, it turns out that, that, that case was about the school calendar and a few other things. And it was acknowledged in there that the homeschools are not required to follow the calendar of a public school. And if you got an emergency, you ought to-- really ought to be able to go to that website. I, I think it should be open all year long so that if this happens--

ALBRECHT: Have they changed that up? Have-- had they tried to help you with that before and now they're not?

DAVID LOSTROH: Well, it's been brought up--

ALBRECHT: Are you requesting that they--

DAVID LOSTROH: -- it's been brought up, but it hasn't been fixed. So it's, it's a problem that we've had. There's, there's some other issues, too, that I'd like to bring up and hopefully quickly that have been issues with, with the department. We've had similar-- well, right from the beginning on page 9, when we started-- when the homeschool law became legal, it turned out that the department had run the deaf school in Omaha, and they were directly-- operating it directly by law. Because when that happened, I checked it and it was by the law. And the commissioner said that she knew about it for two years, Helen Campbell. I would think if I had been the commissioner, I could have stopped it in less than two years. So why-- what's wrong with the department on that?

ALBRECHT: But, again, getting back to why we brought this specific bill. We were talking about parents, maybe both not agreeing on their children going to the homeschool instead of public schools. Right?

DAVID LOSTROH: OK. So you'd like to talk about the single-parent issue?

ALBRECHT: Yeah. I mean, that's part of the bill.

DAVID LOSTROH: Right.

ALBRECHT: But what drove your organization, if you will, to--

DAVID LOSTROH: Well, we've had some, some cases. It's been fewer in recent years because I think people have given up. But I've talked to our attorney for Nebraska at the Home School Legal Defense and they've had cases of this where a parent, it's a joint custody situation where the parent would like to homeschool. And the, the predominant case of this is that the father is typically not involved in much of anything in these particular cases, and the mother wants to homeschool, but she can't get him to sign and he, he won't lift a finger to sign for the second thing about homeschooling. Of course, if you have a situation where there's a divorce involved, you know, the parent-- the mother can sue the-- go to court in the divorce and try to arrange things or the father can go. But right now, if-- in this particular case, because of the two parents, if you go to court you have to convince the court that the law is wrong and then try to prove that the father doesn't have good enough reasons to sign this thing. And so by, by doing what's in this proposed language, it would allow the-- typically, the mother to homeschool. And if the father doesn't want to sign, he can go back to divorce court and try to get it stopped, but it's going to cost him some money and effort. And so far he hasn't

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done any. And so this is the typical situation that this language goes. Also included in the packet is the listing of laws that I looked up on the legislative website to find out about, is it really true it's just one parent? Yes, that's true, you'll see the listings there.

ALBRECHT: Thank you.

MURMAN: Any other questions for Mr. Lostroh? I have one. I think you've covered quite a few of the negative issues that you've had with the, the Department of Education in the past and, and now. Is there anything else specifically now that you would like to talk about?

DAVID LOSTROH: Well, I'll, I'll mention, there are other things that have been a historical thing where we've, we've had to go to the Attorney General a number of times over the years to get the department to do what's right. And so if you look at Sections 1 and, and 2 of my handout, you can get the details on that. But we've had to go to the Attorney General to get him to do the right thing several times. This started back as early as 1992. That's there about it in LB245, Accountability Commission, where they switched from academics to nonacademics after the bill was passed with clear language. The latest thing has been in 2013 to 2015 where we were redoing the rules and we were getting nowhere fast trying to get this taken care of because the department insisted on trying to apply criminal penalties and a new set of rules for situations where [INAUDIBLE] was required by statute. This happened in spite of the NCHEA quoting to the-- and it was me personally quoting to the department that this cannot be permitted in view of the Thacker case where it states: but we will not interpret the department's regulations to impose a requirement that carries criminal consequences and that requirement is not clearly under the law. So, again, we ended up having to go to the Attorney General. And the-- and the last comment I have, and I'm trying to make this quick here, is there's a thing called: Covert Psychological Nonacademic Testing. You can find this on page 3. It's item number 2. And this is as far as the testing, there's a lot of psychological tests where you can use what's called "surreptitious data gathering and deception" to get information that shouldn't be asked. And so I, I had a big concern about this in the early '90s. And our plan had been, if this ever happens, that we would appeal to 20 U.S. Code, Section 1232h: Protection of Pupil Rights. And if you go-- follow that on to the next page, you can see all the stuff that applies to that because the parents need to be notified of all these things if they're not there. In view of what happened with LB245 where they took it and twisted it on its head, we have a concern that we don't want to have this done to our homeschool kids. And so my testing plan was that if

there was any testing, we would appeal to that to see the test as the federal law allows. In fact, HSLE used this in Arizona. When they wanted to test the homeschool kids in Arizona, they brought this up and they quickly dropped it. So in any case, there's other matters there, too. And I'm-- I apologize for taking so long but thank you for your patience with me. I appreciate it very much.

MURMAN: OK. Thank you. Any other questions for Mr. Lostroh? If not, thank you very much. Any other proponents for LB1027? Good afternoon.

ALLIE FRENCH: Good afternoon. My name is Allie French, A-l-l-i-e F-r-e-n-c-h. I am representing our grassroots group, Nebraskans Against Government Overreach. I would have just a few comments. You went through the majority of it, and I know that there will be others following me that have additional information. From our end, Nebraskans Against Government Overreach has had dozens throughout just the past 3 years. Dozens of families who have reached out that are struggling with custody cases. And when it comes down to it, homeschooling is often used as a tool to influence where-- how custody plays out. And what I mean by that is very similar to what he said, one parent wants to homeschool and the other makes the claim that they don't. Often, regardless of the fact, and I can tell you from a couple of examples, many of these families had been homeschooling for many years, and upon the divorce the other parent decided to use that as a weapon. They went in and they told the judge, well, they think public schools are indoctrination camps, so I want them to go to public school but they only want to homeschool. With the changes here, we're not giving an advantage to homeschooling. We're making it equal to the other alternative choices of schooling may it be public or private. Currently, with public schooling, only one parent has to sign to enroll their student into school, whereas homeschooling requires two. So as we see it, this legislation creates an equality between those choices and would at that point give the judge the ability to have further discussion rather than having this legislative or statutory bias from the get go. It opens up that conversation. It would encourage more discussion. Why are you changing your mind now? Because they, they can no longer just go and do the alternative choice of enrolling them in public school and essentially squashing that conversation from happening. We also had several members who come from military families, and their spouse often goes on leave on duty. And when it comes time to reapply for homeschooling, it can be difficult to get the signature from the other parent if they're overseas. And oftentimes that can delay the process of enrolling or reenrolling into homeschooling. And so I think that's a very important side of things to look at, is that there, there may be one parent here, it may not

even be a disgruntled relationship whatsoever, but the other parent may be unavailable for whatever reason. And I believe this allows them to move forward with the education that they may already have been doing. Now the only concern, and this was raised by one of our members who had reached out about this bill, was eliminating the annual assurance. They're great with going to just a letter of assurance. That is-- that's phenomenal. That's great. But when we take away that annual application or sending in a form again, some families have a tendency to fall through the cracks. Whether or not that's your guys's responsibility will be up to you guys to discuss. But that was only one concern that had been expressed. And I wanted to make sure that we mention that as well. The last thing, and I know I have a red light, will be that it would be good to discuss whether or not in the verbiage here, the parent who signs the form of assurance to enter into homeschooling, does it need to be the same parent to end homeschooling? Say we have an issue where one parent does not have custody, but they decide to just send in a letter. Will they be able to effectively end homeschooling for the family without the consent or knowledge of the other parent? So that would be my only other concern added.

MURMAN: OK. Thank you. Any questions for Ms. French? If not, thank you very much.

ALLIE FRENCH: Thank you.

MURMAN: Other proponents for LB1027?

SHANNON SPLONSKOWSKI: Hello, I'm Shannon Splonskowski, S-h-a-n-n-o-n S-p-l-o-n-s-k-o-w-s-k-i. This is my 11th year homeschooling in Nebraska, and I am president of the Bellevue Area Christian Homeschoolers co-op in Bellevue. The co-op has 64 member families from the surrounding area representing 169 children currently enrolled. I speak on behalf of myself as a homeschooling mother, as well as my co-op in support of LB1027. I have been filing Rule 13 paperwork to the Nebraska Department of Education to inform the state of my intent to function as an exempt school for over 10 years. The exempt school laws currently in place are written with the potential for the Department of Education to visit our schools, which also happens to be our homes. Such visits would likely be conducted in conjunction with law enforcement or CPS. While the current intent to homeschool and subsequent acknowledgment letter provided is not supposed to indicate a state approval process, the current law and forms required to be filled out have the effect of still appearing to seek approval, as the state reviews parent education levels and curriculum being used. It is

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time for regulations to be updated to better fit the needs of homeschool families. Currently, we are required to fill out the same information year after year to the Department of Education, even if the information has remained the same for the last 10 years. The last 3 to 4 years, I have noticed an increase in the number of problems related to filing. During the COVID years and since COVID has resolved, the Nebraska Department of Education has provided their acknowledgment letters at a very delayed pace. In normal years, I could usually expect to receive a letter by the end of September to mid-October. For the last several years the return date has gotten progressively later, culminating in not receiving the letter this year at all. I am not an isolated case in this problem. Every parent I have spoken to in my co-op has also not received their letters. While the letter is not required to continue homeschooling, it is a relief to be able to show it to anyone who may question that we are homeschooling legally. Under current law, home visits are legal. And as a homeschool family, I'm always aware that CPS could be called at any point by a misinformed neighbor or a school official to investigate possible truancy. While I have never had to face a CPS visit myself, I do know several friends who have had to deal with the scariness of a CPS investigation in which children are interviewed and your life scrutinized. Having the acknowledgment letter in my possession is confirmation that the state, at least for the time being, is not going to take action against us for not complying with education laws. Many women in my co-op have verbalized worry about not getting their letters back yet for this school year. We have had events and field trips where the venue requires proof of schooling by showing the acknowledgment letter for the year. And this year, no one has been able to do that. I have also had many parents tell me that the website for the Department of Education online submission was not working for majority of this summer, and caused a significant delay in being able to file. LB1027 would be a tremendous benefit by allowing us to notify the state one time for each child and receive an acknowledgment letter without expiration, rather than the current cycle of submission and poor response time from the Department of Education. This bill corrects language in current law that perpetuates the idea that exempt schools are still seeking approval from the state, rather than just providing notification. This bill removes cumbersome and unnecessary regulations and streamlines the process of providing notification to the state for homeschool families moving forward. I ask that you move LB1027 out of committee to the full Legislature, knowing that you are improving and updating laws to better fit today's homeschool families' needs.

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MURMAN: Thank you. Any questions for Ms. Splonskowski? Yes, Senator Conrad.

CONRAD: Thank you so much, Chair Murman. And thank you so much for being here. And just for the record, I think-- sorry, give Shelley a moment to help us with reverb. Are we there? OK. I just wanted to commend you and the other families who are organizing and petitioning your government in regards to this measure. My office has received a lot of email and phone calls and, and feedback in that regard. So-- and I'm sure everybody else on the committee has as well and so just wanted to, to let everybody know that, that information has been received and is appreciated when Nebraska neighbors reach out and share ideas. I am very open-minded to the measure that Senator Clements has brought forward and want to think deeply about it in regards to the intersections with some of the family law issues that other testifiers have been-- brought forward. But I wanted to just tease out one aspect of your testimony if, if, if you would help me do that. Because I'm deeply concerned about the First Amendment issues related to homeschooling and then perhaps even a slippery slope to maybe Fourth Amendment issues that you talk about when a designation as homeschooling could become a pretext for law enforcement to enter your house. Of course, we all want safe kids. And if a neighbor has a concern, we want people to, to address that. And better to be safe than sorry, but that, that, that opens a very significant individual rights and civil liberties and civil rights issue. So it really jumped out at me from your testimony. And I know with the checkered history on these issues in Nebraska, there's, there's been a lot of dialogue about the civil rights and civil liberties implications, therein. But if, if you would maybe just help the committee think through those either maybe after the, the committee concludes or to share any other information about the chilling effect or impact that, that families like yours might feel about those kinds of issues. [RECORDER MALFUNCTION] too heavy-handed government. I think that would be appreciated.

SHANNON SPLONSKOWSKI: Sure. So you're talking--

CONRAD: That's a big question. I'm sorry. Sorry.

SHANNON SPLONSKOWSKI: So you're just talking about the concern about CPS or law enforcement coming into the home--

CONRAD: Yeah.

SHANNON SPLONSKOWSKI: --as related to the--

CONRAD: Yes.

SHANNON SPLONSKOWSKI: --the bill?

CONRAD: Yeah.

SHANNON SPLONSKOWSKI: I guess-- that is a-- that is a big question.

CONRAD: That's OK. And if you want to think about it, too. You just-- I was glad that you put that on the record and wanted to respond to it and, and kind of--

SHANNON SPLONSKOWSKI: I think having a acknowledgment letter on hand gives people kind of a, a sense of security, a little bit, about that--

CONRAD: Right.

SHANNON SPLONSKOWSKI: --that you can show I've, I've filed my paperwork. I'm acknowledged by the state.

CONRAD: Right.

SHANNON SPLONSKOWSKI: And I think that is helpful. But.

CONRAD: Because perhaps a neighbor says, boy, the kids are always home. Something's going on over there. And then well-meaning law enforcement shows up to be-- to be careful, to make sure that everybody is safe. And then if you can have that quick documentation, it helps to resolve the situation real quickly.

SHANNON SPLONSKOWSKI: Yeah. And there, and there are, you know, legal defense, HSLDA and--

CONRAD: Yes. Yes. Yes.

SHANNON SPLONSKOWSKI: --Heritage Defense are, are both proponents that help homeschool families--

CONRAD: Yes.

SHANNON SPLONSKOWSKI: --if there are any issues. That's a good thing to fall back on, too, that we have. But, yeah. I would say having an acknowledgment letter is helpful. And I think if you have an acknowledgment letter that you don't have to do every single year-- and that you're waiting and it's still-- it's end of January and we

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had-- still haven't received-- you know, everyone I've talked to, no one has received their letter this year.

CONRAD: OK.

SHANNON SPLONSKOWSKI: That's, that's a, a big issue, that no one has received it. Out of, out of all the homeschool families that I've talked to, that the Department of Education is so far into the school year and still hasn't fulfilled their end of it. Because for, for what they require of us is they say it's mandatory that you, you file by July 15th. July 15th was 7 months ago. And they are supposed to be giving us response letters, acknowledgment letters, usually by the September to October timeframe. And that should be plenty of time for them to respond, especially since majority of applications are online.

CONRAD: Yeah.

SHANNON SPLONSKOWSKI: So I think there-- there's got to be some way to make this easier, both for the Department of Education as well as for us. If we have an acknowledgment letter that is-- doesn't have a expiration date on it, that says that for now, we are currently enrolled as homeschool families, and this is good until we--

CONRAD: Say otherwise.

SHANNON SPLONSKOWSKI: --say otherwise. Yeah. I think that would be helpful.

CONRAD: Thank you. Thank you so much.

MURMAN: Any other questions for Ms. Splonskowski? Senator Albrecht.

ALBRECHT: Thank you, Chair. Thank you for being here today. And you really did lay this out. I don't so much have questions for you, because I know that the bill is asking for 3 to 4 years that you would be able to say that you're actively homeschooling your family. So-- but I would like to request from the Education Committee to question the department on why the delay is so long. And just to give you peace of mind that nobody is going to come knocking at your door. That would be horrendous with children and-- you know, unless there was a problem. But thank you so much for being courageous enough to represent all you folks in Bellevue.

SHANNON SPLONSKOWSKI: Thank you.

ALBRECHT: Thank you.

MURMAN: Thank you. Any other questions? Senator Meyer.

MEYER: I guess I'm going to have some questions for the Department of Education. And I have some knowledge of this with my background, but this did not used to be an issue.

SHANNON SPLONSKOWSKI: No.

MEYER: Now, we've had-- since I've been there, they've had a, a new commissioner and now they have another new commissioner. So I'm wondering if there might be a different speed at those-- as those things are being processed. Because there's a different manager there now, I'll use that word broadly, that hopefully, that would alleviate some of these issues. Because under Commissioners Christensen and Breed, this was not an issue.

SHANNON SPLONSKOWSKI: Well, like I said in my testimony, I personally had not seen an issue with the return of the acknowledgment letter until COVID.

MEYER: But it's 7 months.

SHANNON SPLONSKOWSKI: Seven months is-- yeah. And it's been 4 years since COVID first started.

MEYER: That's excessive.

SHANNON SPLONSKOWSKI: So it's gotten later and later every year. And I-- from my understanding, I think a lot of the Department of Education are working remotely, and I don't know if that plays into it at all or not. But.

MEYER: Well, the Governor took care of that for us.

SHANNON SPLONSKOWSKI: Yeah.

ALBRECHT: [INAUDIBLE].

CONRAD: CIR said otherwise.

MEYER: Maybe. Yeah.

MURMAN: Any other questions for Ms. Splonskowski?

SHANNON SPLONSKOWSKI: Good job.

MURMAN: Thank you very much. And any other testifiers for LB1027?

SCOTT STANGL: Scott Stangl, from Fort. Calhoun, Nebraska. S-c-o-t-t S-t-a-n-g-l. I've been a homeschooling father for nigh on 30 years, and still have some clean up to do with, with my youngest, still making it through. Through the 30 years, we have not had any issues, no, no threats, no, no anything, for, for what we do in our homeschool, but very appreciative of that. So for this, this bill being proposed, I, I like it because it, it will reflect really what's happening, so that the statute would be, be correct and reflect the experience that, that we've had, that the Department of Education is not, you know, beating down our door or anything like that or monitoring, you know, over-- overreach or anything like that. So I don't want-- I don't want you to think that, you know, the changes to this bill are, are simply a request that, that I want the, the Department of Education to be corrected, you know, fix these issues and such. I, I, I really don't want you to walk away to think we just need to fix the Department of Education, right, and these issues that homeschoolers have. We-- homeschoolers, we want the statute changed to reflect reality, to give us the, the liberty to educate our children as we feel that God wants us to do. And so the changes are pretty simple and straightforward as I, as I read them. You're the experts, though. But it will reflect the reality and what homeschoolers deserve: our rights to, to educate our children. So it's just, again, I just want you to walk away with, well, let's just fix the department and then that will be good enough or we'll just keep it at that. We'd really like the statutes changed, to reflect reality and our rights to homeschool our children. OK?

MURMAN: Thank you.

SCOTT STANGL: Simple as that.

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

SCOTT STANGL: Thank you.

MURMAN: Other proponents. Good afternoon.

PETER SAMPLE: Good afternoon. My name is Peter Sample. I'm from Neligh, Nebraska. P-e-t-e-r S-a-m-p-l-e. I come here because of three perspectives. First, I'm a homeschool graduate from a different state. Second, I'm a current homeschooling dad. And third, I'm finishing up my first term on my local school board. First, being a graduate-- homeschool graduate from a different state, I grew up in Indiana. I wanted everyone to know I did not root for Indiana University or Purdue.

LINEHAN: Smart.

PETER SAMPLE: Thank you. We had great freedom there in Indiana. We didn't have to file every year. We didn't have to state what curriculum we used. We-- my parents could-- we told the state, at the beginning, we're going to homeschool our kids because of these reasons. And then we were fine. When we talked with homeschoolers from other states, they were so in awe of the freedom that we had. They called Indiana "homeschool heaven" because of that. And it was great. It was, it was, it was nice to know that we could be at home and learn. We could travel with my dad as he went about the country with his job and take our school with us, and not have anyone question why we were doing what we were doing. When I sat with my math book in the living room, I didn't have to worry about someone coming up and knocking on the door and saying, why are you here? It was great. Then I grew up, came to Nebraska because of my job here, and I have loved living here in Nebraska. There's so many great things going for it. When I found out the laws here for homeschooling, I was floored because it didn't match with the character that I saw Nebraska has. I said, why is there this disconnect between the stringency on families who want to educate their kids the best they know how and all the rest of the freedom that we have? There's a disconnect. And this law fixes that disconnect. As someone on my local school board, I see all the work the Nebraska Department of Education does for accredited schools, and I'm grateful for what they do. But having them go through all these hoops for exempt schools takes away time and resources that they could turn around and apply to my local school district. I don't want to see them take all that time and resources to help to do this oversight to schools and homeschoolers that don't want it. Thank you.

MURMAN: Thank you. Any questions for Mr. Samples [SIC]?

ALBRECHT: Very good.

MURMAN: If not, thanks a lot for testifying.

PETER SAMPLE: Thank you.

MURMAN: Other proponents for LB1027?

MEGAN KALLINA: Good afternoon, Chairman, members of the committee. Thank you for being here and doing what you do. My name is Megan Kallina, M-e-g-a-n K-a-l-l-i-n-a. I'm from Weeping Water, Nebraska. And I support this bill. My husband and I homeschool. With our education combined, we have bachelor's degrees in communication, we

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have cybersecurity, we have admin, we have marketing. And our background is military. We're a military family. I am that military family. And we are able to train our warfighters. I am completely capable of training my children in education. There's no question. This bill is important to me. It's important to the families that are around me that homeschool, the homeschool community in Nebraska. Because we are turning out quality educated children. We are turning out children that will, will be able to-- be capable in our communities. I just sat through 4 other bills, where you said there was problems in education-- in the education system. Listen, the homeschool families see those problems, and we say, you know what? We can help or aid that burden because we will take our children and do what's best by them, what we see best fit. And you-- and we're phenomenal at it. We are turning out capable citizens that will contribute well to Nebraska. I am that homeschool mom whose husband deployed, and he was not here to sign those papers. But you know what? I'm not sure it even mattered, because I still have yet to receive my, my paperwork back from the state. And I, like the homeschool mom before, I've been his homeschool for 4 years, and I questioned whether that mattered or not. It made me feel insecure in our state. You guys, I know that Nebraska wants to do well. This is not doing well, limiting this burden in our education system by getting rid of this government overreach, because that's what it is. There are so many other things it can go to. Not this. Let us turn out children. And I just want to end with this quote. I'm sorry. I want you to hear this. A smart man named Gandhi said, there is no school equal to a decent home and no teacher equal to a virtuous parent. I ask you to do well by Nebraska and we lead this. Thank you.

MURMAN: Thank you. Any questions for-- excuse me, I didn't--

MEGAN KALLINA: Megan.

MURMAN: --for Megan. If not, thank you very much.

MEGAN KALLINA: Thank you.

MURMAN: Other proponents for LB1027.

AMANDA KIRSCH: Hello.

MURMAN: Hello.

AMANDA KIRSCH: I just want to pull this up. My name is Amanda Kirsch. I live in Bennett, Nebraska. And that would be--

MURMAN: Could you spell your name, please?

AMANDA KIRSCH: A-m-a-n-d-a K-i-r-s-c-h. And I'm here to just talk on behalf of my own family and fellow homeschoolers that we are in community with. I understand that when-- that it can be scary to give freedom outside of, like, the typical education system. Like, a lot of people don't understand. You hear stories about, well, homeschoolers are watching TV all day or homeschoolers aren't meeting, you know, these testing levels or those testing levels. First of all, most of that is all untrue. And so, I just wanted to speak to you guys and give you confidence that homeschoolers have taken this responsibility-- this responsibility on, and we take that responsibility very seriously. And so, I would just like to read to you a quote by John Tayler Gatto. He is a, a much-awarded teacher in New York City. Teacher of the year, multiple years. And so I just want to give you an idea of the-- of what homeschooling parents see their job as a educate-- of education has. And so John Taylor Gatto says, whatever an education is, it should make you a unique individual, not a conformist. It should furnish you with an original spirit with which to tackle the big challenges. It should allow you to find values which will be your roadmap through life. It should make you spiritually rich, a person who loves whatever you're doing, wherever you are, whomever you are with. It should teach you what is important, how to live, and how to die. And so I would just say this is the goal of most homeschooling families. Our goal is to educate our children with freedom, to become unique individuals who are conformed to God's ways. We desire for our children to be free, to explore their passions, and to have time and capacity to take on challenges, spend their energy on ideas and concepts that inspire them. Another idea and, and I'll tell you after I read this who, who this quote is from. But this man says, true education is about teaching to think, not what to think. Education is not the learning of facts but the training of the mind to think critically and independently. I have no special talent. I am only passionately curious. And that's Albert Einstein, who we would all look and say, clearly, he's, he's one of the most genius men that we can think of, right? He says, I'm not a genius. I just-- I'm curiously passionate, and-- or passionately curious. And that is what homeschool families want to encourage in our, in our children. And so I would just wrap up by saying, when you are streamlining laws for homeschoolers, you're reduce-- and reducing the requirements, you are assisting homeschool parents in educating their children as whole persons, problem solvers, critical thinkers, people who, like Albert Einstein, passionately-- who are, who are passionately curious and general assets to our state. See, we're going to do what we're going

to do because we love our children and because we want a future for our communities, for our states. And we see that in choosing our children's education and giving them everything that we have, and learning along the way how to be whole persons, how to live in a community, impact our community for good. And so, I would just say, don't be afraid to-- don't think that, that it's the-- that regulations are going to put out better citizens, because we're doing this for our children and we're doing this for the future of our communities. So, thank you.

MURMAN: Thank you. Any questions for Amanda Kirsch? If not, thanks a lot for testifying. Any other opponents or, or excuse me, proponents. It's easy to get that turned around.

ASHLEY MASON: Hi. My name is Ashley Mason, A-s-h-l-e-y M-a-s-o-n. Thank you all for hearing me today. My husband and I have homeschooled our children for the last 9 years and plan to homeschool all 4 until graduated. I'm an administrator for 5 different homeschooling groups in Nebraska, including one in Beatrice. Four years ago, I started another one, an online group called Homeschooling in Nebraska, that is focused on helping families who want to educate their children at home. Currently, there are over 2,700 members on this group, and I strive to offer a firm foundation for those who want to understand the exempt school laws in Nebraska. I spend 10 to 20 hours a week helping families across the state who need help filing their exempt paperwork because it's so complicated, helping families understand their options when schooling at home, and I help those who are considering a move to Nebraska to understand their options here. The current language of visitation and inspection is intimidating and does not align with our surrounding state laws. The language of achievement testing has not been implemented, but it does not present Nebraska as an exempt-school-friendly state and has stopped families from moving to our great state. Current graduation rates of exempt school students also don't support the need for this type of language. If the Legislature would remove the yearly renewal, it would greatly reduce the burden on the exempt school staff at the NDE. Currently, they are unable to process family paperwork within 6 weeks. In some cases, it's taken the department 6 months or longer, as we've heard today. Because of this delay, a family in Gage County is currently under parole from the Gage County attorney because they couldn't produce the acknowledgment letter when the school district asked for it, even though their paperwork had been submitted in person to the Department of Education in August. The need for 2 parent signatures is burdensome and actually prohibits some families from the exempt school option because they're unable to locate the second parent. Changing the

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language as presented would align with public school enrollment. A serious example for consideration. A domestic woman-- a woman who suffered from domestic violence was told by the Department of Education that she must contact her abuser to get the necessary signature so she could homeschool her children. The Department of Education would not accept the court-ordered paperwork that said the abuser was never to contact her again. Instead of risking future abuse by contacting her abuser, she chose to leave the state of Nebraska. In the current language for exempt schools, there are many statements made that are both confusing and worrisome. The newly proposed bill corrects those in a positive way, while also minimizing the burden on NDI. I ask this committee to move the bill forward. Thank you.

MURMAN: Thank you. Any questions for Ashley Mason? I-- oh. Go ahead, Senator Conrad.

CONRAD: Thank you so much, Chair. And thank you, Ms. Mason, for sharing your testimony. There were quite a few examples that you provided, I think, that definitely sparked the committee's attention. And, and we'll definitely follow up with Senator Clements and, and others in regards to some of those issues. Do you happen to know about the Gage County example that you mentioned? Was that family's intersection with the criminal justice system and the county attorney's office due to how our truancy laws work? Do you know, by chance? And if you don't know, I can look it up.

ASHLEY MASON: Similar-- it is. Yes. Their local school district contacted her and said that her daughter had been truant since August. She said, my daughter's not truant. I walked into the Department of Education, handed them my paperwork.

CONRAD: Yep.

ASHLEY MASON: Because the Department of Education did not hand her a signed receipt saying that they had received her paperwork, the school district refused to go to the internal database system or even to contact the Department of Education and ask if her paperwork had in fact been dropped off. They sent her immediately to the Gage County attorney, who also chose not to contact the Department of Education. And instead, she is under probation for 6 months for truancy. If the state does not produce that paperwork, he has threatened to take her child.

CONRAD: Thank you for that followup. I have a measure pending before the Judiciary Committee to update our truancy statutes, because I've

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heard from a lot of families, whether it's medical, whether it's sports, whether it's religious, whether it's a parental rights issue, that under the existing broken statutes, they're continually being referred into the criminal justice system because of how this truancy law works.

ASHLEY MASON: Correct. And it truly does just take a phone call from either the district or the county attorneys to contact the Department of Education. Because when the parent contacted the Department of Education, they said, yes, we have it. We just haven't processed it. And that's all they would do for her.

CONRAD: Wow. OK. Well, thank you again for sharing that information and the interplay with the domestic violence issue, as well. That, that, I think, deserves a lot of attention.

MURMAN: Senator Linehan.

LINEHAN: You may not want to publicly, but I would like to know what school district we're talking about.

ASHLEY MASON: Lewiston.

LINEHAN: I was afraid of that. Thank you.

MURMAN: Any other questions? I have one. I've got a very personal experience also, with homeschoolers in other states that have similar issues. I think-- Child Protective Services is the main thing I'm talking about. You said you have, oh, I think 2,027 members. So I assume, maybe, you have some members in--

ASHLEY MASON: 2,700. Yes.

MURMAN: --other states. Do they have similar issues in other states that you know of, other than Nebraska?

ASHLEY MASON: Most of the people who are considering a move to Nebraska are coming from states that have more lenient, more friendly laws when it comes to homeschooling. When they just do a brief search themselves and they're trying to understand why all of this paperwork is required, such as, you know, have the parents graduated high school? What curriculum are you planning to use? What is your address? A school name, even. You know, that one really stumps, the way that the wording is presented on that paperwork. And they're just overwhelmed. And for them, it's easier to either stay where they are

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or choose another homeschool-friendly state, and just avoid the hassle of coming here.

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

ASHLEY MASON: Thank you.

MURMAN: Other proponents for LB1027?

MARY HILTON: Good afternoon, members of the Education Committee. My name is Mary Hilton, M-a-r-y H-i-l-t-o-n. I'd like to thank Senator Clements for introducing this bill and Senator Holdcroft, Lowe and Sanders, for signing on supporting it. The unfolding homeschooling journey of our family has been one of faith and a lot of hard work. Homeschooling is not an easy path, but it's been good and rewarding and worth it. This is my 21st year in homeschooling our children. In May, I will get to graduate my fifth child from the "Hilton Homeschool Academy", and she will go on to college like her 4 older siblings, leaving just 2 students left in my homeschool. My children, like many homeschooling graduates, have had no trouble in college. Two more will graduate in May. And, I have another one studying in nursing at Cedarville University. And her younger sister is joining her in the fall. God's been really faithful to us, and I appreciate the kid-- hard work of my children and-- throughout this journey. And I'm thankful to have homeschooled in Nebraska. And implementing LB1027 will go a long way in improving the regulatory atmosphere for all exempt schools. Over the years, I have read hundreds of legislative bills. And many of the bills you pass update statutes, improve and streamline laws to better match current day needs and realities. With 40 years of homeschooling evidence and experience under our belt in Nebraska, an honest person reading the current statutory framework overseeing exempt schooling would see that it is archaic and much in need of updating. LB1027 has been mentioned, obviously reviews-- removes the redundant yearly filing requirement. It's, honestly, I go on and I just do the same thing every year. It is-- really is a redundancy. Also, in terms of the-- equalizing the filing requirements, only allowing one parent, I think that, that it just doesn't make rational sense to allow a dissenting party the veto power over the opportunity of a willing parent to homeschool. And I think you've heard, well, the evidence to support that thought. I also wanted to mention that I looked on the NDE's website last night. There are 11,647 exempt students in Nebraska. And, yeah, there hasn't been a report really generated since 2019, about the statistics that they've gathered for all the last 4 or 5 years. In conclusion, I just want to convey a word of warning. The undoing and the ruin of homeschooling

would be to pass legislation where money follows the child, tax money that would fund every student in Nebraska. This is because what government pays for, accountability and control necessarily must follow. The taxpayers demand it. So keeping government control and funding out of homeschooling is a key element of true school choice. Passing LB1027 is an important part of this duo, by decreasing government red tape and control while increasing homeschooling freedom for Nebraska. Senators, thank you for your time and thoughtful consideration of LB1027.

MURMAN: Thank you. Any questions for Mary Hilton? If not, thank you very much for testifying. Any other proponents for LB1027? If you plan on testifying, go ahead and move up to the front row, because we want to go through as fast as we can. Good afternoon.

ELIZABETH DAVIDS: Good afternoon, Senators. My name is Elizabeth Davids, E-l-i-z-a-b-e-t-h D-a-v-i-d-s. Senator Clements, thank you for this bill. It feels like a breath of fresh air, especially in this winter weather. I support LB1027 because it streamlines the efficiency of the registration process and the guidelines of homeschooling, which is helpful for both those homeschooling families and the Department of Education. And I hope to answer some of the questions that came up earlier here. So looking at the statement of intent, the first point is that this would allow one parent or guardian to apply for their child to attend an exempt school. This brings us up to speed with where Kansas is right now, and Senator Clements also mentioned Iowa. We had significant situations talked about already today, but also online, there were-- there was a mom that was saying that her husband had passed away. And in order for her to register for homeschooling, she had to upload the death certificate for her husband, and then it just seems to add a little bit of salt in the wounds. I know of many single moms who homeschool, and it's just that much more challenging for them to be able to register their children. And so that's already a tense situation made a little bit worse and a little bit more personal, when they have to confront that situation. The second point, that this would eliminate the annual requirements. So I'm going to read a little bit from the article that I had printed out and that you have in front of you from last fall, entitled Nebraska homeschool numbers lower than pandemic peak, but continue to rise. So the homeschool numbers in Nebraska have historically increased, around 1,500 to 2,000 every year, minus the 2020 outlier year, of course. Jumping down, so this-- the numbers for the 2022-23 school year are subject to change since school is still in session, but there are more than one--11,600 students enrolled in exempt schools. This is compared to in 2019, when that number was an estimated 9,450. And so if we get

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an increase in 1,500 to 2,000 a year, we would expect this year's enrollment to be 13,000, somewhere in that range. I don't know if you've ever met Beth Bolte or Mickey Iverson. Those are the NDE employees. They're both lovely ladies. They're the exempt school employees who are very helpful. They're willing to respond to questions and confusion from the homeschool community, but they're overworked. And if their workload increases 10% each year, that's just going to exponentially increase for them. Also, the website had plenty of issues last summer. July 19th is the filing deadline. We received public acknowledgment August 11th that, oh, by the way, the website's not working. So there were thousands of homeschool families who were wondering, will my child be questioned? Will we be considered truant? What is going to happen with my children? And it's terrifying, as a parent, to wonder if, even though you've done everything right, if the system is going to come after your children. So-- and, and to, to your question about why this timing, we see that homeschooling is under attack across the globe. It is illegal in Germany, and France has essentially prohibited homeschooling. It's essentially been outlawed. They've cracked down on it a lot. So I think homeschooling in Nebraska has a, a checkered past, a colored past, so we want to make sure that the, the rights that have been hard fought for continue to stay there and, and that everything is streamlined to be more efficient.

MURMAN: Thank you. Any questions for Cassidy, right?

ELIZABETH DAVIDS: Liz.

MURMAN: OK. Liz. Any questions? Thank you very much for testifying.

CONRAD: Thank you. See ya.

BEN STANGL: Good afternoon. My name is Ben Stangl, B-e-n S-t-a-n-g-l, and I have a question for us to, to consider. And the question is, you know, as someone who is a parent or if you have children or no parents, who is responsible for that child, children, who is responsible for a child? And it is, it is the parent. It's understood by the community that the parent decides who, who that child's doctor is, you know, whether that child is educated in Buddhism or being agnostic or anything. And so with that position, the responsibility for education is with the parent. And, and I'd like us to approach any legislation like this from that perspective, and that, that it is the parent who is responsible. And if that is the case, I would contend that the default for the responsibility in educating a child, the default is home education. A home is where a family is. And we as a society don't necessarily view it that way. We, we always assume that

public education is the default education for any child. And if we take the lens that, that parents are the responsible individuals for their child, and that their education is the responsibility of the parent, then the home is the default institution for that education. So as we apply that lens to some of these things in the changes that LB1027 proposes, I just want to point out even one thing here in the first one, in the statement of intent, for anyone to apply to NDE for attendance to an exempt school. I would like to remind everyone that we do not apply to an exempt school. We inform the state that we are an exempt school. We do not apply for permission for that child. So I-- and, and you may have heard otherwise in this room, I am comfortable not having a letter back from the state that says that you've received my notification. The default is that I am responsible for the education of my child, and that child is going to be in the place of my choosing. So whether that means someone needs to get-- I shouldn't need to get 2-- multiple signatures to tell you that I am going to abdicate that responsibility to the public school in, in the way that I am performing my responsibility as a parent for their education. So that's one way it applies even in the next thing. All these other instances with inspections or visitations, the jurisdiction of the state over public schools does have these oversights, and those children in the public education are within the scope of those oversights. Those don't extend into the home. You have the parents, you have the children in the home, and then you have public education, should you choose. The legislation down here within public education should not be projected upward in this hierarchy. So I support LB1027. Thank you.

MURMAN: Thank you. Any questions for Mr. Stangl? If not, thanks a lot for testifying.

BEN STANGL: You're welcome. Thank you for hearing my testimony.

MURMAN: Other proponents for LB1027.

LINDA VERMOOTEN: Good afternoon, Senators. Dr. Linda Vermooten. Yes. L-i-n-d-a V-e-r-m-o-o-t-e-n, Vermooten. And I have a different question I want to ask you today. Is this not Nebraska? Is this not the good life? Then why is it that when I travel in the area that I'm looking to run in for 5 counties, that I'm hearing so much of a nightmare. And we've heard some of this nightmare today, from homeschoolers. We have three avenues in our great state to educate our children. We have the public school, we have the private school, and we have the homeschool. Why then, as legislators, do we want to put down extra rules and extra burden on these parents? They're doing

their very best to say, I choose this option for my children. There are other options available, but I prefer this one. We've heard from parents today that are single parents. We've heard from one lady that was saying they in the military. Now, what if in the 6 months that her husband was deployed, they demanded double signatures? She could not comply, not because she was unwilling, but because he's laying down his life in another country for us to enjoy freedom here in America. So we are placing this extra burden on this family. We're making this a nightmare. So now they live in a state of fear and anxiety that is not needed for any reason whatsoever. The Department of Education is complicit in this because their website was down, right up until and even way past the deadline that they demand these homeschoolers to fill in the application. Well, how would you feel if that is you? I'm doing my best to comply with the law that is placed upon me as a homeschooler, yet I cannot because the very access I need to comply is not available. Why do we do that? And then we've heard even that 6, 7 months later, they still have not received the letter. I think that is totally unacceptable. Why do we require this of choice 3 when we don't require this of choice 2 and choice 1? They can have one parent sign. That's without the other testimony we've heard, of domestic abuse, and that's a lot of the cases in these. But in the homeschoolers that I talked to, their anxiety is going through the roof because they're saying, I'm doing my best. And yet, I still don't know, am I qualified? I hear about this case that has been prosecuted. Will it happen to me? Who of you would like to know-- OK, I'm here to investigate your school, to look at your school and make sure your curriculum is in place. And oh, I don't like that the house is a bit of a mess today, so I'm going to call CPS in. That's not a threat that is over any other option of education, except for our homeschoolers. It seems like that's an unfair disadvantage. I mean, I'm curious. I would love to do some research to say, let's lay them side by side. What is the cost we pay per student in each of these 3? Let's look at the academic results of all 3. Let's look at the graduation rates of all 3. Let's look at the success in the future of those students. How many are going on to education, higher education? I just heard LPS has just said that less than 50% of their students are on target to graduate. I'm sure we would never see that in a homeschool. So I fully support this legislation to remove undue burden, to level the playing field for these parents that want a good education for their children. Thank you so much for your time, Senators.

MURMAN: Thank you. Any questions for Ms. Ver-- Vermooten? If not, thank you very much for testifying. Any other proponents for LB1027? Good afternoon.

JONATHAN MINGONET: Good afternoon. My name is Jonathan Mingonet. I'm Silver City, Iowa. J-o-n-a-t-h-a-n M-i-n-g-o-n-e-t. So I'm not a Nebraskan resident, obviously. Out of respect for the citizens of this great state, I elected to defer to them until the end. But I'm currently an Iowan. The Air Force brought us to the Midwest in 2007, to Offutt Air Force Base. So why am I here? Well, we lived in Nebraska, in Bellevue, as a voting Nebraskan until 2013. Well, what changed in 2013? Iowa changed its homeschooling laws. You've already heard referenced from a lady earlier, about how that has been the choice of many people who moved to this area and have to make a similar decision. So I still have plenty of friends in Nebraska still homeschooling. So it was an intentional choice to move there. Both my wife and I are home-- homeschool graduates. And when we were coming up on the crossroads in our life, one of the things that played a large factor in that decision, as I already mentioned, was that change in 2013. So our children were approaching the compulsory attendance and filing age, and educational freedom weighed heavily on us. So we elected to sell our home in Bellevue and move across the river to, to Iowa. When the military moved us to Canada in 2016, there were less requirements in Ontario than there are in Nebraska. And so obviously, and subsequently in 2019, when they brought us back to the same area, those same considerations came into our, into our thinking and into our reasoning. With no change, we made the same choice. It was pretty simple, settle back in Iowa, again. But as I said, I know so many amazing Nebraskans teaching their children wonderfully at home, so I'm a proponent of this bill, for their freedom to continue in a way that demonstrates their God-given liberty. Thank you.

MURMAN: Thank you. Any questions for John [PHONETIC]? Thank you for testifying. Other proponents for LB1027? Other proponents, going twice, gone. Any opponents for LB1027? Op--opponents for LB1027. Any neutral testifiers for LB1027?

BENJAMIN BURAS: Hello. My name is Benjamin, common spelling, Buras, B-u-r-a-s, and I'm testifying in the neutral on this bill, because I keep going through this scenario in my head. So there are two people who get married. And then they have children. And then they get divorced or separated, and they have joint custody of the children. We'll say one parent wants to homeschool the children, and the other one wants to homeschool the children. So who gets to decide who does the homeschooling. And I, I was lucky enough to, through the hard work of my parents, mainly the hard work of my mom as a nurse, I attended and graduated Millard West High School. And on the truancy issue, one day in high school, one of my friends called in to the, to the office and called in sick for me. And then I actually went to school. And

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then when I got home, my mom was so mad because she thought, she thought I'd skipped school. And I was like, no, no. Then I found out it was one of my swimming buddies. And so, yeah. I guess that's, that's why I'm neutral. I don't know who would get to decide in that scenario, who gets to homeschool the children if they're separated or divorced? So that's, that's why I'm neutral.

MURMAN: OK. Thank you. Any questions for Mr. Buras? Thank you very much for testifying. Any other neutral testifiers?

ELIZABETH TEGTMEIER: Good afternoon, Senators. Thank you for, for having this hearing. So, Deputy Commissioner Halstead and I were flipping a coin to see who would go last, so he'll clean up anything I say-- missay.

MURMAN: Excuse me, you have to spell your name.

ELIZABETH TEGTMEIER: Yes, I sure will. Elizabeth Tegtmeier, E-l-i-z-a-b-e-t-h. T-e-g-t-m-e-i-e-r. And before I start my testimony, I do want to state that I am not here in any capacity as a State Board of Education member. I am here in the capacity as a 17-year home educator. But I do want to note the fact that 40 years ago, no one could have ever imagined that a home educator would sit on the State Board of Education, much less be the president of that board, which I just was elected to this January. So this just goes to show how common exempt schools and home education has become in, in our nation and in Nebraska. Thinking about the filing process, I do feel that it is unnecessarily burdensome on parents, as the department and you've heard, doesn't have the legal authority to approve exempt schools. They're merely acknowledging these schools. And you've clearly heard from testimony today that it's become burdensome on the department. I, like every other parent here, have not received my acknowledgment letter from my submission this summer yet. So we are now approaching 7 months of no acknowledgment. And, and like many of the, maybe, possibly newer homeschool parents, I used to really want that acknowledgment letter. I kept it in a special file box. Should the knock come at the door, I could, I could produce that letter. And, and I do feel like that gives parents reassurance, and I think that that's important. I have a neutral stance because I believe that this bill has made an important step in pointing out that the current process is not working. However, I don't agree that 1 initial filing for the duration of one's decision to homeschool is sufficient. I have spoken with Senator Clements over the weekend so he is aware of and actually amenable to my suggestion that a simple filing yearly that would include the parent's name, address, your local school district, and

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the names and birthdates of the children in your exempt school. This simple entry could quickly go into the database that NDE likes to keep. They use that for student counts, as you've heard today, to know how many exempt students are in the state. This would allow for notification, also, of the local school districts, which would prevent needless contacts by a truancy officer. The simplified filing would reduce the burden on parents and the department by allowing the department resources to go to areas where they're needed and honestly, more effectively used, than checking items that are not within the purview of the department to approve or disapprove. If this bill could be amended, I think it would work for the Department of Education and more importantly, for the taxpayers, parents and children of Nebraska.

MURMAN: Yeah. You can go on if you have more.

ELIZABETH TEGTMEIER: Oh, no. I'm done. I'll take any--

MURMAN: Oh, OK.

ELIZABETH TEGTMEIER: --I'll take, I'll take any questions you might have.

MURMAN: You were really good at stopping right on the red light. Any questions for Elizabeth Tegtmeier?

ALBRECHT: Congratulations.

ELIZABETH TEGTMEIER: Thank you.

MURMAN: Yeah. Congratulations and thanks for testifying.

ELIZABETH TEGTMEIER: You guys ask Deputy Commissioner Halstead the hard ones.

MURMAN: Oh. Any other neutral testifiers of LB1027?

BRIAN HALSTEAD: Good afternoon, Senator Murman, members of the Education Committee. For the record, my name is Brian, that's B-r-i-a-n, last name is Halstead, H-a-l-s-t-e-a-d. I'm deputy commissioner for the Nebraska Department of Education. We're here in a neutral capacity. We don't have a problem with most of the changes this bill is making. And I think if you do the legislative research, you'll find the words being stricken here come from the very bill in 1984 that was enacted. These words have not been changed in 40 years. We believe there is a better means and an easier mean for which individuals who elect to have their children attend a school that is

not approved or accredited by the State Board of Education, to have that on file at the department, because the reason for the filing at the department is for a number of other criminal laws the Legislature has in place that still remain. It is a crime in the state of Nebraska if you do not enroll a child in school, and enrollment is a yearly activity that goes on whether you're in a public school, in a private, denominational, or parochial school approved or accredited by the department, or in an exempt school. Failure to do that is criminal prosecution by a county attorney. School districts are required by another set of statutes to have a, what they call an attendance officer, who is responsible for ensuring all children who reside in the district boundaries are, in fact, enrolled in school. So we did have two concerns with how the bill was currently drafted, and I want to share them. They're both over on page 4. In the first line, they're striking "at least annually." We believe enrollment is an annual activity, so that should continue. The second concern we have is with the new language that's inserted, that talks about the authorized representative of the parent or guardian is the principal or administrator of the exempt school. Our concern with that is, in 79-101, the Legislature has already defined what an administrator is. And 79-801 that says anyone who is a superintendent, a principal or supervisory of any employees of a school district is required to hold an administrative certificate issued by the Commissioner of Education. After listening to the proponents today, I don't believe they now intend that these authorized representatives have to hold the Nebraska Administrative Certificate issued by the Commissioner. That would be a flip of the law in 1984, that does not require any form of certificate or anything in that regard. I will stop there. I suspect there are questions from everything you just heard. But I thank you very much for the opportunity.

MURMAN: Thank you. Any questions for Dr. Halstead? Senator Linehan.

LINEHAN: Can you figure out what's going on with Lewiston Public Schools and this child in Gage County?

BRIAN HALSTEAD: I, I certainly will. It, it represents, again, Senator, 2 parties that the department has no jurisdiction over. One, the school district truancy officer, attendance officer, the state board has absolutely no authority over the attendance statutes. Number 2, the county attorney does not report to us nor check. I've already reached out when I heard that, to find out does anybody at the department know of any contact from the, I'm presuming Gage County attorney but it may be the Pawnee County attorney, depending on where the--

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LINEHAN: A lot of Lewiston is in-- Lewiston covers 4 counties.

BRIAN HALSTEAD: Yeah.

LINEHAN: So there's a lot of Gage County in Lewiston.

BRIAN HALSTEAD: Right. I understand that. So for us to figure out which county attorney was being referenced, we certainly will. To our knowledge, no one's reached out to the department. I would, I would like to say, all of the individuals who did submit their documentation and information this year should have received immediately, when they submitted, an email back from the department saying you have submitted the paperwork required to file for your children to be exempt school. That does not say in that wording in that email this is the acknowledgment letter that's required by statute and rule 13.

LINEHAN: OK.

BRIAN HALSTEAD: That's already a change that's going to happen to the system for next year, so that when you hit submit, it's going to say you're acknowledged, as your children are enrolled in a school that's exempt. And if the department needs further documentation, which this bill would probably reduce greatly, we'd be in contact with you. But that's a, a systems. And the reason why everybody's waiting, we abandoned the old online system because it wasn't user friendly. It was not working as we needed, so we were going to a brand new online system. And lo and behold, anytime you try to start a new system, it has not gone well. I'm going to sit here and tell you it did not go as planned. Hopefully, the individuals will start getting from us the acknowledgment, because the system now has that capability to produce that for the individuals who need it. But Mr. Stangl, who was here, he, he hit it out of the ballpark. We're not, we're not authorizing them. They already have the authority under the constitution to educate their home children in however they want. What we need the information is to make sure other governmental officials don't interfere or seek prosecution of them because they actually have done what they should do, and appreciate that, so.

LINEHAN: OK. Thank you very much.

MURMAN: OK. Any other questions for Mr. Halstead? Senator-- actually, Senator Albrecht was--

CONRAD: Oh, I'll get in line behind Senator Albrecht. Yes. Yes.

ALBRECHT: Thank you. Thank you, Chairman Murman. And appreciate you being here, but I'll tell you what. I live in a rural area. And if you're going to tell me you're going to email me something, if I had to go online to do it and something pops back at me. But if it didn't this past year and just hearing their plea, just let me know that I'm clear so that-- if the knock at the door comes. Because there's nothing worse, especially if some gal has her husband overseas and is worried about it, I think, you know, the department could easily have put a special notice in the newspaper, or you know, I, I don't know. How many, how many of those do you follow? 11,000?

BRIAN HALSTEAD: That was the number of children. I don't know of the-- how many that--

ALBRECHT: That were families.

BRIAN HALSTEAD: --turns out to be exempt schools, because [INAUDIBLE.]

ALBRECHT: But, but I can understand where this could become a huge issue for them, knowing that-- if, if you've been doing it for years, I mean, there's no call for a department not to be able to get the information out, in my eyes. So I really would appreciate it if-- you have a new system? There has to be some things that you would be preparing yourself for, and for those who may not even have internet. So how would they contact you?

BRIAN HALSTEAD: So for those who don't, they have to complete the paper forms and drop them off at the department. OK. So that is still available.

ALBRECHT: And I'm sure that they know that.

BRIAN HALSTEAD: And many, many did do that when the online system was not up and running. Appreciate the effort that took. And it's a very good point, Senator. And I'll make--

ALBRECHT: OK. And that's what I'm saying. So if they ended up having to come fill out the information for you, you still would have had to have sent them a letter. But if they haven't received a letter stating that, you took the time to walk into our department and give this to us. We want to make sure you have this letter. And they haven't received a letter. That's--

BRIAN HALSTEAD: Duly noted, Senator.

ALBRECHT: Thank you.

BRIAN HALSTEAD: That's a good point.

ALBRECHT: Thank you.

MURMAN: Any other questions? Senator Conrad.

CONRAD: Thank you so much, Chair. And I just wanted to note for the record, Brian, that you've been great in your assistance, and so has the Department of Education, in trying to help us update and reform our truancy laws. But just to, to reiterate and put a finer point on it, the, the issue really is a, a bit of an overstep and an overreach on-- from my perspective, on county attorneys across the state that are being way too aggressive with how they're calling families in under that truancy provision. You don't have to respond to that.

BRIAN HALSTEAD: Yeah, I-- I'm still a recovering deputy--

CONRAD: All right. All right.

BRIAN HALSTEAD: --county attorney from the '90s, so it's not something to get over with. And, and again the bill does strike parents or legal guardians, inserts singular parent, guardian. You can pull up the legislative research on why the Legislature in 1984 insisted on the plural. Clearly, 40 years ago, maybe families were in a better state than they are today. That's not necessarily a positive comment on all of this, but, that-- we can't rewrite the statute by saying one can do it, so.

ALBRECHT: Can I just make a--

MURMAN: Senator Albrecht.

ALBRECHT: I'd like to make another just quick comment. I think it was, our new senator had-- Senator Meyer had mentioned that you're not under the purview of the Governor. Right? So-- but you guys have called back your folks to come back to work, too. Is that, is that correct? I think I heard that.

BRIAN HALSTEAD: Oh, well. So, yeah. We actually have a brand new facility where all of the the Nebraska Department of Education is going to be located in Lincoln, Nebraska. Absolutely. So it--

ALBRECHT: And where is that?

BRIAN HALSTEAD: It is at 500 South 84th Street. It's on the east side of 84th Street, if any of you ever attended soccer matches on the Y soccer fields to the east of that.

ALBRECHT: OK. That's where you're at. OK.

BRIAN HALSTEAD: Yeah, yeah, that's, that's the location in that regard. So.

ALBRECHT: Thank you. That's nice to hear.

BRIAN HALSTEAD: It's, it's good to see Senator Meyer at the table. I-- he's also had me sit in front of him and explain things and why things weren't going well in another setting. So I appreciate that.

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

BRIAN HALSTEAD: There's no doctor. It's just Brian Halstead.

MURMAN: Oh, sorry. Brian Halstead. Sorry about that.

LINEHAN: But you're a lawyer.

CONRAD: Juris Doctor. Juris doctor.

BRIAN HALSTEAD: Yeah, yeah. I'm not a doctor.

LINEHAN: Should we say Brian Halstead, Esquire?

MURMAN: Any other neutral testifiers?

MEYER: Thanks, Brian.

CONRAD: Thanks, Brian.

MURMAN: If not, Senator Clements, you're welcome to come up and close. And while he's coming up, we had 7 proponents, 3 opponents, 0 neutral online. Go ahead.

CLEMENTS: Thank you, Mr. Chairman. Just briefly, the situation that started this bill was the two parents homeschooling in a divorce situation, where one parent in the next year can refuse to sign the exemption and the children get caught in the middle. And then in drafting that, it was also found that there are many parts of the current statute that aren't being enforced and the Department of Education doesn't intend to enforce them, and so there's no reason for

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them to continue. I heard testimony that there were only 2 staff members that are trying to serve 11,600 students. But there is even no real intent to enforce the current law, so I believe that this would be a good time to clean up the rest of the statutes while also solving this situation, when we have the 2 parents that are disagreeing. Thank you.

MURMAN: OK. Any questions for Senator Clements? Senator Albrecht.

ALBRECHT: Thank you, Chair Murman. And thank you for bringing this bill. I never realized it was so intense. But I'm no attorney, but I would certainly like to entertain something along with this bill that helps the county attorneys and truancy officer of the school or attendance person. We need to address that or-- I mean, we would not want-- even if one person had to experience them saying that they're going to take their child away, it's not OK. So if there's something more we can do, that would be great.

CLEMENTS: If you-- yeah. If you have some provisions to add, I'd like to look at them. The comment about being an administrator or a principal, we need to not have that conflict either. So I think there is some adjustments that could be made. Be glad to work with you on that.

ALBRECHT: Thank you.

MURMAN: Is there any other questions for Senator Clements? If not, thank you very much, Senator Clements.

CLEMENTS: Thank you.

MURMAN: And that'll close our hearing on LB1027 and close our hearing for the day.