

Transcript Prepared by Clerk of the Legislature Transcribers Office
Education Committee January 27, 2025

MURMAN: Well, hello, everyone. Welcome to the Education Committee. I'm Senator Dave Murman from Glenvil. I represent District 38, and that's eight counties along the border with Kansas all the way from Superior and Clay Center to, to McCook. The public hearing is your opportunity to be part of the legislative process and to express your position on the proposed legislation before us. The committee will take up agenda items in the order posted. If you wish to testify on the mic today, please fill out a green testifier sheet. The forms can be found at the entrance to the hearing room. Be sure to print clearly and provide all requested information. If you will testify on more than one agenda item, you will need to fill out a green testifier sheet each time you come forward to speak on the mic. When it is your turn to come forward, please give the testifier sheet and any handouts you might have to the page as you are seated. If you have handouts, we request that you provide 12 copies for distribution. If you do not have 12 copies, please alert the page when you come forward. At the microphone, please begin by stating your name and spelling both your first and last names to ensure we get an accurate record. Observers, if you do not wish to testify but would like to indicate your position on an agenda item, there are yellow sign-in sheets in notebooks at the entrances. The sign-in sheets will be included in the official hearing record. We will begin with the introducer giving an opening statement at the mic, followed by proponents, opponents, and those wanting to speak in a neutral capacity. The introducer will then have an opportunity to give a closing statement if they wish. We will be using a 5-minute light system for all testifiers. When you begin your testimony, the light on the table will be green. When the yellow light comes on, you'll have 1 minute to wrap up your thoughts. And the red light indicates that you have reached the end of your time limit. Questions from the committee may follow off the clock. A few final items to facilitate today's hearing. Please mute your cell phones or any other electronic devices. Verbal outbursts or applause are not permitted. Such behavior may cause for you to be asked to leave the hearing room. Know that committee members may need to come and go during the afternoon to other hearings. I will now ask the committee members to introduce themselves starting at my far right with Senator Sanders.

SANDERS: Thank you, Senator Murman. I'm Rita Sanders, representing District 45, which is the Bellevue Offutt community.

CONRAD: Good afternoon, my name is Danielle Conrad. I represent north Lincoln.

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Education Committee January 27, 2025

HUGHES: Good afternoon, I'm Jana Hughes. I'm District 24, which is Seward, York, Polk, and a little bit of Butler County.

MEYER: Good afternoon, I'm Glen Meyer. I represent District 17: Dakota, Thurston, Wayne, and the southern part of Dixon County.

LONOWSKI: Hello, I'm Senator Dan Lonowski. I'm from Hastings, District 33: Adams County, Kearney County, and rural Phelps County.

JUAREZ: Hi, I'm Margo Juarez, and I represent District 5. And with great bias, I'd say is the best district in Omaha. Thank you.

MURMAN: Thank you. Staff with us today are, to my immediate right, the research analyst Jack Spray, and to my far right is committee clerk Diane Johnson. The pages who serve on the committee today are Ruby Kinzie from Wayne, Nebraska. She's a junior at UNL studying political science. Ruby, could you stand up and wave. Nice to have you here. And Jessica Vihstadt from Omaha, a sophomore at UNL, studying political science and criminal justice. Hi, Jessica. And Sydney Cochran from Lincoln, a freshman at UNL studying business administration and U.S. history. Glad to have all of you with us. We will begin today's hearing with gubernatorial appointments. And first of all, we'll have a new appointment. And the new appointment is Connie Edmond. And she will be appointed or reappointed or she's a new appointment to the State College System Board of Trustees. And her length of term will be 5 years from January 2, 2025 to January 1, 2031. And so is Connie with us? There she is. Welcome to the Education Committee.

CONNIE EDMOND: Thank you. Good afternoon, Chairman Murman and members of the Education Committee. My name is Connie Edmond, C-o-n-n-i-e E-d-m-o-n-d, and I'm here today to express my interest in serving as a trustee on the Board of Trustees of the Nebraska State Colleges. Thank you for the opportunity to share my testimony in support of my nomination to the Nebraska State Colleges Board of Trustees. As a proud graduate of Peru State College, I am deeply committed to the mission of Chadron State, Peru State, and Wayne State Colleges to provide accessible, affordable, and high-quality education to all Nebraskans. The Nebraska State Colleges hold a unique and essential role in our state's educational landscape. Its open access and open enrollment mission ensures that students from all walks of life have the opportunity to pursue higher education in Nebraska. These institutions serve some of the, of the state's most underserved populations, including a high percentage of first-generation college students and those eligible for Pell Grants. In recent years, more than 40% of the students enrolled in Nebraska State Colleges have been

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Education Committee January 27, 2025

Pell-eligible, and many were the first in their families to embark on a-- on this transformational journey of earning a college degree. This commitment to serving Nebraska students reflects the vital role that the State Colleges play in improving educational attainment and fostering economic mobility across the state. Throughout my career, I have been deeply involved in efforts to support and advance the mission of higher education. My service on the Peru State College Alumni Foundation and the Peru State College Foundation have given me firsthand experience with the challenges and opportunities facing our colleges. Additionally, for over a decade, I have mentored first-generation college students, helping them navigate the complexities of higher education and encouraging them to pursue their goals at Peru State College. These experiences have reinforced my belief and the importance of ensuring that our State Colleges remain accessible and student-centered. In addition to my work supporting students, I had the honor of serving on the Nebraska State College System's Strategic Task Force Plan. This group was tasked with shaping the strategic direction for the system over the next 4 years, and our work focused on identifying goals and metrics to drive progress. The resulting strategic plan emphasizes three critical priorities: One, improving student success by implementing strategies to increase retention and graduation rates, ensuring that students have the support that they need to achieve their academic, academic and personal goals. Two, enhancing affordability by maintaining low-cost tuition, expanding scholarships, and reducing financial barriers for students. And, three, promoting degree attainment by aligning academic programs with Nebraska's workforce needs and strengthening pathways for transfer students and adult learners. The strategic plan also incorporates key performance metrics to track progress, improve accountability, and prioritize outcomes that directly impact Nebraska students. These metrics are designed to ensure that our colleges remain focused on their mission while adapting to evolving needs of students and the state's economy. With over 35 years of experience in the tax and accounting profession, I bring financial expertise and strategic insight to this role. My tenure as a tax auditor for the Department of Revenue has put me as-- equipped me with a deep understanding of compliance, regulatory framework, and fiscal responsibility. These skills are crucial, as the Nebraska State College System addresses challenges such as maintaining affordability, managing deferred maintenance, and sustaining academic excellence. I am passionate about the transformative role that Chadron State, Peru State, and Wayne State Colleges play in the lives of their students and the broader Nebraska community. It would be an honor to serve on the Board of Trustees and contribute to the continued success of these

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Education Committee January 27, 2025

institutions. Thank you for considering my nomination, and I look forward to the opportunity to serve the Nebraska State Colleges in this capacity. Thank you for your time today. And I am very happy to answer any questions that you might have.

MURMAN: Thank you. Do we have any questions for Ms. Edmond? Yes, Senator Conrad.

CONRAD: Thank you, Chair. Thank you, Ms. Edmond. Appreciate having the opportunity to review the materials that you submitted to the committee and really appreciate your opening comments here today. There is no doubt that you are a talented person who is highly sought after and looking at your forms that you put forward, you presently hold service on a number of different boards: corporate, philanthropic, public-service minded, etcetera. Could you just help the committee understand kind of how this appointment, if successful, would mesh up with your current obligations just in terms of time or capacity and if any of those other obligations would present any, any sort of conflict or if service has been completed?

CONNIE EDMOND: Thank you, Senator Conrad, for the question. I am very committed to philanthropy, public service, and volunteering. Higher education is very important to me and it's a passion to me. Being an empty nester, I have plenty of time on my hand. And so I really balance these things and, you know, higher education and helping students obtain college educations through the Nebraska State College System is the number one priority for me. So I have no competing interests, I have no time constraints, and I'm fully 100% dedicated to this mission. And I just want to add, I just went through my orientation at the State College Board last week for over a week and so I really, you know, have the time to commit and immerse myself with that.

CONRAD: Great. Thank you so much. And just one follow-up question, Chair?

MURMAN: Sure.

CONRAD: And thank you, Ms. Edmond, that we are very grateful that you have extra capacity to take on all of these, these important roles in community and the state. As part of that orientation, did the State Colleges give you kind of a heads up in terms of where things might be headed for their budget or financial situation as just kind of a, a general overview of kind of how finance is looked at the, at the State Colleges?

Transcript Prepared by Clerk of the Legislature Transcribers Office
Education Committee January 27, 2025

CONNIE EDMOND: Yes. So as I said in my testimony, I was part of the Strategic Planning Committee and I also served on the Peru State College Foundation. So I'm quite aware of what the State College System needs to help sustain the colleges. So the number one priority would be the appropriations for the deferred maintenance and the projects that they have put forward.

CONRAD: OK. And then would you take an active role in advocating for the requisite resources for the State College System if appointed to this position?

CONNIE EDMOND: Absolutely, 100%.

CONRAD: OK. Thank you.

MURMAN: Any other questions for Ms. Edmond? Yes, Senator Hughes.

HUGHES: Thank you, Chair. Thank you, Connie, for doing this. It takes a lot of volunteers and it's very important. And clearly getting kids out in the workforce for Nebraska is of extreme importance for our state. Just a curiosity question, because we just had a little rehash over this on Friday. Are you familiar with NSERS at all yet? And you may not be. OK. So it's a-- and I know the State College System is involved with this-- but it's a , a system of data tracking that they've been-- since 2020 for--

CONNIE EDMOND: Oh, yes, Yes. Yes.

HUGHES: --collecting information, and then you can use that.

CONNIE EDMOND: Yes. Yes. Yes.

HUGHES: OK, great, because I was looking at your--

CONNIE EDMOND: I haven't acclimated myself with all the acronyms yet, but.

HUGHES: No, I know, there's so many acronyms. I totally get it. But I love seeing what your kind of strategic plan, what you want to emphasize because-- and I think that data from that can help with, you know, like you said, aligning academic programs with our workforce needs, strategies to increase student retention and graduation rates, like there is so much data there that we can actually get our, you know, hands on numbers that say if this is put into place, what's the result or what do we need, you know, in the beginning of the pipeline

Transcript Prepared by Clerk of the Legislature Transcribers Office
Education Committee January 27, 2025

to get here? And so I encourage you to embrace that and use that as your Board goes, you know, going after these kind of goals. So-- but--

CONNIE EDMOND: Well, Senator Hughes, I thank you for making that comment and pointing that out. You know, under the leadership of Chancellor Turman, he is really data driven, right?

HUGHES: Yeah.

CONNIE EDMOND: So what gets measured gets accomplished. And I'm really impressed with holding the State College System accountable to this strategic plan because you guys all have the numbers. And so now we have to produce the results.

HUGHES: Well, I'm guessing with your accounting background, you are also big time into data and numbers. So-- and I'm an engineer and I get it. Like, we love our numbers because if you could show it without it just-- yeah.

CONNIE EDMOND: I do love the numbers and I do love the fact that our chancellor took the initiative to put this strategic plan together, to put this numbers and data together to basically hold him accountable. Right?

HUGHES: Yes. Very good. Anyway, thank you.

CONNIE EDMOND: Thank you.

HUGHES: Thanks for coming in today.

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

MEYER: Thank you, Senator. Just for my own personal education, what specifically, the duties are of a trustee of our State College System? Overseeing budgets or--

CONNIE EDMOND: Yeah.

MEYER: --just what, what specifically is in the--

CONNIE EDMOND: So in--

MEYER: --job description?

CONNIE EDMOND: --in, in the handout that I provided to you, it's an overview of the job description there for me. So it's overseeing the

Transcript Prepared by Clerk of the Legislature Transcribers Office
Education Committee January 27, 2025

mission, the strategic plan, the finances, and ensuring that they're on track with their mission.

MEYER: OK. This, this involves frequent meetings and you're--

CONNIE EDMOND: Yeah.

MEYER: --engaged on a daily basis.

CONNIE EDMOND: Right. So the beauty of being a part of the State College System because it's Chadron State, Wayne State, and Peru state, so we will rotate having meetings at each of the campuses. So we will be actually physically examining what's happening on the campuses and meeting with the administration of the people on the campuses. The chancellor has a metrics for holding the presidents of each college accountable for their internal plan as far as enrollment and retention. And we'll be monitoring those things. And then we'll also be monitoring the support of the State College or support of the Legislature to our budget, right, and making sure that we're maintaining, hopefully no cuts, to be able to continue to afford affordable education to those students and also allow them to have access to top-quality facilities that we have at other colleges and institutions in the state of Nebraska.

MEYER: So you have a responsibility in curriculum and outcome and things of that nature--

CONNIE EDMOND: Absolutely.

MEYER: --so that's something as part of your purview.

CONNIE EDMOND: Absolutely.

MEYER: OK. Thank you.

CONNIE EDMOND: Absolutely.

MEYER: Thank you.

MURMAN: Thank you. Any other questions for Ms. Edmond? If not, thank you very much. And we will hopefully forward your nomination to the floor.

CONNIE EDMOND: That would be nice, because I'm ready to get to work. Thank you.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Education Committee January 27, 2025

MURMAN: Thank you very much. There's no online position comments concerning Connie Edmond. And with that, we will close that hearing and move on to the next gubernatorial appointment, and that is the reappointment of Robert Engles to the Board of Trustees of also the, the Nebraska State Colleges. And Mr. Engles is a reappointee to the Board where he has served for the past 14 years. He's also served on the Southeast Nebraska Development District. He has previously served on the Auburn Board of Education and Mayor of Auburn and is a real estate broker and owner of Engles Agency. Thank you. And, Mr. Engles, tell us a little bit about yourself.

ROBERT B. ENGLER: OK. Thank you, Mr. Chairman. Good afternoon, members and staff of the Education Committee. I am Robert B. Engles, R-o-b-e-r-t B. E-n-g-l-e-s. And if you want to address me, just call me Bob. I don't know who put the Robert B. in there. I am here to request that you vote to allow me to continue my work on the Nebraska State College System as a member of the Board of Trustees. I was originally appointed to the Board in 2011 and I currently serve as chair of the Board. I would like to continue to serve in this capacity as I feel the work being done at our three colleges in Chadron, Peru, and Wayne is very important. We provide an opportunity for students to receive a quality education at an affordable price. I am pleased that so many of our graduates stay right here in Nebraska to live and work and help grow our state, particularly in our rural regions. Our Board feels that we operate a very lean program from our system office to the college level. Whenever positions are open at the system office or at Chadron State College or Peru State College or Wayne State College, we thoroughly analyze and make sure the position passes a needs test. Only then do we fill positions. I am proud to report that we have minimal waste and very little bureaucratic obstacles in place. We serve the needs of the people of Nebraska in a very efficient manner. I ask you for the opportunity to continue to serve on the Nebraska State College Board of Trustees, and I would be pleased to answer any questions you may have at this time.

MURMAN: Thank you. Do you have any questions for Bob? Senator Juarez.

JUAREZ: Thank you. So I would like to know, since you've served on this Board previously, what do you personally consider the biggest challenge in serving on the Board?

ROBERT B. ENGLER: Oh, I wish you were on the Appropriations Committee because I could tell you money would be the best one. But that's, that's a tough thing. One of the biggest challenges that we have is to continue to provide a, a quality education at the price we're at. The

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Education Committee January 27, 2025

average student, right now, for a full year of academic support pays right at \$14,000. And that seems like a lot of money, but that's very reasonable compared to what other institutions are charging. To do that and to accomplish that, we just continually look at our budget. We meet, as, as Connie said, we meet on the three campuses once a year, and then we usually have three meetings in Lincoln. So about every other month we meet. And a lot of what we do is go over the budget to make sure we have it screwed down as tightly as we can to provide the funds for the students to keep their, their education at an affordable level. So I'd say that's the biggest challenge right now, Senator.

JUAREZ: OK. Thank you.

MURMAN: Any other questions for Bob? Senator Lonowski.

LONOWSKI: Thank you, Chairman Murman. Bob, one of the biggest issues I see, and you talked about it a little bit, I could have asked Connie the same question, how are we taking care of brain drain?

ROBERT B. ENGLER: Oh.

LONOWSKI: What are we doing to keep our kids in there?

ROBERT B. ENGLER: I'm, I'm, I'm really glad you brought that up, because where our campuses are located strategically in Chadron, we draw students from South Dakota, Wyoming, and Colorado. At Peru, we draw students from Kansas, Iowa, and Missouri. And at Wayne, we draw students from Iowa and South Dakota. And it's amazing how many of those students stay within our state. And that's one thing I'm really pleased about. We have a, a tuition program for those students that allow them to attain a college degree at, at a really affordable rate. And so many of those kids stay right here. And I talk to these kids on these campuses when we go around. And I say what are your plans after, after you graduate in another year? I want to stay here in Nebraska. And so I'm really proud of that. And I think we're doing a very good job of that, Senator.

LONOWSKI: Thank you.

MURMAN: Any other questions for Bob? Senator Conrad.

CONRAD: Thank you so much, Chair. Thank you so much, Bob. I just want to just follow up on your exchange with Senator Juarez. And I'm glad that you lifted up because clearly we're not on the Appropriations Committee, but we each have our voice and our vote when it comes to

Transcript Prepared by Clerk of the Legislature Transcribers Office
Education Committee January 27, 2025

deliberations on the state's budget when it comes to the full Legislature. And I'm just hoping that you could, perhaps, put a finer point on kind of where you see the state in terms of meeting the needs to keep our state colleges accessible and affordable, particularly to working families in Nebraska?

ROBERT B. ENGLER: That's, that's a great question. And I don't have a great answer other than the fact that I would say if we had the money to do so, I'd love to see us go into your district in south Omaha and put up a recruiting center right smack dab in the middle of 24th and L Street or wherever we could find space there. Because even though I think we're doing a good job of bringing a lot of the rural kids, we have a lot of kids from Omaha and Lincoln, too, that attend our three state colleges. But I think there's a huge number of kids, and I would say particularly in certain neighborhoods of Omaha, that are probably not getting the chance they need to go to a 4-year school. And you take a lot of kids that are graduating from Omaha South or Bryan or one of those kind of schools. In those locations, UNO, might be too big for them. Bellevue is a private school. Peru is an hour away. If we can get those kids in our campuses, whether it be Peru or Wayne or Chadron, we'll make successful. You asked the question, I'm talking to her over here.

CONRAD: That's OK. No. Conversing.

ROBERT B. ENGLER: But if you can, if you can get us about a quarter of a million dollars, we could put up a recruiting center right in south Omaha. And I guarantee you we could do a great job of pulling a lot of those kids to one of our campuses.

CONRAD: Yeah, that's right. And I, I think just the trend line shows that state support for the university and similarly related to State Colleges has really been on a precipitous decline. And I'm deeply concerned about that trend because I think it inhibits our ability to keep these institutions strong, which are part of the fabric of Nebraska, and contribute greatly to our quality of life. And every dollar that we don't send your way makes it harder to retain and recruit top talent in the classroom for your faculty and it, it puts a lot of pressure on, on tuition increases as well. And I worry about what that means, particularly for low-income or working families to be able to access a quality higher education. So I appreciate your dialogue with the committee and I know that we have a lot more conversation to have as this [INAUDIBLE] matter and, and the budgets come before the, come before the legislature later this year. But at a, at a certain point, we're going to have to just be really honest

Transcript Prepared by Clerk of the Legislature Transcribers Office
Education Committee January 27, 2025

about kind of where we are and what that means for ensuring these state colleges can remain strong.

ROBERT B. ENGLES: You just spoke the anthem for our State College System, and I appreciate that very much. You know, when I said we can educate a student for 1 year for around \$14,000, for some families, it might as well be \$14 million--

CONRAD: You're right.

ROBERT B. ENGLES: --because it's, it's so far out of the range. So we've got to find a way to bring those kids into the system. Because if we can, if we can get them a 4-year degree or, quite frankly, even a 2-year degree, we can guarantee success. I've always said that the best way to distribute wealth in this country is to have a great public education system.

CONRAD: Well said. Thank you.

ROBERT B. ENGLES: And I firmly believe that.

CONRAD: Thank you so much.

MURMAN: Thank you. Any other questions for Mr. Engles? If not, thank you very much. And we don't-- do we have any online comments? Oh, sure. I neglected to ask for proponents and opponents on either Connie or Mr. Engels. So are there any proponents for either? Thank you for your testimony. Any proponents for either one? Either or both?

PAUL TURMAN: Chairman Murman,--

MURMAN: Hello.

PAUL TURMAN: --members of the Education Committee, my name is Paul Turman. That's spelled P-a-u-l T-u-r-m-a-n. I'm the Chancellor of the Nebraska State College System. I'll speak on behalf of both of the nominees that you have here. Had the opportunity to work alongside with Bob Engles for the last 6 years as I took over this role. And I think as he had reinforced here today, he's a very strong advocate for our students and the opportunities that being able to go on from one of our three institutions can have for, especially, low-income, first-generation students here in the state of Nebraska. Bob has served on the Student Affairs Committee during his time. I think certainly because he continues to be very passionate and wants to engage a lot of our students, our student trustees, directly to understand what constraints and, and issues they run into. He

Transcript Prepared by Clerk of the Legislature Transcribers Office
Education Committee January 27, 2025

certainly is serving as the chair of the Board. And he's had that role this last year. And if reappointed, he will continue on, on that capacity for the next year and a half. I've also had the opportunity in, I think, the first month that I arrived here in Nebraska 6 years ago, had the opportunity to meet with and get introduced to Connie Edmond and her husband, Elton, who both are very proud Peru State College alumni. She's been extremely engaged in the times that I've had the opportunity to go and talk with the foundation. She asks a lot of hard questions. She wants to know where our metrics are at and how we're supporting students financially, but then also providing them with the necessary support services they need to be successful and be able to move on. When I had the opportunity to go in with our second strategic plan here a year ago, she was on a, a task force of roughly about 37 individual stakeholders around our system, and she always came to those conversations extremely engaged. And you saw the, the focus that she had this morning or this afternoon on what she thinks is critical and how to hold me accountable, and then how we work and manage our institutions to make sure that they have long-term sustainability. So I would ask that you move forward with these confirmations, and I appreciate the committee being willing to have one of these as the first set of bills and/or items that you take up so that I have the capacity to have a quorum when I meet with my Board again in March. I'd be happy to answer any questions you might have.

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

PAUL TURMAN: Thank you.

MURMAN: Any other proponents for either Connie Edmond or Bob Engles? Any opponents for Connie Edmond or Bob Engles? Any in a neutral position for either Bob Engles or Connie Edmond? If not, we had one neutral online comment for Robert Engles. And with that, we will close the hearing on appointments to the State College Board of Trustees. And we'll open the hearing for LB282-- or excuse me, LB378 and invite Senator Andersen to introduce the bill.

ANDERSEN: Good afternoon, Chairman Murman and members of the Education Committee. I'm Senator Bob Andersen, that's B-o-b A-n-d-e-r-s-e-n, and I'm here today to introduce LB378, the Foreign Accountability and College Transparency in Sourcing Act, FACTS Act. LB378 adds a statutory provision with the goal of increasing transparency when higher education institutions receive funding from foreign sources. The bill applies to both public and private, 2- and 4-year institutions, and requires quarterly reporting of funds received from

Transcript Prepared by Clerk of the Legislature Transcribers Office
Education Committee January 27, 2025

foreign sources. The bill does not require reporting of tuition or other fees paid by foreign students who are enrolled or are prospective students in schools. The authority to enforce these provisions is placed with the Attorney General. It's an unfortunate fact that hostile foreign governments are using our higher education system to their advantage. China, in particular, has a documented pattern of bad behavior, whether it's stealing intellectual property, spying on students from their countries, or using campus programs to spread anti-democratic philosophies. Foreign governments are manipulating a higher, a higher education system to their advantage. Over the past 4 years, the Chinese government, or those acting on their behalf, have provided millions of dollars to top public and private universities across the country. To be clear, I am not alleging any wrongdoing by any of our Nebraska colleges or universities. My only goal is to increase transparency. The Legislature annually provides over \$800 million in funding for public institutions of higher education and funding for private colleges and universities through programs such as Nebraska Opportunity Grant. We have a duty to oversee the activities of these institutions, and this bill will ensure needed oversight of their other funding sources. Although some similar reporting is required at the federal level, there is widespread concern that these requirements are often ignored. Some estimates suggest that at least 200 American universities and colleges have withheld information on contributions from foreign regimes in recent years to the tune of \$13 billion. This bill ensures that Nebraska lawmakers and leaders understand what Nebraska colleges and universities are doing with regard to foreign government and institutional funding. At the same time, it ensures that individuals from foreign nations who want to study here can do so in peace. I look forward to working with the committee on, on LB378 so that it can be advanced to the entire Legislature for consideration. Thank you for your time and I'm happy to answer any of your questions.

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

CONRAD: Thank you, Chair. Thank you, Senator, and welcome to the Education Committee.

ANDERSEN: Thank you.

CONRAD: I had a chance to review the legislation prior to today, and it strikes me looking at it as a model act of some sort. How did you draft this, this measure? Who presented it to you and then what sources did you rely upon to, to draft and introduce this measure?

ANDERSEN: The preliminary draft was provided by Nebraska Strategies.

CONRAD: OK, a, a lobbying firm?

ANDERSEN: Coming from the State Shield.

CONRAD: OK.

ANDERSEN: It was. The concern was mine from previous conversations. So actually I initiated the communication with them and not them initiating with me.

CONRAD: OK. And then I know that you're new to the Legislature, but there is a long-standing court case that helps to kind of delineate what the Legislature can and cannot do in regards to setting policy at our institutions of higher education. I don't know if you've heard this Exxon case bandied about in, in public discourse, but I know it wasn't flagged in, in our memo. And it's something that always is top of mind when we're putting requirements on institutions of higher education. So I-- if you don't know off the top of your head, no problem. But I would like to, maybe, throw that out there for additional testifiers or then see if, maybe, we can't work together after the hearing to, to make sure that it's in compliance with the legal, the legal standard in Nebraska.

ANDERSEN: Sure. Absolutely. We have had a discussion with the Attorney General's Office, and the whole intent is really to provide additional transparency.

CONRAD: OK. And, and I'm glad that you noted that, because my question was, what is lacking in our existing public records law or existing budgetary process that doesn't provide this information already?

ANDERSEN: To the best of my knowledge, we're not receiving this information. There is some reporting at the federal level, but they have different requirements, different timelines, and things like that. So my concern is with the Nebraska University and College System. But like I said in my statement, there's no allegations of any wrongdoing.

CONRAD: Yeah.

ANDERSEN: It's simply transparency in the light of day, I think is always a good thing in, in, in government. So the more transparency we have, I think the better off we are.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Education Committee January 27, 2025

CONRAD: Yeah, I agree. And we have a lot of really strong citizen transparency and governmental transparency laws on the books. So I'm just trying to figure out how this works within that or if it's redundant with what's at the federal level or trying to just get a handle there. But I agree your North Star policy goal is, is worthy and important. The other question I had was in regards to the selection for the Attorney General to have dual duties in both monitoring and oversight and enforcement. How do you settle on the Attorney General in that regard?

ANDERSEN: The Attorney General is the enforcement arm, right? That's, that's the--

CONRAD: Of what?

ANDERSEN: Well, the state government. Right? I mean--

CONRAD: The Attorney General is the chief law enforcement officer in the state. Yes.

ANDERSEN: Right.

CONRAD: Did you give any consideration to, perhaps, the auditor's office or the Postsecondary Coordinating Commission as having a role in this kind of endeavor if adopted?

ANDERSEN: Yes, I did have a conversation with the auditor's office.

CONRAD: And how-- could you help the committee understand that conversation?

ANDERSEN: Sure. We discussed the intent of the law. And the auditor with his staff, they basically came back and said that there isn't really a oversight. They don't really have a program right now that would be monitoring and ensuring oversight of compliance.

CONRAD: OK. I do think it might pose a conflict to have the AG both monitor and enforce. And so we'd need to kind of work through--

ANDERSEN: Sure.

CONRAD: --that from a technical perspective if the measure moves. And I did just have one additional--

ANDERSEN: So just for clarity, the, the Attorney General is not the monitoring for it. They are the enforcement arm, not the monitoring.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Education Committee January 27, 2025

It's on really the auditor's office so there isn't a mechanism for the monitoring at this point. So certainly that's something a follow-on conversation would figure out, how are we going to actually implement the, the monitoring and the oversight piece?

CONRAD: Sure. And I was just looking at page 3 and lines 15 through 16, where the Attorney General is responsible for posting the information. So they're responsible for the monitoring component. And then later in the next section, it also talks about the enforcement mechanism. But I do want to talk about the enforcement mechanism at the Attorney General's Office, because it seems that you have attempted to make the Attorney General's Office kind of the judge, jury, and executioner. There doesn't seem to be a due process component in place that would allow for an institution of higher education to challenge a decision from the Attorney General. Do you want to speak to that or would you be open-minded to fixing that?

ANDERSEN: Due process is certainly not in my forte and it's not, it's not in my lane of [INAUDIBLE].

CONRAD: I'll help you out with that one.

ANDERSEN: But this is in consultation with them as far as what the, the, the fine and penalty and all that was that they thought would be appropriate.

CONRAD: OK. Very good. And then just, lastly, you noted in your opening statement that some sources have indicated that there's billions of dollars going unreported under federal law. What is the, what is the citation that you were referencing there? What is the source that you provided that data and material to the committee?

ANDERSEN: I'll have to get, I'll have to get back to you with that.

CONRAD: OK. Thanks. Thank you.

MURMAN: Any other questions for Senator Andersen? Senator Hughes.

HUGHES: Thank you, Senator Murman. Thanks for coming in, Bob.

ANDERSEN: Yes, ma'am.

HUGHES: Welcome. First bill--

ANDERSEN: Thank you.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Education Committee January 27, 2025

HUGHES: --or did you have one last week?

ANDERSEN: Yep.

HUGHES: Is this your first one?

ANDERSEN: It is.

HUGHES: Yeah, that's-- I've-- I just got a memory on mine of my first bill 2 years ago, so it's a little bit nerve racking. I think I know, but I just want to get clarification. Any foreign, so money from Canada, money from, whatever, Dominican Republic, whatever would be listed on this form. Is that correct as long as it's not tuition from a student or whatever?

ANDERSEN: At this point, that's the way it stands. I think what the-- we're open to having a conversation of if we need to narrow the scope. So we, we can have the conversation.

HUGHES: I, I, I just-- I-- like, this kind of gives me thoughts of, like, what we're, we're doing-- I call them the naughty countries,--

ANDERSEN: Sure.

HUGHES: --the naughty list countries-- we're doing, making sure we don't have equipment on, like, some of our electrical equipment and things like that. And I didn't know if that's what we want to focus in on. I know this is kind of a nationwide thing. My alma mater got in trouble because Texas A&M was getting some money from China, apparently, that was not under people's purview. So I am definitely open to this. I just didn't-- I have no idea, and maybe we'll hear from people behind you. Like, how big of ask is this from the universities to do? If it's a big ask, do we narrow it down to something else? I don't know.

ANDERSEN: Sure.

HUGHES: Just something to talk about, so. Yes.

ANDERSEN: Yeah, there's any number of different lists that you could actually, you know,--

HUGHES: Sure.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Education Committee January 27, 2025

ANDERSEN: --quote or reference a restricted countries list or something like that that really provides a, a better focus to narrow down the, the view.

HUGHES: Yeah.

ANDERSEN: Certainly open to that conversation.

HUGHES: Great. Yeah, thanks for bringing it.

ANDERSEN: Yes, ma'am.

MURMAN: Any other questions? Senator Lonowski.

LONOWSKI: Yes, thank you, Chairman. So, Senator Andersen, you've been to a lot of places through the military. I know there's some evil people out there and you know that as well and they're out to destroy us. Here, here's my question. Let's say a student is-- he is receiving money from the Ministry of State of China, their version of the CIA, then what happens on our part? Is it just the step to an investigation or is there some other steps in there or, or [INAUDIBLE]?

ANDERSEN: I think, I think awareness is the first step. And that's what this bill, this bill really brings. It brings transparency and awareness. If you have a foreign student, as it says in here, I said in my opening, the intent is not, you know, going after the tuition or the fees paid by a country in support of a foreign exchange student.

LONOWSKI: So just simply--

ANDERSEN: But, but there are maligning countries that really want to do ill will and find financial or fund institutions, there's a way to exert their influence over our institutions.

LONOWSKI: So just merely it's a, it's a tool to get a handle on which foreign students are receiving their money from where. Not necessarily foreign students, but it could be an American student, right?

ANDERSEN: It could be a grant. It could be an award. It can be a contract. It could be any number of different things.

LONOWSKI: OK. Thank you.

ANDERSEN: Yes, sir.

MURMAN: Any other questions? Senator Meyer.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Education Committee January 27, 2025

MEYER: Thank you, Chairman Murman. Senator Andersen, I appreciate you being here today. I, I have a quick question regarding gifts, contributions, whatever, a foreign entity from an individual government or whatever comes into the university system or school system. Is there some guidelines as to what those funds can be used? Is there some format or protocol? OK, you can-- an individual or a foreign government or a, or a corporation-- is, is there some set of guidelines that this is what money can be used for on this basis? Is there any outline of, of, of what the funds can be used or is it up to the institution if they receive those funds? And, and in some cases I know it will be a foundation and might endow a chair in engineering or education or something like that. But it doesn't appear from some of the anecdotal reporting we hear that some of the foreign-- bad foreign actors are putting a great deal of money on some of our higher education institutions and no clear reason for that money to be there. Is, is there some protocol that they need to follow?

ANDERSEN: At the state level, I don't believe there is. And they can do whether it's contracts, grants, gifts, any number of ways that they can insert foreign money into our educational system. And that's part of what this does, is really creates the awareness, creates a transparency and the awareness of what money is coming in from foreign countries into our educational system. And then if there's a follow on to that, if, if it is believed that it is maybe not the best use of funds, then we need to have the, the follow-on discussion about what it's being used for?

MEYER: It, it seems like we're always eager educationally to have additional funds. The question is, are they being appropriately applied? And, certainly, from a foreign entity it may, may or may not be, so.

ANDERSEN: Absolutely.

MEYER: And I, I understand and I appreciate the fact you're not alleging any wrongdoing or nefarious reasons. You just want transparency and clarification of what-- where the money comes from and, perhaps, what those uses are.

ANDERSEN: Absolutely.

MEYER: Thank you.

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

ANDERSEN: Thank you, Chair.

MURMAN: And we'll ask for proponents for LB378. Good afternoon.

JOHN MURANTE: Good afternoon, Mr. Chairman, members of the committee. My name is John Murante, J-o-h-n M-u-r-a-n-t-e, and I am here today as a proponent of LB378 and on behalf of our client State Shield. And I want to thank Senator Andersen for introducing LB378, which promotes transparency in higher education for Nebraska colleges and universities. State Shield is a nonprofit organization with the goal of providing education and policy recommendations to lawmakers on how to protect their economies and infrastructure from ongoing multilateral threats from China. The Nebraska Legislature has already passed a number of measures on a bipartisan basis to protect Nebraskans from undue influence of foreign governments. Last year, the Legislature passed restrictions on foreign ownership of land. In the last few years, a number of provisions have also been passed to protect Nebraska military, telecommunications, and other infrastructure from the surveillance and data collection threats of foreign technology. Passage of LB378 is a reasonable next step in these efforts. LB378 would not prevent Nebraska colleges or universities from accepting funds or contracts from foreign sources. I know firsthand the value that partnering with peer institutions or foreign nonprofits can have for research, relationships, and businesses. Our goal is not to hinder those programs, but rather increase transparency in cases where these foreign governments might have more nefarious intent. Some similar disclosures are already required at the federal level, level. However, recent reports suggest that almost, of which we will be sure to forward to the committee, that almost 200 American colleges and universities have failed to report around \$13 billion in foreign funds. I'm glad to tell you that the federal reports have been filed by the University of Nebraska-Lincoln and Omaha campuses, UNMC, Creighton, and Doane. Those reports include the type and amount of transaction, whether a foreign government is the source, the or-- the country of origin and any start and end dates for those contracts. There are a few additional advantages provided by LB378. First, the reports are more accessible for Nebraska lawmakers by requiring reporting at the state level. Second, LB378 also requires disclosure of the contracts and terms, which provides added transparency that senators may find valuable in funding and oversight decisions. Finally, local enforcement of reporting requirements is more likely than at the federal level, although I don't anticipate that we have any problems in Nebraska right now. LB378 is an important measure in making sure that you have the information you need to make critical oversight of our colleges

and universities without unduly restricting their important missions to educate our students, grow our workforce, and conduct important research. With that said, I might take what time I have to address some of the questions that Senator Conrad brought up. We have reviewed the Exon case. Our attorneys did, and we haven't found any conflict with Exon, in particular, due to the fact that this doesn't really regulate, it certainly doesn't restrict universities from accepting funds. We'd be happy to sit down with you, Senator, and go over that. Someone, perhaps with a JD after their name might be willing to do that. And-- but that is something we've taken a look at. I, I, I would be concerned about using the, the Public Records Act as sort of like a-- as, as a protective barrier for something like this. Usually, these sorts of disclosures-- public-- first of all, public records request, requests in order for the Public Records Act to be initiated, someone has to make a request of it. So it's not like a typical disclosure with something like this where we're saying all disclosures of a certain level need to be reported. We don't usually, in the typical reporting in state government, require a request for those sorts of disclosures. I think we all deal with disclosures and have to fill out forms, our statement of financial interests and things like that. And we don't usually say, well, someone can just ask a public-- ask for a public records request and we'll take care of it from there. That's usually not how it works with something like this where we're saying across the board, state government, the people of Nebraska, they just want to know where our postsecondary institutions are getting their money and how much is coming from foreign sources. That to me is, in my point-- from my point of view, it's, it's better served in a piece of legislation like this than relying on the Public Records Act. And why the Attorney General? Candidly, whether the report is given to the Attorney General and the Attorney General posts that information on his website or we have the information given to the Legislature and the Attorney General enforces it, that to us, we're, we're willing to work with you and Senator Andersen on that if there's a different sort of initial reporting agency. Happy to do that. The, the, the point of this is really more broad. We just want the disclosures out for the people of Nebraska. Happy to answer any questions you may have.

MURMAN: Any other [SIC] questions for Mr. Murante? Senator Conrad.

CONRAD: Thank you. Good to see you, Mr. Murante. That, that's helpful in filling in a few of the questions that I had or a few of the gaps. But, again, I think Senator Andersen's North Star is good to ensure transparency. That's, that's a good umbrella to, to work within. But I'm trying to understand, and I, I, I don't have this in front of me

Transcript Prepared by Clerk of the Legislature Transcribers Office
Education Committee January 27, 2025

and maybe you or your clients know or you can follow up with the committee, I mean, clearly the federal government is-- has primary authority for national security and foreign relations. What in the existing law in regards to reporting and disclosure is lacking?

JOHN MURANTE: Well, I would say, firstly, there is no obligation of any of these entities to report to the state of Nebraska or to you.

CONRAD: Wait, but they are reporting to the federal government.

JOHN MURANTE: To the federal government, but none of that information is directly supplied to you. So from, from my point of view, again, having spent more time on your side of the table than on this one, is, yes, there are instances where both individuals and corporations have to report both in the federal level and to the state level. Is it duplicative in this case? I don't think so, because what's being reported isn't identical either. And when it's being reported isn't identical so, from my point of view, it's not duplicative in that sense. But it's also-- to say it's not unprecedented would be an understatement, that there are reports to the federal government and then similar reports to state government is pretty commonplace in how government works.

CONRAD: OK. I'm not going to concede that. I understand what you're saying and appreciate, and appreciate the response, but I do think it would be helpful for the committee if we had a clear understanding of what the existing law is on the federal level and then what you're asking for in regards to state law, to where it conflicts, where the gaps are, where it aligns? And would it cause any kind of just administrative inefficiency to have our institutions of higher education report similar information to two different levels of government with different timelines for the same purpose?

JOHN MURANTE: Well, I think you, you pinpointed probably one of the two differences, major differences between this bill and, and the federal government, which is the how often--

CONRAD: OK.

JOHN MURANTE: --the, the reports exist and then the, the dollar amount of, of what is being disclosed. So those-- Senator Andersen is proposing a lower threshold, and, and we're completely supportive of that, a lower threshold sweeping up more contributions and then reported more regularly. If-- the negotiations between Senator Andersen's office and, and this committee, you want to align it or get

Transcript Prepared by Clerk of the Legislature Transcribers Office
Education Committee January 27, 2025

closer to alignment, I'm, I'm comfortable with that. But at the end of the day, this is really about the transparency of--

CONRAD: Sure.

JOHN MURANTE: --where they're receiving those contributions.

CONRAD: What's the federal threshold? Do we know?

JOHN MURANTE: \$250,000, I believe.

CONRAD: OK. That's helpful to know. OK. I think that's all I have at the-- oh, what's the financial interest that your client has in this legislation? What do they get out of it?

JOHN MURANTE: They don't get anything out of it. Of course, there's no financial-- well, all we're doing is asking for transparency about where postsecondary institutions are getting their contributions. State Shield's interest is in, in particular, the threat that is posed by the Chinese Communist Party in a, in a myriad of different areas, not just in postsecondary contributions, but in a number of different ways that we'll be discussing in various committees throughout this year. But I can tell you, you know, one thing that happens when the lights turn off in Washington, D.C., and, and the cameras shut off and, and things become bipartisan is the growing threat that is coming from China. And our federal government is preparing for a world in which we're engaged with China on a bipartisan level that is really not a partisan issue. And, and they are already briefing the state and a lot of state agencies to start preparing accordingly as well. And, from my point of view, this is just another step in that direction.

CONRAD: Um-hum. Yeah, I-- I'm not aware of anybody who indicated it was a partisan issue, but thanks for sharing your perspective. Thank you.

MURMAN: Yeah, Senator Hughes.

HUGHES: Yeah. Thank you, Chair Murman. Thanks for coming in, John. I had a little bit of the same questions, right? Part of-- I hate creating more government if we don't have to. So one of my questions was going to be, could we not just have the federal reports show up on the AG's website? They're already-- if, if all these colleges are submitting, then let's just link it to ours.

JOHN MURANTE: Sure.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Education Committee January 27, 2025

HUGHES: And maybe you answered it because it's a different threshold, but that could be-- we could talk about that. And then you, you said there were three things that were different with Senator Andersen's bill than what the fed. So one is probably that threshold. One was timing. Is the fed just once a year upload or something?

JOHN MURANTE: I believe that's biannual on the federal level.

HUGHES: Every 2 years, then.

JOHN MURANTE: Twice a year.

HUGHES: Twice a year. OK. So we're asking for four times a year?

JOHN MURANTE: Um-hum. Yes.

HUGHES: I, I just-- I always am, like, you know, unfunded mandates. We're asking institute-- we're giving institutions less money, but we're asking for more, more reporting more. And then we get mad because they have more administration, which does the more reporting and stuff. I just want to marry all of you together. And if-- I, I think it would make sense if they're already reporting some of this, the timing should match, in my opinion. And then we talked-- I'd asked Senator Andersen, this bill, as presented, is any other country outside of the United States. Is the feds any other country also? And if-- is that what-- do you think that's what-- clearly, your interest is just China. Do you see-- if that's a way to narrow it down, do you see a list of, you know, a different list we should use, or do you think, absolutely, we should just do it for all other foreign countries? I mean, what's your opinion on that, I guess?

JOHN MURANTE: Sure. My, my opinion is I think it's, it's good and useful for the people of Nebraska and for the members of this Legislature to know what our postsecondary-- where our postsecondary institutions are getting their contributions in terms of foreign sources? Are we going to go to war with Great Britain any time soon? It seems highly unlikely. I guess, who--

HUGHES: Let's hope not.

JOHN MURANTE: --who knows. Yeah, seems, seems improbable to me, but you never know. So, So I'm, I'm comfortable with leaving it in. Let's-- and let's just see where they're getting their-- I, I would say something-- in the way you formulated your question, I would say if there was-- if the, if the deal is there-- that our postsecondary institutions are collecting so many foreign contributions, that it is

Transcript Prepared by Clerk of the Legislature Transcribers Office
Education Committee January 27, 2025

actually an administrative burden for them to report it, I think we all should know that, they should be reporting if they are receiving that, that amount already.

HUGHES: And I have-- and I have no idea. Right? I have not served on a college board. I'm not on--

JOHN MURANTE: Sure.

HUGHES: --I was just on a, a K-12 Board. But I just want to ensure, like, oh, I have to submit to the feds on this date and then--

JOHN MURANTE: Sure.

HUGHES: --3 weeks later and now I'm doing the state one and then 3 months later, the state one again and then the fed one and this. As much marrying up as we can do, simplicity again. If we're going to try to collect the same thing the feds are getting then let's just link to the feds and not have to submit to us. And then the, you know, feds is 250K, which is a substantial amount. This is \$50, which is pretty low. Is there something in between there? So that's-- just throwing these out. I have no-- I'm, I'm very curious, too, what institutions are getting in finance dollars.

JOHN MURANTE: Sure. So I think is there a, a point between \$50 and \$250,000?

HUGHES: Right.

JOHN MURANTE: Yes. Happy to work with you--

HUGHES: Yes.

JOHN MURANTE: --and, and Senator Andersen on that. I would be a little bit cautious about simply having, like, a state agency linked to a federal site. I, I see the road you're going down and I think it's a, it's a very legitimate one. If, if, if we could set up a system where, wherever-- whatever they're reporting to the federal government, they hit forward, send to a state agency.

HUGHES: Send to these two spots.

JOHN MURANTE: Send to these two spots.

HUGHES: Yeah, at, at the very least, it's the same report and the same, you know, instead of, OK, for the feds, I have to do X, Y, Z,

Transcript Prepared by Clerk of the Legislature Transcribers Office
Education Committee January 27, 2025

but for the state, I do A, B, C, kind of the same information, looks a little different. That's the stuff that drives me-- that's bureaucracy, right, that's what we do. We create forms and they're different for this agency. And this is just nuts for people to follow. So streamline that as much as we can, but I think it is important information, so. Thank you.

JOHN MURANTE: Thank you.

MURMAN: Any other questions? Senator Conrad.

CONRAD: Thank you, Chair. Director Murante-- or Director. You had so many titles.

JOHN MURANTE: Had a few.

HUGHES: You got a new hat.

CONRAD: Senator, treasurer, director, private citizen. Mr. Murante, sorry. Is there anything in current law that prohibits the Attorney General or the institutions themselves from posting these federal reports on their own website?

JOHN MURANTE: No.

CONRAD: So we don't really need a law to advance the transparency component. I'll answer my own question in that regard, but thank you for acknowledging, acknowledging that there is no prohibition on, on increasing transparency through existing means. Thank you.

MURMAN: Any other questions? Senator Meyer.

MEYER: I'll be brief. Thank you, Chairman Murman. As I read through this and, and to follow up on some of Senator Hughes's questioning, we've, we've focused a little bit on one particular country, which I think, you know, quite possibly could be considered a bad actor. This doesn't specify, this, this is all encompassing. So, you know, once again, the question was how about other countries and other entities? I think the bill takes care of that, actually. It's, it's broad in its intent and so not focusing on any one entity. I, I just wanted to point that out. It's not in the form of a question, but it just appears that it's fairly all encompassing and, and so not specific to one alleged bad actor or country, so. Thank you.

JOHN MURANTE: You're welcome.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Education Committee January 27, 2025

MEYER: I, I, I should have put that in the form of a question but I knew the answer already.

JOHN MURANTE: Yeah.

MURMAN: Senator Lonowski.

LONOWSKI: Thank you, Chairman Murman. Real quick question. Do you know of other states that have implemented anything like this? Are there several states or--

JOHN MURANTE: Yes, there are several states that have done it. And this legislation, to Senator Conrad's question earlier, is, is going around other states in the country as well. Happy to get you that as to where everyone is at on the legislative process. But, yes, there's, there's, there's nothing about here-- in here that's terribly unique.

LONOWSKI: OK. Thank you.

MURMAN: Any other questions for Mr. Murante? If not, thank you for your testimony. And other proponents for LB378?

DOUG KAGAN: Good afternoon. Doug Kagan, D-o-u-g K-a-g-a-n, Omaha, representing Nebraska Taxpayers for Freedom. A few years ago, our taxpayer group lobbied university regents vigorously to expel the Communist Chinese Confucius Institute from the UNL campus. Our belief was that this Institute, ostensibly attempting to cultivate cultural and language exchanges between our two nations, was actually, as former Secretary of State Mike Pompeo declared: an entity advancing Beijing's global propaganda and malign influence campaign on U.S. campuses and K-12 classrooms. Not evident from the UNL disclosure was that another entity, Hanban, an arm of the communist government Ministry of Education, authorized topics used by the Institute. Nationwide, the Institute exposed U.S. universities to espionage and to the threat of theft of intellectual property, which we are seeing too frequently at universities. Confucius Institutes, funded by the communist party propaganda department, had a mission to reshape international perceptions of China. A 2017 report by the National Association of Scholars exposed a number of alarming findings, including that Institute American faculty faced pressure to self-censor, and that Institute officials personally intervened to censor material. Similarly, several oil-rich Middle East nations have contributed to our universities. These contributions often aim to influence decisions and even attitudes as seen during the campus protests here and elsewhere to support the terrorist group Hamas.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Education Committee January 27, 2025

Examining our university system disclosure of foreign contributions, we do not see but believe necessary for taxpayers to see as we fund the university, the precise identity of each donor, the purpose of the donation or contract, individual recipients, and copies of contracts or agreements to reveal the actual terms and conditions. We also believe that the University of Nebraska Foundation should be included. Thus, we can see if such contributions promote curricula and programs that align with foreign interest geopolitical agendas. I didn't have time to make copies, but the National Institute [SIC] of Scholars downloaded what's on the University of Nebraska website and it 's got-- some information it's got: the campus, the origin of country, the start date, the end date, the amount of the contribution. But one thing it doesn't have in the entire column, under donor, it says unknown. So we don't know if there was an actual country that donated the money, if it was a company, a corporation, any kind of entity, a nonprofit, an individual, a front group. We just don't know about that information. And that's what we would like to see included. Thank you.

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

HUGHES: Thank you, Chairman Murman. Thank you, Mr. Kagan. And I-- maybe I missed it. The report that you just mentioned that has the list but doesn't list the donor, that's from the university's website or where did you get that information?

DOUG KAGAN: That, that's what the National Association of Scholars got from the university website.

HUGHES: OK. So my question to you, does your group, the Nebraska Taxpayers for Freedom, do you guys have-- have you accessed the federal reporting who-- have you gone

DOUG KAGAN: No, we have not.

HUGHES: --to those federal reports at all?

DOUG KAGAN: No.

HUGHES: OK. You haven't. I'm, I'm just curious what you found there, but you, you haven't yet, so. OK. Thank you.

DOUG KAGAN: All right.

MURMAN: Any other questions? Senator Lonowski.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Education Committee January 27, 2025

LONOWSKI: Thank you, Chairman. Sir, so I have a question. You, you talk about front groups. Couldn't all of these just betray us by using front groups all along and we're, and we're not going to get to the bottom of who's actually funding the student or, or the school?

DOUG KAGAN: Yes, I suppose that's a possibility. But we-- you know, there's a difference between-- and we looked where all these contributions, donations came from, some of them were very good, very benign. We found one that we got money from the United Kingdom for cancer research at, at UNMC. I don't think there would be a front group involved with that. But if it's a hostile country like communist China, then we should be suspect.

LONOWSKI: Thank you.

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

DOUG KAGAN: OK. Thank you.

CONRAD: Thanks, Doug.

MURMAN: Other proponents for LB378?

ALAN SEYBERT: Good afternoon. Alan Seybert, A-l-a-n S-e-y-b-e-r-t. I live in Omaha. I am for LB378. I support this legislation because I believe the names of foreign individual persons and entities that are contributing to our universities and colleges should be disclosed. Without this information, it is impossible to differentiate between a gift from an ally or a problematic gift from an adversarial nation. To require the identity of only a foreign government is a loophole that offers a foreign government opportunities to make gifts or agreements through third parties. The Chinese government did exactly this when it transferred sponsorship of its Confucius Institutes to a government front nonprofit, the Chinese Institutional Education Foundation. Without action, foreign governments will only increase their use of such front groups. There is a big difference between a foreign adversary supporting an academic professorship in hopes of disseminating positive and misleading viewpoints about that nation and a foreign ally funding cancer research. Requiring a university system to report funds from any foreign entity based in any foreign country, regardless of whether it is a government, a private institution, a private company, or an individual, because anonymous donations have often come from authoritarian countries where academic freedom is under threat. I do not want our colleges having a curriculum and

Transcript Prepared by Clerk of the Legislature Transcribers Office
Education Committee January 27, 2025

faculty in debt to a foreign country which would cause them to be unable to maintain academic integrity. I appreciate the opportunity to testify before this committee. Thank you.

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

ALAN SEYBERT: Thank you.

CONRAD: Thank you.

MURMAN: Other proponents for LB378? Any opponents for LB378? Good afternoon.

MATT BLOMSTEDT: Good afternoon, Chairman Murman and members of the Education Committee. My name is Matt Blomstedt, M-a-t-t B-l-o-m-s-t-e-d-t. I serve as Associate Vice President for Government Relations for the University of Nebraska System. I am here today to respectfully express concerns about LB378 on behalf of the University of Nebraska System. I would just take a little-- this is Senator Andersen's first bill. This is my first time to testify in this particular role. Never can I endear myself better to a new senator by opposing his first bill, so. No. I first, I would like to thank Senator Andersen for introducing this legislation and for his attention to the important issue of transparency in the university's relationships with foreign sources. At the University of Nebraska, we are committed to maintaining the highest levels of integrity and transparency in all of our funding relationships. LB378 is similar in purpose to existing federal regulations, specifically Section, Section 117 of the Higher Education Act of 1965, which requires semiannual reporting of gifts and contracts of \$250,000 or more from foreign sources. In addition, the CHIPS and Science Act mandates annual reporting of certain financial support valued at \$50,000 or more. At the state level, Nebraska law already requires the publication of all contracts involving the expenditure of state funds, and our Board of Regents policy requires quarterly reporting of gifts, grants, and bequests. While we share the goal of ensuring accountability, LB378 introduces some duplicative requirements that create substantial administrative burdens without proportional benefit. Specifically, LB378 would require the university to report quarterly on nearly all funding from foreign sources, with a threshold as low as \$50. In contrast, Section 117 sets a reporting threshold of \$250,000. This lower threshold would significantly increase the volume of reportable transactions that would require the university to track and analyze even very minor agreements, including wages and contracts for

Transcript Prepared by Clerk of the Legislature Transcribers Office
Education Committee January 27, 2025

services. Although, I think I heard that might not be the intention, so. This-- the bill's provisions regarding the reporting of pledges, promises, and agreements lacked some clarity. Unlike 117 which focuses on tangible and completed transactions, LB378 introduces subjective elements that could lead to confusion about what constitutes a reportable action. This unnecessary-- uncertainly increases-- this uncertainty increases the risk of inadvertent noncompliance, which carries a penalty of \$10,000 per violation under the bill. Compliance with LB378 would require the involvement of multiple offices across the university's four campuses, including financial aid, procurement, international programs, accounts receivable, and sponsored programs. This added workload could divert resources from core academic and research missions, all while duplicating existing federal and state requirements. Furthermore, given the complex and global nature of university operations, including partnerships and contracts in many countries, LB378 provisions may be interpreted differently across entities, compounding the administrative challenges and creating potential for unintended noncompliance. The University of Nebraska believes the existing mechanisms achieve the shared goal of transparency without imposing unnecessary duplication or administrative costs. However, we welcome the opportunity to work with Senator Andersen and this committee to address the underlying concerns motivating LB378 in a manner that is practical and efficient. Ensuring transparency in higher education is critical, and we appreciate Senator Andersen's dedication to this topic. Thank you for the opportunity to be here and glad to take questions.

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

MEYER: Thank you, Chairman Murman. Appreciate you being here today, sir. When a, when a gift or funds enter the university system, are they comingled with university funds?

MATT BLOMSTEDT: I, I think if there's a, if there's a gift or anything that's actually-- just like in good accounting practices, it's going to be dedicated to those particular sources that it's, that it's been requested for, just like a contract would or anything else.

MEYER: So if I'm, if I'm up to understanding this. When funds are donated, whether it's a gift or an endowment or whatever, those funds are specifically for a specific purpose?

MATT BLOMSTEDT: Right. To my knowledge, and I-- you know, my-- all my expertise of the last 3 or 4 months, so yes.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Education Committee January 27, 2025

MEYER: OK. OK. It would seem that if they're dedicated for a specific purpose, the reporting requirements should be simpler rather than comingled and justifying what funds and what for.

MATT BLOMSTEDT: Yeah, I, I think the primary concern is probably the dollar threshold. I, I was sent some information about the amount of money, you know, and, in, in particular, at a \$50 threshold. I get it. We do the \$50 threshold for, you know, certainly state senators and other folks. Right? I think when it gets a little confusing is, let's say someone traveled to a conference and paid for a, a, a lunch or a meal, right, and they happened to be in a foreign place. Like, what, what counts? And I think that's the type of thing that becomes concerning or someone bought them a lunch at a conference, right, what, what counts in these particular purposes?

MEYER: I think we're probably less concerned about the [INAUDIBLE].

MATT BLOMSTEDT: I, I agree.

MEYER: Yeah.

MATT BLOMSTEDT: Although, I think for the, for the folks that are going to have to carry this out, those are the types of-- we all know accountants. I'm not one of those. Just like Mr. Murante is not a JD he said. The, the reality is those types of things might become problematic.

MEYER: So if, if someone-- if I may, Chairman?

MURMAN: Sure.

MEYER: If someone donates to the university or, or a state college, do we as a state college or university, do they solicit contributions? I mean, I-- my wife's graduated, graduated from the University of Nebraska. We get, hey, send some money to the foundation. We get that letter frequently. So with regard to foreign contributions, are we soliciting those? Are we suggesting opportunities for money to come in and share some research facilities or research grants or, or is it, as has been anecdotally reported, in many cases, universities and, and colleges have gotten funds and no real accounting or purpose [INAUDIBLE]?

MATT BLOMSTEDT: Yeah, and I don't know for certain, right? I mean-- but certainly we have alumni that are-- that live in other countries, right? And when we're doing work around economic development, health, agriculture, all of those different things, I wouldn't necessarily

Transcript Prepared by Clerk of the Legislature Transcribers Office
Education Committee January 27, 2025

doubt that there's, you know, kind of engagements with folks that have some type of connection to the university.

MEYER: And, and just one more briefly, Mr. Chairman. Shouldn't we be accountable for these funds that are coming in regardless? And, certainly, I'm, I'm less concerned about the \$50 and the \$100, but, but when we see these large sums of money coming in, if it's \$250,000 or \$100,000, it's a lot of money by most standards, and certainly greater amounts than that. Shouldn't we be accountable? We, we shouldn't have to pass the university or any state college to be accountable. Shouldn't that be just a matter of course?

MATT BLOMSTEDT: I, I--

MEYER: And, and, and by extension, are those reports being made right now, even, even if they're required? And what I have, what I have discovered is certainly in various agencies, reports are required on a certain timely basis, but generally don't show up. And I'm seeing more of that as I get a little deeper into my tenure here. So are the reports that are required currently, are they being made? And if not, why not?

MATT BLOMSTEDT: Yeah, I believe they're being made. I believe either, either Senator Andersen or, or Mr. Murante even said that during their testimony. I, I will say I've probably become a most expert on this today, so, as I'm looking at this. What I would say is just general good practices are those things-- like, those laws being followed are actually absolutely appropriate. The university following those laws are absolutely appropriate and, and should be followed. I think what we're suggesting is that there kind of-- there could be a-- kind of a, a created state system over here, federal system over here that don't talk to one another. I think that actually could be problematic as well.

MEYER: Thank you.

MATT BLOMSTEDT: Yeah.

MURMAN: Senator Lonowski.

LONOWSKI: Thank you, Chairman. Sir, you're probably aware of the situation where Representative Eric Swalwell from California was dating a Chinese spy.

MATT BLOMSTEDT: I'm not aware of that, sorry.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Education Committee January 27, 2025

LONOWSKI: Oh, this, this threat is real. But what I'm, what I'm hearing is you're not against this. You're, you're just worried about how you're going to--

MATT BLOMSTEDT: We're worried about the mechanics of the reporting--

LONOWSKI: --how you're going to do it. Correct.

MATT BLOMSTEDT: --the-- I think things that have already been raised are the types of things that we're concerned about.

LONOWSKI: OK. Thank you.

MATT BLOMSTEDT: Yeah.

MURMAN: Any other questions for Mr. Blomstedt? Senator Conrad.

CONRAD: Thank you for being here, Matt.

MATT BLOMSTEDT: Yeah.

CONRAD: I almost called you commissioner, so I've got to get all of the new titles straight in my head here and on the record. But-- and welcome to the Education Committee in your new role-- just as I'm reading the legislation and I know that there's been some commentary from supporters or maybe even some blurred lines from senators, if the legislation as written wouldn't apply to the University Foundation, for example, it, it applies, I believe, just to institutions of higher education, 2-year, 4-year public or private.

MATT BLOMSTEDT: That's how I understand it. Yes.

CONRAD: Right. OK. So-- and that's important to note. And then I wanted-- I know that you noted this in your testimony, but I, I do want to make sure that the record is clear, because there was a certain sense that there was a present lack of accountability. I, I don't think that's the case. I think voters have a significant accountability with elected regents. I think that there is a host of information available if a citizen wants to find it through general publication or through open records requests on all aspects of gifts, donations, grants, all sources of revenue that the university utilizes. And then, of course, the, the federal reporting as well. The other thing that I just want to lift up and I know that you're new to this role, but a quick Google search, which is always a dangerous place to get in the middle of in the middle of a committee hearing, shows that there were some significant concerns around funding for

things like the Confucius Institute. Those had drawn federal-elected officials' attention, and there was actually a federal law passed which would withhold funding from institutions of higher education that operated those kinds of, those kinds of entities. And so it seems that, that was fairly effective and those are no longer in existence and I, I don't believe are in existence, at least the university, I don't know if anybody else wants to speak to other areas, but. So if the goal is to try and eliminate the work of a Confucius Institute kind of writ large, that's already been accomplished through federal legislation. Is that your understanding?

MATT BLOMSTEDT: That's my-- yeah, certainly my understanding and, and certainly true in Nebraska as well as there was once upon a time a Confucius Institute at the University of Nebraska-Lincoln.

CONRAD: OK.

MATT BLOMSTEDT: And so that actually was withdrawn, right, and, and appropriately so.

CONRAD: Yeah, very good. OK. Thanks so much.

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

MATT BLOMSTEDT: Thank you, Senator.

MURMAN: Any opponent-- any other opponents for LB378? Anyone in a neutral position for LB378? If not, online comments for LB378, there were 12 proponents, 1 opponent, and zero neutral. And, Senator Andersen, you're welcome to come up and close.

ANDERSEN: Thank you, Mr. Chairman. As part of my closing, I'd like to address some of the questions up here and provide my thoughts. When we talk about it being, it being an unfunded mandate and causing costs to the universities, I'd submit that universities, like any business, has an accounting office and when they receive money they have to allocate where the money goes to and what the purpose was for it. So I think it's really a standard business practice and not necessarily a, an unfunded mandate to the universities. The, the \$50 where-- some people have asked where did that come from? That's from us. Right? That's what we're responsible for. Any, any donations or gifts to us over \$50 we have to declare. So the benchmark was left as the same. Is there some trace based on that? Absolutely. There's a lot of conversation that can happen with regards to the qualification and quantification within this, within this bill. Somebody asked, I think, it was maybe

Transcript Prepared by Clerk of the Legislature Transcribers Office
Education Committee January 27, 2025

Senator Hughes asked about the number of states with this kind of regulation. And, actually, to the best of my knowledge, at least right now, there's 11. I could read them off. I don't want to bore you with the details. One of the comments was about the, the foundation, I think, by Senator Conrad. I don't know if that's your suggestion that the University of Nebraska Foundation be added to this kind of legislation. I don't know if that was what your reference was, but certainly something to consider. But I thank you, Mr. Chairman. And in closing, this is a commonsense bill intended to increase transparency when higher education institutions receive funding from foreign sources. It's an unfortunate fact, as we've already discussed repeatedly, hostile foreign governments are using our higher education system to, to their advantage. To be clear, again, I'll say what I said in my opening. I'm not alleging any wrongdoing by any of our Nebraska colleges or universities. This really is, is not about them. My only goal is to increase transparency. We have the duty to oversee the activities of these institutions, and this bill will ensure that oversight. I look forward to working with the, the colleges, universities and with this committee in order to bring LB378 to the floor for legislative passage.

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

ANDERSEN: Thank you, Mr Chairman.

MURMAN: --the bill. And that will close the hearing on LB378. And we will open the hearing on LB282. Senator Prokop.

CONRAD: Welcome.

MURMAN: Welcome to the Education Committee.

PROKOP: Thank you. Good afternoon, Chairman Murman and members of the Education Committee. Appreciate the time this afternoon. For the record, my name is Jason Prokop, spelled J-a-s-o-n P-r-o-k-o-p. I represent Legislative District 27, which is west Lincoln and Lancaster County. Appreciate again the time to be with you this afternoon. So I'm here to discuss LB282. I'd just like to touch a little bit on the background on the bill and then kind of my motivations for, for why I've, why I've introduced it. So the bill itself would create a \$300-- up to a \$300 reimbursement for school supply costs incurred by teachers at public, private, denominational, or parochial schools so they would be able to apply for reimbursement for those costs that they incur. It would follow a, a, a process that would be established

Transcript Prepared by Clerk of the Legislature Transcribers Office
Education Committee January 27, 2025

by the State Board of Education. So the State Board would create a list of type of materials that would be reimbursable. And then they would also create the process by which those types-- those reimbursements, when approved, could be applied for. So that is the basics of the, of the bill. I would mention just kind of my motivations for bringing the, the bill in the first place. So on average, teachers, based on, based on some studies, teachers expend about \$860 out of their own pockets every year on, on school supplies for their classrooms. That's really to support their classrooms and their students. So this is really kind of a, a, a partial way of trying to recognize what they're doing to support their students and the financial burden that it costs, costs them directly. I think we probably all can, can remember a favorite teacher that we had during our time in school and, and what they were able to do with their classrooms and, and how they motivated their students. And so-- and, and as I would say as, as someone who comes from a family of, of teachers, I, I know how much they put into making sure that their students and, and classrooms are set up so that their students can succeed. So that is the motivation for, for bringing in the bill. Really, you know, we know that we've got a, a, a teacher shortage in this state. And this is just one small thing I view as being able to acknowledge all of their hard work because we know that they go above and beyond for their students. So this is, this is my attempt to try and recognize that and provide them a little bit of support by reimbursement for those costs that they incur. I would be happy to answer any questions that you have about the bill. But I know there's also several people that will be testifying about kind of the practical reasons behind why this is an important bill.

MURMAN: Thank you. Any questions for Senator Prokop at this time?
Senator Sanders.

SANDERS: Thank you, Senator Prokop, for being here. Is this your first bill today?

PROKOP: Its, its first bill today, not first bill all time. So I, I-- yeah, I had one last week, so.

SANDERS: Thank you for-- I think you're reintroducing this. Right?

PROKOP: This is. Yes.

SANDERS: And the history-- you know the history on this? I, I just vaguely--

Transcript Prepared by Clerk of the Legislature Transcribers Office
Education Committee January 27, 2025

PROKOP: Yep.

SANDERS: --remember, it was introduced, but we ran out of time or money?

PROKOP: Yep. So Senator Walz, this was a Senator Walz bill. She had it. And I looked at it and I remember at the time when I was not a member of the Legislature of seeing it and, and appreciating the, the merits of the bill. And it is, it is the same bill. And so I think it, it was a little bit of both of time and, and money as to why it did not progress forward.

SANDERS: OK. Thank you.

MURMAN: Thank you. Senator Hughes.

HUGHES: Thank you. Thank you, Chairman Murman. Thanks for coming in, Senator Prokop. I was looking at it and this is for public, private or denominational, parochial schools.

PROKOP: Correct.

HUGHES: So you've included all schools across the gamut--

PROKOP: That's correct.

HUGHES: --for the \$300 reimbursement. So that plays into-- we just had, you know, public money going to private schools, how does that play into with what happened with the ballot initiative in November and all that? Like, do you have any thoughts on that or--

PROKOP: Yeah, I mean, and, and, and with the cost of it, obviously,--

HUGHES: Right. Right.

PROKOP: --you know, a narrowing of it. You know, I-- my, my thinking behind it is that teachers, you know, regardless of the settings that you, that you just mentioned are incurring these costs on their classrooms and that's at their own personal cost. So that's why I included, that's why I included everybody in that, in that respect.

HUGHES: All right. Thank you.

PROKOP: Yep.

MURMAN: Any other questions for Senator Prokop? Senator Lonowski.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Education Committee January 27, 2025

LONOWSKI: Thank you, Chairman. Senator, what is it currently at?

PROKOP: What, what do you mean?

LONOWSKI: Is there a stipend now that teachers receive or just a tax write-off?

PROKOP: So that's, that's different, that's different based on district. So each, each district kind of has their own policy. I think in Lincoln, it's-- they, they-- it's within their contracts that they have. So it's \$350, I know, for, for LPS that they're allowed to, that they're allowed to have. But I think that's all different based on districts. Some have nothing. Some have some level of stipend that they [INAUDIBLE].

LONOWSKI: So would this be in addition to that or--

PROKOP: This would be, this would be in addition to that. Yes.

LONOWSKI: --or the, or the district could say the state's not taking care of you.

PROKOP: This would, this would be in addition to that. Yes.

LONOWSKI: OK.

PROKOP: Yeah.

LONOWSKI: Thank you.

MURMAN: Any other questions for Senator Prokop? Senator Meyer.

MEYER: Thank you, Chairman Murman. Looking at this and, and a little disclosure, I, I-- my wife's a retired schoolteacher and I know over the years had spent a fair amount of money helping equip her classroom. One question I have, and, and, and we struggle all the time with, with state money going into-- in the schools, you know, we're dealing with funding schools right now anyway. And I, I know we've looked at this-- the voucher program for, for lack of a better term, the scholarship program. Would you consider donations as tax credits for providing these funds rather than the state providing the money? I mean, an individual can donate to a school in order to provide these funds. You get a tax credit on the back side with some limitations rather than us having to appropriate funds, state funds.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Education Committee January 27, 2025

PROKOP: Yeah, I mean, I-- you know, [INAUDIBLE] says as someone who has a, has a sixth grader and a third grader, we, we get the list from, from teachers for supplies sometimes that they ask if you want to volunteer that, it's receiving a tax credit. I mean, that's not something I've, I've looked into. But if it's something that could be explored, I, I would look into that. Yeah.

MEYER: Well, given the fact that-- if I, if I may, Chairman, you know, we're looking at \$860 a year, roughly, approximate, you know, that's, that's a sizable amount of money--

PROKOP: Yeah.

MEYER: --for, for, for the teachers.

PROKOP: Sure.

MEYER: And, and so it's just a-- I'm just throwing that out there as we were discussing looking at this and it occurred to me that when we're, we're looking the, the scholarship program, maybe, maybe this would be a better use for tax credits towards teachers, specifically, and, and would have an immediate [INAUDIBLE].

PROKOP: Are you asking it of the sense of them being able to claim a credit on their, on their own personal--

MEYER: Yes, if, if they have something that--

PROKOP: Yeah.

MEYER: --that you could support.

PROKOP: Yeah. And I think there might be others that can speak to it behind me, but that, that might be available to folks. Yep.

MEYER: Thank you.

MURMAN: Any other questions for Senator Prokop? If not, thank you for the open.

PROKOP: Yeah.

MURMAN: And we'll ask for proponents for LB282.

MINDY DILLER: Good afternoon, Chairman Murman and members of the committee. My name is Mindy Diller, M-i-n-d-y D-i-l-l-e-r, and I'm a 20-year educator with the last 12 years of my career teaching family

Transcript Prepared by Clerk of the Legislature Transcribers Office
Education Committee January 27, 2025

and consumer science at Lux Middle School in Lincoln. I'm here today to speak in strong support of LB282, the reimburse--reimbursement initiative for teachers who spend their personal income on essential classroom materials. I am testifying today on behalf of the NSEA. As someone who has been in the classroom for close to 2 decades, I can speak to the financial burden that many educators face each year when it comes to supplying our classrooms with the materials necessary for a productive learning environment. On average, I spend close to \$1,000 a year on supplies for my 300 students in my classroom. Pencils, pens, paper, markers, crayons, etcetera. The list goes on and on. Being a family and consumer science teacher, I also am spending my own money on supplies for food labs and sewing labs. I have my own student store that my students can spend-- earn Lux bucks on prizes. These prizes were bought by myself, but most of them were donated by my family and friends who understand the importance of these items for my kids. I know I'm not alone in this. Teachers across the state are doing the exact same things, spending their personal money and time to make sure their students have what they need to succeed. And it's not just classroom supplies. I know teachers that have spent their own hard earned money on clothing and toiletry items for their own students: shirts, pants, underwear, socks, coats, stocking hats, and shoes. These teachers don't think twice about doing this. Teachers continually step up to the needs that their kids and buildings can use. It's just what teachers do. This bill acknowledges the financial burden that teachers often face when purchasing school supplies for their classrooms. By providing reimbursement, we are showing our commitment to supporting educators who invest their own money to enhance the learning environment for their students. LB282 provides financial support for classroom supplies which can improve teacher morale and job satisfaction. When teachers feel valued and supported, they are more likely to remain in the profession, which is crucial for maintaining a stable and experienced workforce. Ultimately, this bill is about the students. When teachers have the resources they need, students benefit from a richer educational experience leading to better academic performance and overall development.

MURMAN: Thank you. Any questions for Ms. Diller? Senator Juarez.

JUAREZ: Thank you. OK. So I have-- I just want to get some clarification about this, what it means to you as a teacher when you spend this money. So are you saying, for example, in a school calendar year, if you spent \$1,000 that year, that's something that you cannot take off your tax return at all or can you take off some of it on your personal tax return?

MINDY DILLER: We can take off some of it.

JUAREZ: OK. You don't know by chance what the limit is?

MINDY DILLER: I don't, not off the top of my head.

JUAREZ: OK. So and then I also heard them say that some of the school systems do provide reimbursement to teachers--

MINDY DILLER: Correct.

JUAREZ: --also.

MINDY DILLER: Correct.

JUAREZ: So I'm assuming then that if you did get some reimbursement from a district, what you're getting-- showing on your tax return is going to be above that because you still haven't been reimbursed for all of that. Is that right? OK. And do you think that the teachers would be receptive to, you know, if we would get this reduced that, you know, so it's working with, with what's already in place, you know, no duplication, obviously, because the taxpayers are always concerned about, you know, us not wasting-- everybody being good stewards of funds. Do you think that that's a positive approach to take to this?

MINDY DILLER: I-- in my opinion, yes.

JUAREZ: OK. Thank you. Of course, I'm very thankful that the teachers do do that. I know that they've done it for years. I mean, I've had family members who have been teachers, friends, they always do it. So thank you for being here.

MINDY DILLER: Yeah. You're welcome.

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

MINDY DILLER: Thank you.

MURMAN: Other proponents for LB282.

KYLE MCGOWAN: Good afternoon, Chairperson Murman and members of the Education Committee. My name is Kyle McGowan, K-y-l-e. M-c-G-o-w-a-n, and today I'm representing the Nebraska Council of School Administrators, STANCE, which is Schools Taking Action for Nebraska Children's Education, GNSA, which is the Greater Nebraska Schools

Transcript Prepared by Clerk of the Legislature Transcribers Office
Education Committee January 27, 2025

Association. We'd like to thank Senator Prokop and his efforts to positively impact the work of teachers. Although Nebraska schools are required to provide a free and appropriate education, the minimum is never the standard for Nebraska educators. Speaking as a former elementary teacher, a former elementary principal, a former superintendent, we know that many teachers go way above and beyond the minimum. Not every teacher will take advantage of this particular \$300, I'll call it a rebate. And if the teachers in Nebraska tend to see a problem and act immediately without maybe some of the bureaucracy that it would take to, I'll just say get money from the schools or another source so they just do it themselves. We actually like the-- when I say we, the groups I represented, we think it's very fair that this goes to private school teachers as well. Just because of the amount of money and also the, the private school teachers are every bit as committed to their children as public school teachers. So in-- the NCSA works closely with the NSEA in terms of trying to support our great teachers in Nebraska. And we think the \$300 allotment would be recognition of efforts that they're already doing. So with that, I would entertain any questions.

MURMAN: Thank you. Any questions? If not, thank you for your testimony. Other proponents for LB282?

JACK MOLES: Good afternoon, Senator Murman and members of the Education Committee. My name is Jack Moles, that's J-a-c-k M-o-l-e-s. I'm executive director of the Nebraska Rural Community Schools Association, also known as NRCSA. And on behalf of NRCSA, I'd like to testify in support of LB282. NRCSA believes the provision found in LB282 would be a small but wonderful recognition of the extra lengths teachers go to make their classrooms better learning centers, which are more inviting. As a former superintendent, I'd often go into teachers' classrooms as they're getting ready to leave the district, whether retiring or moving on and, and, you know, just kind of say goodbye to them and-- but I'd, I'd see that as they're putting things together in their rooms, all the things that I know the school didn't buy but ended up in their classrooms and they never asked for compensation on that. They're just dedicated to their kids. They want to make things better for the kids. And so, as I said, we would very much support this. It's a small, but it's, it's a really nice gesture on behalf of our teachers and I would echo what Mr. McGowan said. We also would support it going to all teachers.

MURMAN: Thank you.

JACK MOLES: With that, I'll close.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Education Committee January 27, 2025

MURMAN: Oh, go ahead. Go ahead. I thought you were done.

JACK MOLES: No, I am done.

MURMAN: Oh. Thank you. Any questions for Mr. Moles at this time? If not, thank you for your testimony.

JACK MOLES: Thank you.

MURMAN: Other proponents for LB282?

EDISON McDONALD: Hello, my name is Edison McDonald, E-d-i-s-o-n M-c-D-o-n-a-l-d. I'm here representing the Arc of Nebraska. We advocate for people with intellectual and developmental disabilities for the last 70 years. Today, we are here in support of LB282, which proposes reimbursing teachers for school supplies that can positively impact students, including those with disabilities and the educators who support them. We know that our teachers often reach into their own pockets to provide the necessary tools and resources their students need to succeed in the classroom. For students with IDD, these needs can be even more specialized and pressing. Items such as sensory tools, assistive technology, and adaptive learning resources are vital for creating an inclusive classroom environment where all students can thrive. Teachers of students with disabilities often go above and beyond to ensure the classrooms are welcoming and accessible, frequently using their own funds to meet these needs when schools cannot provide sufficient resources. LB282 is a step towards acknowledging and alleviating this burden on teachers. By allowing educators to be reimbursed for these expenses, Nebraska is making a clear statement that we value the work of our teachers and their commitment to supporting all students, including those with disabilities. In particular, for the new members of the committee, I want to point out I have a high reverence for this committee and the governor a few years ago really working to address special education crisis in a comprehensive fashion, and I'd say more comprehensive than any other state in the nation. And I think we've seen a huge alleviation of that crisis. But it is still an ongoing issue. We do still see that lack of support and the lack of special education teachers. And I'm hoping that this body will work on taking those next steps to continue that excellent effort in helping to alleviate some of the special education crisis. And I think that this is a perfect bill to take that next step. Thank you and any questions?

MURMAN: Any questions for Mr. McDonald? I have one. You were just telling us about how we have addressed the teacher shortage,

Transcript Prepared by Clerk of the Legislature Transcribers Office
Education Committee January 27, 2025

especially in special ed, and I know it's most-- probably most acute in special ed?

EDISON McDONALD: Yeah.

MURMAN: Have you seen improvements in the state as far as filling special ed positions and, and what do you see for the future?

EDISON McDONALD: Yeah, anecdotally, I'll say definitely. I think some of the data-- I don't have a ton to clearly support that explicitly other than just for us our call lines that significantly decreased numbers of call-ins. But I think that, you know, some of the things that we're going to have to figure out is how do we better support those special education teachers and those paras. I think Senator Juarez has a bill looking at better supporting paras, because that's another big part of the issue that we're still struggling on figuring out how to address. And, especially, I think inflation is impacting. So that's one critical area I think we need to continue to look at. But, yeah, in terms of the funding that you all have provided, you know, there are a lot of cases that I've heard of individual stories where somebody was denied an assistive device or some sort of adaptive support. And then shortly following that funding, we started to see those requests that had been denied starting to then be approved. So, yeah, those would be the, the items I'd point to.

MURMAN: OK. Thank you. Any other questions for Mr. McDonald?

JUAREZ: A question, please.

MURMAN: Senator Juarez.

JUAREZ: Thank you. So I was just curious because I'm not familiar with how, like all the different teachers and their specialties providing information to our state or I'll call them our education stakeholders. Like, do you have any idea of how many special ed teachers are even-- are in the state?

EDISON McDONALD: You know, there's some good information from the Department of Education there, and that's probably where I'd start.

JUAREZ: Yeah, they would be the one that would have the data on that.

EDISON McDONALD: Yeah.

JUAREZ: Because, you know, this, this term that we have, we are definitely going to be looking at a lot of things for our teachers,

Transcript Prepared by Clerk of the Legislature Transcribers Office
Education Committee January 27, 2025

you know, and I definitely don't have any issues with supporting the parochial teachers for something like this, supporting all the teachers, you know, I'm highly in favor of that. And I know just from my own experience because I was a para at J.P. Lord. So I know the quality that we have there for our students, you know, in Omaha. And, you know, it's just like I think it's the only school like that in the country that really provides needs like that. So any kind of, you know, help that we can give to our teachers is-- to try to attract them, to try to meet the needs of where there might be gaps, you know, to try to meet the special general ed, whatever it may be, I think that it's really important and I really do appreciate you coming today, you know, to shed some light on that. Thank you for being here.

EDISON McDONALD: Yeah. And I will just say, I think the next bill deals more with providing some data that will also be helpful in some of these discussions and what the state should look at moving forward.

MURMAN: Any other questions for Mr. Edison [SIC]? If not, thank you for your testimony. Other proponents for LB282?

MEGAN SIMSIC: Good afternoon, Chairman Murman and members of the committee. My name is Megan Simsic, M-e-g-a-n S-i-m-s-i-c, and I'm a proud 22-year veteran, public educator at Huntington Elementary here in Lincoln. I'm here today to speak in strong support of LB282, the reimbursement initiative for teachers who spend their personal income on essential classroom materials. As someone who's been in the classroom for over 2 decades, it's hard to believe when I say 2 decades, I can speak to the financial burden that many educators feel each year when it comes to supplying our classrooms with materials necessary for a productive learning environment. On average, I spend over \$1,000 a year, a year on supplies for my students. This includes everyday items like pencils, erasers, dry erase markers, paper, tissues, hand sanitizers, and other essential supplies that are not often provided via my annual team budget. This year, our team budget for the 2025 school year was \$550 for approximately 60 students, which breaks down to \$9.17 per student for the next academic year, approximately 25 cents a week. But the list goes on of the things that I've provided this year: sweatshirts, board games, flashcards, notebooks, chart paper, glue sticks, crayons, colored pencils, whiteboards, just to name a few items I purchased this year. I do my best to find deals, shop sales, and even rely on donations from family and friends to fill in the gaps. Each summer I scour the sale ads searching for the deals, hoping stores don't have limits on the items that I can purchase, expecting that I might have to drive to more than one store because another teacher has purchased those items that I

needed for my classroom. I fill my carts with cases of notebooks all in the same color, of course, because teachers are really organized people, boxes of crayons, colored pencils, tissues, hand sanitizer. Each year I do this, I end up inevitably stopped by at least one person at the store asking me with a smile on their face, are you a teacher? I smile back and say to them, yes, I am. They shake their heads and typically say teachers shouldn't have to buy their own supplies. I'm not alone in this. Teachers across the state are in a similar situation, continually investing their personal money and time to make sure their students have what they need to succeed. And it's not about supplies. It's about creating a classroom that feels safe, welcoming, and engaging. I also spend money on decorations, bulletin board materials and lettering to make my classroom a space where students feel at home and excited to learn. LB282 is a recognition of the financial strain teachers often endure to provide for their students. This reimbursement program, program acknowledges the sacrifices we make and provides a much-needed lifeline to ease some of that burden. I firmly believe that this bill is not just about teachers. It's about ensuring that every child, no matter where they are in the state or what type of school they attend, has the resources they need to succeed. By passing LB282, we can begin to level the playing field, ensuring that even schools with limited funding can still provide their students with the necessary materials for a rich and engaging educational experience. Ultimately, this bill isn't just about the money. It's about the students. When teachers can focus on teaching teaching instead of worrying about how to stretch their own budgets, students benefit. They experience a richer educational environment, one that supports their academic, social, and emotional growth. When teachers have the tools they need, they can create the kind of classroom where learning is exciting and where students feel supported, respected, and ready to succeed. I urge you to support LB282 for the sake of all Nebraska teachers, students, and schools. By passing this bill, you're sending a strong message that you understand the value of teachers and that you're committed to helping us provide the best educational experiences for your-- for our students. Thank you for your time and consideration.

MURMAN: Thank you. Any questions for Megan Simsic? Senator Conrad.

CONRAD: Thank you so much for being here. I go past Huntington frequently because we live very near there. Our home school is Hartley and our kids go to Riley, but I know exactly where, where Huntington is. And it serves a lot of folks in my district. So thank you for being a good representative. One question I wanted to ask you and, perhaps, we have other testifiers here today, but LPS takes its

Transcript Prepared by Clerk of the Legislature Transcribers Office
Education Committee January 27, 2025

obligation under the free instruction component of our constitution very seriously. I know as parents at LPS, we don't get a list for back-to-school supplies, that literally those crayons and rulers and pencils are provided for, which really helps a lot of families. But you are still providing a lot of additional material-- classroom materials, even beyond that district commitment. And I know that that's not the case in every district. So have you had a chance to touch base with your peers in, like, rural communities or serving rural schools about, perhaps, the even greater level of investment individual teachers are making?

MEGAN SIMSIC: I have not had a chance to talk to some of those rural communities.

CONRAD: OK. I appreciate that.

MEGAN SIMSIC: Yeah.

CONRAD: Thank you so much.

MURMAN: Any other questions? Senator Hughes.

HUGHES: Thank you, Senator Murman. Thank you for coming in. Just a quick question. Does LPS-- how much does LPS reimburse you for what you spend? Do they have a stipend?

MEGAN SIMSIC: We have a \$225 stipend that we are reimbursed for LPS. That is not true in all districts across the state of Nebraska.

HUGHES: Right. I know that. Yeah. Thank you.

MEGAN SIMSIC: Um-hum.

MURMAN: Senator Juarez.

JUAREZ: I just had a quick question on clarification on what you presented here. When you say team budget. Who is your team? Are you talking about all the teachers in your school?

MEGAN SIMSIC: That is my fifth-grade grade level team. So that covers three teachers for our team.

JUAREZ: OK. Thank you.

MEGAN SIMSIC: And that is just indicative for our building. That is basic-- slightly specific for my building.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Education Committee January 27, 2025

JUAREZ: OK. Thank you.

MEGAN SIMSIC: Um-hum.

MURMAN: Senator Lonowski.

LONOWSKI: Thank you, Chairman Murman. I'm looking at some of the things that you say you're buying, and I, and I don't doubt you. Thanks for being a teacher. I was a teacher for 35 years. But you're saying that you're having to buy the dry erase markers and the markers. Is there not enough money given to the schools or is there mismanagement of funds or is your-- I don't want you to say anything, but do you feel like your school is not getting enough to be spread around all the teachers at the end of the year?

MEGAN SIMSIC: I'll be honest, I work with 10- and 11-year-old children, dry erase markers, we use a lot of them. We use them for a lot of things. And as much as I would love to say they're never-ending, they go quickly, They dry out. They don't last as long as I would like them to last because they are children and so they just don't last as long. I wish they were like magic that we could just wave a magic wand and they would last forever. But, unfortunately, they don't. So I-- yeah.

LONOWSKI: I understand. It just seems like a lot of this is just kind of like your basic materials. I mean, Kleenex in the classroom, crayons in your classroom, etcetera.

MEGAN SIMSIC: And they just just don't go as far as-- for an elementary teacher, they just don't go as far as they--

CONRAD: Yeah.

MEGAN SIMSIC: Yeah. Yeah.

LONOWSKI: All right. Thank you.

MEGAN SIMSIC: Yeah. You're welcome.

MURMAN: Senator Meyer.

MEYER: Thank you, Chairman Murman. I, I know it's been part of a-- with some experience, my-- I know that as teacher groups, you get together, you talk about these things, you have conventions and that. And so I would ask, do you think that rural communities are struggling as the, the urban communities are in the schools?

Transcript Prepared by Clerk of the Legislature Transcribers Office
Education Committee January 27, 2025

MEGAN SIMSIC: I would-- that would be an assumption on my part. I would say yes. I think that there are others that can speak better on that than I could, because that is not my-- I'm in a more urban setting than other people are. So I'm sorry.

MEYER: I, I have observed the dedication of teachers, certainly in the rural communities, and, and I think they are equally dedicated--

MEGAN SIMSIC: Oh, absolutely.

MEYER: --as, as the urban teachers.

MEGAN SIMSIC: Oh, 110%.

MEYER: I didn't quite know how to get that out, so--

MEGAN SIMSIC: Yeah, I, I would agree with you, Senator Meyer. They're as--

MEYER: How do I make a question out of that.

MEGAN SIMSIC: Yeah. I would agree with you. They're as dedicated. They're just not my-- that's not my expertise. I student-taught at Huntington 23 years ago and never left so I have been there a long time.

MEYER: Our teachers are to be commended for their dedication.

MURMAN: And I just have a further clarification from, I think, Senator Conrad's question, Senator Lonowski, probably all of them. But like LPS does supply-- certain supplies, apparently, like crayons, come out of that, I suppose.

MEGAN SIMSIC: That comes out of that, too, that comes out of that team budget.

MURMAN: OK. So out of the \$225?

MEGAN SIMSIC: It comes out of either our \$225 if we opt to pay for it there or out of the \$550 or if a building has the funds to pay for it out of a building fund.

MURMAN: OK. So \$550, is that, is that the team budget you talked about?

MEGAN SIMSIC: That was our specific team and some buildings would have more because they, they have more students.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Education Committee January 27, 2025

MURMAN: Yes.

MEGAN SIMSIC: So a building that has a bigger student population that has more students per grade level would have a larger number of students so a larger team budget.

MURMAN: So you have the team budget and then the \$225 kind of on top of that. And then, apparently, there's still more demand on top of that.

MEGAN SIMSIC: Yeah, I tend to buy, like, things like crayons at the beginning of the year. I, I just turned in my team budget last Friday, and so I'll buy crayons out of my \$225 because I can buy them for 50 cents a box. If I bought them off team budget, I have to pay for \$1.43 a box for them. I can buy them for 50 cents a box off my \$225. It makes more financial sense.

MURMAN: OK.

MEGAN SIMSIC: The same with, like, notebooks or things like that.

MURMAN: So it's pretty much the same type of supplies that come out of the team budget and the \$225 and, I guess, what teachers provide even on top of that and then some other things, too, like clothes or--

MEGAN SIMSIC: Yeah.

MURMAN: I think you mentioned--

MEGAN SIMSIC: Socks.

MURMAN: Sweatshirts,--

MEGAN SIMSIC: Sweatshirts.

MURMAN: --underwear, even stuff, stuff like that, of course, doesn't come out of the first two, but provide teachers who can't often provide those things, too.

MEGAN SIMSIC: Yeah, that's me.

MURMAN: Thank you.

MEGAN SIMSIC: Yeah.

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

MEGAN SIMSIC: Thank you.

MURMAN: Good afternoon.

KATE REGLER: Senator Murman and members of the Education Committee, thank you for the opportunity to testify today in support of LB282. My name is Kate Regler, K-a-t-e R-e-g-l-e-r, and I am in my first year as a special education teacher, but this is my 11th year of teaching overall. I'm here to advocate for this bill because it directly addresses a reality faced by countless educators across our state. As a special education teacher, I work with 25 students on my caseload, each with unique needs and challenges. Many of my students are on individualized behavior plans, and part of their success relies on positive reinforcement. I purchase small incentive items such as fidgets, small activities, or other rewards to encourage progress. While these items may seem minor, they significantly impact my students' motivation and growth, but the costs of these items also come out of my own pocket. Over the school year, these expenses add up. In addition to incentives, I regularly provide snacks for my students. Hunger can be a significant barrier to learning, and I've found that something as simple as crackers or granola bars can help a struggling student refocus. While my district does an excellent job addressing student needs, there are still gaps, and I often step in to ensure my students have what they need to succeed. Moreover, I purchase basic classroom supplies when they run out. Items like pencils, papers, and markers. My district provides these initially, but replenishing them often falls to me as the year progresses. I also buy materials to make my classroom a welcoming space, such as decorations and storage supplies. Additionally, I've invested in office supplies like binders and folders that are critical for managing my students' plans and documentation. These purchases are not extravagant. They are necessities to ensure my students feel supported and valued. But the reality is that they create a financial burden on me and my teaching colleagues. LB282 would provide educators with much-needed support by reimbursing a portion of these expenses. Passing this bill would demonstrate that you and other members of our Unicameral value the hard work of educators and acknowledge the personal sacrifices we make for our students. It's not just an investment in teachers. It's an investment in the success and well-being of students in Nebraska. Thank you for your time and for considering this important legislation. I urge you to support LB282 and give teachers the financial relief we need to continue making a difference in the lives of our students.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Education Committee January 27, 2025

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

KATE REGLER: Thank you.

MURMAN: Other proponents for LB282? Good afternoon.

ROSS PICKEL: Good afternoon. My name is Ross Pickel, R-o-s-s P-i-c-k-e-l, and I am a first-grade teacher at Norwood Park for Lincoln Public Schools. I am testifying today in support of LB282 and how a reimbursement program for educator-purchased supplies will support Nebraska teachers, encourage quality education, and have a positive impact on students. As a first-grade teacher, I have personally experienced the necessity and professional obligation to purchase supplies for my classroom and scholars. As a new teacher in the fall of 2020, I began to make a list of all the things a classroom, teacher, and group of students would need to have a successful year. From pencils, folders, notebooks, glue sticks, crayons, markers, Clorox wipes, bins, math manipulatives, whiteboards, and many more items, I made expensive purchases out of my own pocket in the first few months of entering the profession. I have continued to pay close to \$1,000, if not more, of my own earnings every year since to make sure that my students had an equitable and quality education even when it wasn't financially savvy for me, I put my students' needs first and made purchases that would benefit their learning and overall education. I would make the choice to spend the necessary money repeatedly. As a teacher, I invest in my students' future. With the passing of LB282, Nebraska can make that same investment that I and thousands of teachers across the state continually make. I am testifying in support because there is a financial burden that is placed on the shoulders of educators year after year. You can show support for teachers by helping to alleviate some of that financial strain. This reimbursement program will also be vital for creating more equitable outcomes in classrooms across the state. To fully give teachers what they need, I suggest an amendment to include preschool and early childhood educators in the conversation of this bill. All pre-K through 12th grade teachers are deserving of this reimbursement. If educators have this small financial support from the state for their essential classroom supplies, every teacher will be able to provide these items having a positive impact on our scholars. With the adoption of LB282, you will provide a step in the right direction for equity and education, showing that Nebraska is making a long-term investment in education. I look forward to the progress that will be made in schools around our state because of this reimbursement program. Like teachers do across Nebraska, please put

Transcript Prepared by Clerk of the Legislature Transcribers Office
Education Committee January 27, 2025

students and education first with the passing of LB282. Thank you for your time and consideration.

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

HUGHES: OK. I really don't have much of a question, but, Mr. Pickel, as a first-grade teacher, like, is that not the best name ever. When you said-- when you spelled it, I was, like, oh, I missed it, I thought he said Piskel or something like that. Pickel, that is amazing. I guess I do have one, one little question. And, and we all come from where we were, right? When my kids, and my kids went to public school, they had a-- we got a list of what we had to take to school, but LPS does not do that at all. Is that--

ROSS PICKEL: We do not put out a list. Everything is purchased through, like Megan said earlier, from our funds and then reimbursed partially through funds that we get from the district.

HUGHES: Does LPS do, like, any sort of to a parent group, like, these are nice, like, we love Kleenex, we love Clorox? Like, is that put out there? This is just a different-- right, I just didn't know the details.

ROSS PICKEL: Yeah, we do get a lot of donations. So I work at Norwood Park, which is a title school, and we get a lot of donations from school-- not schools, sorry-- from outside donors. We give suggestions of what donations might be, not to parents and families, but to these outside groups.

HUGHES: Like church groups, or whatever.

ROSS PICKEL: Yeah. They're not always what is needed right away. They like to donate specific things that they feel comfortable donating, maybe not things that are of the highest need.

HUGHES: OK. Thank you.

ROSS PICKEL: Yeah.

HUGHES: And thanks for being a teacher, Mr. Pickel.

ROSS PICKEL: Thank you.

MURMAN: Any other questions for Mr. Pickel? Yeah.

CONRAD: Thanks.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Education Committee January 27, 2025

MURMAN: Senator Conrad.

CONRAD: Thanks, Chair. I just wanted to say welcome again to a, a north Lincoln teacher for being here. And I really appreciate your service and your advocacy. Thank you.

ROSS PICKEL: Thank you.

MURMAN: And thank you very much for your testimony.

ROSS PICKEL: Thank you.

MURMAN: Other proponents for LB282? Any opponents for LB282? Any neutral testifiers for LB282? If not, on the, on the electronically, we had 33 proponents, 2 opponents, and 1 neutral. And that will close the hearing on LB282 and we're going to take a 10 minute-- quick 10-minute break.

CONRAD: Hey, Dave, do you want to give him a chance to close?

MURMAN: Oh, sorry. Yep.

PROKOP: [INAUDIBLE]

HUGHES: Mr. Prokop just doesn't have the same ring.

PROKOP: I know.

HUGHES: I know.

MURMAN: That'll be hard to top.

PROKOP: I know. True.

MURMAN: So that'll close the hearing on LB--

[BREAK]

MURMAN: Well, welcome back to the Education Committee. We are ready to open on LB352. Senator Ballard.

BALLARD: Thank you, Chairman Murman and members of the Education Committee. My name is Beau Ballard. For the record, that is B-e-a-u B-a-l-l-a-r-d, and I repre-- represent District 21 in northwest Lincoln and northern Lancaster County. I'm here today to introduce LB352. LB352 makes minor modifications to current law relating to school reporting certain data to the Department of Education and

Transcript Prepared by Clerk of the Legislature Transcribers Office
Education Committee January 27, 2025

Department of Education compiling and reporting that data. In 2021, the Legislature passed LB154 with a large majority of the 46 voting, voting in favor. The bill requires the Department of Education to compile data from school districts to track discipline data, including seclusion and restraint data. It is also required the State Board of Education to implement on or before August 1, 2022. A statewide system for tracking individual student discipline, lastly requires the Department of Education to collect requisite data from the school districts and provide an annual report to the Legislature, the governor, and other designated recipients. Over the interim, I learned that interested parties at school districts are reporting this data inconsistently to the Department of Education. Furthermore, while the Department of Education have-- does have some information available to the public on its searchable website, the department is not issuing an annual report to the Legislature, the governor, or others as directed in LB154. For these reasons, I'm introducing LB352. The bill would support and advance the intent of LB154 by amending Section 79-760.05 to require the Department of Education to collect discipline data from school districts and to make the database for public-- for the public that contains all students discipline data de-identified. LB352 directs the database shall be searchable by identifiers such as school district and type of discipline imposed, type of restraint and type of seclusion. To name a few factors. It also directs the Department Education to create and publish an annual report and report that to the Legislature and the governor. I'm happy to answer any questions on LB352, but I do have some, some testifiers behind me to answer questions as well.

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

BALLARD: Thank you, Chair.

MURMAN: And we'll ask for proponents for LB352. Good afternoon.

ELIZABETH EYNON-KOKRDA: Good afternoon. Chairman Murman and members of the Education Committee, my name is Elizabeth Eynon-Kokrda, E-l-i-z-a-b-e-t-h E-y-n-o-n-K-o-k-r-d-a, and I'm general counsel for Education Rights Counsel or ERC. And we're here testifying in support of LB352. We're a nonprofit, and we're dedicated to ensuring all children across the state can access education and thrive. We work directly with students and families, and we hear about discipline, and we do gather internal data. But our data is just one part of the equation. The Legislature needs to know what is happening in every district, because without that, we can't make good data-driven policy.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Education Committee January 27, 2025

Now, ERC has been around a while and we testified to this effect in 2021. And I must say we thought that the Legislature had already resolved our no data problem then via LB154, which the senator just referenced. The purpose of LB154 was indeed to implement the tracking of data surrounding student discipline in Nebraska. It specifically required NDE to track not just suspensions and expulsions, but incidents involving violence or requiring restraints and seclusion, and incidents when law enforcement was involved. It also required that this data then be disaggregated based on race, poverty, disability, and ELL status, and that NDE analyze and report annually to this Legislature on its findings. LB154 passed in Final Reading on April 29, 2021, and was on a vote of 46-0 with 3 absent. Everyone agreed we needed the data and there was no fiscal bill-- no fiscal note on that bill. However, here we are in 2025, and from my discussions with NDE, my research on their website and the public information request I have made, NDE has not collected most of this data, and I've been advised that no report was provided to the Legislature. On NDE's website, there's no student discipline record or data for '21-22 or 2022-23. The '23-24 data does have a report, but only tracks suspensions and expulsions. A link to the NDD-- NDE reports is included in my testimony that was passed around. And what it will do is it'll take you, take you to a nonsearchable PDF that shows nothing besides suspensions and expulsions. ERC supports LB352 because it removes any doubt as to what 79-760.05 actually requires as passed back in 2021. LB352 specifies that NDE must make a database that's accessible and searchable. It requires NDE to cause each school district to actually track the data and provide it. It requires the report to the Legislature on these issues be made available to the public, and it gives NDE the authority to consider noncompliance by a school district a violation of the rules and regulations for the accreditation of schools. Gathering data and holding school districts accountable is important. I really appreciated Senator Hughes's comments in an earlier bill that was being testified about being data driven. That is what helps us make good policy. I know that there's a small fiscal note to this bill. It's \$40,000 for a one-time programming software investment. I don't know why that wasn't on any earlier bill, but I would suggest that this is a really small price to pay for knowing this important information that the Legislature has already deemed necessary for policymakers to be able to do their jobs. The data looks at some of our most vulnerable children and what may be happening to them in schools and school districts. We thank Senator Ballard for his interest in this issue and for introducing this bill, along with cosponsors Chair Murman and Senator Conrad. Education Rights Counsel

Transcript Prepared by Clerk of the Legislature Transcribers Office
Education Committee January 27, 2025

urges you to move LB352 out of committee for consideration by the full Legislature. Thank you, and I'm happy to take any questions.

MURMAN: Questions for Elizabeth? Senator Hughes.

HUGHES: Yes. Thank you for coming in. Did you say you included a, a picture from the NDE website?

ELIZABETH EYNON-KOKRDA: Just the link. It's in the testimony.

HUGHES: You just included the link.

ELIZABETH EYNON-KOKRDA: It's just a link so you can find--

HUGHES: OK. I was, like-- I thought you said you printed it off to show whatever.

ELIZABETH EYNON-KOKRDA: No, if you're-- it's actually pretty hard to find, so you have to know where on NDE to go to find their data.

HUGHES: No, thanks for that link. I'll go to that after this so thank you. So I don't-- I guess that's my question.

MURMAN: OK. Senator Conrad.

CONRAD: Thanks, Chair Murman. Thank you, Elizabeth. So in looking at this measure and working with Senator Ballard and other stakeholders that were concerned about this issue, I remember from past service on this committee, you know, various senators with really strong track records in regards to educational policies. Senator Linehan, Senator Wayne, have lifted up various aspects of educational policy where we're trying to get a better handle on what's happening in Nebraska schools. So whether it's dyslexia or student discipline, these are some of the areas that our Education Committee has worked together to, to try and shine some light on. So it's frustrating that you have to bring forward-- that Senator Ballard has to bring forward a measure that says, yeah, existing law is not a suggestion. It's existing law which, in essence, is what this legislation does. And I'm glad that you brought up the fiscal note, because when I read that, that's essentially to me an admission that they're not doing what they're supposed to be doing and that they're requesting more funds to do what they're already supposed to be doing. So this is a very frustrating situation, and I hope somebody is here from the Department of Education to share their perspective on noncompliance. The question that I want to ask you, because I know that you have decades of experience as an education law specialist for the schools and kids and

Transcript Prepared by Clerk of the Legislature Transcribers Office
Education Committee January 27, 2025

parents, what exactly is the student discipline data that we're seeking on the state level? How is that separate or distinct or richer than what schools are already reporting to the Office of Civil Rights on the federal level?

ELIZABETH EYNON-KOKRDA: That's a really great question. And I, I testified back in 2021 on this and nothing really has changed, which is the CRDC-- CRC-- those guys, the data they collect is what happens is if a school district hasn't actually collected it themselves. They're permitted to put in zero. So for example, and I'll just use seclusion as an example, we know that seclusion happens in many districts across the state. We know it happens in large districts and in small districts. Most districts in Nebraska, in fact, the Omaha Public Schools, the largest district, reports zero. It's not because they're saying this doesn't happen, it's because they don't track it. So I fear that what is happening is that when you don't track data, then you can't report it. And so we have no idea. That may be what is happening at the state level here, is we-- if I ask you for something and you say I don't have it, then what can we report? Nothing. So I think it's really critical to say you actually have to gather this data so that we can look at it so we can figure out what are our strengths, what are our weaknesses, what do we need to do, what are our policy suggestions? But that is the biggest fundamental challenge. And what happened at even the GAO, the Government Accountability Office, came out and criticized the civil rights collection because it has all these gaps in it and they know that it's inaccurate and they know, therefore, that data across multiple states that try to rely on that is also inaccurate.

CONRAD: OK. So let me just take a step back here, perhaps as well, because it's always a good refresher for returning members. And we're welcoming some new members this year. So let's take-- and I know Senator Lonowski has a lot of classroom experience and Senator Meyer has been on the school board as well so these issues won't be first blush for them. But just help us to establish for the record, say, for example, on the issue of seclusion, like, what are you talking about when you use the word, word seclusion? Is this a practice utilized by school districts for punitive purposes, for safety purposes, for a variety of different purposes? Just could you help to paint a picture for the committee about what, what, what you're trying to get a better understanding of?

ELIZABETH EYNON-KOKRDA: Sure. So--

CONRAD: Like the 101 level.

ELIZABETH EYNON-KOKRDA: --in, in Nebraska, there is no specific definition, nor is there a specific definition with regard to public schools as to seclusion. What seclusion is generally defined by for collection-- data collection purposes is whenever a child is involuntarily separated and unable to leave a space or a room. So there are in many schools and in many districts, they come under a variety of names. They may be called the quiet room, they may be called a seclusion, they may be called-- they're a variety of words. But sometimes these are spaces that are constructed out of plywood in a corner of a room, a storage room with a padlock, not necessarily ventilated, and children who have become escalated are placed in these. Now, without getting into the-- is it-- you know, is there ever an appropriate time to restrain a child if a child is in immediate danger of hurting themselves or others? This is-- you know, these are policy decisions, but that may necessarily-- may be necessary. But because we don't have guidelines of any sort that say that you can only do this for a particular length of time or that say you cannot use it as a punishment, we see it happening. And so having an understanding of how often this is happening, to whom is it happening? Is it happening, you know, disparately, is it having a disparate impact on children of color or children with special education needs? What is the average length of time? Because things like this across the country have been shown depending on what it is to be dangerous. I'm not saying specifically that a particular school has engaged in a dangerous behavior because we don't know. We don't know-- I mean, I have seen times in our advocacy that that has happened. But the recent issue and I think this is for the day to day here today is we need to gather the information to decide whether this is something we need to legislate. We need to understand what is happening to our children and to whom and why.

CONRAD: OK. And then just the final question on that front. So I think this Legislature maybe took some steps in recent years to direct Department of Ed and, and school districts to, for example, develop a policy on seclusion. I have to go back and check my notes to see if, if that is, in fact, the case, but without the data component married to the policy component, we don't have any clarity as to whether or not that policy is working or how it's working. Is that a fair assessment?

ELIZABETH EYNON-KOKRDA: Yes and no--

CONRAD: OK.

ELIZABETH EYNON-KOKRDA: --to the extent that what the state is requiring school districts specifically with regard to restraint, seclusion, is to have a policy.

CONRAD: Right.

ELIZABETH EYNON-KOKRDA: So the policies are very, very different. Each-- you know, some school districts have a 15-page policy. Some school districts have a one-line policy. They're just different across the board. So we don't-- the data-- collecting this data would let us know what's happening in each district. And then I suppose to determine if the district is complying with its policy, but there's, there's not a standard policy either.

CONRAD: That's helpful. Thank you. Thank you.

MURMAN: Senator Lonowski.

LONOWSKI: Thank you, Chairman. Where I taught, the kids called it the "sin bin." Just so you know. So what, what I'm gathering here is the, the NDE should be gathering this data and recording it somehow and that's not happening so we're going to cover their tracks or, or create this program so that we are collecting the data. Is that correct?

ELIZABETH EYNON-KOKRDA: As I understand the intent of Senator Ballard, what he's trying to do is basically make it very clear that when the Legislature said this in 2021, they meant it. And if there's something that is deficient as to why this hasn't happened, to remove that deficiency. So, for example, if it's similar to the CRDC collection of data where there isn't a requirement that schools track it, that is now in this bill so that you don't get a, a goose egg simply because they didn't track it and it looks like it's not happening, but it is happening and they just didn't track it.

LONOWSKI: I, I agree. And I think we need to collect that data so we know what's going on. I guess to me, it should seem like every school's got a, got a Google spreadsheet rather than, than investing in \$40,000. It's not a lot on the surface. Every little bit adds up. So I just have concerns if NDE is not doing something that we've told them to do or that's been, been given to them as a regulation if we need to-- I don't know if we need to talk to NDE or--

ELIZABETH EYNON-KOKRDA: I don't know, Senator, why there's a fiscal note now when there wasn't one before. This is, as I understand it, \$40,000 one time for NDE. And as I'm looking at it, it's for--

LONOWSKI: For the software.

ELIZABETH EYNON-KOKRDA: --computerized software.

LONOWSKI: Right, right.

ELIZABETH EYNON-KOKRDA: Right, so that they can, they can do it so-- like I mentioned in my testimony, right now, if you go on, it's a PDF, it's not even searchable. So in other words, I have to read through every-- you know, I can't just say, let-- you know, let's look at this, this, and this. So I think that the, the-- I don't-- I, I can't speak NDE's--

LONOWSKI: I understand that. I gotcha.

ELIZABETH EYNON-KOKRDA: --challenge, other than I can look at the fiscal note.

LONOWSKI: All right. Thank you.

ELIZABETH EYNON-KOKRDA: Thank you.

MURMAN: Senator Meyer.

MEYER: Thank you, Mr. Chairman. For the purposes of gathering the data, I'm, I'm assuming and, and looking through the bill and everything, it's not only to track the incidents that occur in school districts, but to measure effectiveness of the discipline and, and particular things that we're trying to mitigate the issues. Would you say that's a fair assessment? Along with, along with documenting what we're trying to do to mitigate these issues, it's a way to track what's effective. Is, is that-- would you represent that to be part of the intention of the bill originally?

ELIZABETH EYNON-KOKRDA: I think that is a fair statement. Senator Wayne had great concerns when, based on some of the data that had happened when he was on the school board and the Omaha Public Schools, and he was the first introducer of the bill back in 2021. And what he was concerned about is that the Omaha Public schools had actually suffered some consequences from the federal government for-- I don't-- I can't remember all the details, but it was along the lines of making sure that we understand what is happening and not having disparate impact on students and understanding that if we are engaging in these things, that it does make sense, that it-- like, he was concerned about is this increasing or decreasing discipline, behavior, etcetera.

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Education Committee January 27, 2025

MEYER: And, and just, just one more brief question, if I may, Mr. Chairman. And so it's also a way to determine-- would you say it's also a way to determine that the schools have a policy, it would establish that if they have something to report, that they have established a policy of how to deal with discipline--

ELIZABETH EYNON-KOKRDA: This--

MEYER: --with, hopefully, some uniformity?

ELIZABETH EYNON-KOKRDA: --this bill doesn't address the requirement for a policy other than to address the, the general policy that you must track this data and report it. But it doesn't talk about a policy dealing with, say, restraint or seclusion or expulsions. Those are local control issues. And, at this point, that's not the purpose of this bill.

MEYER: If, if you have data to report that would indicate that you had some type of policy along the line somewhere, I guess, so. Anyway, thank, thank you.

ELIZABETH EYNON-KOKRDA: Thank you.

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

HUGHES: Thank you, Senator Murman. This is maybe less of a question. I'm-- the \$40,000 fiscal note to create a database, I'm wondering if it shouldn't have been in that 2020 bill or 2021 bill to create it. I mean, it takes some money to create something that is searchable, trackable. So maybe now we'll just get on the right track with it. So that's just my comment with it.

ELIZABETH EYNON-KOKRDA: Thank you, Senator.

MURMAN: Any other questions? I have one. You, you talked about a basement and a, a wooden room or something like that. Is that something you've observed in Nebraska schools?

ELIZABETH EYNON-KOKRDA: Yes, Senator, it is. I, I don't want to name names, but I have pictures.

MURMAN: Yeah, it's too bad we can't do that. Rural or urban?

ELIZABETH EYNON-KOKRDA: Both. I can-- yeah, I've seen in large school districts rooms that are made out of cinderblock with no padding and a door that locks and they're small and children are put in there, and

Transcript Prepared by Clerk of the Legislature Transcribers Office
Education Committee January 27, 2025

for periods of time. I've seen rooms that are padded. I've seen makeshift rooms. I specifically worked with a family where indeed the school principal had asked a janitor to take some plywood and create a little 3X5 corner inside a corner. This is-- this does happen everywhere, but it also happens in Nebraska, unfortunately.

MURMAN: Really? OK. Well, any other questions? If not, thank you for your testimony.

ELIZABETH EYNON-KOKRDA: Thank you, Senator.

MURMAN: Other proponents for LB352?

KATIE NUNGESSER: Thank you, Chairperson Murman and members of the Education Committee. My name is Katie Nungesser, spelled K-a-t-i-e N-u-n-g-e-s-s-e-r. I'm representing Voices for Children in Nebraska in support of LB352. Education is one of the most significant predictors of a child's future opportunities, and it is our collective responsibility to ensure that our schools are setting every student up for success. LB352 is a step towards evaluating how disciplinary policies in our school are impacting students and whether those policies are fostering educational success or unintentionally steering students towards the court system. When schools address student misbehavior through exclusionary practices such as excessive suspensions, expulsions, arrest, or law enforcement referrals, it negatively impacts-- or negatively affects not only the individual student, but the broader school community as well. Research shows a troubling pattern: students who face suspension are more likely to experience repeated suspensions, fall behind academically, drop out of school, and ultimately become involved with the juvenile justice system. For schools, a higher reliance on exclusionary discipline has been linked to lower academic performance across the entire student body, even after accounting for socioeconomic and demographic differences. On the other hand, when schools limit exclusionary practices and prioritize connection and community, school safety and student well-being often improve. At Voices for Children, we believe that the effective policy must be grounded in reliable data. Unfortunately, Nebraska's current data on school disciplinary actions and law enforcement involvement is inconsistent and incomplete. While there are some federal reporting, while there are some federal reporting through the Office for Civil Rights, this data is outdated and it lacks necessary details. For example, during the 2017-2018 school year, Nebraska schools reported 251 school-based arrests, 29% of those arrests were students with identified disabilities and 1,593 law enforcement referrals with 26% of referrals involving students

with identified disabilities. However, we lack recent and comprehensive information, and inconsistent definitions and reporting practices further complicate our understanding of these issues. LB352 addresses this gap by creating a transparent and consistent system for collecting data on school disciplinary actions, including law enforcement involvement. By adding this information to the state's existing education data hub, we can better evaluate the extent to which Nebraska students are affected by the school-to-prison pipeline. Disaggregating the data by factors such as race, ethnicity, gender, and disability status will also allow us to identify and address inequities in how disciplinary policies are applied. We'd like to thank Senator Ballard for introducing LB352 and this committee for considering the important issue. Transparent and reliable data is a vital step towards creating a more equitable and effective education system for all Nebraska students. I thank you for your time and your commitment to this effort, and I'm happy to answer any questions you may have.

MURMAN: Thank you. Any questions for Katie? If not, thank you for your testimony. Other proponents for LB352?

JOY KATHURIMA: Good afternoon, Chairman Murman and members of the Education Committee. My name is Joy Kathurima, J-o-y K-a-t-h-u-r-i-m-a, and I'm testifying on behalf of the ACLU of Nebraska in support of LB352. First, we'd like to thank Senator Ballard, Senator Conrad, and Senator Murman for introducing this bill. In pursuit of a world free of discrimination, and a Nebraska that is true to the state motto of "equality before the law," the ACLU of Nebraska strives to educate and empower the public on a variety of civil rights and civil liberties issues. LB352 provides an update to the collection of libel and robust data concerning student achievement and discipline. Student success is not one size fits all. By ensuring the public has access to data which shows where students may struggle, we can create systems of support to achieve better outcomes. Large academic skill gaps are not easily remedied, and without reliable data, solutions will be unable to meet students where they are to make sure they are successful. In regards to student discipline, this newly public data will allow Nebraskans access to information demonstrating how and why students may be funneled into the school-to-prison pipeline. Additionally, this data will provide important insight for public school administrators on how to identify and remedy unjust discipline policies that disproportionately impact students of color and students with disabilities. Without easy access to this data, educators and policymakers can overlook the harmful and disparate educational impact of harsh discipline and likely make

Transcript Prepared by Clerk of the Legislature Transcribers Office
Education Committee January 27, 2025

counterproductive decisions on how to spend scarce educational dollars that will exacerbate the inequity in education. Several studies and reports, including our own on this issue, rely on the federal Department of Education's Office of Civil Rights Data, which reports student discipline and law enforcement referral data. However, things are changing rapidly at the federal level with the Department of Education, which can make it challenging to our collective understanding of what is really happening to our most vulnerable students. The problem with underreporting and noncompliance of data by our school districts can be cured by this bill. By studying and learning from the data accrued under the Quality Education Accountability Act, we can make sure there's a culture and climate in schools and school districts that support student success. For these reasons, we urge the committee to advance LB352 to General File. Thank you and I'd be happy to answer any questions.

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

JOY KATHURIMA: Thank you.

MURMAN: Other proponents for LB352?

EDISON McDONALD: Hello again. My name is Edison McDonald, E-d-i-s-o-n M-c-D-o-n-a-l-d. I'm the executive director for the Arc of Nebraska. We advocate for people with intellectual and developmental disabilities and are here today in support of LB352. Very much appreciate Senator Ballard bringing this forward. As was talked about earlier, the data is already supposed to be here, and I know that we've frequently been looking for this data, asking for this data. And, unfortunately, as was indicated and also earlier, the federal data is very unclear. I'm also increasingly concerned, as you heard, the Office of Civil Rights does manage this data. And as of last week, I've heard from my federal contacts that most of their staff has been cleared out. We're very concerned about how do we track this-- the progress that we've made without the data. I talked earlier about how important it is, the work that this committee has done and I said, anecdotally, I can provide you stories and stuff within our call lines, but we don't have the clear specific data to track and improve this and to go and look within specific school district policies and the implications there. One small suggestion over the last 2 years we've done multiple training series, guidance documents in an app, creating a new special education hub on our website, arc-nebraska.org, to help families who are struggling with these issues and help them to figure out how do they better address these issues, work with the

Transcript Prepared by Clerk of the Legislature Transcribers Office
Education Committee January 27, 2025

school district to help address these issues. And what we've seen is that a lot of times families end up in very unclear situations where, for instance, a student-- or a family member would be told, well, your kid isn't doing well today, and then encourage the parent to then go and file in his absence. So I think one piece to improve would be to add absences to be tracked within this data as well. One other piece of data as I finish up, I know that as we've pushed out this data and just launched this new center in the last month here, we've seen 963 families who have logged on to look at this. So I would say there is definitely a significant need and interest from Nebraskans out there. With that, I'll close. Thank you.

MURMAN: Thanks. Any questions for Mr. McDonald? If not, thanks for your testimony. Other proponents for LB352? Any opponents for LB352? Any neutral testifiers for LB352? If not, Senator Ballard, you're welcome to close. And while he's coming up, we had two proponents, two opponents, and zero neutral electronically.

BALLARD: Thank you, Chair and committee for your time. I'll be brief. I, I read the opposition testimony. I'd be willing to work with school administrators, school boards to try to clarify some of the language they have concerns about. But this boils down to just, just to say, yes, we mean-- when we pass legislation, we do mean it. We, we were asked a couple of years ago to, to work on disciplinary measures a couple of years ago. And it would just be nice to have some of that data to collect when we are dealing with those difficult issues. And that's all this bill is, is just saying, hey, we want the data to make good informed decisions-- for this committee to make good informed decisions and for the body to make good informed decisions. So with that, I would take any questions. I appreciate--

MURMAN: Any questions for Senator Ballard? Senator Hughes.

HUGHES: Thank you, Chair Murman. Thank you, Senator Ballard. So is the thought then that we have this data and then you can, maybe, see trends by a school district or something that then, maybe, they've got a higher percent of seclusion than another similar school district so then that might lead to looking at what their policies are or something? Is that kind of the [INAUDIBLE]?

BALLARD: That, that's absolutely, absolutely correct. How we can look at trends, how the Legislature can best support school districts, whether that's OPS or our rural school districts and Senator Murman's district, like what can we do to better support school districts.

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Education Committee January 27, 2025

HUGHES: OK. Thank you.

MURMAN: Any other questions? Senator Lonowski.

LONOWSKI: Yeah, thank you, Chairman. So real quick, Senator Ballard. So this software would be going to the NDE or who would be responsible for implementing?

BALLARD: Correct.

LONOWSKI: OK.

BALLARD: Yes, create like a Google sheet. Like you said, school districts would pass it on to the department.

LONOWSKI: OK. Thank you.

MURMAN: Any other questions? Senator Juarez.

JUAREZ: OK. So I have some serious concerns, more immediate concerns about the testimony that we've heard today. I don't know if anybody else is alarmed like I am about what the Educational Rights Counsel brought before us. So are we going to wait for trends or ignore what she just reported? It is appalling to me to even hear that. So we're going to wait for the stats and then report and ignore what's been reported, how are we going to act on that?

MURMAN: Are you asking Senator Ballard?

JUAREZ: Whoever wants to respond.

BALLARD: I will leave that to the committee to, to work, to work through. So I, I think this-- I think LB352 is a good first step. But Senator Juarez is right that there is-- there's going to be some need for some--

JUAREZ: Help.

BALLARD: --adjustments.

MURMAN: We definitely heard some concerning testimony. Any other questions for Senator Ballard? If not, thank you--

BALLARD: Thank you, Chair.

MURMAN: --for bringing it and that will close the hearing LB352 and I'll turn it over to Vice Chair Hughes.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Education Committee January 27, 2025

HUGHES: Thank you. I'll wait for you to get around there. You ready, Senator Murman?

MURMAN: Yep.

HUGHES: All right, our last bill today is LB300. Go ahead.

MURMAN: Good afternoon, Vice Chair Hughes and members of the Education Committee. My name is Dave Murman, representing Nebraska's 38th district. Today, I have the privilege to introduce LB300. LB300 is fairly simple, it caps superintendent compensation at five times the pay and benefits of a first-year school teacher in that district. Most of the time the salary ranges for our superintendents are quite fair. But in some districts, the salary of superintendents seems out of touch to everyday Nebraskans. For a baseline to frame the bill, let's take a look at recent superintendent-- a, a recent superintendent of Lincoln Public Schools salary and compare that to a few other superintendents outside of Nebraska. The recent superintendent of LPS received a generous salary of \$333,720, representing about 42,000 students. How do other superintendents compare? And, sorry, I forgot to pass out my testimony. I'll let you pass that out. The latest superintendent of Chicago Public Schools made a very similar \$360,000 where he represented-- so, in other words, he made \$360,000 and LPS--

HUGHES: Senator Murman, could you spell your name? Sorry.

MURMAN: Oh, sorry. I should know that.

HUGHES: The very beginning. My bad too.

MURMAN: It's Senator Dave Murman, D-a-v-e M-u-r-m-a-n.

HUGHES: Thank you.

MURMAN: So going back to Chicago Public Schools superintendent who made \$360,000, the recent LPS superintendent made \$333,720 so very close in salary. The Chicago Public Schools superintendent represented over 325,000 students, the LPS superintendent, 42,000 students. In simpler words, the superintendent of Chicago received a similar compensation as the superintendent of Lincoln-- I'm at the top of page 2, by the way-- despite serving about eight times the student population and likely living in an area with a significantly higher cost of living. If you do the math, the recent superintendent of Chicago was making about 90 cents per student in the district. The superintendent of LPS was making nearly \$7.95 per student. I'm, of course, not saying we should pay superintendents by the student, but

this is a dramatic difference and seems troubling. Now if, perhaps, you want a more similar compensation comparison, we could look at another school district with comparable size. LPS has a population, as I said, of 42,000. While Sarasota County schools in Florida has a population of about 42,000 students. Despite being comparable in size districts, the Sarasota superintendent only received \$255,000 a year. Meaning LPS superintendent is making nearly \$80,000 more than a superintendent representing about the same size district. When we compare the salaries of certain Nebraska superintendents to superintendents in other states, it becomes clear that we're quite a bit off base and out of touch. If this bill were put in place, the superintendent of LPS and the superintendent of Sarasota County schools would have very comparable salaries. One of the questions I received last year when I brought this bill was if I thought this sort of rule should apply to CEOs in the private sector. I think there are a number of key differences. One, in the private sector, if a consumer disapproves of the practices of a business uses, they can shop elsewhere-- their business uses, they can shop elsewhere. That isn't an option for Nebraska families and their public schools. Two, if a private business mismanaged its funds, it risks bankruptcy or going out of business. This also isn't the case for our public schools. And finally, number three, our schools are taxpayer funded, meaning we have an extra obligation of oversight to ensure the taxpayers of Nebraska-- the taxes of Nebraska are spent responsibly because every dollar spent is a dollar taken out of a hardworking Nebraskan's paycheck. To conclude, by no means is this an attempt to make our superintendents broke. But in reality, if we compare them to other superintendents across the country, it better reflects that national rate. If we directly tie administrative salary to teacher salary, we can better protect against administrative bloat and prioritize teacher salary. So my goal-- I think we've seen statistics that shows in Nebraska the amount that we spend on administration has risen much faster than what we spend on classroom teachers or frontline teachers. So I would like to bring those salaries closer together. Thank you for your consideration and I look forward to any questions.

HUGHES: Thank you, Senator Murman. Do we have any questions? Oh, Senator Lonowski.

LONOWSKI: Thank you, Chair. Probably more of a comment more than anything. But teachers are starting out at 40 to 42 to \$45,000 right now. So I look at a \$40,000 teacher and, of course, if you take that times what you're talking about, then we're looking at \$200,000 for the wage of, of a superintendent, which I, I have concern that some might-- some in rural Nebraska might think we have to jump up to that

Transcript Prepared by Clerk of the Legislature Transcribers Office
Education Committee January 27, 2025

because many of them are around 150 to 180. But on the whole, I think, I think it's a good idea. And I think some of-- I don't know if you would make it retroactive or--

MURMAN: No, I would not make it retroactive. That is a concern. Quite often a lid becomes a floor and that would be a concern of mine also. But my concern is only to do what we can to control administrative salary. Whatever the top administrator makes, the superintendent goes a long way in determining what the other levels of administration under the superintendent make also. So the savings to the state, if we could limit some of the, at least, the highest salaries in the state, savings to the taxpayers would be significant.

LONOWSKI: OK. Thank you.

HUGHES: Yes, Senator Meyer.

MEYER: Thank you, Vice Chair Hughes. You're talking baseline salaries here. You're not talking any benefits or any additional-- in some cases, I believe the compensation includes an increase or a contribution towards retirement over and above what their base salary is. So your numbers here essentially reflect baseline salary and not any peripheral or additional, additional compensation. Is that correct?

MURMAN: Well, actually, the numbers I gave you are only salary, but I think I'm correct. And if you read the, the bill, it does include benefits also for both teachers and superintendent.

HUGHES: Other questions for Senator Murman? Yes, go ahead, Senator Juarez.

JUAREZ: OK, so I would like to know, what do you think the long-term effect would be of this if we try to control compensation, especially when we're looking at school systems? I mean, to me right now, there's a lot of bills we're going to be looking at affecting Nebraska schools. Right? This is just one. And, personally, I'm very concerned about where we're going. Do you have any concerns about the impact that this bill might have on our educational system in the state?

MURMAN: Yes, I'm very concerned about the fact that we spend relatively-- we have a limited amount of funds to spend on education that taxpayers provide. And our taxpayers in this state are very, very generous. And we do fund our schools well. And that's why we have some of the best schools in the nation. But I am concerned that we spend too much on administration compared to what we spend on teachers and

Transcript Prepared by Clerk of the Legislature Transcribers Office
Education Committee January 27, 2025

the classroom. And I would like to direct those limited funds more to the classroom and frontline teachers.

JUAREZ: So you don't think that the success of our Nebraska schools can be given any credit to our superintendents?

MURMAN: Oh, sure. We have good administrators in the state also. But at the same time, like I said, I, I think we can get more bang for our buck by paying our teachers better relative to administrators.

JUAREZ: Well, I just, I just think that, you know, we need to be careful the steps that we're taking with our bills and where we're headed. That's the only comment I would like to make.

MURMAN: Thank you. There, there definitely is a difference between taxpayer-funded administration of business, I guess you could say schools of business relative to the private sector.

HUGHES: Thank you, Senator Juarez. Other questions? So I just-- I have a little bit for myself. I-- not this past fall, but the fall before-- did an interim study, LR152, on superintendent pay here in Nebraska. I did pass out, too, our opinions, and we can talk offline about that. It's a lot. So you can go through and read it. One thing that stuck out to me, if you have it in front of you, is page 19, and I, I agree it's hard to compare a school district with a private sector, but I, I feel like we can compare that to the University of Nebraska System, which is a school, school system that we as a body, the state pays a lot of money to. So on 19, there's just a little bit of comparison there with, like, an OPS school. And at, at the time of this, the base salary of OPS superintendent was 329-- \$329,000. Base salary for the University of Nebraska systems chancellor was \$964,000. There are 49-- at the time, 49,500 students in the University of Nebraska. There were 55,000 students in the Omaha Public. I mean, that's, that's a little bit apples to apples, right? You get into these way bigger school districts in LPS or OPS. There's not comparison within the state. But I, I thought that's kind of a unique comparison that's somewhat similar. So that's some information. The other question I have, I guess more of my question now, Senator Murman, is I came from a school board background. I know Senator Juarez did. I know at one point Senator Meyer and, and you were as well. So as a school board member, we were kind of tasked with three things, right? Setting policy for your school-- setting improving policy for the school, setting big one, setting the budget for the school, including your teachers' salary and staffing and, and improving that. But the, the really big one I thought, was that we were hiring and firing and setting up the

Transcript Prepared by Clerk of the Legislature Transcribers Office
Education Committee January 27, 2025

package for our superintendent. And I, I will vividly remember I got elected in November and December I was at Walmart and a guy came up to me was, like, you got to do something about that football coach. And I'm, like, I don't, I don't do that. I don't touch the, the individual teachers. But if you have a problem with the superintendent, I'm your, I'm your gal. So the local control piece-- and I was on the school board when-- now I didn't have to hire a brand new school superintendent. We had one there, but we, we took it very seriously, our board, when we set up that pay package for our superintendent and we got information and we did a raise with similar-sized school districts. And we looked at what had we done for our other staff in terms of personnel increases and things like that. And we, we beat it to death. And I think that is what we need to rely on on our elected school board members to do, because that's a huge piece of what they do. And so, I guess, I worry a little bit about are we trying to take away that local piece for those guys? Now, when we did this study, there were really only two, two superintendents that even fall outside the range that you're five times a base salary that you're talking about. Those are those bigger ones, clearly. But I, I just-- I'm, I'm going to be real-- in this committee, I'm going to be real tight on local control and the importance of that and the importance of we're elected-- board members are elected, too, just like we're all elected. And, and we've got to, we've got to trust that they're doing the right thing for their school as well. And by us, the legislator coming down and limiting something like that, are we putting the bigger-- the OPS or the LPS in a position that now they get no candidates to apply? I don't know. I mean, market value drives things, too. So I just-- I'm very hesitant. Do you feel-- like, can you answer that to me, like, how you don't think that will affect local control or--

MURMAN: Well, I can't answer that directly.

HUGHES: Yeah.

MURMAN: And, by the way, thank you for doing the interim study on superintendents. I think there's a lot of good information there.

HUGHES: Yeah, sure. And there is a lot of-- I, I-- yeah, take a look at some of the graphs and stuff. There is some good information there, so. Yeah.

MURMAN: Yeah, I, I suspect that we'll, we'll have plenty of candidates for Lincoln and Omaha for superintendent. And, by the way, when I was on school district, we went through a superintendent search also. And, first of all, we hired a search-- I'm not sure what you call it--

Transcript Prepared by Clerk of the Legislature Transcribers Office
Education Committee January 27, 2025

search business to search for the superintendent. And I thought that was absolutely unnecessary. We had a pretty good idea who we might be hiring anyway and ended up being that was the person we hired anyway. So it was just kind of an extra expense I thought that we went through. And, and we looked at an array also that you talked about as, as to what the pay would be. We ended up being very generous, high in the array. And, like I said, we pretty much knew who we are going to hire anyway. I don't think it made any difference, to be honest with you. But these, these arrays, you know, they have a tendency to keep raising and raising and raising because you always want to be at least in the middle of the array when you hire. Well, if you talk about teachers or especially superintendents, they're a little above the, the median. So you always-- it seems like that's just way to-- I don't know, probably not say overcompensate, but be pretty generous with the compensation. And, and, like I said, with the administration, I'm just looking at ways that we can direct more money to the classroom rather than to administration.

HUGHES: And I, I fully understand your, your point with that. I just, I just worry a little bit about tying the hands of, you know, some of these--

MURMAN: Sure.

HUGHES: --where they're at, so. Yeah.

MURMAN: Sure. I'm, I'm a firm believer in local control also.

HUGHES: OK. Yes, Senator Lonowski.

LONOWSKI: Thank you, Chair. And I agree. You want, you want local control best as possible. I, I just looked up what Omaha Public Schools base salary is and for some teachers it's \$50,000. And so that means that's putting them at \$300,000. So I don't know. I, I agree it would be good to limit it. I also agree that school boards should be the ones limiting that amount and, hopefully, they would be judicious and frugal with their constituents' money. But, yeah, I think it's a good idea and a good bill. I just don't know where we, you know, how much we do with it, I guess.

MURMAN: Thank you. I'd love to agree with you, but if, if you look at administrative pay across Nebraska and, like, I gave several comparisons in the open, it, it seems like it's higher than it should be.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Education Committee January 27, 2025

HUGHES: Any other senator have some questions? I'm going to, I'm going to add one more question. And I, I need to, to get to the details of the bill, Senator Murman. But I will say teachers are under a different number of day contract than a superintendent. So for that base calculation, are you extending out-- so let's say our superintendents run a 220-day contract, teachers are, like-- I think at least in Seward we're at 180 something. I think we-- to make it apples to apples you would need to-- you know, it might be a \$45,000 pay but by the time-- if they were on a 220, it might be a \$50,000. Do you know what I'm saying? Is that in there or to that detail?

MURMAN: That's not in there. But I, I assume that five times the pay of a teach-- starting teacher would compensate for those extra days. I mean, that's--

HUGHES: OK, so even though they're different days?

MURMAN: --that's a multiple of five times.

HUGHES: Right.

MURMAN: So.

HUGHES: OK.

MURMAN: That, that-- it's not directly in the bill, but I did consider that in making the pay.

HUGHES: All right. No more questions? Oh, sorry. Senator Conrad.

CONRAD: Thank you so much, Vice Chair Hughes. Thank you, Chair Murman. I remember when this bill came before the committee the, the last go around and I'm happy to sponsor it again this, this, this, this biennial. And I really take to heart the comments Senator Hughes and Senator Lonowski brought forward in regards to trying to strike the right balance with local control but also provide some uniform standards and guidelines on key educational policy to assist our partners on the local level. But I was wondering, Senator Murman, if you could tell me if you remember from your experience on a school board-- you know, I'm an, an LPS family. I represent Lincoln. My kids go to LPS and, and we love being an LPS family. I know, though, that being one of, you know, just a huge school district comparatively. Not only does the superintendent have a lot of obligations, they also have a lot of help. They have a lot of-- I don't know if they're called assistant superintendents or vice presidents or assistant director. I mean, there's a, a pretty significant administrative arm I know, in

Transcript Prepared by Clerk of the Legislature Transcribers Office
Education Committee January 27, 2025

our district, and some of that makes sense to me and some of it doesn't. You know, when you get out your way to your district, the supers are kind of the totality of the administration to a certain degree or, or have less of a team available to them. Could you just provide, maybe, some clarity for the record or, or for the committee about how some of those distinctions come into play for really, really large districts with lots of kids and smaller districts that have less administrators and less kids?

MURMAN: Yes, typically in greater Nebraska they, they definitely have less of a team, as you said, just depends on the size of the school there, too. Also, there's there's some districts that have assistant superintendents and a superintendent for certain--

CONRAD: Transportation or something or special ed or something.

MURMAN: Yeah, but, but mostly where you see it is in principals, I think.

CONRAD: OK.

MURMAN: You'll have assistant principals and at least, at least less layers of administration. But in the smallest of schools, I'm not sure if this is true now, but I know it has been in the past, the superintendent might be the superintendent and the principal.

CONRAD: Right.

MURMAN: And another thing that superintendents do a lot I know in, in the smaller schools is they have to be-- a superintendent has to be present for a lot of the activities at night and so forth. I'm not sure-- and maybe that's true in larger schools, I don't have as much experience there, but I assume that that's delegated out typically in, in larger schools.

CONRAD: Sure. May I just kind of follow up here? And Senator Murman, you'll remember, because we've spent a lot of time talking about this during our time together on the Education Committee. And I know our new members know this as well. But one of the, I think, biggest challenges we have in education in Nebraska, we know our schools perform really well compared to a lot of our sister states. We have a lot to be proud of. Our teacher pay is pretty low compared to a lot of our sister states. And we also have a huge vacancy problem when it comes to recruiting and retaining teachers on the front lines. So do you think that your legislation tries to assist with recruitment and retention by, you know, boosting teacher salaries on the front lines

Transcript Prepared by Clerk of the Legislature Transcribers Office
Education Committee January 27, 2025

and making sure extra administrative dollars go back into the classrooms instead of getting kind of stuck in the bureaucracy?

MURMAN: Well, sure, that was the reason that I, you know, to determine a, a fair compensation, what I thought would be a fair compensation for administrators would-- to compare it with teacher salaries to bring them closer together. I assume more of that, like I said, limited money that goes towards education could go towards teachers rather than administration.

CONRAD: Thanks. Thank you.

HUGHES: All right.

JUAREZ: I have one more question.

HUGHES: Oh, yes, Senator Juarez.

JUAREZ: I would just like to know for what you proposed, did you interact with actually any, like, HR consultants who work with school systems? Did you get any feedback from them?

MURMAN: Yes. Yes. We did consult with-- I, I did bring this bill last year. By the way, it passed out of committee 8-0. But I did consult with the administration and some, some school districts to get ideas on what to do.

JUAREZ: What did the HR consultants tell you?

MURMAN: I'm not sure if I specifically met with an HR consultant. My staff may have, but we did talk to teachers and administrators in school districts.

JUAREZ: OK. Thank you.

HUGHES: OK. Thank you. Anybody else? I'm going to assume you're going to stay for closing.

MURMAN: Definitely.

HUGHES: All right. First proponent, please. Any proponents? OK. Opponent? All right. Thank you.

JEREMY SHUEY: Hey, good afternoon, Senators. My name is Jeremy Shuey. It's J-e-r-e-m-y S-h-u-e-y. I want to start off by thanking Senator Murman and Senator Hughes for coming to NASB's legislative session this afternoon. So thank you for speaking there today. I might sound

like a little bit of a parrot coming from-- after listening to Senator Hughes here. I have some similar points. The first thing I would say is that I'd be remiss as a school board member if I didn't take into consideration the tax dollars that my constituents put forward when we hire our superintendents. With that being said, that kind of mimics your guys's responsibility as well from a financial standpoint. And we take that responsibility quite seriously. A couple of the things that we're concerned with, with this bill is not that it's an issue with saving money because that's, that's important to us as well, but it's the possible outcomes that would or could occur should it pass. Primarily when you compare urban amenities to rural amenities, we-- in our area of Plattsmouth don't necessarily have the same things as Omaha and the further out west or north like schools like Neligh may not have any amenities at all. So the only thing that they have to leverage is financial means when it comes to hiring superintendents. I know that it can be a big sticking point in a county because a lot of times your superintendent is the highest paid public employee in a county, so it's really easy to pick that out. But they, as you pointed out, are responsible for a lot of things. And the further out west you go, they're responsible for things that our larger school districts, superintendents would never even consider to begin with. When it comes to teacher and superintendent pay overall, according to the Nebraska Department of Education statistics, since 2015, teacher pay has risen 27% and, comparatively, superintendent pay has risen 30%. So they're pretty commiserate when you look at him overall, kind of along with the example from LPS where they were making \$55,000 and the superintendent was at \$329,000. So, you know, about \$30,000 difference would, would fit right in with those statistics. On the other side of things, too, for us, what we're looking at is with teacher pay, there was a big one that Senator Conrad pointed out. And if we are serious about raising that long term, say we go \$10,000 for our teachers, well then at a five-time rate, that means I have to turn around and get my superintendent \$50,000 raise to meet this law's requirements. So that may not be a fiscally responsible thing for our district to do. So, again, there, there are some things that we have concerns with. Again, I'm not opposed to being financially savvy in, in managing our budgets, just like you guys do here with the state budget coming up. You guys have a big, big lift there. But I would definitely love to sit down with you guys as a representative of NASB, as a, as a school board member and work with you guys on saving money, but also while maintaining some of these concerns that we have at a district level. So that way we don't get put in positions where we can't hire quality staff and, and maintain the edge that we have here in Nebraska with our education. So with that, I'll wrap it up. Thank you for letting us

Transcript Prepared by Clerk of the Legislature Transcribers Office
Education Committee January 27, 2025

speak today. And if you have any questions, I'd be willing to entertain those.

HUGHES: Thanks for coming in, Mr. Shuey.

JEREMY SHUEY: Yeah. Thank you.

HUGHES: Questions? Senator Lonowski.

LONOWSKI: Thank you, Chair. Just one quick comment.

JEREMY SHUEY: Sure.

LONOWSKI: If you give your teachers a certain percentage raise, you don't have to give your superintendents that same percentage.

JEREMY SHUEY: Not currently, but if this bill passed with a five-time mandate, I would imagine we would have to.

LONOWSKI: That's to stay under the mandate, not over. Just, just making that point.

JEREMY SHUEY: Yes.

LONOWSKI: Thank you.

HUGHES: Anything else? Appreciate you taking the time. Thank you.

JEREMY SHUEY: Thank you so much.

HUGHES: And thanks for being on a school board. It pays less than we get. Next opponent. Go ahead. Good afternoon.

SHABONNA HOLMAN: Good afternoon, Vice Chair Hughes and members of the committee. My name is Dr. Shabonna Holman, S-h-a-b-o-n-n-a H-o-l-m-a-n, and I am a member of the Board of Education for the Omaha Public Schools. I'm a proud graduate of OPS, a parent of an OPS student, and a former teacher and assistant principal for the district. Now I teach those who aspire to become teachers and administrators, many who will serve in OPS as-- excuse me, and I'll also add associate professor in the P-12 school leadership program in the Educational Administration Department here at the University of Nebraska-Lincoln. I'm here today in respectful opposition to LB300, which would cap superintendent pay at a rate of five times the pay and benefits of a first-year teacher. The Omaha Public Schools is the largest school district in Nebraska, serving over 52,000 students and is the third largest employer in the state. We are one of the largest

Transcript Prepared by Clerk of the Legislature Transcribers Office
Education Committee January 27, 2025

school districts in the country, with nearly 80% of the students we serve living in high poverty. We also serve large numbers of children who are English Language Learners, and more than 20% of our students are enrolled in-- excuse me-- special education. We have a total of 96 elementary, middle, and high school buildings to administer. The combination of all these factors make the Omaha Public Schools very unique in Nebraska. As a result, the Omaha Public Schools has a history of recruiting and selecting superintendents who have experience educa-- educating students similar with similar lived experiences. To do that, have traditionally conducted a national search for a superintendent. While we appreciate Senator Murman's efforts to promote transparency and accountability in our public school districts, this artificial cap on superintendent pay will limit our ability to recruit superintendent candidates from a national pool with the specific challenges presented by the Omaha Public Schools students and families. We are aware that other states such as New Jersey have adopted similar measures. That legislation led to almost no savings for taxpayers, and it made it difficult to attract nationally ranked superintendents to the state and was subsequently repealed. We would request that the committee not advance LB300. Thank you for this opportunity to address the committee, and I would be happy to answer any questions.

HUGHES: Thank you. Thanks for coming in.

SHABONNA HOLMAN: Of course.

HUGHES: Questions? Yes, Senator Lonowski.

LONOWSKI: Thank you, Chair. So it just occurred to me. So you have a superintendent of schools. Does each school have a superintendent as well?

SHABONNA HOLMAN: No. Each school would have a principal.

LONOWSKI: Just principals?

SHABONNA HOLMAN: Right.

LONOWSKI: OK.

SHABONNA HOLMAN: Superintendent is over the entire district.

LONOWSKI: And that includes the elementaries and the high schools?

Transcript Prepared by Clerk of the Legislature Transcribers Office
Education Committee January 27, 2025

SHABONNA HOLMAN: Every last single building within our district and program. Yes.

LONOWSKI: OK. Thank you.

SHABONNA HOLMAN: Of course.

HUGHES: Thank you, Senator Lonowski. Senator Conrad.

CONRAD: Thank you so much. Thank you for being here. It's good to see you again.

SHABONNA HOLMAN: You too. You too.

CONRAD: Thank you for your service to education and to kids. And I'm glad that you brought up a, a point of equity and some of the challenges that our largest school districts face because we don't have identical challenges, but we have similar challenges in my home district in Lincoln, huge student body, very diverse, socioeconomically, racial, English Language Learners, all of the different things. And I think our school does a really-- really works hard to make sure everybody has an opportunity to succeed--

SHABONNA HOLMAN: Correct.

CONRAD: --and meets kids and families where they're at. And I know that OPS strives for those same North Star values, too. So when I first cosponsored this measure last biennium and there was a lot of my friends in the educational community, which I really respect, like, Senator Conrad-- Danielle, what are you doing? Why are you doing this? And, you know, in addition to try and address get more resources into the classroom and address teacher recruitment and retention, the other issue I think about is my district and my district is one of the most socioeconomically challenged districts in the whole state. And so when I've got moms and dads who are also taxpayers working multiple jobs trying to keep their head above water and they're looking down at a big shiny district office and they're saying, why is this person making 3 or 4 or \$500,000 and our teachers at Norwood and our teachers at Huntington are buying their own crayons? Can you help me kind of tease out some of the equity considerations that kind of go into the flip side of that coin?

SHABONNA HOLMAN: I can certainly understand what you're saying. I, too, was a classroom teacher and also did the same exact thing and--

CONRAD: Yep.

SHABONNA HOLMAN: --would probably venture to say I've had the same thoughts--

CONRAD: Yes.

SHABONNA HOLMAN: --as a teacher in comparison to my salary and having hard times. And that was being single without any children.

CONRAD: Yeah. Yeah.

SHABONNA HOLMAN: So I certainly understand what that means for many of our teachers having to supply different resources for their students in their classrooms. And certainly respect that they do that and are willing to do that. On the flip side, on the flip side, now that I am an admin-- or I have been an administrator and work in higher ed, I also understand the importance of being able to hire somebody that is willing to do the job of a superintendent because it is not an easy job.

CONRAD: Right.

SHABONNA HOLMAN: I've never been a superintendent, but I do prepare superintendents and so it's a job that's 24 hours and I know our classroom teachers, I'm sure that there's not a night that goes by that they don't think about their students and the things that they have to do within their classrooms. And I'm not taking anything away from that. But that's also why, as a board, we made sure to do what we could fiscally to help them better with their salary, which is why we have such a lower number of vacancies this year, thank goodness, because it's important. Our teachers have to have lives. They have to be able to support their own families and to live.

CONRAD: Yeah.

SHABONNA HOLMAN: You know, I mean, it's, it's hard. \$14 for eggs, you know, that, that's hard.

CONRAD: Yeah, it is hard.

SHABONNA HOLMAN: And so I definitely understand where the concern lies and why people have these concerns. Excuse me, but I also understand the flip side and that if we aren't able to pool viable candidates to come and work in our larger school district, especially, or even when I-- I'm so glad that my rural counterpart actually spoke as well, because we don't always have individuals within the state that wants to do this job or could do the job. And especially with our districts

that may have different things that-- the things that I list off earlier that comes along with the superintendency. I mean, that's so much more. And then also-- I mean, luckily for us, our current superintendent, he's been with our district for his whole career. So he knows our students. He knows everything about the Omaha Public Schools. So we were very, very fortunate that he was interested in doing this job. But we did do a national search because what if we didn't have him? And so we would have to be able to pay somebody to come. Not everybody wants to come to Nebraska, you know, unfortunately, because of various reasons. And so we have to be able to provide a salary that, number one, would make an individual interested to come to live in the state, to come and lead one of our most challenging districts in the, in the state and to live here.

CONRAD: Yeah. No, I, I really appreciate all of those experiences and, and you helping to kind of broaden the lens on the policy issues that I think Senator Murman is trying to, trying to tackle here as well. And I really commend OPS. I know they have one of the highest starting rates for, for teachers in the state and have worked really hard to fill in those gaps in the classroom where, where they do exist. And I think, like a lot of issues before the Legislature, we all kind of want the same things, which is to recruit and retain top talent in our educational systems. Maybe we just have different strategies about how to go about that or a different combination of strategies. So I, I see this as a really important component of that policy discussion. Now, whether or not we settle on this as an ultimate solution, I, I do really commend Senator Murman for, for raising it so we can have this conversation. And, and I really appreciate you sharing your perspective in so many different aspects of policy.

SHABONNA HOLMAN: Thank you, Senator Conrad.

HUGHES: All right. Thank you. Anybody else? All right. Thanks for coming in, Dr. Holman.

SHABONNA HOLMAN: Wonderful. Thank you all so much. Appreciate your time.

HUGHES: Thanks for taking your time. Yeah. Next opponent.

JUAREZ: Thank you, Shabonna.

KYLE MCGOWAN: Good afternoon, Vice Chair Hughes and members of the Education Committee. My name is Kyle McGowan, K-y-l-e M-c-G-o-w-a-n. Today, I'm representing the Nebraska Council of School Administrators,

the Greater Nebraska Schools Association, and the Educational Service Unit Coordinating Council. As you may guess, we're opposed to this bill and actually changed quite a bit in my testimony. So I'm going to, I'm going to try to answer the questions that I've heard and welcome other questions. But what I gather from Senator Murman's introduction, the reasons for this bill is, one, to increase teacher pay. Tying the salary of the superintendent to teacher pay would be cumbersome. But if you were really trying to increase teacher pay, you would say no teacher would get paid less than five times rather than doing it this way. If you really want to increase teacher pay, we would love to sit down and talk about some ideas because there are multiple ways to do that. We don't think this is the right way. The other thing that I interpreted from the opening from Senator Murman was somehow that this would put more money in the classroom. And he had also made a comparison to Chicago Public Schools and LPS. I remember when this bill came out last time, it was LB800. And I knew Doctor Logan and I was asked-- Dr. Logan knew the superintendent at Chicago. What's not unusual for large metro schools is they also receive honorariums from, from private business to supplement what they're paid by the public. And according to her, that superintendent received quite a healthy honorarium. The other piece I would say is I would be happy to compare the success of LPS students with those of Chicago Public Schools students. So I think there is some value to that. I, I don't think I need to talk about the challenges of the job of superintendent, especially in today's world. It wasn't maybe a week or so ago that I saw the interim superintendent of LPS standing in front of a school because some gentleman was trying to break in with a knife. Now, LPS has lots of staff. They have safety and security staff. But it was the superintendent that was taking the responsibility. The top person. When we talk about superintendents, I assume that you all know they have no tenure. They can be fired for cause like anybody else in the private industry with a contract. Now, they might have to pay off the contract, but there is no guarantee of tenure with a superintendent. The-- there's 42 openings today. Well, I shouldn't say today. There's-- because some of them are closed. There's 244 superintendents, 42 openings. That's less than 20% turnover. That's about what our state experiences. There's actually, as far as we know, we try to keep track of some of that, 185 administrative openings. So certainly a shortage of teachers, also a shortage of administrators is the nature of the industry right now. Let's talk about saving tax dollars. And I think there-- I really appreciate what you said, Senator Hughes, trying to compare maybe to the university. I'm glad that we look for a top person to lead our university. I mean, our university has an opportunity to really help

Transcript Prepared by Clerk of the Legislature Transcribers Office
Education Committee January 27, 2025

the economy and the quality of life in our state. So I'm happy that that person makes over \$1 million a year. If we reduce that salary of that university president, you think more money goes into the classroom? NPPD has-- their top executive get \$1.3 million. That's your public tax dollars. Do you think by reducing that salary that we're going to have a better quality of service for our energy or that their employees would get paid more money? I, I could go on. But the free market system works. And when-- I would love for teachers to get paid six figures, we wouldn't have the shortage that we have right now. This is all about supply and demand. We have quality school systems and I don't think teachers would want to work for not quality leadership. I'll stop there, I'm on yellow, and I'd be happy to answer any questions that I could.

HUGHES: Thank you, Mr. McGowan. Does anybody have any questions for him? Nope? OK. You get off scot free--

KYLE MCGOWAN: OK.

HUGHES: --for now.

JUAREZ: Thank you for coming.

HUGHES: Next opponent, please.

JACK MOLES: Good afternoon, Senator Hughes and members of the, the Education Committee. On your hearing, it's going to say members of the Military and Veterans Affairs Committee for some reason. My name is Jack Moles, that's J-a-c-k M-o-l-e-s. I'm the executive director of Nebraska Rural Community Schools Association. On behalf of NRCSA, I would also like to testify in opposition to LB300. It is difficult for NRCSA to see the need for this bill. The biggest concern for NRCSA is that the outcome of the bill would be to take away local control from the locally elected Board of Education. One of the main jobs of that locally elected Board of Education is to select districts or the ESU's chief administrator. That Board of Education knows what is needed in determining the compensation package that the administrator is to receive. That determination should be properly in the hands of the locally elected Board of Education. Boards of Education need to have the ability to decide what is appropriate and acceptable in their districts or ESUs as to how to compensate their superintendents or ESU administrators. LB300 would serve to, to diminish that ability. Another issue that this bill seems to ignore is the fact that we are experiencing shortages in all levels of education. Districts not only are competing for dwindling numbers of teachers, but also facing

Transcript Prepared by Clerk of the Legislature Transcribers Office
Education Committee January 27, 2025

worker shortages in noncertified workers, specialized certificated workers, and administrators. NRCSA provides a superintendent search service. The numbers of applicants for most superintendent or ESU administrative positions is getting smaller, not larger. Boards must have the latitude to provide a competitive compensation package for their chief administrator in order to compete with other districts or ESUs. An effect of this bill might be to hinder the ability of the Board of Education to attract and retain qual-- qualified leaders. By imposing a strict compensation cap, school districts and educational service units might find it challenging to compete for experienced and effective administrators. Proponents of the bill may say this will have helped bring up teacher salaries. That's a great goal to have, one that we very much support. However, it is NRCSA's belief that there are more appropriate ways in which to work toward that goal. In closing, we do not support LB800 [SIC]. As we believe this usurps the authority of the locally elected Boards of Education, and that authority needs to be maintained at the local level. We encourage you not to advance the, the bill out of committee. Thank you.

HUGHES: Thank you, Mr. Moles. Questions? All right, seeing none.

JACK MOLES: Thank you.

JUAREZ: Thank you for coming.

MEYER: Isn't it LB300? It's not LB800.

HUGHES: Yeah, it was wrong.

JUAREZ: Yeah, it was just a typo.

HUGHES: Yeah, he said it was-- the whole thing was wrong at the top. Come on down.

TIM ROYERS: All right. Good evening, 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 Nebraska State Education Association, and I'm here speaking on behalf of our members in opposition to LB300. When a similar version of this bill was introduced last year, members of the committee were kind of surprised to learn the NSEA was coming in opposed, given that it targets top-end administrator compensation and attempts to index it to starting teacher pay. So I felt it was important to appear personally to clarify our continued opposition to this proposal. First, district leadership is often one of the driving factors influencing an educator's decision to whether they're going to stay or move on to try and seek greener pastures elsewhere. Gallup

polls continue to show that across all sectors, leadership is the number one factor that determines whether someone quits a job. And I can tell you firsthand from visiting districts all across the state, there is a dramatic shift in culture if they're working under a superintendent they believe in versus if they're working under a superintendent they don't. So having a statute that could potentially hinder the ability of our school boards to hire the very best leadership would exacerbate the ongoing educator shortage. Now, it sounds like maybe 2025, Senator Conrad has a different opinion, but I'm quoting Senator-- 2024 Senator Conrad when she shared that she felt it was a very heavy-handed approach when this was up for the hearing last year. Second, we have concerns that this is part of a, a broader picking on public schools, if you will. During last year's hearing, Chair Murman was asked if he would broaden the scope of this bill to include other positions like cabinet-level leadership. You've heard examples of NPPD, for example. And he implied that he would. Yet, here we are a year later with the bill that, again, only targets public school superintendents. I would contend that any arguments proponents are putting forward on this about superintendent compensation would be equally true about OPPD. You heard NPPD. We talked about the University of Nebraska System. Certainly, police and fire chiefs, right, or, hey, let's index the coach of, you know, the salary of the football coach to a starting adjunct professor at the University of Nebraska System. I also want to point out, I, I don't think it's the intent of the introducer or the supporters, but I think it's inherently problematic to also put this cap on the position that has the highest percentage of female leadership is public school administrators to only target that versus the CEOs of our power districts, police and fire or other institutions is an unintended consequence of this legislation. But the most important reason we are here in opposition is our frustration with teacher compensation being used to prop up an agenda. This bill does not help teacher pay. When I was a local president last year and this came up, I did the math. For the members I represented, this would have meant \$2.70 more a month in their paychecks if all of the purportedly excess superintendent compensation was funneled exclusively to teachers not custodians, not paras, not anybody else, just teachers, it would have gotten them \$2.70 more a month. We have asked members of this body repeatedly to back proposals that would actually improve teacher compensation. During the special session, for example, we advocated for setting up a 6% cap for teacher compensation, specifically not K-12 education employees, specifically teachers. Similar to what we set up for first responders. No one wanted to take up that amendment. When last year's version of Senator Prokop's bill that we heard earlier today was

Transcript Prepared by Clerk of the Legislature Transcribers Office
Education Committee January 27, 2025

advanced out of committee, a ceiling was put on the appropriation so that way if too many teachers apply, they just wouldn't get the money. And it was lowered from \$300 to \$200. So I will tell you, there is a general frustration from teachers who feel like teacher compensation is often used as a talking point. But when push comes to shove and there is general proposals, it doesn't carry muster. And I'll tell you, we surveyed teachers this fall and we asked them, do you feel state policymakers take you into account when they craft education policy? Only 8% of teachers in the state feel that they are taking into account when education policy is crafted. And it's in part because they hear rhetoric about let's improve teacher pay on bills like this, but the bills that actually would meaningfully improve teacher pay don't make it through. Thankfully, there are several bills this year, including LB282 from earlier today that would materially improve the financial situation for our educators. So if that's the focus, I would urge you to advance those bills, not this one. Senator Sanders, you were wise to vote no on this measure last year when it was before the committee, and we are grateful for that vote. I would urge the rest of this committee to do the same this time around. Thank you and I'm happy to answer any questions.

HUGHES: Thank you, Mr. Royers. Questions for-- yes, Senator Conrad.

CONRAD: Thank you, Vice Chair. Thank you, Tim. Good to see you. Mr. Royers, I just-- I want to give you an opportunity to perhaps clarify one part.

TIM ROYERS: Yeah.

CONRAD: Maybe my misunderstanding the demographics is not complete, but you seem to imply that there was, like, a reverse gender equity component in this legislation, which I just, I just don't buy. I think most school leadership, most folks in a superintendent's position are men. Most people on the front lines of our classroom are women.

TIM ROYERS: Yes. I'd be happy to dive into it.

CONRAD: So, let's just leave it there.

TIM ROYERS: Yeah. No, absolutely. What I was saying, was relative to those other fields that I mentioned, there's a higher percentage of women who are in leadership roles. Still far below what it should be, but a higher percentage. That was what I was attempting to say.

CONRAD: OK. Very good. Thank you.

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Education Committee January 27, 2025

TIM ROYERS: Yep. And, and that, for the record, was a, a piece that was brought forward to me by female educators who are aspiring to be administrators who are worried about the chilling effect that would happen.

CONRAD: OK.

TIM ROYERS: We can agree to disagree. It's fine.

CONRAD: Well, I don't think there's an agree to disagree. The majority of people serving as superintendents are men. The majority of people serving in classrooms are women.

TIM ROYERS: Right.

CONRAD: So this would provide some sort of wage standard for women on the front lines as compared to no wage standard for the male in leadership.

TIM ROYERS: I, I think we're--

CONRAD: Yes, you can say yes.

TIM ROYERS: Right. Yes. Yes.

CONRAD: All right. We'll leave it there.

TIM ROYERS: Yeah, sure.

CONRAD: But, you know, to another point, and I don't know if anybody is coming in behind you today, Tim, but I know a lot of our partners in education policy are in the room or listening at home. One area of concern, and I do think this is worthy of consideration, but one area of concern I do have about potential implementation and execution, and, and maybe committee counsel can take a deeper look at this as well, is I want to know whether or not there's any considerations that the committee needs to be aware of in regards to interference with contract, some of those general legal principles. And then whether or not there's any constitutional concerns with the Legislature's restrictions on local or special laws, which include the management of public schools and interference with contract and other issues. But just want to put that in the record so that we can tease that out more on beyond-- I didn't know if anybody else is going to testify--

TIM ROYERS: Yep.

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Education Committee January 27, 2025

CONRAD: --so thanks for your indulgence. Thanks. Thanks.

HUGHES: Any other questions? All right. Seeing none, thank you for coming in or--

TIM ROYERS: OK. Thank you for your time.

HUGHES: --staying late, maybe I should say. Next opponent for LB300? Anybody wanting to speak in the neutral capacity? All right. Seeing none, Senator Murman, please close. And, oh, while he's sitting, we had online eight proponent comments, six opponents, and one neutral.

MURMAN: Well, thank you for everyone for staying late. I just wanted to say that maybe I should have reversed it and say that no teacher should. I think that would have probably brought down administrative pay faster, actually, because maybe it brought them a little closer together, the pay between a teacher and, and administrator. And that's actually what I'm trying to do. And then there's comments comparing Omaha to, I guess, OPS or some bigger schools in Nebraska. Well, or excuse me, Chicago to some of the bigger schools in Nebraska. Chicago, of course, has a lot different demographics, even, even than Omaha and also city and state issues that it's not just all about the school district. And I, I did say that it came out of committee last year 8-0. I don't think it was quite 8-0. You can look that up, but I think it was 6-1-1 or maybe 6-2. But anyway, we did advance it out of committee. And, and then we're talking about contracts. This bill would only apply to new contracts. It wouldn't apply to any contracts that are in place now. So with that, I'll take any other questions anybody might have.

JUAREZ: I have a question, please.

HUGHES: Yes, Senator Juarez.

JUAREZ: So, you know, I'm realizing today a lot you, guys, about, you know, how you're knowledgeable from last year and have that knowledge base there. And, unfortunately, I'm just here as of January 8 and I'm trying my best to keep up with you guys. So I'd like to know last year when you had a bill similar to this, you're saying it did pass out of committee to the legislative floor? And was it, you know, very similar to this, trying to put a cap on superintendents' pay?

MURMAN: Yes. And, and, by the way, we're really glad that you're on the committee, Senator Juarez. I can tell already today that you're going to be a great asset and good questions today. The bill, I, I

Transcript Prepared by Clerk of the Legislature Transcribers Office
Education Committee January 27, 2025

don't know if it was-- if it is identical to last year, but it's very similar to last year.

JUAREZ: And so last year, what happened?

MURMAN: With the 60-day session, It was just one of those bills that we didn't get to.

JUAREZ: It didn't-- you didn't get to it?

MURMAN: Correct.

JUAREZ: OK. Thank you. I wanted to know about that. Thank you.

HUGHES: OK. Other questions before we wrap it up? I guess not. Thank you--

MURMAN: Thank you very much.

HUGHES: --for bringing this and thank you all for staying. Have a good evening, Monday night.