MURMAN: Welcome, everyone, to the Education Committee. I'm Senator Dave Murman from Glenvil, represent the 38th District, and I serve as chair of the committee. 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, although we have switched the first two bills. So, LB140 will be first, and followed by LB670. A little different than, I think's-- what's posted. If you wish to testify on the mic today, please fill out a green testifier sheet. The forms can be found at the entrances to the hearing room. Be sure to print clearly, and provide all requested information. If you will testify on more than one agenda item, you will need a green testifier sheet each time you come forward to speak on the mic. When it is your turn to come forward, please give the testifier sheet and 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 shine-- 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 five-minute light system for all testifiers. When you begin your testifying-- testimony, the light on the table will be green. When the yellow light comes on, you'll have one minute to wrap up your thoughts, and the red light indicates that you have reached the end of your time limit. Questions from the committee may follow, off the clock. A few final items to facilitate today's hearing. Please mute your cell phones or any other electronic devices. Verbal outbursts or applause are not permitted; such behavior may be cause for you to ask-- to be asked to leave the hearing room. Know that the committee members may need to come and go during the afternoon for other hearings. I will now ask the committee members with us today to introduce themselves, starting at my far right with Senator Conrad.

CONRAD: Hi, good afternoon. My name is Danielle Conrad.

HUGHES: Hello. My name is Jana Hughes, District 24. Seward, York, Polk, and a little bit of Butler County.

MEYER: Glen Meyer, District, 17. Northeast Nebraska, Dakota, Thurston, Wayne, and the southern part of Dixon County.

HUNT: I'm Megan Hunt, and I represent the northern part of midtown Omaha.

LONOWSKI: Dan Lonowski, District 33. Adams County, Kearney County, and rural Phelps County.

MURMAN: Staff with us today are, to my immediate right, legal counsel Kevin Langevin, and to my far right, committee clerk Diane Johnson. The pages who serve on the committee-- with the committee today are-- and I'll let them stand up and introduce themselves.

RUBY KINZIE: I'm Ruby Kinzie. I'm a junior at UNL studying political science.

MURMAN: Thank you, Ruby.

JESSICA VIHSTADT: My name is Jessica. I'm a sophomore at UNL, and I'm studying political science and criminal justice.

SYDNEY COCHRAN: I'm Sydney. I'm a freshman at UNL, and I'm studying business administrations and U.S. history.

MURMAN: Thank you very much. We appreciate your help. With that, we'll begin today's hearing with LB140 and Senator Conrad. Or, excuse me, Senator Sanders.

SANDERS: Good afternoon, Chairman Murman and members of the Education Committee. I am Rita Sanders, R-i-t-a S-a-n-d-e-r-s, and I represent District 45, which encompasses much of Bellevue and the Offutt community. LB140, brought to me by the Governor and Attorney General Hilgers' office. I thank their teams respectfully for their work on this bill. We are all acutely aware of how distracting our cell phones can be, but many of us may not fully grasp the extent of which this distraction impacts our schools and, more importantly, our children's futures. Recent studies have shown a clear correlation between increased phone usage and lower academic performance; notably, lower test scores. It is vital that we take these findings seriously. Our kids are our future, and we must do everything in our power to ensure that they can succeed in the classroom. This bill ensures local control by respecting the autonomy of school districts. Take Bellevue Public School in my district, for instance, which has already enacted a sensible cellphone policy to curb distractions. Our goal is to work in partnership with districts like these to support their efforts and

further strengthen their policies. I firmly believe that every student deserves the best possible chance to succeed, and part of that means eliminating unnecessary distractions. By, by limiting electronic communication devices in the classroom, we can foster an environment that promotes focus and academic achievement. We must prioritize the well-being and intellectual growth of our students. Following me is the Governor and the Attorney General, who will elaborate more on this bill. If you have any questions--

MURMAN: Thank you. Any questions--

SANDERS: Thank you very much.

MURMAN: --for Senator Sanders? Yes, Senator Hughes.

HUGHES: All right. Thank you, Chair Murman. Thanks for bringing this bill, Senator Sanders. I just got done listening to (The) Anxious Generation and the social media and phones, and what all that's doing to our kids. So, I know this is a step in that direction, and I know where my kids-- I was on Seward School Board. They've implemented a cell phone policy already, at that school. But my question is-- I was reading the bill, and it says "on school property or attending a school function." So, I-- I'm thinking-- I think tonight, my nephew's playing in a Seward High School basketball game. Does that mean when kiddos are at that game, they can't have their cell phones at that sporting event also? Is that the thought of this policy, or are you thinking more just between the-- like, the instructional hours of school? And if so, does that verbiage need to be changed? I don't know. I-- that's what I'm asking, so.

SANDERS: So, I think the Attorney General would like no cell phones on school property, but it is up to the school boards to make the policy work within the framework.

HUGHES: That might be hard. I'm trying to wrap my brain, how you would have that happen with a sporting event, but-- OK. I'll--

SANDERS: He can, he can explain.

HUGHES: I'll ask the same question when he gets up here. Thank you.

SANDERS: Thank you.

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

SANDERS: This huge.

JOSEPHINE LITWINOWICZ: Hi, my name is--

MURMAN: Proponents, please. Thank you.

JOSEPHINE LITWINOWICZ: Yeah. I'm proponent.

MURMAN: Sure.

JOSEPHINE LITWINOWICZ: OK. I-- I just want to keep drawing attention to this. Been working on it. Hi, my name is Josephine Litwinowicz, L-i-t-- J-o-s-e-p-h-i-n-e L-i-t-w-i-n-o-w-i-c-z, M-o-u-s-e. OK. Hi. I support this bill. I would take those phones. You know, during the school day, just forget about it, you know? You know, in my day, you know the Gregorian chant, in my day, well-- you know, I, I was born-- my brother got the Atari 2600 right when it came out. And we would sometimes waste a whole day, but we'd go out and play football in the street. We had enough people at the playground a block and a half away, we played baseball, you know, basketball. Kind of bloody basketball, because it was in my backyard on a-- and it had a hedge, it was great-- a fence. But yeah, we can't-- I don't know. I had to study hard. Right? And I-- you know, I like social interactions where you talk to people. I just can't imagine a scenario where you're doing all that because, you know, without-- you're, you're killing so much information and misunderstanding in the first place. And so, this is just-- man, I hope that, you know, to the fullest extent of the law, you know? And to, to finish the quote, basically to paraphrase the Eagles-- the Eagles verse, I'm just trying to change this water into wine. I don't know why that came to mind, but try it, right? You can't do it, but we can at least get-- I don't know how you do your cell phones. I mean, just, like, put them in a-- put their names on it, put it in a bin, and forget about it. Now, what I was-- also-- and this is so important, and they say it all the time. Trump's-- you know, I'm sorry to Republicans here, you better have your open letter ready denouncing him, because you ain't seen nothing yet. You know the BTO song? And I don't know what country he's threatening to take over today. You know, there's a lot of part of the policies I agree with. I learned to agree with the fence. You know, about the-- that we need judges. We need, you know-- you don't separate children, children from their, from their parents. And, you know, there, there, there-- just-- you know, there's-- the extent of which some of those bother me. You know, but let's get all the criminals out. But, you know, they're, they're sending people to Guantanamo Bay. They're threatening-- Trump is-- I'm sorry, he's an asshole. I mean, I-- he had so much promise coming in, and now we have the oligarchy. I had to say the-- it's that important. We, we have the richest man in the world, you know, all--

trying to do a, a YMCA most of the time. And this is, this is crazy, the-- all the conflicts of interest. You know, when I grew up, you know, the gregorian-- back in my day again, I, I, I used to-- I used to watch David Brinkley with, with George Will and Cokie Roberts, who's actually-- she's the daughter of Lindsey [SIC] Boggs, which is my, my representative. But, you know, so you got-- you could listen to stuff. George Will was a curious little baseball fan, and sometimes, you know, as a teenager, I didn't know what the heck he just said. But, you know, yeah, we're talking about stuff. You know, and, and now, you turn on CNN, you watch it for an hour, and then-- and, like, you don't get any news, you don't get the right interpretation. But all you get-- and why I watch it-- is unedited clips of Trump speaking. Anyway, that's pretty much all I have to say. And I-- I'm really supporting. I don't know, you just-- I wish you could wiggle your nose and make the phones disappear from first bell to last. Anyway, have a good one.

MURMAN: Thank you. Any questions? Thank you very much. And other proponents for LB140. Welcome, Governor Pillen.

GOVERNOR PILLEN: Good afternoon, Chairman Murman and Education Committee. My name is Jim Pillen, J-i-m P-i-l-l-e-n. I have the incredible privilege to serve as the 41st Governor of Nebraska, starting year three. And walking the halls, I still go, "Can't be. Can't be." So it's an extraordinary privilege. And I'm remiss-- I try to do it every time, but thank you to all-- everyone, all of you Senators. I had to become governor to comprehend just how hard everybody works serving the people of Nebraska, and I'm incredibly, incredibly grateful. I'm here to testify in support of LB140, brought on behalf of Senator Sanders [SIC]. I appreciate Senator Sanders and Attorney General Hilgers partnering with me on presenting this important piece of legislation. I will tell you, from my seat, quite honestly, I apologize; it should have been-- we should have gotten after this two years ago. And, you know, our focus is really simple. It's on kids, taxes, agriculture, values. And so, I think all of us agree our kids are our future. We never can give up on kids, and so what we're talking about's really impressed. I think, as Senator Sanders addressed in her opening remarks, we are open to amending language to be sure that we can have bipartisan support, and that this really makes sense. There's two reasons, I think, for bringing this bill. First, it addresses what has become one of the most frequent and difficult distractions in the classroom: students' cell phones. I think the second reason for this legislation is simply how today, we know more than ever before the serious impact that these cell phones are having on our kids. The evidence, in my view, is crystal clear.

Our kids are being harmed by their constant exposure to these things. And I think all of us, as adults, have to agree that they've impacted our behavior. Anybody get in meetings and find yourself reaching the-- for the phone because there might be something important? So, if it's impacting us, just think how it touches our kids. As a parent-- as a parent, I know how hard it is to be the bad guy and simply say "no," and tell your children they cannot do something that they believe everyone else is doing. Right? This legislation creates a policy that not only eliminates the need for parents and teachers to be the guy to-- may say "no," but it also simply ensures our kids are limited in their exposure to the many unhealthy and dangerous things that exist on the internet. The harms caused by social media and cell phone use is not somebody's theory; these are certainly facts, scientific facts. If you've written-- or if you've wrote about The Anxious Generation from Jonathan Haidt, it, it-- it's, it's a pretty fascinating comment, right? That social media does not just correlate with mental illness, it's the root cause. It's the root cause of our mental health challenges for our kids, social media. So, research has shown the average number of notifications a young person receives on their phone from the top social and communication apps amounts to just under 200 alerts a day. 200. That equates to around 11 notifications every waking hour, or one every five minutes. If you factor in all the applications that send push notifications, you're closer to one every minute. The, the inf-- the-- just the barrage of information hitting our kids is-- and maybe even us is staggering. According to Rule 14, middle school students in Nebraska must receive 1,032 hours of instruction per year. 1,032 hours of instruction. Now, when we look at the data and the facts and consider 1,032 hours of instruction, and then we consider the number and the statistics I just mentioned, and are having these things-- and are-- they're getting barraged. That, that says that nearly 62,000 notifications during the course of the school year. Put yourself in the teacher's desk and try to compete with all that to get the attention of our students.

MURMAN: You have the red light, but I'm going to invite--

GOVERNOR PILLEN: Oh, I'm sorry.

MURMAN: No, I, I want you to continue.

GOVERNOR PILLEN: I'm sorry.

MURMAN: I'm going to invite you to continue.

GOVERNOR PILLEN: Thank you, Mr. Chairman. I'll talk a little faster here.

MURMAN: No, no, no problem. Continue.

GOVERNOR PILLEN: So I think, I think we're all here. We want to help our teachers compete. Even more critically, that they can have an impact on our students. Our students should be focused on helping our students learn, grow and succeed, not policing the cell phones. So that's the other goal. I think it's really critical to pass this legislation now. I apologize we didn't do this two years ago. This is, this is really urgent. This is not-- this is something we've got to take action on. I think it's easy, and I talked to Dr. Maher last week. You know, the scores are not what any of us are excited about, and you can start understanding. We have great teachers across the state; we have great processes in place, but we need to help. LB140 is a common-sense approach. We already have a number of school districts implementing phone-free legislation that creates a minimum so all schools can have a playing-- level playing field. You know, there's exceptions in this bill that allow for phones in the classroom for specific purposes. My bias would simply be bell-to-bell, you know? Simple thing to remember. And I-- the, the, the more we can keep them out of classrooms, keep them out of our schools, keep them-- keep our kids free of them, the better. And, you know, obviously this isn't legislation, but if-- there's another saying, I think is important for all parents, grandparents to hear, never in bed. Making sure we all have the opportunity to influence, making sure parents-- if they're letting their kid take their phone to bed, that they understand the scientific facts of that are really, really tough. So, I just want to say I appreciate everybody's efforts on this. I believe that it's really important that we work hard, that we're all on the same page. And I just can't thank everybody enough for their work, so I'd be happy to take any questions from any of the committee. Thanks, and I'm sorry for running over time.

MURMAN: Thank you. Really appreciate your testimony, and-- any questions for the governor? Yes, Senator Conrad.

CONRAD: Thank you, Chair. Thank you, Governor Pillen. Good to see you, and welcome to the Education Committee.

GOVERNOR PILLEN: Thank you.

CONRAD: I think that you really covered a lot of these key points in your opening. And I just want to tell you, as a policymaker and as a

parent, I agree with you and I appreciate you being here and, and giving so much energy to this really important issue. I think, when I talk to the parents in my district, it doesn't matter if you're a Democrat, a Republican or an independent; we're all struggling to find the right balance with technology in our lives, and particularly as parents, when it, when it impacts our, our kids. And I really see the proposal that you brought forward as the exact kind of problem-solving we should be focused on together in Nebraska, where we can have a united front with parents, with teachers, with our partners in the schools to do the right things for our kids. So, I just wanted to thank you for making this a part of your legislative priority package. I also note the specific language includes, I think, proper respect for local control so that some of these details can be hammered out by the schools. I applaud the opportunity for stakeholder participation in the promulgation of these policies, and I think you really hit the nail on the head when it came to providing specific exemptions, when it came to students with disabilities or medical issues under different learning needs that they may have. So, I'm eager to work with you on this, and--

GOVERNOR PILLEN: Awesome.

CONRAD: --I wanted to thank you for being here.

GOVERNOR PILLEN: Yeah, thank you. And, you know, I-- thank you, Senator Conrad. And I-- you know, I, I think it also creates a great opportunity for all of us to have more conversation because, you know, I go to ball games and watch my grandbabies play, and I, I kind of get stunned by how us adults, instead of watching our kids, we can be sitting and looking at this thing.

CONRAD: Right.

GOVERNOR PILLEN: You know, they've, they've influenced all of our lives. And I, I think it's important we create awareness and get back to-- I think I would-- I think I'd agree with Josephine, if we could winkle our nose and have these phones go away, it'd be a heck of a deal. So, pretty good idea.

MURMAN: Any other questions for the governor? Senator Lonowski.

LONOWSKI: Thank you, Chair. Thank you, Governor, for that. A short year and a half ago, I was a teacher. And I can tell you there were ten people using their phones-- one was a state senator-- when Rita

Sanders-- or, when Senator Sanders was finishing. So, I notice those things.

HUNT: Was it me?

LONOWSKI: I don't point kids out unless they're-- but, but it is a serious problem. And two years ago, we, we started hanging bags on the door of-- they're shoe bags, and we put the phones in them. Most teachers went by that at our school. The, the gym problem that Senator Hughes brought up-- if you're a wrestling coach or a wrestling person, everything's done on computers now, so the kids-- to know when they're coming up, they have to follow their phone. As a coach, I'm not going to be able to tell 14 wrestlers when they're up next, so they take care of themselves. Could their parents do it? Sure, if they're there. But it's a-- it's going to be tough to regulate when you have 700 people come into a basketball game. It's going to be tough to find spots to put 700 phones and get them all back to the right people in an orderly manner afterwards. So, we just have to be cautious that-- we do want to make sure that the schools have it, but we also have to take care of our kids, and, and this phone is-- has really become an addiction, but it's become an addiction to us, too. You know what I-- mine's out, [INAUDIBLE] out, you know? We all feel like we can't live without it, and that has become a part of our culture. So, thank you for your testimony, and appreciate working with you and Senator Sanders on this.

GOVERNOR PILLEN: And I think, if we all could-- thank you, Senator, for being a teacher, investing in kids your whole life, and I think the more we can do that to all teachers, because that's got to be the most gratifying career there is out there.

LONOWSKI: Yes, sir.

GOVERNOR PILLEN: Thank you.

MURMAN: Any other questions for the governor? I just want to say thank you for coming in, and I appreciate the flexibility that is in this bill, that-- I guess us, as, as a committee, is going to have to figure out exactly how it will work out. But, you know, there, there, there is good things about the phones, of course. But it-- the addiction part of it, you know-- we as adults are even addicted, and we didn't grow up with it.

GOVERNOR PILLEN: Right.

MURMAN: So it's-- it's even more intense with our kids. But I appreciate the-- again, the flexibility and local control, and--

GOVERNOR PILLEN: Yeah.

MURMAN: --thank you for--

GOVERNOR PILLEN: Yeah.

MURMAN: --bringing this.

GOVERNOR PILLEN: You know, I think the common sense of this is simply that it helps teachers have their kids have a presence with their kids. If we can't have a presence with our kids, how on earth can we teach? And I think that's the goal of this; common sense, so our teachers can have presence with their kids. And of course, local control is important to have a say in all that. So, thank you.

MURMAN: Thank you very much.

GOVERNOR PILLEN: All right. Thank you very much. Thanks for all you do.

MURMAN: Second-- or, third testifier. Welcome, Senator-- or, Attorney General Hilgers.

MIKE HILGERS: Good afternoon, Chairman.

MURMAN: Former Senator Hilgers.

MIKE HILGERS: Let the record reflect that I do not have my phone out on the desk right now. Good afternoon, Chairman Murman, members of the Education Committee. My name is Mike Hilgers, M-i-k-e H-i-l-g-e-r-s. I currently serve as Nebraska's Attorney General. I want to thank Senator Sanders for bringing this bill, and the governor for his leadership as well. I'll be brief. I think we have a mental health crisis in this country right now, for adults and young children. We need to focus, as policymakers, on the downstream impact and how do we get resources to people, but we also need to focus upstream. What are the things that are causing mental health problems in this country? And we know, for young people in particular, that one driver-- not on-- not the only, certainly, there are a lot of different causes, but one thing that drives up mental health concerns for, for young kids is the use of smartphones. And we know that one of the most powerful policy prescriptions that we could put in place to help protect them is to get phones out of the hands of children during the school day. I

think that's one of the most important things that we do. And so, LB140 is, is intended to do just that, and is meant to do it in a not one-size-fits-all way. It, it is-- puts on the school districts-- puts into their control the ability to craft the policy. Now, there are certain things that I think are important that, that are in the bill that should be included within those policies. One, as Senator Conrad mentioned, are the exceptions. We want to make sure that we're taking care of people who have disabilities, or have a specific health need; we want to make sure that parents have the ability, in an emergency, to reach their children. We want to do that-- that's-- in a way that's specific and fits the needs of the school district. But we also, I think, need to ensure-- which this bill does-- that the policy does take this-- take these phones out of the hands of children during the school day. I think that's really important. We have great schools that are putting in place policies today, so you might ask why need LB40 at all-- LB140 at all? And I think the answer to that is a, is a few different reasons. Number one, I think there's urgency. I think the school districts are doing a good thing, but not all of them have it. And how many kids might we lose to these devices if we don't act now? So I think that's number one. Number two is, these policies that are being input-- put in place-- I think some of the ones we've seen are great; I think some of them, in my view, from a policy perspective, probably don't go quite far enough. In particular, getting the phones out of the-- out of the hands of students during the entire school day, not just in the halls. I think what we've seen anecdotally and from the initial research is that it-- really, you have to get it out of the hands, not just in the hallways, but in classrooms as well, and I think if you-- if you don't have both of those things, it almost as if you don't have either of those things. So, I think those are a couple of key components to get it done more quickly and more comprehensively, which I think the urgency of this particular situation does demand. So, I do think, at the end of the day, this is a win for parents. As a father of four-- my oldest is 13, she does not have a smartphone, and I'm the bad guy currently. So, if I can be the bad guy for all the, all the kids in the state of Nebraska, I'd be happy to do that. I think it's a win for the kids, for children in particular. I think it's a win for the teachers, because they don't have to police it. The same way, I think it's a win for the districts. I would add-- to your question, Senator Hughes, and a, a small series of amendments that we might propose. Number one, to your, to your question, the bill is not intended to-- although it does read this way, so it does need a modification-- it's not intended to police phones at wrestling matches. The reason the language was the way that it was is that it's, it's phrased "on school property," "at

school functions;" it was initially intended for, say, class field trips. So, you want to make sure, during the school day, if something's not on school property-- but I think it is overbroad as written. And I think that there's a way-- we'd be happy to collaborate with the committee on something that makes sense to trim that down. So, I think that's-- that would be proposal change number one. A second change, in talking to some of the stakeholders that would be impacted by this bill, they pointed out, actually, that on line 29, one of the exceptions is when it's auth-- when the use of the phone is authorized by a teacher. And, as we understand it-- actually, as these policies have been rolled out, other schools have had that kind of a policy, and that actually puts a lot of pressure on the individual teachers. Because if the teacher can allow it, then they are becoming the bad, the bad guy, or the bad, the-- you know, the bad individual in this cir-- in that set of circumstances. And so, we don't want to put it on the teachers. So, we want to take that off of them, so I think one change would be to change it from teacher to district. I, I also have two other slight technical changes. One would be to clarify the definition of "electronic communication device." We're trying to get smartphones, not computers, and I think you could read it-- and we had a heavy hand in drafting this bill, so I will take the, the responsibility for any changes. I don't-- we don't want it to include school-issued laptops, but I think we want to clarify that a little bit. And then, there's one other tweak on line 18 that we would suggest making, to change "cell phone(s)" to, to "electronic communication device." We could put all that together and work with the committee; we'll do the-- we'll do the heavy lifting on any changes. But with, with that, I'd urge-- I appreciate the committee's time, and I'd urge the committee to advance it to General File.

MURMAN: Thank you. Any questions for Attorney General Hilgers? Senator Hughes.

HUGHES: Yes. Thank you, Chair Murman. Thanks for answering that, Attorney General Hilgers. So, passed out to us was an Education Commission of the States-- they're watching-- I think there's about 19 bills in different states ongoing about this. 10 out of the 19 are more specific to school day or instruction time, so maybe that's the language that could be used. Yeah, I just-- I was like, I can't imagine policing of a high school basketball game with cell phones, and people want to take pictures and-- I mean, just all the things.

MIKE HILGERS: And this isn't a-- Senator, this isn't a smartphone ban, so it's not as if--

HUGHES: Correct.

MIKE HILGERS: --we're trying to take it out of the hands of children full stop.

HUGHES: But you're not supposed to be using them--

MIKE HILGERS: Correct. Correct.

HUGHES: --during it. That would be hard to manage.

MIKE HILGERS: So I agree with the overbreadth.

HUGHES: Yeah. No. So, I appreciate it, and I very much-- I have a nephew that is a Type 1 diabetic, that his device-- his meter is tied direct-- I mean, every five minutes, his phone is updated. We have the exceptions for that, so I think with those few changes you made, I think this is-- it is a, a great bill. And I think you're right. I think a lot of schools have already started implementing this, but now we can just do it across the board, and everybody's on the same page, so. Good work.

MIKE HILGERS: Thank you, Senator. Thank you.

MURMAN: Any other questions? Senator Conrad.

CONRAD: Thank you, Chair Murman. Thank you, Attorney General Hilgers. I really appreciate your office's role in drafting this measure, and for you personally taking time to be here today, and-- to share your platform with the committee and really elevate this bill to a top priority for the Legislature's consideration this year. I think that there will be a lot of enthusiastic opportunities to work together to make any technical changes that your office has identified here that may be illuminated during the, the public hearing today, or throughout the process. So we want to, of course, get the technical aspects right, but I think that there's a lot of focus on the shared goal and values here. And I will tell you-- and I'm sure maybe you've had some of the same conversations with, with your kids, or, or the schools in, in your neighborhood, but I also find-- with a teenage daughter, and getting to spend a lot of time with her and her friends is kind of a mini focus group on some of these kinds of things-- I think that the students can also really take a deep breath sometimes, when there's not the peer pressure at play, when it's literally out of sight and out of mind, they have an opportunity to unplug and reset, and establish presence with peers and with the teacher, and more fully-- be more fully immersed in, in the learning opportunity. So, I, I think

that sometimes people think of this as like, oh, the kids hate it, but-- I think maybe some kids do, but I think some kids also embrace it, once they have the opportunity and they're on kind of a level, a level playing field with things. The other piece that I just wanted to lift up, perhaps, for you to respond to is-- you know, I know a lot of times, people will look at these kind of policy directive bills and, and they'll kind of say, like, "Well, what does this do exactly?" And I always find-- and the Legislature hears these a lot, right? Whether we say the state Board of Ed direct a policy on pregnant and parenting students, or student dress codes, or technology and cell phone usage is that the state Board of Ed is-- can really develop something with all stakeholders that's really helpful, especially to small schools who may not be able to have a full-time team of lawyers on staff to develop these policies. So I, I just think that this approach is low-cost, is common-sense and, and just hits a lot of the right notes in terms of, of shared values and implementation. But if you, if you can think of other technical aspects that we need to bring forward, I, I, I think we can work those-- through those pretty easily.

MIKE HILGERS: Well, I appreciate that, Senator Conrad. Appreciate your leadership. I'm really excited to partner with you on this. I think this is--

CONRAD: It will be fun to work together on something.

MIKE HILGERS: Yes! Yes. There's a-- there are things we, we, we--

CONRAD: Yes.

MIKE HILGERS: --are-- passionately agree on.

CONRAD: A lot of things, yes.

MIKE HILGERS: And I want to say-- I really appreciate you raising the point about children. And, and I think that goes for parents and kids. A lot of times, it's not about the thing that they're missing; it's that their other friends or the other peers have the thing,--

LONOWSKI: Bingo.

MIKE HILGERS: --and I think this kind of cuts through that collective action problem, because-- I know my daughter doesn't-- we were chatting on the way down. If, if the friend group doesn't have it, or if the parents feel like the, the friend group's parents, they don't, they don't feel like the pressure is on them, then it just makes things so much more calm. And I think the-- this kind of cuts through

that in a way that I think could be pretty powerful, so I'm really grateful for you raising that point. Thank you.

MURMAN: Any other questions? Senator Hunt.

HUNT: Thank you, Chairman Murman. Thank you, Attorney General Hilgers, for being here. I also have a mini focus group for teenagers at my house all the time, and I think one reason that a lot of-- I see a lot of kids embrace, you know, the opportunity during the school day to put their phones away. Like, as it stands now, as far as I understand it, I know that there's a lot of-- so my kid goes to Omaha Public Schools; I know that they do have a policy, and I know that kids break it all the time. But, you know, just having a teacher that does have a firm policy, it does give them kind of a break from that stuff. And I think one reason kids embrace it is because they see their parents. And I know that my kid and all of her friends see how my brain is cooked and fried, and they don't want to be like that, honestly. And it's, it's actually, I think, in some ways, a form of rebellion against older generations that, in some ways, is very traditional and very-- you know, every generation has a version of this. So, you know.

MIKE HILGERS: You-- you're saying-- in other words, they see their parents on it, and so they--

HUNT: Yeah.

MIKE HILGERS: They don't want to--

HUNT: Yeah. I'm like this--

MIKE HILGERS: They want to go old-school.

HUNT: --at the swim meet, and the track meet and, you know, they go, I don't want to be that way. So that makes a lot of sense. But, you know, one thing that continues to concern me in classrooms-- it's not just the screens from the phones; it's the screens from the iPads and the laptops and everything else. It's really perplexed me as a parent. Since the pandemic, you know, we had remote learning. We're learning on the iPad on the kitchen table every day. But since they've returned to school, I'm not seeing a lot of worksheets coming through, I'm not seeing a lot of textbooks, I'm not seeing a lot of highlighting being done, not even a lot of typing or writing. Just iPad. And you know, that's something I would raise as a concern for schools as well. But I have an AG question for you--

MIKE HILGERS: Mmhmm.

HUNT: --and this isn't-- I know it's, like, going to be really up to the schools, and there's a lot of local control built into the bill, which is important to me. But can you speculate or give some examples that you may know offhand of how schools are enforcing this type of thing? So, you know, if a kid has a cell phone out and they're not supposed to, what happens to the kid? Or the teacher in the classroom?

MIKE HILGERS: Now, that's a good question. And I think there might be some testifiers after who would have more knowledge.

HUNT: OK.

MIKE HILGERS: I, I know the bill does include the op-- option-- so, some of it's "shall;" they "shall" take-- have no, have no phones, they shall have those exceptions, but they may create some sort of enforcement policy with respect to the, the kids.

HUNT: OK. I ask this also because I hate it when I have a question and I'm going to ask a next testifier, but then no one else comes, or, like, no one who could answer it comes, so then I feel like I didn't get it on the record. So there's that.

MIKE HILGERS: And if we can't-- if no one does, we'll get the answer for you.

HUNT: Sure. Thank you. I'm sure somebody will. And then, I'm also going to kind of-- I'm going to ask an awkward question that I do think is on a lot of people's minds. Can we-- I mean, the number of school shootings in the United States has increased every year, 2020, well, 2021, I should say, '22, '23, '24. Every year is more than the last. And, as a parent, I have to confess, I think that's a big reason I like my teenager to have a cell phone in high school, because-- I don't think this will happen, God forbid it happens. You know, over lunch today, I got a New York Times alert on my phone that there was a shooting in Sweden, which is not in the United States, but it just shows the growing scourge of gun violence that we have in the world, and certainly in this country. You know? So I guess I would just raise that in the consciousness, because I know there are people thinking it, and there are emergency situations in schools that maybe my generation and other generations didn't face that kids today do.

MIKE HILGERS: So can-- may I react to that, Senator?

HUNT: Yes. For sure.

MIKE HILGERS: So, so first, I think in the language of the bill, it does at least contemplate having something that applies to--

HUNT: An emergency.

MIKE HILGERS: --for emergencies. If that needs to be bolstered,--

HUNT: It says "in the case of (an) emergency or perceived threat of danger," which is pretty broad.

MIKE HILGERS: If we need to be more expli-- I mean, that would be the type of thing that you would want included. So, if that's-- if we need to be more specific, or even more-- or, or more broad, happy, happy to do that. I think also-- by the way, I think-- I'm going, I'm going a little bit outside of my realm. But if you look at the data and the research behind a lot of the school shootings, like some of it-- there's a mental health crisis in the country, and the outcome of that is not ev-- not every single shooting is caused by mental health.

HUNT: Right.

MIKE HILGERS: But certainly, there's, there's some sort of tie. And I think if you do read Jonathan Haidt's book, I mean, one of the things that he would say is, like, there's a mental health crisis. Being online more has impacted, actually, young girls, according to his data and research. He said the other thing that we've done is actually stopped children from being able to play outside as much. And by putting them more on screens-- we think we've done the right thing by taking them away from what we perceive to be real-world predators,--

HUNT: For sure.

MIKE HILGERS: --and we're putting them in an environment that might fuel either online predators or fuel negative sort of mental health consequences that might lead to some of those things. So, I think it's so multi-- and so there's a lot of different variables, too, and I think you're-- you were sort of touching on it on both sides of, I think, this particular policy debate. By the way, the iPads-- I-- we don't let our kids even look at iPads anymore. I remember my daughter, she was like four, we, we would take her off the iPad, and she would become like a different person.

HUNT: Like a, like a demon.

MIKE HILGERS: Steve-- yeah.

HUNT: Mine is the same way. Like, [INAUDIBLE], this is not good for you.

MIKE HILGERS: Steve Jobs didn't let his kids use iPads, and there's--

HUNT: It's like quitting smoking.

MIKE HILGERS: I think we're going to wake up to that-- I think-- actually think that's an amazing analogy, because I think we're going to wake up in 20 years, and we'll look at today like people look at the cigarette advertisements from the '50s. Like, what did we do? Like, this is a massive experiment.

HUNT: Yeah.

MIKE HILGERS: Or Diet Coke. Well--

HUNT: A lot of vices, so. Thank you, Mr. Attorney General.

MIKE HILGERS: Yeah. Thank you, Senator.

MURMAN: Any other questions? Senator Lonowski.

LONOWSKI: Yeah. Thank you, Chair. First of all, I guess to, to address Senator Hunt's-- so, every teacher's policy was a little different, and that created problems. And we were told by our administration, hang them up, I've given you these shoe bags for every classroom. But then, every teacher still had latitude to use them. That made me kind of a jerk, because I said, "No, we don't need our cell phones." But if I caught one, then I would take it to the office, and then they had to get it from the office after school. If I caught a wrestler with one, they had to get it, and then they had 25 push-ups for making a teacher angry. And so there, there are various ways. But I'd like to look at some of the things that are happening. And I don't want to say the school, but there's a large school that I believe takes the cell phone at 8 a.m. or 8:15 when the kids get there, and they keep it till 3:15, unless they have exceptions for-- they have to check it for their, for their sugar levels, or something. And, and I've had those kids, as well. And usually, I kept their phone and then they say, hey, I got to check it now, or I just trusted them because they're one out of 20 kids. But the schools that have kept them from morning to-- from the first class to the end of the last bell, they, they noted that their kids were, were better off. And what happened in my class is 20 kids ran to the shoe-- to the shoe bag, got their phone, and they all looked, and they would have 100 Snapchats in that 46 minute period.

And I'd look at mine, and I'd have, like, one. Picture of my grandkid or something. But-- oh, where was I going with this?

MIKE HILGERS: I think you were saying it's a great bill. [LAUGHTER]

LONOWSKI: It-- still, it-- Yeah, yeah, yeah. Well-- so, in the hallways, the kids still have the problem. So, at some of these schools that have taken it for the entire day, the kids were, as we talked about, for sure, better off.

MIKE HILGERS: Well, and that's what I was saying in, in my opening remarks. I think the schools that have-- allow you to have it-- and I think there are some policies from school dist-- who are doing-- trying to do the right thing, but I think if you have a policy where you just say we're going to take it from instructional time but allow you to have it during the hallways, I think it's almost as if you have no policy at all, because the kids will still have their phones, they can have them, and, and then it puts the pressure on the teachers. So, I, I think what we've seen so far-- and by the way,--

LONOWSKI: Yeah.

MIKE HILGERS: --I know the school boards, the, the-- and I, I anticipate that they're going to testify-- I know that they do have some concerns. We want to lean into their experience. I think there's just some places we don't want to negotiate. I, I mean, I think it's really important to get the--

LONOWSKI: Yeah.

MIKE HILGERS: --to really not have-- put the pressure on the teacher, to make sure that we're doing this--

LONOWSKI: Yes, sir.

MIKE HILGERS: --quickly, not delaying this too long. But I think we want to-- do want to lean into their experiences, the type of thing that they've--

LONOWSKI: And then--

MIKE HILGERS: --found to be successful.

LONOWSKI: And then, the emergency situation. The school had every parent's number, so they had to type in one number and it went to an app, and every parent knew we were on lockdown because of some car out

on the highway, or whatever. And certainly, kids could all get their cell phone, but that creates a whole 'nother chaos, because now some parents think they should go to the school, some want their child to be released. And so, that-- there's some different things we have to think about. And, and so-- work with you and Senator Sanders on this. Appreciate it.

MIKE HILGERS: There-- and there's some good examples, and I think the, the results are stark.

LONOWSKI: Thank you.

MIKE HILGERS: The positive results.

MURMAN: Any other questions? Thank you very much for coming in.

MIKE HILGERS: Thank you, Mr. Chairman. Thank you, Senators.

MURMAN: Welcome, Commissioner Maher.

BRIAN MAHER: Thank you. Good afternoon, Chair Murman, members of the Education Committee. My name is Brian Maher, B-r-i-a-n M-a-h-e-r, and I serve as Commissioner of Education. The Nebraska Department of Education is a proponent of LB140, and we thank Senator Sanders and the governor for their leadership on this matter. The State Board of Education has been considering action on cell phones in schools, and, as part of that work, in October of 2024, the department fielded a survey to superintendents across the state. I'm sharing a handout with you with just a few of the results of that survey. And, to summarize-- and first of all, this-- the survey went to superintendents across the state. First of all, I'd tell you that the vast majority of school districts already have some sort of policy enacted, though the implementation and enforcement varies across districts and across classrooms within a district. Something you've already talked about. Generally, parents, teachers and administrators are supportive of the local policies. And I can tell you, I had an opportunity just this morning to meet with a very engaged group of students. Those are students who are in town as part of their involvement and leadership in their career and technical student organizations, such as FFA, FBLA, DECA, et cetera. I was sitting at breakfast with a group of seven of Nebraska's best and brightest, and I would tell you that they were very understanding of this conversation when I told them I was going to be here this afternoon. Yet, they were very curious. In addition, each student said that their school had a policy when I asked them if they had a policy, but they also said there was

inconsistency in application of that policy within their school, consistent with what we gathered from the superintendents. As a result of those interactions, I'm here to say at the Department of Education, we believe it if-- it is time to take a stance on cell phone use in our schools. As already mentioned, our state board was considering action on this topic, and the potential action that they had considered at this point included several possibilities. Possibilities as simple as a position statement on cell phone use in schools from the state board, or mandating the development of a, a model policy for school districts to review, or even a requirement that schools have a policy on this very topic. With the interact-- with the introduction of this bill, our board has paused any six-- any such action. Fully recognizes that this is an issue for all of us to address. The Nebraska Department of Education appreciates our partnership with the Legislature and with the governor, particularly on this matter, and we stand ready to assist with the implementation in any way that you might see fit. I'll stand by for any questions.

MURMAN: Thank you. Any questions for the commissioner? Yeah, Senator Hughes.

HUGHES: Thank you, Chairman Murman. Thanks for coming in, Dr. Maher. I went to the back, and was so pleased to see that parents, once this goes into place, are fully supportive. And teachers, as well. So, I think there's some hesitation, like, oh, parents are going to be against this, but-- reality, they're not. Would it make sense-- and I don't know if this would be NDE's role, and I-- this gets to a little bit of what Senator, Senator Conrad was mentioning. Would it make sense to have a, a model policy created that, if, if some school didn't want to do their own, they could just, like, kind of plug-and-play with that one? Or-- and say at, like, some of the smaller schools, maybe. I mean, like Seward has a policy. If, if we're saying they allow at lunch, in passing, so they will have to probably tweak theirs a little bit to go-- beginning of school day to end. But if there is some school that just is like-- has nothing, like, here, let's just take this draft, put it in our policy. Would that make sense for NDE to provide? Or is that-- am I asking the wrong place?

BRIAN MAHER: I would-- no, I think you're asking the right question. I think it makes sense, and it's consistent with previous actions,--

HUGHES: OK.

BRIAN MAHER: --where you've asked the department to put together model policies.

HUGHES: And it's not saying every school has to adopt that, but if they chose to,--

BRIAN MAHER: Right.

HUGHES: --here's a model they could use.

BRIAN MAHER: Right.

HUGHES: OK. Thank you.

MURMAN: Any other questions? Senator Conrad.

CONRAD: Thank you so much, Chair. Good to see you, Commissioner. Thank you for being here. And if you don't know, that's OK, we can follow up afterwards, but I really appreciate the survey information that you've brought forward, and I know the members of this committee and, and our body are always eager to work with you and your department and the state board of Ed on these common-sense, common ground policies like the, the measure before us. So, we'll really look forward to continuing our work together on that. But one thing that did catch my eye on, on the survey response that you passed out here is it indicates that some schools are actually utilizing cell phone monitoring technology. Not a lot, but that you have a couple of responses in that regard. Do you, do you know what that entails? Do you know more about that? Or maybe folks at the Department of Ed do. I'm just particularly interested in how schools are potentially partnering with mass surveillance kind of technologies, and, and that seems to be a fairly evasive admission. So I'm just-- that's probably for the next bill, or, or one later that we have on the agenda today. But I, I would really like to learn more about that, if, if we could follow up after this hearing.

BRIAN MAHER: We sure could. I don't know if the survey will give us that information, because--

CONRAD: OK.

BRIAN MAHER: --I don't know that we dug into that,--

CONRAD: That's fine.

BRIAN MAHER: --but I can check with the greater survey to see if--

CONRAD: Thank you.

BRIAN MAHER: --we have more information on that.

CONRAD: Thank you.

MURMAN: Any other questions? If not, thank you. Senator Lon-- Lonowski.

LONOWSKI: I just want-- I want to address the technology part. Sorry. So, Grand Island Northwest has a policy, or, or has an app, and the kids have to grab their phone out of their bag-- when they go to the restroom, they have to set it under some type of monitor on the wall, and it reads it, and then they leave it there, and then they go to the bathroom. When they come back, they grab it, put it back in the bag. I'm not quite sure how it works. But then, the report goes to all teachers, so I can see, oh, Danielle went to the bathroom first period for 10 minutes, fourth period for 15 minutes; now, she's in seventh period. And so it really monitors not only the kid's cell phone, but it monitors how much kids are gone from the classroom, so. They implemented that, like, three years ago, maybe. And when I was up there, I was asking a couple of their teachers how it worked, but-- and I know there's different types, there's different things too, but--

CONRAD: That's helpful.

LONOWSKI: Yeah, they're using technology for various reasons.

CONRAD: Thank you.

LONOWSKI: Thank you.

MURMAN: And thanks for your testimony. And thank you for this survey. I think it's very good. It shows a lot of support, as was mentioned, I think, before, from teachers and parents.

CONRAD: Yeah.

BRIAN MAHER: Thank you, Senator.

MURMAN: Thank you. Other proponents.

TIM ROYERS: Good afternoon, Chair Murman, 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 on behalf of our members to speak in support of LB140. This past fall, we surveyed our members to make sure the foundation of our

advocacy this legislative session was built around the collective voice of educators across the state, and I'm sure it is not a surprise to any on this committee to know that more than 80% of Nebraska's teachers feel that student behavior issues are having a substantial impact on their ability to do their jobs. However, it might surprise you to learn that at the secondary level, the number one behavior concern was not physical violence; it was related to use of cell phones. So, we're very grateful for both Senator Sanders and the governor taking this step to introduce LB140 to remedy this issue. Cell phone use is harming learning in several ways, from general academic disinterest to mental health concerns we've heard earlier. While the issues may vary, I think we can all agree the results are profound. Educators are looking for clear expectations that are consistent for all the reasons-- we're really grateful to have a senator with recent classroom experience on this committee. Senator Lonowski's points are well-stated about the need for consistency with the policy, because we've heard a lot of frustration from educators who try and stick with the restrictions that are recommended or encouraged or are, in fact, policy, but then, if the classroom right next door doesn't, suddenly, to Senator Lonowski's point, you're the bad guy for simply enforcing the rules. So, both our anecdotal feedback from members and research on this matter make it clear that consistency is key. That being said, this bill is still very important because, if we're getting a consistent message from the governor and the commissioner on down, that helps go a long way in addressing the consistency concerns. We also appreciate that this bill specifically references stakeholder participation for two reasons. First, for any device policy to be successful, there must be whole community buy-in. We think Grand Island Public Schools' recent rollout is a really good model for how to do this. The second reason that this is important is because our teachers also reported that, unfortunately, parents were one of the main obstacles in enforcing a device policy. And Senator Hughes, to your point, unfortunately, there's a lot of parents who say they get behind it, but they always find a reason why their use of the device with their kid is OK. And oftentimes, it's things like, I just want to know what my kid wants for dinner. And then, they're upset with us because we won't let the kid answer that text. And so, I'm just telling you right now, making sure parents are on board and helping them see the need to assess their own behavior is going to be a key part of any successful device policy. While we are glad to see the issue being addressed. We do want to highlight some concerns with the bill. Many of them have already been addressed, so I'm not going to be redundant, although I do want to point out we-- we've heard praise for the local control, however, as the language is currently

written, you have very explicit policy requirements on most of page 2, but then we really feel that on page 3, line 2, when it gets to Subsection (2)(v) [SIC], seemingly undermines all of the previous provisions by allowing either the board or an employee to just determine appropriate use. We do have alternate language, if you'd like to have eyes on it, of what we think would remedy. And we want to echo some of the previous remarks that we think a model policy approach that then allows for districts to go above and beyond would help remedy some of those concerns. We already had the conversation on the attending a school function piece; I would simply echo that, as someone who supervised a lot of dances, good luck trying to have those phones not get used at a dance. It's just not going to happen. And again, as a parent, I want my child to have access to their device at those places, if for no other reason, I want to know when it's time to pick them up so I can give them a ride home. So, I think those concerns, however, can be easily addressed, as others have echoed. The intent is solid, and when the intent is solid, it's important we come in and echo our support for those, especially when it reflects a major issue that our educators across the state are raising. So again, we want to thank the governor, we want to thank Senator Sanders for working to tackle one of the biggest issues impacting learning at a secondary level. And I'm happy to answer any questions, although we will have a member testifying later on, to give kind of the direct classroom experience to mirror what Senator Lonowski's been talking about as well. But I'm happy to answer any questions you may have for me.

MURMAN: Senator Lonowski.

LONOWSKI: Real quick explanation, please. Oh, thank you, Chair. Real quick explanation, explanation on what Grand Island is doing that's successful.

TIM ROYERS: Yeah. Well, well, well, we got the feedback from-- especially from our members-- was it was the community engagement piece. You know, they didn't just roll out a policy and say, OK, tomorrow it's going to happen. They made sure to get parental input, community input, staff input. They didn't just roll it out at the start of the year, they rolled it out-- I think halfway through the year was when they rolled it out. So, students had plenty of time to be told "This is what's coming. These are the expectations." You know, they, they did a lot of-- we use the term "front-loading" in education, right? There's was lot of front-loading of what's going to change, and what the expectations are. And, at least from what we

heard, when the policy flip happened, there was little to no issues with it at all.

LONOWSKI: And they're the school that went from, like, 8:15 to 3:30,--

TIM ROYERS: Yes.

LONOWSKI: --Correct?

TIM ROYERS: Yeah.

LONOWSKI: OK.

TIM ROYERS: They were the--

LONOWSKI: Entire day.

TIM ROYERS: Yes. And, and I'll say, as a parent, coming from-- you know, my oldest is now a freshman in high school. Going from a building that was-- the phone is locked away, at the start of the day, you get it at the end of the day to a building that's not-- it's a profound difference, and not in a good way, because what I have seen is behavior spills over beyond the school day.

LONOWSKI: Right.

TIM ROYERS: So when she was used to a world where that phone was put away, it also meant less use at home. But now that it's kind of the wild west during the school day, it's also the wild west at home, as well. And so, completely agree, and that's why I'm glad you highlighted that example, too.

LONOWSKI: Thank you.

MURMAN: Any other questions? If not, appreciate the testimony.

TIM ROYERS: Thank you very much, everybody.

MURMAN: Good afternoon.

MICHAEL GEIST: My name is Michael Geist, M-i-c-h-a-e-l G-e-i-s-t, and I've been teaching for 24 years. I'm speaking as an individual in favor of LB140. Full disclosure, today is my 50th birthday, and as is customary on birthdays, one tends to think back on one's life and career. While the school district in which I am proud to work has had a similar policy to LB140 in place for over a year, the school in which I teach piloted the cell phone policy in the year preceding its

full adoption by the district. In fact, many teachers in my building have had such policy in place for much longer, and for me, it's been close to two decades. Having watched adults struggle with being able to focus on professional tasks with the distractions of cell phones, I knew finding the needed focus to succeed in school with the distraction of cell phones would be even more difficult for my students. Our elementary to high school students whose brains are still developing, and who are still learning how to prioritize homework, study skills, and time balance with extracurriculars are greatly diverted in attention from academic and athletic preparations due to the algorithms and addictions of the apps on their cell phones. Realizing this some 20 years ago, I implemented a no-cell-phone policy in my classroom, tying it back to two things. Number one, the professional world; and number two, respect. In the professional world, from the military to many situations in the private sector, many military sites as well as professional businesses demand no cell phones for areas dealing with security or focus on customers. Additionally, respecting customers requires full attention on customers, not being distracted by electronics. As far as respect, I share with students that I will never be on my cell phone, as taxpayers-- who include my students' parents-- pay me to teach, not to be Snapchatting with one colleague, or tweeting to another. Similarly, taxpayers-- including parents-- expect students to be learning, not to be immersed in electronic communication with peers. Having this policy has resulted in a decrease in failures of my students because they're more engaged in their learning. Further, students are being-- or, students are better able to articulate and collaborate in class, so they need to put thoughts into words and complete sentences instead of-- as I'm sure you know, as parents-- tech shorthand. For those parents who do allow students to use cell phones in class for curricular purposes, such as my science department chair, such teachers educate students on the responsible use of cell phones for meaningful, non-social purposes, and students are better off for it. Thank you to Senator Sanders and Governor Pillen for the introduction of LB140, and, as an individual and a teacher, I fully support this bill. I open myself to questions, although I did want to note, Senator Conrad, you had some questions about the system. In my school district, we have a similar, similar system. So, any questions are--

CONRAD: OK.

MICHAEL GEIST: --more than welcome.

CONRAD: All right.

MURMAN: Thank you. Any questions for Mr. Geist? If not, happy birthday. Oh, Senator Conrad.

CONRAD: Yes. Sorry. Yes, I-- well, I don't want to interrupt the birthday wishes, but yes. Thank you for being here, and it's always nice to welcome a, a Lincoln neighbor and a Lincoln educator. And I was thinking-- as I was preparing for the hearing, I was like, well, LPS has had a pretty strong policy on the books for at least a couple of years, and it, it seems like it's been working well. So, it seems to be fairly broad to really focus on educational minutes and time in the classroom, and really kind of put those, those phones aside during, during the, the learning day. So, I'm glad that you were here to kind of reaffirm what I'm hearing and seeing as a parent with my kids at LPS. But it seems like a pretty good model maybe other school districts can look at, and you've had a chance to live it for a couple of years.

MICHAEL GEIST: One thing that I appreciate that Senator Lonowski had brought up is-- and you're a teacher like I am, and have the same high standards-- in-- as it stands, before the implementation, I was considered the hard teacher, because I reinforced this for 20 years, and I kind of came off as the something-something. This levels the playing field for teachers, and it provides more consistency for students. And I-- from the experiences I've had in talking with parents during parent-teacher conferences, at different extracurricular games, parents appreciate the policy.

CONRAD: I think so, yes. Thanks very much. Thank you. Happy birthday.

MURMAN: And thanks for being a long-term teacher. Hi, good afternoon.

MARLEY HELVEY: My name is Marley Helvey. My name is Marley Helvey, M-a-r-l-e-y H-e-l-v-e-y. I am 15 years old, and a freshman at Westside High School in Omaha. According to Common Sense Media, teens spent an average of 7 hours and 22 minutes per day on their phones. That is basically a full-time job, and is actually not surprising to me at all. As a teen, phones are a constant reality of our life. It's how we do everything, and it's a part of our culture. But when we need to set, set boundaries, I can say as a teen, it's super helpful if our peers have the same rules that we do. So, if I'm trying to be off my phone in school but other people are on theirs, it's really hard. But this year at Westside, they started a new phone policy. They call it "Bell to Bell, No Cell." So we can use our phones in the passing period, but not in class. While it was definitely a big change for everybody, it helps that we are all in the same boat. If I need to

text my mom or my friends, I can do it between classes, during lunch, or in my open mods. Compared to last year, I've noticed that not having my phone in class helps me get more work done at school, then I have less homework and more free time at home, so it sort of works out. I do have one suggestion for the bill, which is that I don't think it should be a reason to get more kids in trouble. So, maybe the bill should be changed to say that students shouldn't be suspended or have marks on their permanent record just for having your phone out in class, even if it happens more than once. We are all addicted to our phones, and research can show this, so we need some patience and grace. I also want to say that I don't think that phones should be restricted for extracurricular activities. Thank you, and I hope that you vote yes for LB1-- LB140.

MURMAN: Thank you. Any questions? Yes, Senator Hunt.

HUNT: Thank you, Chairman Murman. Marley?

MARLEY HELVEY: Yes.

HUNT: Good afternoon. Very nice to meet you. Thank you--

MARLEY HELVEY: Nice to meet you.

HUNT: --for being here today. You did a great job. Since you go to-- you go to Westside?

MARLEY HELVEY: Mmhmm.

HUNT: Since you go to a school that already has "Bell to Bell, No Cell"-- that's pretty catchy. What-- I'll ask you the question I asked the attorney general. What kind of consequences do students receive if they break that rule?

MARLEY HELVEY: So, at Westside-- I'm pretty sure this is it, but I'm not 100% sure-- the first--

HUNT: Because you never get in trouble, so you wouldn't know.

MARLEY HELVEY: So, the first time that you have your phone out in class, they will just tell your dean, and your dean will come and talk to you, and just have a short conversation. If it happens a second time, then they won't put that specific student in detention, but they'll take the phone; they'll put it into, like, a little locked box in the office, so the phone is in intent-- in detention, until the end

of the school day. And that lasts, like-- I guess, depending on how big the consequence is, like, how long it lasts.

HUNT: OK. Thanks for explaining that.

MARLEY HELVEY: Yeah.

MURMAN: Any other questions? Senator Hughes.

HUGHES: Thank you, Senator Murman. Thanks for coming in. So, your-- her question triggered my question. So, it's "Bell to Bell, No Cell," but you can have it in your pocket when you're in class? Or is there-- like, the-- I've seen the door hangers on, on-- like, the shoe hangers on the door. How do, how do they do that at Westside?

MARLEY HELVEY: So, it kind of depends, teacher to teacher.

HUGHES: OK.

MARLEY HELVEY: So, some teachers do that, but I'd say most just let you have it in your backpack. But if you're taking a test, then everybody just has you put it-- put your phone in the--

HUGHES: In the thing.

MARLEY HELVEY: --pocket that they put on the door.

HUGHES: OK. Thank you.

MARLEY HELVEY: Yes.

MURMAN: Senator Lonowski.

LONOWSKI: Thank you, Chair. Thank you, Marley, for your testament-- testimony today. I have two questions. First of all, do you support an entire day not having a cell phone, if everyone's doing the same thing?

MARLEY HELVEY: I would. I think that, if everybody else is doing the same thing, it makes it a lot easier to do that.

LONOWSKI: OK. My second question: did you skip school today? [LAUGHTER]

MARLEY HELVEY: I, I did, but it was only a few classes because I was open.

LONOWSKI: OK. OK. Thank you very much for your testimony.

MURMAN: And any other questions? Senator Meyer.

MEYER: Thank you, Chair. I have a question for you, Marley. Once again, and-- you're very articulate, and I really appreciate you coming in today. It's refreshing to see one of your age, as opposed to what we normally see. No offense intended--

HUGHES: No offense to the 50-year-old.

MEYER: Anyway. Do you find it, with not essentially having access to your phone, much easier to concentrate on your class and the material in your class? And, and this might be-- maybe I'm not allowed to ask this question, but, but have you noticed, in general, an improvement in grades? Since people aren't focus-- focusing. And I mean across the class, not you-- I'm sure you're a straight-A student, and I have every confidence it will continue that way, but. Do you, do you think that that not having access to the phone on a fairly constant basis has contributed to, perhaps, a better grade, or more attention in class? And, and perhaps even better behavior?

MARLEY HELVEY: I do think so. I think that, when you don't have your phone, you don't get distracted as easy. When you're, like, having your own time to get your homework done, you can get your homework done faster, and then it also helps you understand the, the concept better. And I just think that overall, like, if you get your homework done better, you understand better, you do better on your tests. And I do think that it leads to better grades, in most cases.

MEYER: Thank you.

MURMAN: Marley, I have a question. We, we heard testimony that if cell phone usage is limited in school, it makes it easier, I guess, for kids to not use it so much, even outside of school hours. So, you did say you would support limiting-- or taking away cell phone use from 8:15 to 3:15. Do you think that would help you to not use the cell phone so much outside of school hours? Or do you think you'd try and make up for lost time?

MARLEY HELVEY: I think that once I get more used-- and not just me, my peers as well-- I think that once you get used to not being on it as much, you'll also get used to not being on it as much at home. So, I do think that that would help that home time, too.

MURMAN: OK. Great. Any other questions for Marley? If not, we really appreciate your testimony. You did a great job.

MARLEY HELVEY: Thank you.

CONRAD: Great job.

TYLER MOSHER: Good afternoon, and thank you for allowing me to be here. My name is Tyler Mosher, T-y-l-e-r M-o-s-h-e-r. I'm a senior at Elkhorn South High School, and, just like most of us, I've got one of these. I want to start off by saying that I am in no way qualified to speak about the government processes of LB140, or even get into the nitty-gritty of cell phone use in policies. I am here, though, to share my own experiences, and to tell you directly that you've heard a lot of statistics in the past hour that we've been here, but also you've gotten, I'm sure, a lot of statistics in correlation with LB140. I'm the statistic that you're looking at. I'm the person, and my peers are the ones that are the percentages on your paper. I want to-- I also want to say that I got my phone when I was around 9 or 10 years old, probably a little younger than you should, or most. But my dad was a police officer, and my parents were super involved in where I am, what I'm doing, who I'm with. And so, for me, my phone is mainly used for safety. Don't get me wrong, I enjoy Instagram reels, texting, calling my friend, and maybe being on it a little too late. But for the most part, I use my phone as my tool. Now, what LB140 addresses is, in schools, when that tool becomes a weapon. Just like anything, if we overuse something or use it improperly, anything can come from a tool to become a weapon. And that's what we're seeing in today's world. That's what we're seeing across Nebraska, nationwide, and unfortunately, I'm seeing it in my school with my friends. The implications of major cell phone use include negative self-image, online bullying, as well as in-person bullying. And we also see decreased social interaction. We also see attention spans, as well. We're used to the-- in my opinion-- crazy algorithms of TikTok and Instagram, where you're supposed to scroll; every five seconds, you're supposed to be interacted. And even though that might help with our brains-- and I'm no brain scientist-- however, that quick, fast pace does not allow us to focus on reading or math any easier. We've heard several statistics today, but one of them I would like to bring up is from the National Health Institute. It says that teenagers or schoolchildren are one of the most addicted personalities at this age. And so, when you put one of the most addictive things-- our phones, technology-- into our hands, it's not a great outcome, and I know we can all agree on that. The American Association of Psychiatrics [SIC] says that no more than two hours on a phone is a healthy amount of

time. While the CDC says that teenagers spend around four hours on their phone a day-- and that's a, a previous study-- I did my own self-survey a few days ago during my school, and my friends said that they spend around five-and-a-half to six hours a day on their phone. So obviously, we are 2 to 3 times the amount that we should be. I have a young cousin; her name is Riley, and she got her first phone for her thirteenth birthday. Now she's still in the honeymoon period, so she hasn't been able to get off her phone, but if we continue at this academic pay-- at the aca-- the--

MEYER: Accelerated?

TYLER MOSHER: No, the-- if we're continue at this terrible and harmful pace that we are at, I'm afraid that she will not be able to put her phone down because of how addictive it is. Again, I am no expert, but I am here to give my opinions and my views. I know you brought up different kind of in-the-emergency situations. I was at school during the terrible tornado that hit Elkhorn and Omaha. The tornado was over my school, and several teachers at my school actually lost their homes, so I would feel great to speak about that; also, the phone policies that are instrumented in Elkhorn South as well. So, thank you to all of you that are here, and all of you that are listening.

MURMAN: Thank you. Any questions for Tyler? Senator Hunt.

HUNT: Thank you, Chair Murman. Thank you so much, Tyler. Are you in speech and debate?

TYLER MOSHER: I am not, no.

HUNT: I, I was a speech and debate coach at Blair High School for five years, and I think you might think about that.

TYLER MOSHER: Thank you, yeah.

HUNT: Thank you.

MURMAN: Senator Conrad.

CONRAD: Thank you, Chair Murman. Thank you, Tyler, for being here. And please don't discount your expertise. You are an expert in your own life.

TYLER MOSHER: Thank you.

CONRAD: And you shared your experience of yourself and your peers very artfully. I was going to have to send a note to my friend, Senator Sorrentino-- I think that's what district you live in-- that he should keep the seat warm for you, because we, we, we need you in this body at, at some time in your future, if that's what your path might, might hold in store for you. The statistics you provided were relevant, your presentation was very impactful and persuasive,--

TYLER MOSHER: Thank you.

CONRAD: --and you really, really set a great example of how important it is to have young voices in policy making, because, in particular, issues like this are impacting you and your peers on the front lines. And it's important that we get to hear about that on the record, and in this, this hearing room as well. So I just-- I know everybody was really impressed with your testimony,--

TYLER MOSHER: Thank you.

CONRAD: --and, and you did a really, really good job. And the last thing that I was just going to ask you, you touched upon it in your testimony and, and some other testifiers have here today, as well. But I know that we have had an opportunity to review a lot of different articles and studies about how social media has very pernicious effects, particularly for young women.

TYLER MOSHER: Yes.

CONRAD: Like, for teenage girls, whether it's the mental health piece, or the body image, or the peer pressure, or-- the list kind of goes on and on and on and on. So, I, I just-- I didn't know if you wanted to talk a little bit more about that, or just kind of acknowledge some of that for the record, but that's another angle that I'm really thinking about in this debate, is how we, as the adults and policymakers, can do the, the right thing for, for young women across Nebraska.

TYLER MOSHER: Yeah. Well, thank you for that question.

CONRAD: It's a long-winded-- sorry.

TYLER MOSHER: No, I'll give a-- thank you. As we both agree, there are huge-- the laundry list of consequences of using your phone, especially for young women, as you've said. Some of them, as you said, can include the negative body image, but what I would like to touch on is-- a few things. One, addicted kids become addicted adults, and the implications that we're seeing as negative body image or decreased

social socialization, that carries on into adulthood. And you also had said the adult policymakers-- on the record, I am a kid saying this, maybe not most would, but we need adults to step in to save us from ourselves, sometimes. And this is one of those situations, with our phones.

CONRAD: Thank you. Thank you.

MURMAN: Senator Meyer.

MEYER: Thank you, Chairman Murman. I just have one question for you. Are you 30 years old, masquerading as a child? You-- you're very articulate. I-- your, your delivery was very impressive, quite frankly. And I agree with Senator Conrad. You'll be sitting on this side of the table at some point in time, I would imagine. And I would also compliment our previous student, also.

CONRAD: Yes.

HUGHES: Yes.

MEYER: You-- sometimes, I'm concerned about our youth.

HUGHES: No more?

MEYER: Not right now. Not right now.

HUNT: And sometimes, you're not.

MEYER: Thank you. Thank-- thank you very much.

TYLER MOSHER: Thank you.

MURMAN: Senator Lonowski.

LONOWSKI: Thank you, Chair, and thank you for your impactful testimony. I do have a question. So, you now are, like, an expert on phones during an emergency situation.

TYLER MOSHER: Yes.

LONOWSKI: Can you tell me, did people-- did kids have their phones when you were in this tornado situation? Did that help kids? Did it make it worse?

TYLER MOSHER: Yeah. Well, thank you for the question. My situation was a tad bit different, because during that day, I had a sub. So it was

seventh hour, I had a sub. I know that most of the other classrooms with our regular teachers, everyone kind of knew that this was a situation. We had a snow day last week. You, you know a few days, and especially the night before, weather "inclementations."

LONOWSKI: Sure.

TYLER MOSHER: And so, most teachers had allowed their students to have their phones. I think there was also a district-wide email, or just my school-wide email that went out to teachers and parents, saying that they could have their phones. Because I had a sub, it was a little bit different. When we had the tornado sirens go off, and all of our phones made that Amber Alert sound, our sub immediately told us where to go, and said not to grab your phones. I did not listen, and I grabbed my phone. Because, again, my family-- just, safety is the most important thing for me. Well, we went into our safety shelter, and 30 minutes turned into an hour, which turned into almost two hours, which turned into, oh, there's a tornado actually here. So lots of parents and kids were not able to communicate back and forth, which was scary for me, and so I cannot imagine what it was like for parents on the other side. So, what I would suggest is that, if we know that there is going to be inclement weather, we're able to keep our phones. I'm also opposed to the idea that phones are in the office, you know, far, far away. I think that the ability to be able to access our phones rather quickly, or at least with haste, is important.

LONOWSKI: OK. Thank you.

TYLER MOSHER: Yeah. Thank you.

MURMAN: Any other questions?

JOSEPHINE LITWINOWICZ: [INAUDIBLE]

MURMAN: You did a really good job testifying.

TYLER MOSHER: Thank you.

MURMAN: Appreciate it.

ELSA PLOUCEK: My name is Elsa Ploucek, E-l-s-a P-l-o-u-c-e-k. To the members of the Education Committee and Chair Senator Murman, it is an honor to be here today. I am a fifth grader at Wonderview Classical Christian Academy, and it, it is a screen-free school. That means we do not have-- we're not allowed to bring a cell phones to school. Last year, I attended a public school, and it did not have the-- this type

of policy. I had, I had this-- I had the unique perspective being-- of being exposed to both environments the-- in the last two years. Based on my experience, screen-free was a better policy. To begin with, a screen-free school allows students to be focused on education instead of thinking about checking no-- notifications. At my previous school, I noticed students checking their notif-- their notifications as early as third grade. A cell phone-free policy completely removes the temptation of checking constant notifications that are distracting students from their learning. Additionally, a screen-free policy also allows students to have better relationships with classmates. Screen-free should mean no cell phones, even during breaks like recess, lunch, or in between classes. This provides more opportunities for students to communicate with others by making eye contact, building friendships, and making memories without a screen between them. It also decreases bullying and mental health problems that, that are linked to cell phone and social, social media usage. Finally, I thought it would be helpful if you heard some thoughts from my classmates, and why they like having a screen-free policy at our school. They said a screen-free policy helps create unity and more of a teamwork environment at school. They also said you could get better grades by focusing on your schoolwork and working without distraction. Another thing that, that they said was that if you had-- if you have a screen-free policy, you could think better and feel better. I hope this helps you understand the perspective of students who attend a cell phone-free school. There are many benefits of a policy like this, and very few drawbacks. I encourage you to vote yes on LB140 so that the students across Nebraska can have an environment to learn, grow, and build friendships.

MURMAN: Thank you. Is it Elsa?

ELSA PLOUCEK: Yes.

MURMAN: Any questions for Elsa? Yes, Senator Hughes.

HUGHES: Yes. Thank you, Chair Murman. Thanks for coming in, Elsa. OK, so I think you said you were a fifth grader now.

ELSA PLOUCEK: Yes.

HUGHES: And last year, you were at a, at a different school that did not have screen-free?

ELSA PLOUCEK: Yeah.

HUGHES: But here's my question. You are fifth grade. How many kids have cell phones?

ELSA PLOUCEK: In my class, I think only 2 people out of, like, 13 or 14.

HUGHES: OK. And then last year, about--

ELSA PLOUCEK: I think everyone did. Except me, though.

HUGHES: Fourth grade.

ELSA PLOUCEK: Yes.

HUGHES: Everybody has a cell phone. That's-- are you, are you 11?

ELSA PLOUCEK: Yes.

HUGHES: OK. Wow. That's young, I feel like. But thank you. Thanks for coming in.

ELSA PLOUCEK: Yes.

MURMAN: Any other questions for Elsa?

CONRAD: Great job.

ELSA PLOUCEK: Thank you.

HUGHES: Yes. Really good.

MURMAN: If not, we really appreciate your perspective, and you did a great job.

ELSA PLOUCEK: Thank you.

ELSA PLOUCEK: Yes.

SUE GREENWALD: Hello, I'm Dr. Sue Greenwald, S-u-e G-r-e-e-n-w-a-l-d. I'm here as a pediatrician. And, just taking notes as, as people have been testifying. I will, I will tell you, as an old pediatrician who's been around the block a few times that the cell phone generation has a more difficult time with social skills and a shorter attention span. I think that that's something that we all, any of us who have lived as long as I have, seen and noticed, and the research has, has borne it out. And so, this is really an important-- it, it seems like something we shouldn't have to talk about. It seems like it should be obvious,

but apparently it's not. And the reason isn't so much the kids, it's the parents. So, adolescence is a developmental stage where humans are meant to separate from their parents and begin to make their own decisions. Adolescents crave this freedom; they don't want to be tied to their parents every minute. It's not the kids who are going to be addicted to constant contact with the parents, it's the parents who are addicted to the constant contact with their precious baby. And, and it's really the parents who are against the policy. I, I think the kids are all readily accept it once they have a chance to be free from 200 distractions a day. I think it's a relief, to most of the kids, especially as they get older. 11-year-olds having cell phones-- this is another, another issue. But they do. So, the adolescents need to be free to form their peer relationships, and to become competent with their social skills; to make mistakes, and to not have it be recorded for all time and put on the internet. Cell phones have cameras. My husband coached eighth grade basketball for many years, and even bay-- way back in the day, when most of the kids didn't have cell phones, he started collecting them at the door of the school bus. And he said you can't imagine the mayhem that ensues when you have 30 cameras in a dark school bus. So, we talked about extending the, the cell phone ban to activities-- maybe not necessarily the activities, but definitely the transportation to the activities would be a good place to restrict cell phones. And that's all I have to add.

MURMAN: Thank you. Any questions for Sue Greenwald? Senator Lonowski.

LONOWSKI: Thank you, Chair, and thank you, Dr. Greenwald. So, I know from being on the school bus that kids will go to sites that they shouldn't go onto, but-- from a different perspective, my daughter was a volleyball player, and she used that time to study, and she would get angry at the volleyball coach who collected all the phones, because she wanted to use it for whatever research she was doing. But I, I do think the bad outweighed the good, in this case, of kids that are on their phone, not talking to the person they're sitting by, or-- we've caught, we've caught young kids on pornographic sites on the busses. And so, it's-- it seems weird that we have to collect cell phones for a bus situation, but I, I agree with your testimony. I thank you for that.

SUE GREENWALD: Yeah. Thank you.

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

SUE GREENWALD: Thank you.

MURMAN: Other proponents for LB140.

JEANNE GREISEN: Hi, my name is Jeanne Greisen. It's J-e-a-n-n-e G-r-e-i-s-e-n, and I'm representing Nebraskans for Founders Values. And ironically that I'm going to follow up with Dr. Greenwald's comment of-- what I'm going to talk about is things that I kept hearing prior to right now, is parents' excuses why they still need to get a hold of their kids at school. Like, oh, we don't know what time something's going to get over. Well, from when my kids were in school, you always knew when things started and when they got over. They were always given a schedule; you could go online and find the schedule, whether it be a dance or an activity, what have you. So, to use that as an excuse, again, I kind of coincide with Dr. Greenwald that, you know, the parents maybe don't need to have access to their kids at all time. And guess what? Kids maybe need to wait sometimes. If they have to wait for their parents for 10 minutes, that's OK. And doing that will also make them have to plan. You know, we all like to plan out our lives a long time in advance. We'll put things on our calendar, you now have to schedule to even talk to someone. Maybe if kids had to plan out and not have access to their phones, they would be better planners going into their adult life. So, I really want to consider-- have you consider that. And I really think it's alarming, which-- I, I do support this bill, but I do think it's alarming that we're having a government have to step in and make rules because the parents don't want to look like the bad guy and be the parent. And that's really a scary place to be in this society when parents need to realize that they're the parent, and it might be hard work versus being their friend, because they don't want to be the only parent that took away a device that might be harming their own child. So, it really goes back to parenting. It's really sad that our-- the parents don't want to be the parents. So, that's all I have.

MURMAN: Thank you. Any questions for Ms. Greisen? If not,--.

LONOWSKI: Thank you.

MURMAN: --thank you for your testimony. Other proponents for LB140?

STEVE DAVIES: Thank you, Senator Murman and members of the committee. My name is Steve Davies, S-t-e-v-e D-a-v-i-e-s. The future of our society and nation depend on the upcoming generations. And you look at our educational performance, and we have a long ways to go. Distractions to learning-- and you've heard all today how much that is-- the phones and electronic devices provide. So, coming up with policies to alleviate that distraction should benefit our generations

and our future. So, I support LB140. And, in development of these policies, something that Senator Lonowski first brought up. The distraction is relative to proximity. If it's on your desk, put upside down, you're always thinking about it. If it's in your backpack, you're thinking about it. So the back of the room, you know it's there. If it's further away, it's more out-of-mind, so your ability to learn and develop cognitively is better. But not only spatially proximity, but time-wise. Students that can use it between class-- the first part of class are thinking about what they did on the phone on the way to class. And, at the end of class, they're thinking about what they're-- who they're going to talk to after class. So, like he brought up, I, I think beginning of day, end of the day might provide the best learning environment. That's my presentation, or my--

MURMAN: Thank you. Any questions for Mr. Davies? If not, appreciate your testimony. Other proponents for LB140? Any opponents for LB140?

MAIMOON QURESHI: Good afternoon. My name is Maimoon Qureshi, M-a-i-m-o-o-n Q-u-r-e-s-h-i. I was just here yesterday, so, hello. Today, I'm here to talk about the bill. So, one of the main things that a lot of people have been talking about is the mental health of students behind this. Yesterday-- you all know about the bill yesterday, LB538, I believe. And I talked about numerous incidents of discrimination and issues of mental health, including three different suicides that have happened in the past decade within Lincoln Public Schools. One of the main issues is, yes, we do have a mental emergency; I wholeheartedly agree with the attorney general, but the mental health emergency has numerous factors. And yes, cell phones do have an extent to affect that, but one of the biggest issues is not that. I'm going to say that right now, as somebody who has under-- undergone issues of mental health. I've been through numerous issues like that, before I recovered. In my four years upon attending Lincoln Public Schools since we moved here from California, the way this district has been designed-- especially with its cell phone policy-- is completely different and, I would argue, not as effective. I come from California, where education used to be one of the lowest, before they had to undergo a humongous renovation. Some of those renovations include redesigning the way schools are. Some senators and numerous other people you guys mentioned about wanting kids to socialize. As somebody who's also been an urban advocate for better spaces across cities for the past few years, and engaged in my local politics, one of the best ways you're going to have kids talk to each other is you create open spaces for them to talk. I attended Marilyn Moore Middle School, and there was an all-school cell phone ban from A to B, from the start of the day to the end. But one of the differences-- in

middle school, you had a recess, you had a halfway point, right? At lunch, you would be able to go outside, play sports, talk with your friends. In high school, you can only sit in a cafeteria, and at Standing Bear, compared to other schools, some of our regulations are extremely strict. You cannot expect kids to socialize with each other or go outside on a frequent basis if areas are not designed to encourage them to do so. That's issue number one. Issue number two is, when you look at these issue with cell phone bans, you have to also look at the curriculum. I've talked to the superintendent of LPS, Dr. Paul Gausman, and the associate superintendent of curriculum design before, as well as principals of Moore and Standing Bear High School. I've also talked to a few board members, some of which-- I forgot his name, but he has an issue with his throat where he can't speak, so he has to use technology to actually communicate. We had a very good discussion about technology and how it, how it works. Some of the issues at hand is that kids are very addicted to their cell phones in an area like in the Mid-- in Nebraska and across the United States because of the way schools are designed. If you compare-- I've, I've compared numerous school districts across the world, including Montreal and districts in the Netherlands like Amsterdam. As I mentioned, one of the things they've done uniquely is create spaces for students so they can engage in conversations and do work there. But also, one of the differences is there curriculums are designed so that you're continuously involving yourself in the assignment. It's not something like a 10-page long page-- 10-page long packet that you have to do to review for a test, or just in general because a teacher wants to give you what's called busy work. Some of the teachers I've had have literally given us the packet and said complete it, just on a day because they were bored, and they took photos of themselves and snapped it to other people, and sometimes even used it to order, mid-class, food for themselves. Kids are going to not be on their cell phones if they know that there's going to be people working for them. I've spoken at numerous boards before. I've spoken at the city council numerous times on issues like these, all intertwining with one another. I've also emailed Ms. Sanders about these issue too, and my local Senator, Senator Bosn, about this. Sent a note to the governors as well with stuff like this. Harvard conducted a study on the New York Department of Education, which-- I have an aunt who's worked there for the past four mayor administrations. She's also had a similar opinion, talking about their policy. And Harvard said, yes, academic scores are influenced by this. But one of the other factors that have happened because of a result of cell phone policies is students are not actually following, following those rules, as mentioned before, blaming it on teachers et cetera, et cetera. And,

before my time's up, I'll also reference one more thing. Yes, cell phones are an impact, but when you look at other states, such as the Oklahoma Department of Education, they've enacted a similar policy, and numerous other ones proposed for education in general. Yet, scores are going down. So when you do look at a bill like this bill today, make sure you're considering all issues like mental health emergencies that have been going on for the past year. And keep in mind, I-- so, I said yesterday agencies like Children's Nebraska have had an issue with mental health continuing to overflow in their facilities, and have to make facilities-- new, dedicated hospitals for that. And last year, Governor Pillen vetoed $15 million in mental health funding that went to numerous initiatives, such as violence-- for minors being involved in violence, especially around areas like Douglas County. Other than that, nothing. Thank you.

MURMAN: Thank you. Any questions for Mr.-- is it "Quessi?"

MAIMOON QURESHI: Qureshi.

MURMAN: Qur-- "Quressi?"

MAIMOON QURESHI: Yeah.

MURMAN: Any questions? I have one. I thought I heard you say that the use of cell phone encourages communication among students. Is it what [INAUDIBLE]--

MAIMOON QURESHI: No, I, I, I was talking about social spaces, as in the way a school is designed. So, in California, what they did is schools used to be indoors, like in Nebraska. I mean, we don't have that weather advantage. But when they redesigned their schools as a part of an education initiative, they designed it so compounds were surrounded around a green space. And as a result, kids, we-- they, they have very strict cell phone policies there. But as a result, if you're completing an assignment or you're at lunch, kids would be able to just-- the classroom door was right there. So they could just walk outside, sit in the grass, sit on the bench, and be able to talk with friends, or do sports because there was a courtyard next to it, as well. Like in-- like a park in the neighborhood, as an example.

MURMAN: Yeah. Thank you. That wouldn't work very well today in Nebraska.

MAIMOON QURESHI: Thank you.

MURMAN: Senator Meyer.

MEYER: Thank you, Chairman Murman--

MURMAN: Question from Senator Meyer.

MEYER: I was very impressed with your testimony the other day.

MAIMOON QURESHI: Thank you.

MEYER: I'm also very impressed today. Once again, I think I have less to be concerned about in the youth in-- certainly in Nebraska. You seem very well-studied. You've looked at a lot of different situations. You mentioned, mentioned Oklahoma that enacted a similar law,--

MAIMOON QURESHI: Mmhmm.

MEYER: --and yet, test scores are going down. What, what's-- could you maybe offer an opinion of why you think that's happening?

MAIMOON QURESHI: Well, I think one of the biggest issues is also, as I mentioned, with the way you enact a cell phone policy ban, and issues like a curriculum not engaging students continuously. I think that's also one of the issues at hand is-- as I mentioned, there was also other measures in Oklahoma that were enacted with it, is that, when-- I mentioned the statistic from Harvard. When you do it-- when there are issues with academic results, you have to consider numerous factors, like is a student continuing to follow the rules, are they completing assignments, et cetera? I think that's one of the issues is, in Oklahoma, some of their curriculum measures as well have been very-- they haven't been on the lines of proactive, so when you combine those together, a cell phone ban and having students conduct assignments that are very disengaging and not proactive, I think that's a very-- it, it influences their mental health very much.

MEYER: So it's-- if I understand this correctly, so it's probably less about not having your cell phone, it's a lot of peripheral, other activities.

MAIMOON QURESHI: A lot of it, yeah.

MEYER: Or the lack of activities.

MAIMOON QURESHI: Mmhmm.

MEYER: So it's, it's, it's an, an overall educational philosophy.

MAIMOON QURESHI: Yeah.

MEYER: And not having a cell phone is only part of that.

MAIMOON QURESHI: Yeah.

MEYER: Thank you.

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

MAIMOON QURESHI: Thank you.

MURMAN: Other opponents for LB1140? Or, LB140. Excuse me.

COLBY COASH: Good afternoon, members of the Education Committee. My name is Colby Coash, C-o-l-b-y C-o-a-s-h. I represent the Nebraska Association of School Boards. And I want to be clear, we're, we're here in opposition today, not on any of the philosophical components that have been well-vetted in front of the committee today. We are in alignment. My members understand the connection between cell flay-- cell phone unit-- usage and school performance. Schools have long recognized this, and, as Commissioner Maher earlier testified, they are looking at this issue through their policies. And I didn't know he was going to testify today, but he did copy some of the data that he per-- he presented to the state Board of Education last fall. And so, I, I want you to, to see that. From a school board perspective, our goal is to make sure that there's a policy that works, that there's a policy that can be enforced. And to that end, we have some, some comments that are mainly based on the technical aspects of the bill, and I didn't know if they would be brought up today, and so I wanted to get them in front of you as a committee, get them on the record. I could have done it, possibly, in the way that Mr. Royers did, or others, and said, you know, we like the bill, but we have concerns. And I will say that I've had conversations with the governor's office, with the attorney general, and shared these things as early as yesterday, and the attorney general acknowledged them in his testimony as well. But I wanted to make sure that the committee saw a few things that our members flagged. And, and these were briefly brought up, but they, they bear repeating a little bit. On page 2, line 6, there is "attending a school function." Right? Our members looked at that, and they said, "Can we write that policy? Sure. Can that be enforced? Probably not." And that, that was going to be a real challenge for them, and they wanted that brought to you on the record. The other, the other thing is, further down on, on page 2, line 29, there is an exception "when authorized by a teacher for educational purposes."

When our committee looked at that, one of the, the most impactful pieces of feedback that we got back was there were districts who had implemented a policy that allowed for an exception like this. They quickly removed it, because they didn't want the teachers to end up being the bad guy. They decided they wanted a more consistent policy, and they wanted, they wanted it to be a district policy. It was-- so we would certainly ask the committee to, to take a look at that. As to the question that I think the committee is going to wrestle with, right? Should the, the mandated policy be a bell-to-bell approach, or should it have some discretion of the local board to do what many districts are doing, as in-- indicated by the data, which is having some ability for these kinds of usage, primarily during lunches and passing periods. What my members have shared with me is that many districts have that, many districts have the bell-to-bell. I think Grand Island was brought up earlier, and I can share with you their experience as they shared with the governor's office last fall. Our preference would be that the discretion be left up to the school board, whether or not they needed that bell-to-bell, or wanted to start with a more discretionary policy. So, we wanted to make sure that that was on record. But my last point-- and Mr. Royers brought this up-- there seems to be a little bit of conflict, technically, in this bill between the fact that we have a mandate with exceptions. That's going to be confusing to, to, to my members. And, and if the goal is to have some consistent policy across the state, I think, as currently drafted, you would still end up with kind of a hodgepodge of, of policies because of, of that, that issue. And to that point-- and I don't have a comment on whether or not it should or should not-- but it should be pointed out that this provision does not apply. None of this bill would apply to any of non-public-- any schools that were not public. In other words, the testimony you heard earlier from the young lady who did a great job, this bill does not apply to them. And that's a decision for the committee to, to look at. Wanted to bring that up and present you with the data that you have that Commissioner Maher kind of kicked off in his earlier testimony, and see if there's any questions I can answer.

MURMAN: Thank you. Any questions for Mr. Coash? Senator Hunt.

HUNT: Thank you, Chairman Murman. Thank you, Senator Coash, for being here. Thank you for this data. I, I thought it was helpful to see, it says-- one question was, does your school district currently have a formal policy regarding cell phone usage, which this bill seeks to have all schools create. And-- 178 said yes; 6 are in development; only 32 said no. But then, what was interesting after reading that info point was the next question is, OK, what type of policy is in

place? And none of the schools say students can use cell phone freely, so that seems like most schools, not all schools-- all schools do have a policy in place of some kind, since zero schools said that students can use cell phones freely and-- ranging from no cell phone allowed during school hours, or there's some limitations or restrictions. It seems like every school that filled out this poll does have some kind of restriction in place, right?

COLBY COASH: That's correct. I mean, it's not the wild west out there. Schools-- I mean, they've been dealing with this for a long time, and it's come to your attention now. So, every school does, does have something in place. I would venture to say even the ones that don't are now looking at it. And I would say-- and we would encourage from our perspective that at-- a district doesn't have a policy, they should. But what we found is that some districts have found what works for them through policy, which, by the way, happens in public; it's voted on in public; there's public hearings; there's an opportunity for input, primarily from parents. Some have found a path forward with a bell-to-bell approach, others have found a path forward with a less restrictive approach that seems to work for their size district, their ability to enforce it, and those kinds of things. And our members appreciate that discretion at the board level. But if the state is going to implement a, a kind of a, a minimum, as the governor put it, it should be clear on what that is, and I'm not sure we're quite there yet,--

HUNT: So, is your--

COLBY COASH: --but I think the attorney general mentioned that.

HUNT: So is your position that, when you say it should be clear if it's going to be implemented at the state level-- you're, you're saying that would be like an explicit policy written out, that all the schools just follow instead of a law saying, OK, schools, you can all make your own rules now?

COLBY COASH: Well, under the current language, it says prohibition. And then later on, it says unless the school board--

HUNT: Sure. So--

COLBY COASH: --says, says. And if that's the way it is, I think-- I don't know if we're any further ahead than maybe where the bill-- or, where the, the current state of affair is. But that's, that's a policy decision for the Legislature. Our-- my purpose of being here today is

to say if, if that's the policy decision, it should be clear so the districts can follow it.

HUNT: So, right now, you're verbalizing the concern I had during this hearing, and from looking at the bill. In your opinion, or in your organization's opinion or whatever you want to represent, where does the solution live to this problem? Is it in the Legislature? Is it in the Board of Education? The Department of Education? The school boards? The individual schools? The districts? Like--

COLBY COASH: Well--

HUNT: --you know, given that all schools have a policy because zero schools surveyed said that they can use cell phones freely, where does the solution to this live?

COLBY COASH: Well, our, our party-- or, company line is, is typically, it lies at the local level, and-- but we are, as political subdivisions, subject to, to state law. And sometimes, sometimes the state does come in. And I appreciate-- what the attorney general said is sometimes, they have to be the heavy. And we've-- we'll see bills, bills like that. And so, there's always a balance. But we're always going to default, from our organization's standpoint, to the best place to make these decisions is locally, with the input of their local parents, staff, constituents. Kind of the second place would be the State Board of Education. I kind of thought, after I went to the October state board meeting where this data was presented, the state board might make this part of accreditation. They do have, through the rulemaking process, the ability to force schools to adopt a policy like this. I thought they might, and I might be coming up here today and saying, "Hey, don't worry about it. The state board's got this taken care of." But they've decided to say, let's see what the Legislature does, so everybody's kind of waiting to see which regulatory oversight agency-- whether it's the state, the local board or the state board is going to-- is going to win. It looks like the-- with the leadership of the folks you saw today, it looks like the state's going to at least set some type of minimum standard. And if that's the case, it should be clear and able to be enforced.

HUNT: OK.

MURMAN: Any other questions? Senator Hughes.

HUGHES: Yes. Thank you, Chair Murman. Thanks for coming in, Mr. Coash. When-- I'm assuming you-- I was on school board. You have a group of members that meet together to decide how you're going to, as a NASB--

COLBY COASH: We do.

HUGHES: --respond to certain bills. When you were discussing this particular bill, was it a general consensus across your committee that-- nope, it needs to stick with local control, or was there some-- I'm just curious what the mix was,--

COLBY COASH: Yeah.

HUGHES: --because, like I, I mentioned, I read The Anxious Generation, and, and I know what Seward's policy is, but-- in fact, I just texted our superintendent. I'm like, I think we need to go bell-to-bell, not even over passing periods and lunch. What was the consensus--

COLBY COASH: So--

HUGHES: --among your members? I'm just kind of curious, when you were talking over it this morning.

COLBY COASH: Appreciate the question. The consensus, first of all, was something-- schools need a policy.

HUGHES: Something. Yeah.

COLBY COASH: Schools need a policy, and I, I don't know who those 38 are. They weren't in the room of the folks that I was talking to. And they all had a policy, and they were-- felt very strongly if they didn't, they should.

HUGHES: OK.

COLBY COASH: And that's part of our organization's role, is to help them with that. But, as you go around the room, we had Grand Island, who has a bell-to-bell, and has kind of been looked at as a model, and they're doing-- and they're getting some really great outcomes because of that. We had some small rural districts who said, you know what, we've found harmony, we've found the ability to manage our school with allowing cell phones only at the lunch period, and it's used as a reinforcement. And, and the teachers-- it, it works for them.

HUGHES: Yeah.

COLBY COASH: And they want to be able to continue to do, if-- what they feel works for them.

HUGHES: That's fair. Thank you.

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

COLBY COASH: Thank you.

MURMAN: Other opponents for LB140? Any neutral testifiers for LB140? If not, Senator Sanders, you're welcome to come up close. And while she's coming up-- online, we had 53 "perpro"-- proponents, 10 opponents, and 1 neutral testifier.

SANDERS: Thank you, Senator Murman, and members of the committee. In closing, I think I have the best bill for this year's session. Great conversations. I want to thank Governor Pillen, Attorney General Hilgers, and all those that testified today. We had some great young-- those that are experiencing and living out this issue right now. One of the things I wanted to bring up is, when I was asked to sponsor this bill, I said, can I-- can you give me a couple of days over the weekend? And I do a lot of my exploratory conversations at the grocery store. I'm always running into at least 5 or 10 people. And my question to them was, what do you think about the cell phone policy? And the ones that were teachers said, "Oh my God, I can teach again." Because so much of that one-hour teaching period, or 45 minutes, is dealing with the cell phone issues and distractions. And that was said time and time again. Teachers can teach again, which is what they get paid to do. So, I think it's also important we consider the consistency. Those teachers that taught part-time or substitute in other areas in the school district changes also. And so, if there was a consistency to policy, the teachers would understand it that are going to different schools-- or, different school districts. I love it, if it was the first bell of the day to the last bell of day. If you've been in the schools recently, during hallways, they're all on their cell phone, they're not even engaging with each other in the hallway. And I think that's a big part. At least when I grew up, that, that hallway time was important. If you haven't co-sponsored my bill, please do. If you have any questions, appreciate it. Thank you.

MURMAN: Thank you. Any questions for Senator Sanders this time? I think we got it all covered.

SANDERS: Thank you very much.

MURMAN: Thank you. And that'll close the hearing for LB140. And we're going to take a quick, 5-minute break.

HUGHES: Thank goodness. [MALFUNCTION] Go with LB670. Can I see a show of hands of who's going to speak on this one? Four, five-- OK, I think we can leave it-- five minutes? Should we go to four minutes? Gonna use my power. We are going to go to four minutes. That all-- is that all right? OK. Go ahead, open. Senator Murman, LB670.

MURMAN: Good afternoon, Vice Chair Hughes, and members of the Education Committee. My name is Dave Murman, D-a-v-e M-u-r-m-a-n, representing District 38. Today, I have the privilege to introduce LB670. Over the last two years, the governor has met with a group of school administrators from both public and private schools to examine current school mandates that could be modified or eliminated to provide more efficiency and reduce the workload facing schools while ensuring reasonable standards remain. LB670 is a product from that group, which changes law related to required drills by giving more authority to the local school board through the adoption and maintenance of a safety plan concerning fire, tornado, and vehicle safety drills, and other training. Thank you, and I look forward to any questions you-- but there will be testimony following me to explain the specifics and the need for the proposed changes.

HUGHES: All right.

MURMAN: I'll take any questions.

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

LONOWSKI: Thank you, Chair. Can you be specific about, like, what changes there will be, or do you have someone following you that will?

MURMAN: Yes. There'll, there'll be some behind me to--

LONOWSKI: OK.

MURMAN: --explain those changes. And if they're not covered, I can cover it in my closing.

LONOWSKI: OK. Thank you, Senator.

HUGHES: All right. Thank you. And we'll have our first proponent for LB670.

JASON MUNDORF: Good afternoon, Vice Chair Hughes, and other members of the Education Committee. I am Jason Mundorf, M-u-n-d-o-r-f, superintendent of Kearney Public Schools. And I'm here also on behalf of the Nebraska Council of School Administrators as well as the Nebraska Association of School Boards, here in support of LB670, a bill brought forward by Chairman Murman at the request of Governor Pillen. Over the past two years, I've been fortunate to be a member and contributor of an educational ad hoc committee of leaders from both public and non-public schools who have met with Governor Pillen to discuss educational mandates and reforms. It's our group's belief that current training requirements have varied because there's minimum expecting-- expectation language that's listed in some of the bills. We feel that by setting maximum training requirements with the discretion of local boards would be the more appropriate way of going forward of, again, maintaining the requirements as well as the flexibility of local control decision-making. In the current bill, as constructed, we would be supportive of amendment language to the maximums. There is some folks who will say, "Hey, we don't like that there's now a maximum as opposed to a minimum." And we do think that allowing that flexibility for a local board to go beyond a maximum would be an important amendment to consider. Three key, key changes that we're seeking in this bill. Currently, we have required safety trainings for monthly fire drills, two annual tornado drills a year; we also have required bus evacuation drills. What we would propose is that, under a plan submitted to the NDE safety director, we would be allowed the opportunity to create a flexible drill schedule that would include tornado drills, fire drills, bus evacuation drills, but also lockdown drills and other types of drills that are maybe more pertinent to the situations that we face in schools today. I think it would be important to note in that, that that bill-- sorry, that plan would be again submitted to Safety Director Martin. He could review that, and determine that school districts are meeting the requirements of a monthly drill. We haven't had a fire drill since the nine-- I'm sorry, a fire in schools since the 1950s, so requiring a monthly fire drill maybe seems like that's a little bit too much in that particular area. Also in this bill, we are looking at the 20 hours required under 79-2704 for administrators and school safety resource officers to re-- be reduced to no more than 12 hours, unless the local school district would like to extend that training. Some considerations with that. We have three SROs currently employed in Kearney Public Schools; those SROs are members of the Kearney Police Department. I have in my testimony that's written and given to you that they attend a one week long training. They actually attend two weeks worth of training, both a basic and advanced course. So, 80 hours of training in the same

topics that we cover in the 20-hour training that they're also required to do currently, under 79-2704. As school administrators, we complete a number of trainings as part of our district training plans. We also have educational coursework in our credentialing process that speaks to some of these same pieces. I did speak to our SROs, and asked, "Is there anything in the 20-hour training specifically that you'd find beneficial?" They did say the Title IX aspect that's in that, as well as roles and responsibilities. Those are good elements that are part of the existing 20-hour training. So, again, if we reduce that to 12 hours, those would be pieces we'd recommend to keep, but we do think that we could shave some time there, as well. That training is currently only available through a video series provided by KSB Law Firm. That's at a cost of $400 per person. That training is a series of videos and quizzes. If you've ever been engaged in training where you watch a video and you take a quiz, individual engagement can be limited at times, so that-- that's also challenging with that. Finally, in this bill, we would also ask that you revise section 43-2606; that currently sets forth DHHS training requirements for child care and school care programs. It currently says from at least four hours for an annual inservice to no more than four hours. Again, we would support amendment language that, if an individual child care provider or local district wanted to go beyond four hours of training, they could do that. But when you set minimum requirements, what happens is it says no more-- you-- or, you know, at least four hours. That becomes 20 hours or 30 hours, because other agencies come in and say, hey, you need also this, and you need this. And in-- especially in early childhood, you end up creating some situations where there's so much training, it's hard to even find adults who will be a para pro, and that training's well beyond what we have at the K-12 level.

HUGHES: And-- Mr. Mun [SIC], your time's up.

JASON MUNDORF: OK. Sorry.

HUGHES: But, if you want a wrap up just real quick.

JASON MUNDORF: Yep. Nope. Just in closing, we-- I, I thank you for giving us the opportunity to bring this forward. Thank you, Senator Murman for bringing it forward, and we ask you to support General-- LB670 to General File.

HUGHES: All right. Thank you. Do we have questions for-- go ahead. Senator Conrad

CONRAD: Thank you, Vice Chair. Thank you for being here. I definitely hear what you're saying loud and clear, and, and I think that is important. I don't think it's the policy goal for perhaps any of us to have redundant or antiquated training requirements on the books. I would hope that we can use this bill as an opportunity to figure out where to streamline things, maybe where to let some things go, and most importantly, figure out how to make a meaningful training for the people that are impacted by this. And I will tell you, I know when Senator Pansing Brooks worked with Senator Linehan to pass the school resource officers component, you know, it was a really thoughtful bipartisan effort. And, at that time-- and it's been a few years, so maybe it's worth taking another look at-- you know, at that point, that approach was hailed as what-- really the gold standard approach for state policy in terms of striking the right balance between students' rights and safety and utilization of SROs. So, I hear what you're saying, but I just want to make sure that we don't lose ground when it comes to advancing some of the, the other policy goals there, too. But I'm sure we can kind of put our heads together on the technical pieces, but. Thanks.

JASON MUNDORF: OK. You bet.

HUGHES: Very good. Other questions? Senator Lonowski.

LONOWSKI: Thank you, Chair Hughes. Thank you for being here, Mr. Mundorf. I have a question. So, if we say-- if we change the language to no more than four hours, do you think that that relieves some people to say we, we can do three? It just says no more than four. Or, we can do two. So I guess, can we just say four hours?

JASON MUNDORF: We could, sure.

LONOWSKI: Do you get what I'm saying?

JASON MUNDORF: Yeah, absolutely. Again-- and we would also support an amendment of four hours, but with the latitude for a local board or childcare provider--

LONOWSKI: OK.

JASON MUNDORF: --to extend, if they wanted to.

LONOWSKI: Do you see my concern?

JASON MUNDORF: Absolutely. Sure.

LONOWSKI: OK. All right. Thank you.

JASON MUNDORF: You bet.

HUGHES: Other questions? I have-- I just have one on the safety plan thing. So, correct me if I'm wrong. Every school has to do ten fire drills.

JASON MUNDORF: Correct.

HUGHES: And two tornado, and that is-- that was set by our statute.

JASON MUNDORF: Correct.

HUGHES: And so, the change would be schools would come up with some sort of drill plan. Maybe it's four fire drills, one tornado drill, two active shoot-- right? And then--

JASON MUNDORF: Correct.

HUGHES: --submit it, and if it's gets approved, that's what they do instead of--

JASON MUNDORF: Correct.

HUGHES: --the ten fire drills, too. OK. That--

JASON MUNDORF: Yes. It's just greater flexibility.

HUGHES: I really-- I like that a lot. I think that makes a lot of, lot of sense. So, thanks for being part of this. Go ahead, Senator Meyer.

MEYER: Thank you, Vice Chair Hughes. You know, we're talking about tornado drills, fire drills, things of that nature. Unfortunately today, we have to always be cognizant of, perhaps, active shooter drills, things of that nature. Do you work-- or, or have you been doing drills in conjunction with emergency managers, first responders, law enforcement or a-- and, and as an extension of that, have you worked on a safety plan and things of that nature, and, and have drilled on those types of things also?

JASON MUNDORF: We do have a safety plan. And we do have, as part of our district's efforts, we have a security team that meets with-- the emergency manager's a part of that team-- to pull off a very large-scale lockdown drill. You know, where you're really going to respond to that in a, in a district the size of Kearney is a, is a pretty good challenge when you start talking about the, the various

folks who would have to be involved. And that's probably part of the latitude we'd like. We do lockdown drills in the school. You know, where, again, we, we will let parents know, and we will set a lockdown. Kids know what to do. Teachers, you know, they start working on their response if the lockdown was called. But if we want to make it bigger than that, which I think would really be good for some of our communities to practice-- OK, how are you going to bring in your medical personnel? What does your emergency reunification look like? To really drill those pieces, it would take more time and something that would take a coordinated effort with the community. In the current structure, again, every hour-- and that's in my testimony-- in '23-'24 fiscal note, a teacher's cost in Nebraska across our state-- teachers are costing about $1.4 million per hour. That, that's our entire state. So, every instructional hour you lose, you know-- you, you need to drill, but you have required drills that we have set forth by statute. So, that takes time. Even a fire drill, when you have 1,600 kids, it takes a fair amount of time to evacuate the building, locate all the kids, notice where they are, move them back. So, this would allow us, I think, greater flexibility to do some of the drills and maybe something more in-depth, like what you're describing.

MEYER: Certainly, to have, like, an active shooter drill or something along those lines, you'd have to coordinate with your emergency management for the county and, and city, if you have such a thing. Law enforcement. And, and-- the reason I'm asking this is, unfortunately, we've seeing these types of situations wherever you are, certainly in the United States, and, and, and around the world also. I would encourage you to consider that, regardless of the cost. I, I would hate to see-- I would hate to see an incident in any of our schools, any of our county buildings, hospitals or whatever. I'd encourage all of them to consider working with local law enforcement, first responders. I wouldn't want to be the person that said, "God, I wish we'd have trained." You know, it's one thing to train the school in safe, safe classrooms, and how to lock down. It's another thing to work with the-- the school to have the, the policy practiced, and the people that you know exactly what you're going to do. And, and I would encourage the-- I'm not just trying to single you out, sir.

JASON MUNDORF: No, I understand.

MEYER: It's a matter of-- I think every community should really take-- regardless of the cost, should take a, a good hard look at that, quite frankly. And I would encourage you to do so, also.

JASON MUNDORF: I couldn't agree with you more.

MEYER: So.

HUGHES: Senator Lonowski.

LONOWSKI: Thank you, Senator Hughes. Sir, I got a quick question, because we just talked about the cell phone bill.

JASON MUNDORF: Yes, sir.

LONOWSKI: How do you guys handle that? How does Kearney Public Schools handle cell phones during lockdowns, during any situation like that? Do you allow the kids to get them? Or can you explain what you guys do?

JASON MUNDORF: Yeah, you bet. So--

LONOWSKI: [INAUDIBLE] insight?

JASON MUNDORF: Yup. In, in Kearney, what we went to is a "no cell phone during class" instructional time. We put those cell phones in a-- it's called a cell caddy. So, much like what was described earlier with the-- I think, like, the shoe case or whatever.

LONOWSKI: Right.

JASON MUNDORF: You, you drop in the pocket, it's there in the classroom. If there was an emergency, a kid could access it.

LONOWSKI: OK.

JASON MUNDORF: But we do have them put it up. I, I, I didn't testify earlier, so I, I you know-- I, I would say one thing that we talk about, we don't have cell phones other than passing periods and lunch, which was mentioned. We are training, especially at the high school. You know, kids are also going to college. So there is some element, I know, that, that all of these things every-- I would agree with everything everyone said, that, that cell phones aren't great, but they aren't also going away. So, teaching people how to maybe use them appropriately. During instructional time, we put them up. When there's time that maybe we're going to be working on an assignment or project, you know, it used to be music. A long time ago when I taught, there was music in the classroom; we might turn on some music. So, we-- you know-- there are things in the world that teaching kids how to use them, and how to work with that, you know, is a part of it as well. But I, I certainly understand the, the need for policy. We put that in, we support it, and it's gone very well. Our kids, much like

others-- the students that were up here did great. Our kids say the same thing: this is awesome to not be distracted. My cell phone's in my truck right now, because I thought it would be buzzing like crazy; when I'm sitting here trying to talk to you, I'd be distracted. So, I mean, we're-- we all have that.

LONOWSKI: Thank you.

JASON MUNDORF: Yep.

HUGHES: OK. Any other questions? All right. Thanks for coming in. Appreciate it.

JASON MUNDORF: Thank you.

HUGHES: Next proponent for LB670. OK. First-- oh. Proponent? Run.

MICHEAL DWYER: OK.

HUGHES: Go ahead.

MICHEAL DWYER: Good afternoon, Vice Chairman Hughes, and members of the Education Committee. My name is Micheal Dwyer, M-i-c-h-e-a-l D-w-y-e-r, and I appreciate the opportunity to testify in favor of LB670. I'm a 12-year-- former 12-year member of the Arlington School Board, two years as president, and I'm also a 41-year active volunteer fire and EMT. I'm currently the co-chair of the Nebraska EMS Task Force, and also the sponsor of the future of EMS in Nebraska, and I think each of your offices has a copy of that. Thank you, Senator Murman, for introducing this important legislation to streamline and, I believe, strengthen school safety. Without using any props, I will attempt to wear both of those hats, as a school board member and a, and a responder. As a former school board member and president, I like the idea of limiting the service to four hours because it keeps it, in my opinion, to a certain extent, functional. I think you can cover a lot of stuff if you're organized. And-- both a-- and a-- certainly, as a school board president, it doesn't extend it to 15 or 20 or 30 or 40 hours; it makes it, to a certain extent, impractical. As a school board member, I'm naturally hesitant about state requirements. However, as a responder, I understand the critical importance of planning for emergencies. I can tell you from my experience that most emergencies are chaos by their very nature. Having a practical plan is the only hope that the partners in an event-- fire, EMS, law enforcement, administrators, teachers and, most importantly, kids-- have to be able to contain that chaos. The only concern I have with LB670-- again, strong proponent-- is that it doesn't specifically

include EMS. Simple change. The fact that emerg-- the fact is that emergency medical calls represent, typically, 85 to 90% of what a fire department does. And in my experience, that was certainly case-- the case in our response to the school in Arlington. I would encourage you to add "medical emergencies," quote, to Section 2, line [SIC] A. But again, I want to be clear that I support LB670 and would encourage you to advance it to the floor. Couple questions I'll try to answer, with respect-- I know there was a lot of talk about the comparison to this in LB140 that was just up. Clearly support that idea from an emergency perspective-- again, I got that hat on-- I think it's really important to control that communication in the first couple hours or so of a horrific event, to your point of-- God-- the God-forbid-event. On the other hand, I think at some point, sort of the reuni-- reunification of the kids, not only with their parents, but, at some point, reunification with their communication device would also be important. What you don't want, what we don't want, is to have 200 parents standing outside of the school in the middle of an event, when we're trying to do some basic structural things. On the other hand, at some point it will-- when you can't release those kids all, all at once, it will be important to kind of have them be able to have some kind of communication. The, the last testifier mentioned no fire drills; of course, I don't agree with that. Senator Meyer, you had talked about the active shooter. The only recommendation I could have is, is to do that, and-- but perhaps, do it tabletop. So, you get all of the principals around a table, and you kind of enact what that might look like. The Washington County sheriff has done a great job of active shooter drills in that-- in our building. It, it gets im-- a little, just, impractical when you try to include law enforcement, fire, EMS, emergency management and on down the line. It just-- it gets very hard to do it in any kind of a practical sense. With that, I'd be happy to take any questions.

HUGHES: All right. Thank you, Mr. Dwyer, and I'm sure I speak for everybody, thank you for your dual service. One, as a school board member, and two, four-- was it 41 years as a volunteer firefighter and EMS? Really appreciate that. And less-- you know, less pay than us. So, zero pay. Anyway. Questions for Mr. Dwyer? No. Thank you for coming in. Appreciate it.

MICHEAL DWYER: Thank you.

HUGHES: Next proponent. OK. Now we can go to opponents, please.

JOY KATHURIMA: Good afternoon, Vice Chair Hughes, 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 opposition to LB670. 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. Today, I'm here to testify in opposition to Section 7 of LB670, which would reduce the number of training hours for school resource officers from 20 hours to a maximum of 12 hours of training for school police. This means that school resource officers could have zero hours of training on things like students' rights, understanding students with disabilities, conflict de-escalation, and implicit bias training before acting as a school resource officer in a Nebraska school. The ACLU of Nebraska fully acknowledges that we, as a state, are fortunate to have many hardworking and talented educators and law enforcement officers whose jobs are becoming increasingly complex while resources to support them and their important work are becoming increasingly limited. At the same time, we remain deeply concerned about how an increased police presence in our schools impacts racial justice, disability rights, immigrant and refugee students, parental rights and the civil rights and civil liberties of all Nebraska students. To be clear, the ACLU does not support a permanent police presence in our schools for this very reason. As Senator Conrad previously mentioned, born from ours and many others' concerns about school police, LB390-- a bill by Senator Pansing Brooks to put safeguards in place when school districts decide to use school police-- was passed with broad bipartisan support in 2019. Part of that bill was the training requirement, which recognized that school police and administrators working with school police must be trained in interacting with students, the consequences of juvenile justice system involvement, de-escalation, and a host of other vital topics. LB670 gets rid of all these training requirements, sending the message to students and families that we don't care about their interactions with school police, and don't respect the rights of students and families enough to even require 20 hours of training. If policymakers decide to establish, maintain or expand SRO programs, basic training that the majority of the Nebraska state senators from across the political spectrum agreed were important just five years ago must be maintained. Training is one way that we can safeguard civil liberties and protect students' rights and parents rights while mitigating the disproportionate negative impacts SRO programs have on students of color and students with disabilities. For these reasons, we urge the committee to indefinitely postpone this bill. Thank you, and I'm happy to answer any questions.

HUGHES: Thank you for coming in, Miss "Katurima."

JOY KATHURIMA: Kathurima.

HUGHES: Kathurima. Questions for Miss Kathurima? OK.

JOY KATHURIMA: Thank you.

HUGHES: Appreciate it. Thank you. Next opponent.

KATIE NUNGESSER: Thank you, Vice Chair Hughes, and members of the Education communi-- Committee. My name is Katie Nungesser, spelled K-a-t-i-e N-u-n-g-e-s-s-e-r, and I'm here today representing Voices for Children in Nebraska in opposition of LB670. We all share a common goal of ensuring that our schools are safe, support-- safe, supportive environments where students can learn and thrive. Much of the testimony that I handed out today mirrors what you just heard from Joy, and also touched on some of what Senator Conrad shared, our concern specifically around the SROs. That is why we're here today. Since I'm not going to read the written testimony, what I can share is that we host, all year long, youth fellowships where kids across Nebraska in small groups learn about advocacy, and they kind of look at their own lives and decide what kind of policies they would like to see. As part of that process, we invite attorneys in to talk with kids about their rights, and I will say the SRO topic is always top of the kids' minds. They have questions about things, about the rules, and when they can be searched, and some of the females asking, does a female teacher have to be present if it's a male SRO? Lots of things about their rights. One of the things that we've noticed is, when there's educators in the room from the schools that we're working at on things, they often don't have the answers, either. A lot of those policies are set with that SRO in collaboration with the school district, but even some of the educators aren't real clear on the rules. So what concerns me is if we're already having those issues with the 20 hours of training, does this set those SRO officers also up for, you know, an even more complex situation? It sounds like there's already some confusion, people doing things differently, and kids not even knowing their rights to-- let alone know if they're being violated, so. We just wanted to lift that up, mirror everything that's already been said, and also really appreciate Senator Conrad's statement about making sure it's meaningful training, especially when it comes to this part of it. So, I will keep it short and sweet for today, but I'm available if you have any questions.

HUGHES: All right. Thank you, Ms. Munsinger [SIC]. Any questions? OK. Thank you. Next opponent.

MITCHELL CLARK: A little loud, there. Hello. I have arrived. Chairman Murman, and members of the Education Committee, thank you for the opportunity to testify. My name is Mitchell Clark, M-i-t-c-h-e-l-l C-l-a-r-k, and I am a policy adviser for First Five Nebraska, a statewide public policy organization committed in the-- to the care, early care, education and healthy development of Nebraska's youngest children. I am here today to testify in opposition to Section 1 and Section 4, Subsection (3)(a) specifically in LB670. I would like to start by thanking the governor and this committee for considering First Five Nebraska's concerns. Training topics-- LB670 would reduce the annual inservice training requirements for child care programs, directors and staff licensed by the Department of Health and Human Services, or DHHS, and school-based pre-kindergarten program staff. These trainings serve an important function for ensuring a basic level of safety and other standards needed for the care and education of young children. Training topics include safe sleep for int-- infants, child abuse and neglect, CPR, first aid, emergency preparedness, and child development. Current regulations already allow for flexible training arrangements, such as counting safety and first aid/CPR training towards annual inservice requirements, virtual offerings, and counting college coursework or adult education courses towards those inservice requirements. Limiting training hours creates the possibility of reducing the level of safety and consistency that families need, and that they expect for the care of the education of their young children. Therefore, I would ask the committee to adopt an amendment to remove Sections 1 and 4, subsection (3)(a); this would remove any opposition that First Five Nebraska has to LB670. Again, I would like to thank Chairman Murman and members of the Education Committee for the opportunity to speak with you today. I would also like to extend gratitude to the governor for opening a dialog with First Five Nebraska to address our concerns. And real quickly, if I could, just to clarify some comments said earlier. The inservice training requirements for child care and preschool programs licensed under DHHS is 12 hours annually; those requirements for pre-K programs under Rule 11 is 15 hours. And those trainings, just to reiterate what I said earlier, do offer flexible arrangements that we believe is the least intrusive way of ensuring a basic standard of care. With that, I would be happy to take any questions you may have.

HUGHES: All right. Thank you, Mr. Clark. Questions? I guess I have one. These trainings are annual. Every year you have to complete them?

MITCHELL CLARK: Yep. There are other trainings that are required, like there should-- there has to be at least one staff member for both pre-K and child care programs that have CPR and first aid. Those can be applied to those annual inservice.

HUGHES: That's just-- this is just my thinking on this. The first time you hear it, yes. And then, when you keep getting the same training every single year, it gets-- that's where it's like you almost wish-- OK, first time people need this, and then after that, a follow-up refresher, which could be less. Anyway, that's just me thinking. Thank you for coming in. I don't think we have any other questions, so. Next opponent. Seeing none. Anyone testifying in the neutral? No? OK. Senator Murman, come on up to close. And while he's coming up, online we had 3 proponents, 4 opponents, and 1 neutral.

MURMAN: Thank you for considering this bill. And if-- the proponents that brought me the bill were, of course, concerned about eliminating redundancy and, and antiquated re-- requirements, as was talked about. It's 50 years since a fire, maybe 10, 10 a year is too many, but maybe we don't have enough for a, a tornado, for instance, but. And-- yeah, there, there were some questions, and of course, I'll work with all stakeholders to figure out what works best for everybody.

HUGHES: Very good.

MURMAN: I'm open for questions.

HUGHES: Any questions for Senator Murman? All right. This ends the hearing on LB670. Is Senator Quick here yet? Oh, there he is. Walking right on in.

MURMAN: And we will open the hearing on LB567. Welcome, Senator Quick, to the Education Committee.

HUGHES: Thank you.

QUICK: Good afternoon, Chairman Murman, and members of the Education Committee. My name is Dan Quick, D-a-n Q-u-i-c-k, and I represent District 35. And I'm here today introducing LB567. LB567, or the "Schools and Family Partnership Act" is meant to increase families', school and community collaboration opportunities to support students' academic success. This bill directs the Department of Education to create a model policy that will outline strategies to strengthen school-family connections, address student basic needs, expand learning opportunities, increase parental involvement, and address other non-academic factors that support acti-- academic success. The

amendment I passed out adds language that requires the Department of Education to create this policy model. Such a framework would be applied to each districts-- how each district sees fit. Schools have the choice to adopt the policy, they are not required to, to do it. Therefore, therefore, the policy can be tailored to the unique needs of, of each school and led by local school leadership in collaboration with families and the community. LB567 ensures that parents and their children are part of the decision-making process so their needs are front and center. While schools across the state may be implementing aspects of this framework, the bill is meant to raise awareness on how the-- how to take existing initiatives and more intentionally implement them with focus on, on family and community engagement opportunities. By raising awareness of the established framework, this model policy aims to provide opportunities for school districts to seek inspiration from one another, streamline, streamline access to existing resources, and strength-- strengthen collaboration to see more resources going into schools in Nebraska. The implementation of the model policy will be term-- will be term-- be determined by local school leadership in collaboration with parents and various stakeholders to meet the unique needs of each school. In Grand Island, Grand Island public schools has recognized the importance of community engagement. The district currently has one school designated for this purpose-- Lincoln Elementary-- where they provide a coordinator to assist with family engagement activities after school, and the summer programming for students and coordination of their food pantry for families. In addition to Lincoln Elementary, all of the GIPS sites utilize components of, of the programs and partnerships to ensure that we support learners and their families. 16 out of 18 sites have, have school social workers who establish connections between school, home, and the community. In addition, students also have access to a meal pack-- BackPack program on weekends, as well as their food-- as, as well as food boxes that help students learn how to cook through the extension office. We also have two schools utilize a community cafe model with support from Nebraska Children and Families Foundation, with a program currently running at Knickrehm Elementary. And we play host to the strengthening families classes for parents and children at a number of our elementary schools, from the, from the Central Nebraska Council on Alcohol-- Alcoholism and Addiction. LB567 promotes this idea of community engagement that has been successful in District 35. Today, you will hear from a variety of individuals who will provide insight on the impact of community collaboration. Their expertise will show why adopting this model plan-- model, model, model policy can strengthen existing efforts and provide a foundation for family engagement. Others who were unable, unable to, to attend in

person but wanted to extend support online include superintendents, law enforcement, community members, and more. Thank you for your time, and I'm happy to answer any questions you might have.

MURMAN: Thank you. Any questions for Senator Quick? Senator Hughes.

HUGHES: Thank you, Chair Murman. Thanks for coming in, Senator Quick. I guess-- so, you guys are doing it in Grand Island, for your schools in Grand Island, right? This-- I, I was down at Crete Public Schools, and I feel like they've really got a very engaged community presence and do a lot of things. Just in my district-- you mentioned the, the BackPack program is what we call it in Seward; we've got that going on. I guess I, I don't understand why this needs to happen when these things are already going on and, like you'd mentioned extension, and that, that work's-- is happening in Seward and York. They come in and do program-- like, I feel like a lot of these things are already out there, going on. So, I'm not exactly sure-- and maybe I'll hear more when people come testify after why the policy needs to be written, but--

QUICK: Yeah, I-- yeah. And you might hear that. The one thing that, that, that-- from my understanding, is some of these more rural schools that don't have the resources and maybe would just like some direction. I mean, they can--

HUGHES: So, it's just kind of like a blueprint--

QUICK: Yeah, it's like a blueprint--

HUGHES: --that they can follow?

QUICK: --for how, how it can work for your school, and just--

HUGHES: OK.

QUICK: --align it out for them so they understand that these-- that this-- these programs can be utilized for, especially the smaller school districts.

HUGHES: Yeah.

QUICK: You know, like Grand Island, and I'm sure some of the-- maybe the Lincoln schools, and Omaha schools, they probably already have some of these programs and work on them. But maybe some of the more rural schools, you know-- although they want to try those things, but they don't know how to do it. So this would allow, allow them, maybe,

to find within this language the resources and who to reach-- you know, how the program works, and maybe figure out how they can find these resources.

HUGHES: OK. Thank you.

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

MEYER: Thank you, Chairman. You're not implying that the superintendents and principals of the smaller schools aren't as educated and aware as what Grand Island is?

QUICK: No, I'm not implying that at all.

MEYER: Because, quite frankly, that's what I heard.

QUICK: Oh, no, I'm not implying that at all. I'm saying that, that--

MEYER: They don't know how to implement these types of things?

QUICK: No, I'm not saying that at all, sir. No.

MEYER: OK.

MURMAN: Any other questions for Senator Quick? If not, thank you for your opening. We'll ask for proponents for LB567.

NOLA DERBY-BENNETT: Good afternoon. My name is Nola Derby-Bennett, N-o-l-a D-e-r-b-y-B-e-n-n-e-t-t, and I serve as the director of community learning centers with Lincoln Public Schools. We serve 29 Title I-eligible buildings in our district. The mission of Lincoln Community Learning Centers is to support successful students, thriving families, and strong neighborhoods. To meet that mission, we adopted the community schools model many years ago, because we know that students succeed when their families are thriving and the community in which they live is strong and supportive. The community schools model is a national best practice, and we partner with the National Coalition for Community Schools through the Institute of Educational Leadership for guidance in implementing this model. We know that the best way to truly meet our mission is to collaborate with community partners who are the experts of-- in all of the supports that wrap around our students and their families to help them thrive. In Lincoln Public Schools, we work collaboratively with nine local nonprofits to lead our community learning centers, and then, under the collaborative leadership of each school-based leadership team, we partner with

hundreds of community partners to deliver high-quality extended learning opportunities and integrated student supports. We operate under the principle that the school is the hub of each neighborhood by providing services and supports where people already are. We support LB567 because it will allow the ability to expand on partnerships, engaging community experts to truly bring, bring the integrated supports and opportunities for families. Some of these supports are familiar to us, such as the partnership with local, local food banks for the BackPack program and food markets, and adult educational opportunities such as the Lincoln Chamber of Commerce's Lincoln, Lincoln, Manufacturing Skills Training and Lincoln Literacy's English language and adult skills classes. Families can even file their income taxes through a partnership with UNL's VITA tax prep while they're at the school to pick up their children at the end of the day. Other partnerships remain on the horizon. Services such as school-based medical and dental clinics, housing supports, and behavioral health supports sufficient enough to serve all students who need it. I recently had the opportunity to visit two different school-based health clinics, one in Cleveland, Ohio, and one in Asheville, North Carolina. In both visits, the school officials outlined impressive outcomes, illustrating the improvement in student attendance and performance, because students could visit the clinic right on campus to get an exam for something as simple as an ear infection or a sinus infection. They could get their prescription filled and then get straight back to class, reducing time out of the classroom. A policy that focuses on collaborative leadership, expanded learning opportunities, integrated supports, and authentic family engagement would provide the opportunity to lean into the schools as the community hub concept, letting our educators be the experts in their field, and our community partners to be the experts in theirs, all while providing comprehensive, integrated supports for students, families, and the community. For these reasons, we are happy to support LB567.

MURMAN: Thank you. Any questions? Senator Hughes.

HUGHES: I'm sorry. It was a quick one. Thank you, Chair Murman. So, you follow-- you, you said you-- the community schools model. Where did you get your policy to follow?

NOLA DERBY-BENNETT: So like I said, we, we partnered with the National Coalition for Community Schools through the Institute of Educational Leadership, and they sort of set the framework of the community schools model. And then, we-- it's really the integrated student supports, collaborative leadership, and so that's the model that we--

HUGHES: That's-- so, I guess my, my question is could my rural school of Osceola get online and do the same thing?

NOLA DERBY-BENNETT: Yes, absolutely. And, and to answer your previous question, I have actually had the opportunity to help coach other communities--

HUGHES: Oh, like, hey, reach out to Lincoln because they've done that--

NOLA DERBY-BENNETT: Yep. Yes. Matter of fact, I've even worked with Sioux Falls, South Dakota, to help them--

HUGHES: Nice.

NOLA DERBY-BENNETT: --implement the model.

HUGHES: OK.

NOLA DERBY-BENNETT: So it is a-- it is a model that's readily available.

HUGHES: OK. Thank you.

MURMAN: Any other questions? Senator Lonowski.

LONOWSKI: Yeah. Can you tell me if we're using the community schools model in any smaller communities or co-op schools, or anything like that?

NOLA DERBY-BENNETT: So, I would say that there's been some, some efforts through the Nebraska Children and Families Foundation to expand the community schools model across the state. They did that through the use of some of the ESSER funds that were available. But I would say that it-- there's-- it's, it's kind of a step-up process, so, there might be some components of community schools model that are being implemented elsewhere, and more to come.

LONOWSKI: OK. Thank you.

MURMAN: Any other questions? Senator Conrad.

CONRAD: Thank you, Chair Murman. And just, very quickly, my kids go to CLC here in Lincoln, and it has been something that's a new experience for me, growing up in a rural community and not having that kind of opportunity when, when I was a kid, then coming here into Lincoln and, and having kids in Lincoln Public Schools. I will tell you, from the

clubs, to the homework help, to just getting to interact with, you know, cool teachers after school, that they really develop great relationships with, and who just become a special part of the kids' lives. It's been a really unexpected experience going through LPS. It just wasn't on the-- you know, you get so excited, like, your kid's starting school, and you think about the classroom teacher, which of course is critically important. But, like, our kids, some of their favorite parts of school experiences are at the CLCs, and it's just a neat place for a safe-- a neat, safe place for them and their friends to learn and play and grow, and it's a great benefit to working parents, and accessible and affordable. So, I, I just want to say, I've seen your good works firsthand. Thank you. And I-- it would be cool if we could somehow figure out how to resource and scale it up so every, every district had those same kind of opportunities to just wrap more love and support around, around kids and families, so. Thanks.

NOLA DERBY-BENNETT: Thank you.

MURMAN: Any other questions? If not, thank you for your testimony. Other proponents for LB567?

AMY SHANE: Good afternoon, Senator Murman, and other members of the Education Committee. My name is Amy Shane, A-m-y S-h-a-n-e. I am the past superintendent at O'Neill Public Schools, and I'm the current coordinator of the Holt/Boyd Community Connections Collaborative. Today, I'm testifying in support of LB567, the "School and Family Partnership Act". Our collaborative serves children and families in six public schools and two parochial schools in Holt and Boyd Counties. Our collaborate-- collaborative was fortunate to have participated in the grant funding that was mentioned by previous testifier during the 2022, '23 and '23-'24 school years that encouraged collaboration between schools, parents and the community. Through that grant, our collaborative worked with the schools in our two-county area in a variety of ways. We started out by surveying both school administrators, leaders and the parents in all of those school districts to see what their greatest needs were. Based on those surveys, food insecurity was an issue that many of our families in rural Nebraska experienced. So, our collaborative partnered with local businesses and the trades and industries classes in our high schools to address that problem. We wrote grants, as a collaborative, with Farm Credit Services and First Interstate Bank to provide funds that allowed us to purchase supplies for the T&I classes, and they built emergency food pantries for each of our communities. Those are 24/7 accessible to all of the people in our small communities, and they

were stocked initially by different student organizations or collaborative food drives. And from-- moving forward, they're a take-what-you-need and give-what-you-can kind of community projects. So, that was one way that we interacted. Another issue that quickly rose to the forefront from surveys both by the administrators and the parents was mental health. And our collaborative was able to partner with Heartland Counseling to provide signing bonuses to LMHPs that would come and serve our schools. So, through that project, we were able to hire-- or Heartland, actually, hired LMHPs, a full-time for O'Neill Elementary School and another full-time LMHP that shared her time between Chambers and Summerland Public schools. The school district says I don't know what we'd do without them. We continue-- they continue to partner with Heartland Counseling, and other schools in the county are still waiting to find an LMHP that is willing to relocate, but those efforts are ongoing. The ability to provide expanded learning opportunities was also highlighted by your last testifier. O'Neill Public Schools has actually had an after school program for the last 25 years based on CLC-- Community Learning Center-- grant funding. So, it is something that we have in our rural schools as well, but our smaller schools in our two counties do not have the grant writing ability, or just have not been able to provide those services. So, through our collaboration, we were able to help them provide afterschool opportunities and summer opportunities as it made sense for their local school district. So, that was-- that was a great thing for those smaller schools, as well. I do believe that all schools in our state would benefit from this kind of community involvement in their schools, but a lot of them don't even know where to start. It doesn't mean they're less educated; they just maybe don't have that blueprint about how do we get this going, we've heard, heard this is going on where it might look like this. If the state school board could provide just a sample, a guide-- not mandate, no unfunded mandates. As a former superintendent, I would not be in favor of anything like that. But just a, a guide, and perhaps a list of schools that are providing different things that they could call up and, and ask for a little bit of guidance on how might we implement something like that. I appreciate your time, and would take any questions you might have.

MURMAN: Thank you. Any questions for Amy? If not, appreciate your testimony. Other proponents for LB567?

SARAH ZUCKERMAN: Good afternoon. I'm Sarah Zuckerman. It's S-a-r-a-h Z-u-c-k-e-r-m-a-n. I live here in Lincoln. I'm an associate professor of education administration at the University of Nebraska-Lincoln. I'm speaking only on behalf of myself and my personal experience and

expertise, which includes teaching, research, and I work in a school leadership preparation program. And I wanted to start by thanking Senator Quick for bringing forward this bill. So, I previously was a special education teacher, and I saw firsthand what hap-- what all the good things happen when there's school, family, community collaboration, and I also saw the challenges schools face when these things don't exist. And those observations were actually the reason why I pursued a PhD. I was lucky enough to study under an expert in school-family-community partnerships, and since then, I've conducted research on school-family-community partnerships in rural communities across the Midwest. These partnerships look very different than their urban counterparts in requiring adaptation, not adoption. So, I support this bill, because it would increase the support for the Nebraska Department of Education's work in improving schools through their accountability system, known as AQuESTT. One of the tenets of this accountability system is positive partnerships, relationships and success, and this tenet is described in AQuESTT as school and districts implement best practices in student, family and community engagement to enhance experience and opportunities that are culturally inclusive and relevant for each student. Student success and engagement relies on positive partnerships and relationships to fundamentally improve outcomes for each student, school, district and community. NDE provides frameworks for some of the other tenets, such as the leadership tenet and educator effectiveness, in supporting their efforts to improve teaching and learning, and the framework known as SEED, which is "supporting educator effectiveness," is an example of this that was developed in Nebraska to provide support for that work. Creating a similar framework for school-family-community collaborations would provide similar support to schools to further their development of integrated supports for students and families, creating extended learning opportunities such as afterschool and summer programs, collaborative leadership with school-based teams that include students, parents, and community input and family engagement, both in schooling and-- as well as providing opportunities for parents to further their own education. While many schools already engage in these practices, just like many schools already engaged in developmental approaches to improving teaching prior to SEED, consolidating best practices in a framework would provide clear guidance for schools to improve in this important tenet that supports opportunities for learning and success. The research has shown that each of those individual strategies has important impacts on student outcomes, such as reading achievement, but they work better together. This bill would complement statewide investments that support early reading achievement, because these strategies have been shown to

support, in particular, school attendance. If kids are not in school, they're not learning, no matter how good the reading program is. Collaboration between schools, families and communities supports attendance, because barriers are found at each of those levels. One of my doctoral students recently found in her dissertation study that it's difficult to improve reading achievement if students are not in school. Working with her teachers, her families and community organizations, she was able to reduce chronic absenteeism from 39% to 13%, and she is on target to reduce it even more this year. That means more students will be in her school to benefit from the improvements to her reading program, and this has already been reflected in her students' state assessment scores. This work is a collaborative effort that was based on building relationships inside of school with teachers and students, as well as outside of school, with family members and community partnerships. And we've both been eager to help other schools have this kind of success through locally developed collaborations with families and community groups. Thank you.

MURMAN: Thank you. Any questions for Sarah Zuckerman? If not, I've got a quick one.

SARAH ZUCKERMAN: Sure.

MURMAN: You mentioned right at the end, there, it, it reduced-- the program reduced absenteeism. Could you be more specific about how it did that?

SARAH ZUCKERMAN: Sure.

MURMAN: Because that is a big issue in our schools.

SARAH ZUCKERMAN: It is a big issue. So, she implemented a lot of different things. Teachers building relationships with students, calling parents to understand what they need, and then working with the community to meet those needs. So some parents simply didn't have transportation, and this is in a, a rural district, so transportation is really important to get your kids to school. So, she was able to work with community organizations to make that happen, to find families resources that the school didn't have but existed in the community. And so, I think she couldn't have achieved all of that alone. There were also things she did in schools. There were incentives; there were programs that-- where students connect individually with teachers every day. But really, it was, like, all of those things working together. Just one of them alone wasn't going to solve it because every kid's barriers are so different.

MURMAN: The school didn't have bussing?

SARAH ZUCKERMAN: I do not believe that school district had bussing.

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

SARAH ZUCKERMAN: Thank you.

MURMAN: --thanks for your testimony. Other proponents for LB567?

KATIE NUNGESSER: Thank you, Chairperson Murman, and members of the Education Committee. Again, my name is Katie Nungesser, spelled K-a-t-i-e N-u-n-g-e-s-s-e-r, and I am representing Voices for Children in Nebraska in support of LB567. Children thrive when they have a network of supportive adults inside and outside of school. Strong school-family connections are directly linked to higher academic achievement, better attendance, and improved social/emotional well-being. Voices for Children Supports LB567, which encourages districts to create and implement strategies tailored to their unique communities, ensuring that every child has the opportunity to reach their full potential. We read this as a supportive, collaborative bill, not saying that one district knows better than another, but more so an opportunity to share best practices and help expand everyone's capacity. LB6-- LB567 empowers the State Department of Education to develop a model policy that fosters many-- meaningful engagement. It can help provide guidance and best practices that will build strong relationships with families, local stakeholders and support students' academic, academic success. Additionally, the bill highlights the importance of students' basic needs. When children are facing hunger, housing instability or other barriers, their ability to focus and succeed in school is significantly impacted. By encouraging schools to partner with families and community organizations, as we've heard examples of, LB567 creates pathways to connect students with essential resources. Many families want to be involved in their child's education, but often face barriers such as language differences, work schedules or unfamiliarity with their school system. LB567 can help with those gaps, ensuring families are informed, empowered, and actively engaged in their child's learning journey. It also promotes a collaboration between school districts, allowing them to learn from one another, share success strategies, and elevate their existing partnerships, and the cross-district cooperation can lead to innovation and better resource allocation that ultimately benefits students statewide. Investing in our children's education means investing in their future; LB567 recognizes that a child's success is a shared responsibility, and that schools, families and communities

have to work together to create these environments where children thrive. We want to thank Senator Quick for introducing this legislation, and we respectfully urge the committee to support the bill, to help build a stronger, more connected school communities across Nebraska. Thank you for your time, and I'm open to any questions.

MURMAN: Thank you. Any questions for Katie "Nungusser" [SIC]? If not, thank you for testimony. Other proponents for LB567?

TIM ROYERS: Hello again, Chair Murman, 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. I'm here on behalf of our members to speak in support of LB567. I do want to start by sincerely thanking Senator Quick for picking up this mantle and advocating for a bill that would, as you've heard previous folks say, simply provide guidance and model language for districts that may want to embrace the community school model without overriding the important principle of local control. One constant that I think-- I've been in this chair in front of you many times; you've heard many different bills related to education; we're not always in agreement on necessarily the, the solution. But I think there's a common thread over the past few years that we're not satisfied with the status quo in terms of how we're serving our kids, that there's ways that we can improve on how we can meet the needs of the kids in this state. You know, our organization has certainly fought vigorously against privatization measures, for example, because we don't feel that that's the approach to meet the needs of our students. But, on the flip side, we're incredibly enthusiastic for an alternative vision that we feel better addresses some of the biggest needs that's encompassed in this bill, because it still centers solutions around creating strong, robust public schools. The community school model allows the school to adjust the school day, the services they provide, the curriculum, and even who has decision-making capacity to ensure that it is uniquely tailored to meet the needs and embrace the identity of the local community in which it resides. This is not a new idea. In fact, we could go all the way back to John Dewey over a century ago, when he wrote about how the school should be the community epicenter. But the modern version of what we are talking about today really first got its push in the late '90s. And I think one reason why the community school model is less well-known-- and Senator Hughes, to your point, and the questions that you asked earlier, I think part of the reason why this isn't something that is necessarily as visible is because there isn't a single blueprint for what a community school is. There-- I-- there's not a one-pager I can hand somebody and say, this is a community

school. Instead, this really is more of a philosophy that focuses on several-- they're referred to often as "pillars;" that there are, you know, four pillars that a community school model embraces: integrated student supports, expanded and enriched learning, active family and community engagement, and collaborative leadership and practices. So, because the schools are expected to take those components and design it in a way that meets the reality of the community that school serves, it has taken longer to truly gain an understanding and to study the efficacy of the model, because a community school in Bertrand, for example, is going to look radically different than in Omaha, than it is in Scottsbluff, let alone in another state. Now, thankfully, though, on the flip side, there is growing evidence that the community school model is an incredibly effective framework to build successful schools that tackle the needs associated with higher poverty and historical marginalization, amongst other needs. In fact, in a 2017 report that analyzed over 140 different studies of community schools, the National Education Policy Center concluded that schools embracing this model have consistently demonstrated the capacity to tackle an issue you already heard about with chronic absenteeism, but also, notably, community schools have been noted to dramatically reduce suspension rates, which is another major issue that we've tackled in front of this committee. And ultimately-- and most importantly-- have demonstrated the consistent capacity to improve academic outcomes and ultimately improve graduation rates. So LB567, in our estimation, would be an excellent first step to help districts embrace the community schools model and set themselves up to make substantial strides in serving the needs of their kids. I strongly encourage the members of this committee to advance this to General File, and I'm happy to answer any questions. Thank you very much.

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

HUGHES: Thank you, Chairman Murman. I'm-- I'm sorry. I am still struggling, why this needs to be a bill. Especially-- OK, so, this addresses chronic absenteeism is one of the main points. I know that's one of the three things that the NDE is really-- Dr. Maher is really, really focusing in on.

TIM ROYERS: Mmhmm.

HUGHES: And so, if that's the case, wouldn't they just do some things that maybe-- I mean, if he knows this is a fit--

TIM ROYERS: Sure.

HUGHES: I, I don't know.

TIM ROYERS: No, I think it's an incredibly valid--

HUGHES: I'm sorry. I just--

TIM ROYERS: It's an incredibly valid question. Give me a second. My answer will become apparent if you let me just kind of birdwatch slightly.

HUGHES: OK.

TIM ROYERS: I was kind of stuck in a jam as a teacher, in my AP world history class. I was having an issue in terms of developing essay writing skills, and I was caught in this-- what I felt like was this jam where I needed to give my students more opportunities to practice their essay writing skills, but I was being buried in the time necessary to give them the feedback, you know, so that way they could actually improve. And in that moment, I had kind of lost the forest for the trees. And it wasn't until I talked to a colleague in an entirely different department who gave me a completely different vision on how to approach the, the skills, developing the skills of writing that I was able to completely retool my approach and lead to dramatically improved outcomes and writing in my class. I think this is a similar issue on a macro level. To your-- I think your question is valid. I think the answer, at least from my standpoint-- I don't want to speak for Senator Quick. But, from my standpoint, the value in this bill is unless you're exposed to this alternate vision of what a school should be, you're going to be stuck in your existing framework and trying to identify solutions within only the framework that you know. And so, I think there's importance in instructing the, the Department of Education to build a model language-- model policy, so that way schools that are trying to tackle issues like suspension rates, working on reading scores, working on chronic absenteeism, have something else that they can look at that makes them pause and go, "Maybe this is an approach we should look into." Does that make sense?

HUGHES: Yes.

TIM ROYERS: OK.

HUGHES: Thank you.

TIM ROYERS: Yeah.

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

TIM ROYERS: Always a pleasure. Thank you very much.

MURMAN: Other proponents for LB567?

VANESSA CHAVEZ JURADO: Hello.

MURMAN: Hello.

VANESSA CHAVEZ JURADO: Good afternoon. So, I'll just try to provide a general summary, and then maybe hit on some of the questions that have been addressed. And I'm happy to answer any other that-- any other questions you may have already. All righty. So, I'm going to get started. Good afternoon, committee Chair Murman, and members of the Education Committee. My name is Vanessa Chavez Jurado, V-a-n-e-s-s-a C-h-a-v-e-z J-u-r-a-d-o. I'm a communications and outreach specialist at Stand for Schools, a nonprofit dedicated to advancing public education in Nebraska. Stand for Schools is here today to proudly support LB567, the "Family and Schools Partnership Act." The "Family and School Partnerships Act" is intended to increase collaboration between parents and families and their children's schools. There is no doubt that guard--that parents and guardians play a vital role in shaping their children's education as the first teachers in a child's life, and their primary role models and caregivers. For this reason, it is crucial for schools to continue partnering with families and strengthen their relationships to work towards a common goal: students' academic success and well-being. LB567 directs NDE to craft model policy, outlining the development and implementation of strategies to facilitate family and community engagement while addressing student's basic needs and increasing academic opportunities. This model policy recognizes that a child's success is influenced not only by academic instruction, but also by their social, physical and emotional well-being. This model policy will not only positively impact the academic experience of children across the state, but will also address the workforce issues facing us today. The framework this model policy will allow is intended to increase academic instruction and career opportunities for students, creating career pipelines to keep youth invested in the state. For teachers who often wear many hats, this policy provides a pathway to have additional support within their schools, allowing them to focus on their priority: teaching.

MURMAN: Thank-- oh. Sorry.

VANESSA CHAVEZ JURADO: Sorry, sorry. I'm still going.

MURMAN: I thought you said "thank you.".

VANESSA CHAVEZ JURADO: Finally, supporting the student as a whole means students can better focus on their job: learning. Schools across the state are already actively leading efforts to bring parents and community resources into schools. Pilot programs across the state with a similar focus have provided some positive impact on the outcome-- the student outcomes and community collaboration. Now, those pilot programs have provided the framework that we're asking in this bill to provide, so that's just some good context as to, like-- some schools that may already be doing this, absolutely. But those pilot programs come with that sort of framework. The "Family and School Partnerships Act" increases access to information and supports to engage in this work for schools that would like to integrate intentional, comprehensive strategies, and would benefit from the framework. Among the many benefits of it is the policy's flexibility to respond to local community needs. LB567 provides guidance, but not instruction. We recognize that the-- what works in Ogallala may not be what is needed in Omaha. LB567's design is such that local control is paramount; families and local school leadership are the key drivers of implementation and decision-making. For these reasons, we urge you to support the "Family and School Partnerships Act." Thank you for your time this afternoon. I will add, before I wrap that up, I think that there are excellent examples of aspects of the model policy, especially in rural areas. I believe Senator Meyer and I had briefly spoken about-- on, like, the family literacy programs out in Sioux City. And I mean, I can name several other opportunities. I mean, you know, there's career pathways across the state. ESU's 9 18-Plus Program provides great partnerships for students with emotional and cognitive challenges to foster some learning opportunities. And so, we do see this. I think what's worth emphasizing is-- and then, I mean, I think the Lincoln Learning Centers, it's a great example about how awareness of this framework can provide the opportunity to seek inspiration of how you know things are working here in Lincoln. All right, great, there is a school, maybe [INAUDIBLE] in Hastings, that's like, oh, yeah, we would love to do that. Maybe we can do some of this while integrating, also, how-- like, those student supports. And so, that's why the bill outlines the four areas student inte-- integrated student supports, extended learning time and opportunities, collaborative leadership, and authentic family engagement. And so, I think that that framework, the national model, is the bare bones; but the framework that'd be more geared to what our Nebraska needs and then, of course, led by local school pol-- local school leadership and

families and parents would provide sort of that Nebraska scope. The meat and bones, I would say.

MURMAN: Thank you.

VANESSA CHAVEZ JURADO: Thank you.

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

VANESSA CHAVEZ JURADO: All right. Thank you.

MURMAN: Other proponents for LB567? Any opponents for LB567? Any neutral testifiers for LB5-- sorry. You're an opponent, correct?

STEVE DAVIES: Yes.

MURMAN: OK. Welcome.

STEVE DAVIES: Yes. Thanks, "Tenator"-- Senator Murman, and members of the committee. I speak in opposition to LB567, and I will get there. The ideas--

MURMAN: Could you please spell your name?

STEVE DAVIES: Oh, I'm sorry. S-t-e-v-e D-a-v-i-e-s. I, I truly applaud what all of these ideas-- and that, that they have accomplished and, and, and the problem-solving they have done. But not every good idea needs codified. I think that there is already the established communication channels that they can get these ideas to all the districts in the state. One of the problems with government is being burdened with administration. And if we look at the individual school level, you look at the growth of instruction spending versus the growth of administration spending in the last-- in this century, you will see a great disparity. And will this create more administration costs for the schools, more administration costs for the state? And we already are looking at a deficit. And I, I just think-- I truly applaud innovation, experimentation and collaboration, sharing good ideas, but I don't think we need to put it into state law. Thank you.

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

HUGHES: Thanks, Steve.

MURMAN: --thank you. Any other opponents for LB567? Any neutral testifiers for LB567? If not, Senator Quick, you're welcome to close.

And while he's coming up, online, we had 10 proponents, 4 opponents, and 3 neutral testifiers.

QUICK: Thank you, Chairman Murman, and committee members. I'm not going to go through all of the-- everything that I wrote down, so I'm just going to try to address some of the things that I felt was important. The goal for me, mainly, is about children. So, I want to make sure that our kids receive the kind of education and they-- that they, they deserve and need. And, and, you know, I look at Grand Island Public Schools-- and we have a pretty diverse community as well as different learners and people, kids who come from poverty. But that's not alike-- unlike any other district; it might just be on a smaller level. And, and Senator Meyer, I was never saying that, that other school districts-- that they're not as smart, or have the knowledge. No, this, this is just for guidance for every school district, no matter the size. So, I know that-- you know, like, Grand Island Public Schools, they have access to grant writers and things like that, so they're, they're able to apply for grants that maybe would help kids in our community. I know one of the grants that they utilized, that was for the early childhood learning center, and it, and it, and it really has helped a lot of kids in our communities, especially starting with your, your preschool kids, and, and helping them. And the sooner we can reach these children and, and help them, the better-- the, the more-- the more successful outcomes that they have. And so, I would love to see that in-- with every community. I know those, those things don't always come, come for free, so that's why the grants and things like that are, are important. So, I, I also know with serving on, like, the Heartland United Way board, we've seen, you know, within-- with our-- within our community all the resources that are available within Grand Island. But when you get outside into our-- like, Hamilton County and Merrick County is one of our areas, and also Howard County; they don't always have the resources, so we're reaching out to them to try to help them with that, with guidance. So, this is more or less like it would, it would, would, would supply that guidance and support for schools that maybe-- it's, it's just access to that, so that they can implement it if they want. They may-- they don't have to implement, implement any of it; they can choose bits and parts of it that work for their schools. And I think that's just really important. The other thing, there is no fiscal note, so it's not a-- and it's not also something that's going to require schools to implement this, or that you're, you're having to fund those. You get to pick and choose. One of the things that Grand Island did, too-- and I think there were some rural schools that were a part of this-- but they applied for a grant and, and they were able

to bring-- it's VSP, the company, and they brought them to Grand Island. They had a clinic there, set up, and they brought grade-school kids over, and they, they tested their vision, and they could make glasses right on that site for those kids. And so, these are kids who didn't have access to-- or the resources-- their, their parents didn't have the resources to go to a clinic to get their vision tested. These kids are able to see the chalkboard-- well, you know, they don't use chalkboards anymore, but-- but they were able to see better, read, read their books, read, read that kind-- and, and do that kind of work, and it helped them be more successful. So, I'd love to see those kind of things happening for every school, because you know there's kids out there, even in the smaller school districts, that don't have the resources, their family don't have the resources to, to get to those things and, and provide those for their kids, even as much as they'd love to. Sometimes, they just don't have the money to do it. So, I know the-- I just talked to our Hall County Extension this morning, and how they help kids and they work with our school district to put on cooking classes for kids during the summertime. And you know, that-- that's better than being on a video game, right? Go to a cooking class, and learn how to, to, to do-- to be part of that process. I know when I was in school-- and that's a long time ago-- we had, we had home ec. And I think I did take it one year, maybe when I was a junior. But, you know, I don't-- I'm not sure they even have those, those programs anymore.

CONRAD: They do.

QUICK: You know, I know they have their career pathways and things like that, you know, so-- to, to guide you into, maybe, a, a career path. But the home ec classes, I thought, were great, so. I don't need it to help me learn how to cook any better, but I did learn a few things. So, with that, I thank everyone, so. If you have any questions.

MURMAN: Thank you. Senator Lonowski.

LONOWSKI: Thank you, Chair. Thank you, Senator Quick. It's now called Family Consumer Science.

CONRAD: That's right.

LONOWSKI: So, they still have it.

QUICK: Well, thank you.

LONOWSKI: Which, which makes my wife a family consumer scientist.

QUICK: OK. Yeah.

LONOWSKI: So, does this work pretty well in Grand Island?

QUICK: It does. It does. Our school district-- I think I read that on my opening.

LONOWSKI: Yeah.

QUICK: But yeah.

LONOWSKI: So I guess I'm-- I, I kind of agree with Mr. Davies; maybe we don't need legislation, maybe we just need either Voices for Children or Stand for Schools or NSEA to put it in the voice and just-- and put these good ideas somewhere where other schools can see it. Do you agree with me, or do you think there needs to be a better way to distribute this?

QUICK: Yeah. Yeah. And you know, we did talk to, like, the ESUs and maybe about something like that, but I-- I'm not sure-- I know-- they're overloaded the way it is. I'm sure you--

LONOWSKI: Yeah.

QUICK: So--

LONOWSKI: I'm just trying to--

QUICK: So we were looking for different avenues, but we thought-- I mean, just having it directed to the, to the Department of Education to put it out there and schools would have access to that to maybe find those resources, so.

LONOWSKI: OK. OK. Thank you.

MURMAN: Senator Meyer.

MEYER: Thank you, Chairman Murman. I might have snapped at you just a bit, Quick. Maybe next time, bring me a Snickers, because I might be angry. And if you have one, you got to have enough for everybody. You know, I, I did take issue a little bit. You know, we've had exceptional success in a lot of our rural schools without the guidance from the state Legislature or the Nebraska Department of Education. And, and once again, I, I agree with Mr. Davies. Must we let-- must we legislate everything? And I, and I-- you know, freshman senator, just getting my feet wet. I repeat, must we legislate everything? And, and

it just seems like we, we get bogged down in-- and, and not that this isn't important educationally, but we get bogged down in, in, in-- my word, perhaps not an apt description, of the minutiae of what we're trying to accomplish here. I'd like to, to hear-- and perhaps I, I was remiss in not asking this question. Has this affected outcome? Has this affected grade outcome? And, and recently, it would appear that Nebraska is slipping in our reading and our math, regardless of all the money we're throwing at education, and regardless of the new and innovative programs that we're implementing in our schools. And so, maybe our focus should be somewhere else rather than-- my words again, perhaps, perhaps inaccurate, but the feel-good programs. Certainly, they're, they're, they're good, good to teach these kids that. We all know that the parent engagement is, is ultimately important in any educational outcome. It is-- in fact, it's crucial. But once again, I, I just don't know that we need to be legislating every little nuance in our educational system. And I would suggest, and I-- we're relatively contemporary. We had a home ec when I was in high school. The reason the guys took that is that's where the girls were. And I-- that's all I have to say. So.

QUICK: Yeah, well, thank you, Senator Meyer. I know you didn't really ask a question, but, you know, I actually attended a rural school myself. I had 11 kids in my class, so-- and that was-- I graduated in 1976, so I'm getting pretty old, you know, as well, so--

MEYER: You're, you're very young.

QUICK: Yeah.

MEYER: Very young from my perspective.

QUICK: But, you know, I think even if I could get you some information on how it's really helped kids in our-- in, in my school district, I know even-- you look at that early childhood piece, you know, applying for those grants so they could actually implement that early childhood-- and I think that's where you get-- that's where you really help the kids the most. You start them with their reading programs at that's-- at early ages to help them as they go through school. They're, they're already more successful, you know, those kids that come into kindergarten, maybe, that are just learning how to read, and then you've got the, the, the pre-K kids that are coming in, and they already know some of their alphabet and they-- they've already had some instruction. And I think, I think, I think there are some better outcomes, in-- especially when you can invest on that front end for those children, so.

MEYER: Well, just from the standpoint of educational outcome, if you can't read, you can't do anything else. So reading is critical of the, the-- being able to read and understand what you're reading is critical. And we-- the, the Nebr-- educations system in Nebraska has to do much better than what they've done to them, quite frankly.

QUICK: Yeah. And I can tell you, my granddaughter just got an award for reading. She goes to Omaha Public-- a Omaha Public, Public School. I'm not-- I can't remember the name of her school, but she got an award for her reading, and she's a second grader. So,--

MEYER: Good for her.

QUICK: We were really proud of her, and--

MEYER: Absolutely.

QUICK: Yeah. We just love to see that, so.

MEYER: Well, thank, thank you, Senator. I appreciate that.

MURMAN: Any, any other questions? If not, I'll just make a quick comment about the-- checking the eyes. And I don't know if it was optometrists or ophthalmologists, so I'm going to just say eye doctors were in visiting school, and I think it was a nonprofit, but they were donating their time. I know that. And that was very good for the kids because, you know, like you said, if they can't read, and I-- they were starting, I think first grade, or something like that. If they can't read, and a lot of times they don't really know why, you know?

QUICK: Yeah.

MURMAN: And-- very important program.

QUICK: Yeah. Yeah. Thank you. Thank you.

MURMAN: Any other questions? If not, thank you. And that will close the hearing on LB567, and we'll open the hearing on LB31. And could I ask how many are here planning on testifying on LB31? OK, not, not that many. So we'll stay with the five minutes, and, and Senator Conrad, you're welcome to open.

CONRAD: Thank you, Chair Murman. Thank you, members, members of the committee. It's been a great day of hearings today, and I'm very excited about this legislation. My name is Danielle Conrad. It's D-a-n-i-e-l-l-e, Conrad, C-o-n-r-a-d. I represent North Lincoln in the

Nebraska Unicameral Legislature. I'm going to try and be as brief as I can, because we still have another bill and it's almost 5:00, but I'm having the page pass around a couple of pieces for you. Just a quick one-pager that kind of describes the purpose of the bill that my staff put together, and I, I really, deeply appreciate. And then, I'm also passing around a newspaper article that-- a news article that details some of these issues in student surveillance and impacts on student privacy that are-- that have arisen recently in the ed tech zone. And I think it's very compelling, and explains the situation probably in greater depth than I can do service to today. And I also just want to note, before I get into the technicalities of the issue, that these issues are not just academic when it comes to what's happening in Nebraska schools. But you may have seen headlines in Nebraska just over the last couple of weeks and months, actually, where a lot of the ed surveillance tech that has been employed by our local school districts actually suffered data hacks and data, data breaches, and sensitive personal information from students was compromised, and that happened at many schools in Nebraska as well. So, I'm here to bring forward LB31. LB31 simply directs the State Board of Education to develop a model policy related to the use of student surveillance, tracking, and monitoring technology. Each school district shall then adopt a written policy after the State Board of Ed puts forth a mortal-- model policy, and this is a process that we utilize a lot in these kind of policy directive bills that you've heard today, and that we've heard in past bienniums. I will tell you, I have long been concerned about these issues as a civil rights attorney and as a parent, and actually, in some different measures that came before the Education Committee over my last two years serving on this committee, I started to identify a lot of common ground with people that I actually don't work with a lot in the Legislature and on public policy issues. And I heard loud and clear from some very strong advocates in Nebraska that they had a lot of concerns about what was happening with students' rights and privacy and parental rights, with the proliferation of different tools of mass surveillance in our schools. And so, that really sparked a conversation between us, and then led me to introduce an interim study, which we had-- thanks to Chair Murman-- which we had a, a really great public hearing on this fall. So, we got to hear from schools and parents and kids and privacy advocates, kind of about what is going on with all of these tools of mass surveillance in our schools? What guardrails are in place to safeguard private information? How do we empower parents to be at the forefront of knowing what tools are being used in our schools? And then, how can we make sure we don't leave the taxpayer out of this equation, as well? We all know that our schools have so many challenges, and we have a

huge teacher shortage out there. So, every penny that we send to state partners, to our, our partners on the local level, you know, those pennies matter. What they have in local resources matters there, too, but when we're spending literally hundreds of thousands of dollars, and now many billion dollars on the national level when you take these tools of surveillance into aggregate, to buy various tools of mass surveillance for our schools, those are dollars that aren't going to frontline teachers. Those are dollars that aren't going to improve the, the local infrastructure of the school. Those are dollars that aren't hiring another para for special ed kids, to help them have a better outcome and manage things. So, I really wanted to be as clear as possible in the bill and the legislative findings: this is about parental rights, this is about student privacy, and this is about getting it right for taxpayers. There's nothing in this bill that's a ban. All it says is that we're going to work with a policy directive, with our partners on the State Board of Ed and our-- and in local government to say, if you're going to make these kinds of purchases, you've got to be transparent about it at the local level. And you've got to say how much you're spending on it; if you can opt in or out of it as a parent; if there is an accommodation for kids with special education needs. And that's, that's the, the overall goal of the bill. But I'll just close in, in saying this as well. So, in having an opportunity to start this conversation with advocates that appear before this committee frequently that I, I don't see eye-to-eye on a lot of policy issues from, we were able to identify common ground on this issue. And those kinds of instances are the most powerful experiences that I've had as a, as a state leader, where you really-- you come together at different points on the political spectrum, sometimes for different reasons, but with the same result. And one thing that really worries me about where we are in our politics today is all sides on the political spectrum are so loud that sometimes, we can't even hear each other when we actually agree, or when we actually can identify common ground to build on for another issue. So, you're going to hear from some of those advocates at the hearing today, and I've had a chance to visit with them and read their online testimonies as well. And I can tell you, not only did it touch my heart, but I hope it serves as an example that, even when we have very sharp disagreements, we can still find common ground to make a difference. So, I'm grateful for those advocates that are here today. And I know that some of the schools have touched base with me and they have concerns about this legislation, and I'll tell you on the record what I have told them. If they want to work in good faith on technical aspects to clarify or improve the bill, I am all in. If their true motive and intent is to kill this bill, then I'm not interested in

those kind of negotiations, because our kids' privacy, parents' rights and taxpayer interests deserve no less than our full attention in moving forward with this policy directive. I'm happy to answer questions.

MURMAN: Thank you. Any-- Senator Hughes.

HUGHES: Yes, thank you, Chair Murman. Thank you, Senator Conrad, for bringing this. So, I'm just going to-- I just--

CONRAD: Yeah.

HUGHES: I'm still, like, wrapping my head around all this.

CONRAD: Yes.

HUGHES: And I think you brought this bill, similar, last year, maybe.

CONRAD: I had an interim study, yes

HUGHES: Oh, an interim study.

CONRAD: Yes, yes.

HUGHES: OK, that's what it was. Thank you. So I'm just like-- I-- you know, you think of the things that you've experienced and you know. So,--

CONRAD: Yes.

HUGHES: Our, our busses have cameras on them--

CONRAD: Mmhmm.

HUGHES: Thank goodness. I just remember, when I was on school board, we had a situation, whatever, Jenny did this. But anyway, the bus driver's looking ahead and doesn't know, and, and didn't know. So, they go back to the cameras, and they found out exactly what happened. Mom-- oh, Jenny wouldn't do that; mom sees the video, oh, yeah, Jenny did that.

CONRAD: Sure.

HUGHES: And I mean it-- so it's a-- how do you balance safety with-- but what if Jenny's mom said, I don't want my kids, or-- with that kind of surveillance on the bus? Do you know what I-- like, how do we balance safety-- because I look at some of these things more as safety

things, and we say cameras in our school for active shooter things, right? You've got cameras on all the entrances and--

CONRAD: Yeah.

HUGHES: --in the halls to see, wait, who is that guy walking down the hall who's not supposed to be there? I don't know. And, and maybe that's not where you're going with this. You just want to know what cameras are in the hall, and what cameras are on the bus, and things like that?

CONRAD: Right. Well, that would all-- there is no ban on any technology--

HUGHES: I know. I-- right. Right, right, right, right. I-- I read that. Right.

CONRAD: --in the, in the proposal. So that leaves those-- the elegance of it is that it leaves those decisions respecting local control.

HUGHES: But it-- but if somebody says I don't want my kid surveilled on the bus, OK, then don't ride the bus? I mean, is that-- do, do you know what I mean?

CONRAD: Sure, I think that we could probably work on that, either if there needs to be clarifying language, but I think it could also, you know, be clear whether or not that was an opt-in or an opt-out kind of situation. But I think a lot of parents would also be shocked to know how many tools of mass surveillance are, are really tracking their kids--

HUGHES: Mmhmm.

CONRAD: --at school. And again, it begs the question, are there other ways to perhaps keep kids safe through, like, a para on the bus instead of mass surveillance. That would achieve the same--

HUGHES: But we don't--

CONRAD: --objective.

HUGHES: We don't even have enough paras for classroom,--

CONRAD: Well,--

HUGHES: --let alone the--

CONRAD: True.

HUGHES: --five bus routes that we-- you know, I just-- I-- yeah. I don't-- I'm just-- I'm balancing this. And then, this was triggered to when we were talking about what, I think, Senator Lonowski said they scan to get out of class--

CONRAD: Yeah.

HUGHES: --to go to the restroom or whatever. That also can be a safety thing-- and I know schools have gone to that to do that scanning, because in a case of I'm going to lock down the school, Jana's not in history because she left to go talk to the counselor.

CONRAD: Mmhmm.

HUGHES: Now-- but they can look on the computer and know Jana isn't in history. It's not like-- do you know what I mean? I, I don't know. It's going to be hard, I think, to wrap our, our heads around all this, but--

CONRAD: Yeah. Sure. I mean, a, a couple of pieces. And Senator Hunt frequently kind of gives me some good natured ribbing, but she's also not wrong, and she calls me a technology Luddite. And that, that is, is not wrong. I can barely run my cell phone, so I don't pretend to be a tech expert on all of these things. But let me just answer a couple of things there. So, number one, we also have to remember exactly what the lens is, when-- the schools are government; they're government entities. OK? So, whenever they're employing a tool of mass surveillance without probable cause, that, that raises civil rights implications. It absolutely does. It's not this isn't what's happening. You have the right, as a parent, to put whatever tracker on your kid's phone at home and look at it, and what have you. But school-- schools are, are agents of the government. They are government. They're literally government. So, we have to be really careful about how they interface with students, and what that means for parental rights and taxpayers. And so, the point being we shouldn't have a presumption that every tool of mass surveillance is just OK. It might be. It might be good to embrace new technologies to figure out how to have better outcomes for kids, or better address safety concerns. But we shouldn't just start off kind of reflexively, that every tool that every vendor is pushing to school boards is a good thing. We should have a very deliberate conversation about that, and we should figure out what's it costing and what happens to that data. So, when those tools of mass surveillance are tracking-- is Jana

in history? Is Jana in the bathroom? That-- that's literally data that's tracked, and it goes someplace. Either it's sold, or it goes back to the vendor company, and-- through like a maintenance contract or otherwise. And we know in an ever-evolving tech world, data has value. Commercial value. It has value for surveillance purposes, it has value for commercial purposes, like-- and those kinds of questions, we haven't really caught up the law to the technology, to a certain degree. Kind of what you heard about with Senator Sanders' bill, earlier-- and this is kind of a companion piece on, on some of those other ones there, so. It also raises, like, significant concerns to have government tracking your kids' every move, and knowing--

HUGHES: And I--

CONRAD: --why are they in the bathroom. Like,--

HUGHES: Right. I agree with that, too.

CONRAD: --that gets a little creepy.

HUGHES: But I also can see-- again, coming from that safety lens, OK, we could have been-- we could have had that information, and now a shooter got in-- now, I'm-- now, as a parent, I'm going to sue the school, because they weren't keeping track of Jana in the classroom. She was off wherever instead of keeping her safe. I don't-- I-- I don't know. We'll just--

CONRAD: Yeah.

HUGHES: I'm still--

CONRAD: We'll keep talking about it.

HUGHES: Yeah. We'll just keep talking about it, getting information. It, it-- it's such a--

CONRAD: Everybody wants our kids to be safe.

HUGHES: Right. Right, right.

CONRAD: There's no disagreement there. But I think that if we are going to employ these sort of tools in-- by the government against kids, we have to have some sort of guardrails in place. We can't just say school safety and shrug our shoulders. We have to do the hard work.

HUGHES: We have to prove that it is for-- and, and maybe it's-- where is that data? It's held two months here, and then gone, and it doesn't--

CONRAD: Right.

HUGHES: --go-- yeah.

CONRAD: Fair.

HUGHES: And that I agree. OK. Sorry.

MURMAN: Senator Lonowski.

LONOWSKI: Thank you, Chair. Thank you, Senator. Where do kids mostly vape or smoke? In the bathroom.

CONRAD: I-- OK.

LONOWSKI: You know why? Because there's no cameras. Where do bullies pick on kids? Where there's no cameras. Do we need cameras everywhere? No. But we're-- you know, we're also dealing with a lot of kids that know exactly where they can get away with things. And so it's-- I like that you want to turn this over to the state school board and say, hey, let's adopt something. I think that's wise. But I think the cameras are there to protect the, the good of the whole. But yeah, it's, it's intriguing because nothing's--

CONRAD: Mmhmm.

LONOWSKI: --is 100% on, on any direction with this, so.

CONRAD: Yeah, that's right. And, and I appreciate those rhetorical questions. I mean, you know, I don't want to get into a full debate on it, but, you know, I don't think anyone's suggesting we put cameras in sensitive locations, right?

LONOWSKI: Exactly.

CONRAD: To prevent vaping or otherwise. So, I would-- I, I think that hopefully we don't, you know, take that to its full conclusion. But, I mean, Senator Lonowski-- and, and you know because you've had a lot of classroom experience, as well. And we have our own experience as students and, and as parents. Kids have been smoking in the bathroom since the invention of bathrooms and cigarettes. I don't know. I mean, I-- not to make light of it, and that's not OK.

LONOWSKI: Right, right.

CONRAD: We care about student health. But there, there are always going to be student discipline or behavior issues that pop up. And we've somehow managed to figure out how to deal with those when you were a student, when I was a student, without these tools of mass surveillance, right? And we have to think about whether or not the tradeoffs are worth it to the taxpayer and to privacy, to achieve the same goal, so.

LONOWSKI: I understand that.

CONRAD: When you're-- you know, back in the day, if we needed to use the restroom during class, we had to, you know, get a clunky key on a chain or whatever, or ask permission to go to the bathroom, and you took care of your business and you went back to class. Now, for example, I can tell you my experience in LPS where-- I've heard from students where they put in a request to use the bathroom through the digital hall pass, and the teacher's teaching, right? What they're supposed to be doing. They may or may not see the request come in on their screen, and then the kid's sitting there nervous and doesn't know what to do, if they should disrupt the class; or, the teacher is looking at their screen all the time, and it's disruptive to their teaching process. So, like, instead of what should be a fairly simple thing, to let a kid use the bathroom in the middle of class and everybody in, in the least disruptive way possible, these technologies have actually made that experience more disruptive. And so, I think it's, it's worth kind of teasing out to just figure out, hey, where are we with the proliferation of these tools in Nebraska? And if they are out there, cool. We'll let-- leave it up to local schools to say what's right for them.

LONOWSKI: OK.

CONRAD: But let's just make sure parents know.

LONOWSKI: OK. Do you feel like there's been some incidents of the cameras in the wrong places,--

CONRAD: I don't think so.

LONOWSKI: --like, violating people's rights?

CONRAD: Not that I know of.

LONOWSKI: OK, I'm just curious.

CONRAD: Not that I know of.

LONOWSKI: OK.

CONRAD: Yeah. Good question, though.

MURMAN: Any other questions? Senator Hunt.

HUNT: Thank you, Chairman Murman. Thank you, Senator Conrad. Talking about, you know, a concern of government tracking kids. My concern isn't even that government is tracking kids; it's that private software companies are tracking kids, because that's who we would be contracting with. You know, "we" meaning the state, or the--

CONRAD: Yeah.

HUNT: --schools, or whatever organization would be contracting with to get this, you know, the film, the video, the tracking, and the security--

CONRAD: Yeah.

HUNT: --that comes with that as well. So, it's not even that the government is tracking; it's the private companies. And I'm sure that every school that would come up and testify would say, well, we're not going to sell the data, so we're happy to put a thing in the agreement that says we're not selling the data. But that doesn't mean that the software vendor is not going to do something like that. So, did-- I don't know if you want to respond to that, or--

CONRAD: Yeah, I think you're right. I think that there's a lot of levels here that are deeply concerning. And, you know, again-- when we, when we think of more, like, familiar tools of mass surveillance, like license plate readers, or stingrays, or red light cameras, we're thinking about that in the law enforcement kind of context, right? And in many instances, in public spaces. Right? So now we have to, like, take that same mindset and start to think about what's happening in schools to kids. You know, and what that means for parents' rights, and the value that goes with that data is something. And so, whether those vendors are an agent of the schools, or a partner of the schools, they're, they're in it for some sort of financial gain. Right? They may also have really benevolent motives, like keeping kids safe, too, and figuring out a way to make a profit at the same time. Right? Like, I get that.

HUNT: Not, not to draw this out more, but one thing I'll say that just occurred to me, just to have it on the record. As we talk about this type of surveillance, one of the biggest problems I had with Test Nebraska.

CONRAD: Yeah.

HUNT: When COVID was happening, is we went into this no-bid contract with Test Nebraska, which did not provide any protections for people's, you know, medical information, the testing, any kind of information that they were getting from these tests. And I combed through those contracts, and I know that it was not protected. So, we know that government already has a track record of contracting with software companies and tech companies that do not value the privacy of the consumers. Because that's what the product is. The product is your data.

CONRAD: Right. Right, right. And I'll just leave you with this and turn it over, and I'll reserve the right to close, but probably won't, because we're, we're late here. But when big government and big tech start to hold hands, it should raise concerns for civil rights and civil liberties. And that's what's happening with the proliferation of ed tech in our schools. And this is just-- it's not a ban, it doesn't trample on local control, but it just says, hey, let's figure out what the landscape is, and let's put some guardrails on it.

MURMAN: That-- Senator Sanders.

SANDERS: Thank you, Senator Murman. And thank you, Senator Conrad, for bringing this bill forward. And thank you for the large print. My question to you-- or maybe it's more of a statement. As the public-- some-- are asking for more and more. We--

CONRAD: Yeah.

SANDERS: --in our county, we had a special needs child wander out of the school and I--

CONRAD: Yes.

SANDERS: --don't think they've ever found them. Right? And that-- parents are like, why did you not have more cameras? Why did the neighborhood not have more cameras? And so there's a fine line there. But as we are looking, as a society, at putting more cameras around our homes or our parks, those guidelines really need to be in place. Who owns the data?

CONRAD: Right. Yes. And, and I think--

SANDERS: Yeah, so who stores the data? How do they use the data?

CONRAD: That's right.

SANDERS: So, thank you.

CONRAD: Thank you.

MURMAN: Any other questions? If not, thank you. Proponents for LB31. Any proponents for LB31? Proponent?

SUE GREENWALD: Good afternoon. My name is Sue Greenwald, S-u-e G-r-e-e-n-w-a-l-d. I'm representing Nebraska Education Coalition, previously known as Protect Nebraska Children. This bill is our number one priority this year. We are excited that this bill codifies parental rights. Since 2005, the Ninth Circuit Court set a precedent in California saying that children belong to the state once they enter the school. That precedent still stands for states who do not supersede it with their own parental rights law. And to date, Nebraska has not explicitly done that. The remainder of the bill forces transparency regarding data mining and physical and digital surveillance of students in both private and public schools. Students are being acclimated to constant physical and digital surveillance, which is not how a free society should raise its young. The ed tech explosion of recent years has led to every new tech idea wanting a piece of the tax-funded education pie. Every app from, social emotional learning, to math, social studies, language arts, mental health apps-- even the internet browser is collecting data on the schoolchildren. If it happens on a computer, it's being gathered. If you sync your computer to your phone, they might be reading your texts. Schools are spending millions of dollars on this online, online curriculums, and they're also accepting federal and NGO grant money that has these apps as a requirement. In essence, selling access to the students. For some of the grantors, they wish to influence the students to their agenda, and for some, it is to sell the data they can mine. But for most of them, it's both. There are no federal state laws-- federal or state laws protecting students' private thoughts from being gathered, sold or weaponized. I will repeat, there are currently no laws protecting students' private thoughts from being gathered, sold or weaponized. Some third parties are doing surveys of schoolchildren, asking very personal and leading questions. Their surveys at least tell you that they are collecting the data. The rest of them just do it. Facial recognition cameras can track students

within the school, and their personal Chromebooks can track them outside the school. Some of these apps that they use are useful, but most are overkill, and all of them are expensive. Google, for example, has a child-friendly dashboard called Symbaloo, which offers-- offered free for grade schools. And it, it-- it's meant to make it easy for children to find their lessons, but it has constantly flashing ads for junk food, and it has a link to PornHub into-- in the dashboard. Obviously, Google is profiting from their free dashboard. Social emotional learning programs were the first to start collecting data with every keystroke on the Chromebook, and they are the first to include artificial intelligence to interact with your child. The apps now claim to be a best friend that you can tell your deepest secrets to; a buddy for your child. It's a chat bot buddy, but it doesn't actually keep secrets; it collects them. An online history correc-- curriculum that's being considered in some of our schools uses AI to customize its lessons. How could a curriculum director possibly monitor that? School-based mental health care as a new trend. The multi-tiered systems of support is rolling out in many Nebraska schools, and it begins with a mental health evaluation of every single student. That data is not protected. An ed tech company is-- isn't being-- it-- if an ed tech company is not being transparent about the use of student data, then they should not be in our schools. Company-- companies need to prove that they are secure, but the dirty secret is they're there for the data. They're not making money selling-- well, they're making money selling curriculum, but they're making more money collecting the data. And the world of ed tech is the wild west. There is unfettered data mining. There is nothing that-- there is no-- nothing protecting it, and nobody's even asking the questions. And now, with artificial intelligence as part of the equation, it's like the wild west on the moon. Nobody knows what will happen. But, in our opinion, books and paper are the only way to stop the digital exploitation of schoolchildren. And I would be happy to take questions.

MURMAN: Thank you. Senator Meyer.

MEYER: Thank you, Senator Murman. You mentioned Kearney Schools received a $20,000 grant from an NGO called News Literacy Project, which teaches kids that only certain news outlets are reliable: the news outlets which funded the grant. My question is, why must the school take the money? Just because it's there? I mean, I--

SUE GREENWALD: They don't need-- they-- OK, so this goes back to something that was passed a couple of years ago. There was a, a law, a, a sentence put into one of the education laws saying that media

literacy is required. That push to have that included was actually pushed by this NGO called Media Literacy Project. And, and their purpose-- they were funded by Jeff Bezos of the Washington Post, CNN, NPR, some other media outlets. And their goal is to get into the schools and teach students-- and Google, by the way, is involved-- teach students that if it's not Google, and it's not our outlets, it's misinformation.

MEYER: Yes, but, but doesn't the school have the discernment to say, "Thank you, but no, we don't want your $20,000?"

SUE GREENWALD: They-- I think that Kearney--

MEYER: I mean, there should be a discernment. There should be an opportunity for a, a school to say, no, this is not-- if a-- if PornHub came in and said, "Hey, we're going to give you a $50,000 grant," hopefully you would have the discernment, or they would, to say, "No, thank you."

SUE GREENWALD: They--

MEYER: I, I mean, we, we--

SUE GREENWALD: They should.

MEYER: --simply have to use some judgment here.

SUE GREENWALD: The problem is, is that these companies don't come to you and say, we're going to gather your data and influence your students to not believe half of the news out there. They come in and say you have this state requirement; we'll, we'll be happy to help you fulfill that. And by the way, here's $20,000.

MEYER: And, and yet, shouldn't you be able to do a background check and just see what this company is?

SUE GREENWALD: It took me very little to--

MEYER: I mean, otherwise-- once again, you mentioned the wild west--

SUE GREENWALD: --to, to find out. Yeah.

MEYER: --and that's exactly what it is. And I would hope that each school would have the opportunity to say, "No, thank you." This is not what the school is about. This is not what the community and this is not what essentially what the law was intended to do, by the way.

SUE GREENWALD: And Senator, they don't have to accept Second Step, which is the social emotional learning. They don't have to accept Amplify, which is CKLA, which is a, a language arts program. But they do, and they're encouraged to by the ESUs. But, the, the education people have been convinced that this is the wave of the future and the way to educate children, and, and nobody even asks the question, "Where does the data go?"

MEYER: Well, whether the ESU pushes it or not, the administration has a responsibility, and the school board has a responsibility to look at the source of this stuff, certainly.

SUE GREENWALD: Well, that is the goal of this bill, I believe. Because if you tell the school districts, "You have to inform the parents where the data goes," then, they're going to have to look into it.

MEYER: I guess-- and I, I fully agree with that. But why-- we asked the question, why do we have to-- why do we have to have a bill to do that? Can't responsible administrators, can't responsible school boards do that already without us once again passing another law in order to implement something like this? I, I, I realize this-- I'm not trying to put you on the spot. I apologize.

SUE GREENWALD: You're not putting me on the spot, Senator.

MEYER: But, but, but it's, it's frustrating to me that, that we have to pass legislation for people to exercise good judgment in a professional capacity.

SUE GREENWALD: And I, I think that encouraging this-- what this bill does is say to schools-- and not just the districts, but the ESUs, the state board, everybody involved, are you paying attention to where-- to who these vendors are? Are you paying attention to what they're doing with your children's data? Are you paying attention to how those Chromebooks are, are monitoring those children? And the answer, to date, is no. And I think that this bill, the reason it's our priority bill, is because it forces everyone involved to ask that question.

MEYER: Well, I, I apologize if it seemed like I was grilling you. It just seems incredulous to me that we, we have to pass a bill for people to exercise good judgment. And I appreciate your testimony. And thank you very much.

MURMAN: Senator Lonowski.

LONOWSKI: Thank you, Chair. And thank you, Dr. Greenwald. The, the one thing you say here, if an ed tech company isn't being transparent, then we shouldn't use them. But I think that's part of the concern here, is that we don't know that they're not being transparent.

HUGHES: Right.

LONOWSKI: Am I right on that? We have to really do a--

SUE GREENWALD: That's absolutely true,--

LONOWSKI: --deep dive, to--

SUE GREENWALD: --and that's why I'm so excited about this bill, because it forces the school to ask the company, "What are you doing with our data?" And it forces the company to give us them an answer.

LONOWSKI: OK. And I have a question for you about the sites that you have at the bottom, the websites. So, are you telling us to go check these out to see what's going on?

SUE GREENWALD: If you would--

LONOWSKI: Or are you saying if I go to these, I'll be in trouble?

SUE GREENWALD: You won't be in trouble. That--

LONOWSKI: Well, the one has porn in it, and I'm like, I don't want to type that in and get something that I didn't really ask for.

SUE GREENWALD: That, that one is about Symbaloo and how it has links to Pornhub. And as, as we have been, district-by-district, letting them know that there's links to PornHub, a lot of them in Nebraska are getting rid of it. But it's still available for free--

LONOWSKI: OK.

SUE GREENWALD: --to the schools. But-- I'm sorry, I forgot what you asked me.

LONOWSKI: Well, you know, I think this is a good idea. I just don't know how we go about it, I guess, so.

SUE GREENWALD: I, I like it because it doesn't force anybody to do anything but ask questions. And those questions desperately need to be asked. With artificial intelligence, if you give-- let's say you give a, a social emotional learning company unfettered access through an

online app that is tied into artificial intelligence, it can take that kid down any rabbit hole it wants to. You're not going to know, the teacher's not going to know, the curriculum director is not going to know what that child is seeing. The parent is certainly not going to know. And, and when you were talking about cameras, I mean, cameras are part of it. But that's really, that's really tier one. I mean, the, the-- and the cameras are intrusive, if they are-- if they're doing facial recognition, obviously, that's intrusive. And that, you know, that, that data is gathered somewhere.

LONOWSKI: But that's not something that the schools are purposefully buying, correct?

SUE GREENWALD: But that's, but that's a-- that's really a minor consideration. The, the major consideration is that it is the wild west with these vendors coming in and selling the school on something that they say, we're going to solve your problem, we're going to teach your kids how to read. And what they're doing is-- it's no different than Facebook, where they give you a free account. You, you can post all your pictures, have fun, but by the way, we're going to collect everything on there and sell you something. It's no different. It's exactly the same process.

LONOWSKI: Thank you. Appreciate it.

MURMAN: Any other questions? I, I just have one. I, I think we took care of porn in Nebraska, to-- at least to some degree. If, if you type in porn and it asks you for age verification, don't, don't give them that.

SUE GREENWALD: Yeah, I hope so.

MURMAN: Thank you. Any other proponents for LB31?

STEVE DAVIES: Thank you, Senator Murman, again. Chairman. My name is Steve Davies, S-t-e-v-e D-a-v-i-e-s, and I remembered this time. And, and thank you for the rest of the senators. And-- we're in the digital age. We've got images, data. We need to protect our kids. Not only is it privacy issue, it's safety. If it gets in the wrong hands, they can be targeted. That's my testimony.

MURMAN: Thank you. Any questions for Mr. Davies? If not, appreciate your testimony. Other proponents for LB31?

KATHY FAUCHER: Good afternoon. My name is Kathy, K-a-t-h-y, Faucher, F-a-u-c-h-e-r. Good afternoon. In my professional life, I'm an

anti-money laundering officer and a financial crimes analyst. But I'm before you today giving you my personal statements as a parent and grandparent. LB31 is a long overdue bill. I agree with Senator Conrad and her concerns over surveillance. In addition, I see the tools as, number one, being a burden to the cost of education, and number two, a threat to our children's safety and to homeland security. Here's why. As Senator Conrad mentioned, in the news recently, PowerSchool, an education vendor, experienced a cyber attack, affecting schools in Nebraska. Data stolen includes names, addresses, SSNs, medical and grade information. In a discussion I had last year with FBI counterintelligence agents, they briefed us at work on the most prevalent threats to U.S. citizens today. Theft of sensitive information through infiltration and espionage is one, but another that's rising in prevalence is social emotional manipulation of Americans. What does this have to do with schools and student data? I don't have time to get into all of it in just a few minutes here, but I would be happy to connect you, any of you, with federal law enforcement, if you have an interest in learning more. I will share with you briefly what was shared with me by federal agents. What is known as the "Big Three" are countries that present the biggest threat to America: Iran, China, and Russia. They work together to not only evade U.S. sanctions, but to steal our data. As it relates to schools, an example is bad actors hack into school records. Let's say you have a high school student. The bad actor steals their data. Iran now not only has your child's P2 data, they have her academic performance, they have her behavioral profile, and any other things that have been collected by the school. When this teenager goes out into the workforce, one of the most prevalent scams that's on the FBI's radar right now is foreign adversaries contacting people, people through LinkedIn, pretending to be an employer with a job opportunity. These bad, bad actors set up job interviews via Zoom and ask the victims questions such as where they work, what time they arrive to a building in the morning, what kind of job functions they perform, who they work for-- things that someone might not think is unusual to ask for a job interview, but to the foreign adversary, it's very valuable information. I also want to point out that collection of survey data occurs in all types of formats now in schools. As an example, Amplify math is a widely-used digital-based curriculum. I watched a demo of this product on YouTube. From beginning to end of the lesson, the students were told to select a mood face to describe how they are feeling before the math lesson, and then they were to input text into a free-form text box to describe their personal feelings. This survey data is captured by Amplify; it is fed to the school to aggregate and include in the analysis of each student. My question to schools is--

and to ESUs-- "Have you performed a cyber risk assessment of this product? What kinds of things do you look at before adopting this product and recommending it to local school boards?" I, I questioned with my own local school district, and, you know, I was not given any information. I, I don't believe that the, the school boards know-- even know what to ask for, because, like Sue said, it's the wild west out there, and people don't understand the implications. So, in closing, in-- one suggestion I have for the bill. In Section 1, Subsection (2), I would add the word "behavioral" to the sentence that reads, quote, "under the guise of advancing security or efficiency goals." I would add "behavioral," because a lot of this data being collected by schools is presented to us parents as an attempt to address behavioral challenges in order to increase their success. But it records their thoughts, their moods, their feelings, and this is highly sensitive data. If I were putting a parent in school today, this would be my number one concern, and I would want to know this information to decide if I'm going to even send my child to this school district. Thank you.

MURMAN: Thank you. Any questions for Kathy? Senator Hughes.

HUGHES: Yes. Thank you, Chair Murman. Thanks for coming in. Your, your unique background is, is fascinating, and I'm really glad you came in. So, I'm listening to this, and I did read about the PowerSchool, and PowerSchool is the program my-- they're out of school now, but what we had used, and it does collect the data on your grades, and, and things like that. And I'm just trying to balance here, like, OK, so the answer-- let's just go back to paper, right? You come home with your report card on paper, or whatever. Kid hides it, mom still has to find it, whatever. But, on the flip side, last week-- I don't even know when it was-- we heard a great bill that NDE-- with foster kids that are moving between schools and schools and schools, and they have to have this data digitalized so that it can easily transfer. So, it's like-- it's like this both/and; we need, we need it, and we need it digitally so that it can go with kids quickly. But how do you-- how do you make sure it's protected? And, and I-- my credit card company got compromised and my-- all my privacy was out there, too. How-- what's the answer for this?

KATHY FAUCHER: Right. It's a good question. I don't have an answer for you. But like I mentioned, performing a risk assessment and figuring out what are the best tools to use, and figuring out how they are going to protect children's data privacy. Because we all know, as adults, when we sign up for bank accounts and credit cards, and online PayPal accounts or what have you, like, we know the risk we incur. And

we can go through and we can read the risks and the privacy statements, and we can assess what we're going to do. But when it comes to our children, you know, our most-- our-- the assets that we love and cherish the most in life, I think we just need to be so careful, and we need to understand, like Senator Conrad said, understand how data is moving around. And if it's not in a secure, state-governed database, if it's being sold to a private contractor, what are they doing with that data?

HUGHES: Yeah, and maybe it's, it's different aspects depending on what you're talking about, right? Like, the math thing that's assessing mood and whatever is something different than the PowerSchool that holds the grade information and the, the, you know, the Social Security number and all that. I don't know. It's a lot. Thank you for coming in.

KATHY FAUCHER: It is a lot. Thank you.

HUGHES: I really appreciate it.

KATHY FAUCHER: Thank you.

MURMAN: Senator Lonowski.

LONOWSKI: Thank you, Chair. Maybe this is getting a little off, but you're asking, you're asking school boards and even the technology coordinator to look into that? I don't-- do we need more training for, for school boards and for the technology coordinator? I mean, this seems like it's a-- like a lot to be looking for, a lot-- or to know, to know what to look for. If I'm looking at a textbook company, I'm like, this seems legit. And it's even the same with cameras. These cameras look good, let's put these in our halls. But how do laymen, school board members or teachers or anyone know?

KATHY FAUCHER: They don't know. And, you know, our ES-- I think they look to our ESUs, if I'm not mistaken, for the technology expertise. So, I would start there.

LONOWSKI: Thanks.

MURMAN: Senator Hunt.

HUNT: Thank you, Chairman Murman, thank you for being here. I would just ask, may we have a copy of your testimony? Maybe emailed to us, or--

KATHY FAUCHER: Sure.

HUNT: So we can-- you've shared a lot of great information, so that would be great.

KATHY FAUCHER: Yep. I will email it to you.

HUNT: Thank you.

KATHY FAUCHER: Thank you, Senator.

MURMAN: Any other questions? Yes, I'll second that motion. It'd be great to get a copy of your testimony. Any other proponents for LB31?

COLBY WOODSON: Hello, Education Committee. Colby Woodson, C-o-l-b-y W-o-o-d-s-o-n, and I think this is definitely a step in the right direction. Say that as a student; I'm just here speaking as myself today. You know, it's, it's very timely. There's the continued rapid growth of the ubiquitous digitization of everything within education. Which-- I mean, we're already there, and we're just going that much further, what with all these new services, surveillance services that, you know, can be used in any number of ways. And with the increase of that technology comes the increase of vendors that have goods and services that-- you know, they build a career of selling very persuasively. You know, fear is a very-- you know, it's a very profitable sales pitch, and providing safety is as well. Also, as there are these various surveillance-based goods and services-- and I'm thinking less so the surveillance cameras and more so of the digital analytics, you know, there's an incentive for administrators and teachers and employees to engage with those surveillance utilities. You know, I, I worry about the delet-- deleterious effect that it has on the, you know, student-teacher relationship, when, when there's just so many opportunities to treat a student not as a learner, but, you know, as a bit of a lab rat. Which I don't think is a good thing, I think that's a bad thing; I think it kind of contradicts the whole ethos of what education is supposed to be about. I-- it would be my hope regarding this particular bill that it could be expanded to include higher education, because the problem-- as I see it-- of, you know, the "datafication" of students is, is just as big a problem, if not an, an even bigger problem within higher education. And that's much larger a bureaucracy and, and there's much more ambiguity as to how all those moving parts are fitting together within any given, you know, puzzle piece within that, that big puzzle. In terms of the language within this bill, I think that Section 2(1)(a)(i) through (viii), so, one through, one through eight, there--

you know, it makes mention to "surveillance monitoring and tracking technology tool." And, you know, I think, I think that this needs a little bit more defining because, you know-- what is surveillance monitoring and tracking technology tool? You know, I mean, if you want to use it, you're probably going to say, well, this tool is not that, even though it can be used in that way. And, you know, for instance, if it's the case that a school-issued email account can be covertly accessed by teachers and administrators, you know, is, is that a surveillance tool? You know, if that's not its primary purpose? Well, you know, if, if there was somebody, perhaps an employee, that enjoyed using it that way, I'm given to think they would say, well, this, this isn't the primary purpose of this utility, so it's, you know, it's not technically a "surveillance tool." And so, you know, I think there needs to be a certain sort of practical definition kind of baked into what's being talked about with student suveillance monitoring and tracking tool. On that note, when I was looking around in LPS's definitions, I thought they did a good job of defining a "legitimate educational interest," because you need a legitimate educational interest, statutorily speaking, to access student records. And so, they actually provide a definition, which is good. It's good for there to be a definition for a term like that that allows one said latitude. And their definition is, you know, "a school official has legitimate educational interest if the school official needs to review or otherwise have access to the student record in order to fulfill their professional, contractual or" otherwise-- or "other responsibilities for the district." And so, at, at least there's something there, right? I think that's a good thing. So, you know, in closing, I support it. I, I, I think it would be great if it could be expanded to include higher education. You know, and maybe address it to the regents and the State College Board and, you know, it'd be good to steelman that definition of, you know, surveillance tool. Yes. So, that's what I had to say about that.

MURMAN: Thank you. Any questions for Colby? If not, thank you for your testimony. Other proponents for LB31. Other proponents for LB31. Any opponents for LB31?

KYLE McGOWAN: Good evening, Chair 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, GNSA, NRCSA, and NSEA. And I'm just going to start off by making sure that, that I have my focus here. LB31 says "a bill for an act relating to schools," essentially "to develop a model policy relating to the use of student surveillance, monitoring and tracking technology by school districts." So we're not talking about purchasing

curriculum. And this is-- I, I, I really don't think we're far off from Senator Conrad. We know Senator Conrad has the best interests of children. She always has, and we appreciate her efforts to ensure that student rights are maintained. And this is what it's always about, right? The, the rights of the individual versus the benefits to the majority. We, actually, are hearing from our principals and superintendents and staff members that-- they're telling us communities want even more safety precautions. And I, I know we all say reading is the most important thing that happens in the school. But I would tell you that parents probably say having their kids safe is the most important thing in school. It's really difficult to learn if you don't feel like you're in a safe environment. So, when we talk about cameras or other surveillance-- I, I really wasn't famil-- familiar with the digital hall pass. I thought that was fascinating when people first told me about that, because again, we all came from-- go up to the teacher, you, you get a pass, you go. So why are we making this complicated? Well, what some staff members told me was that this helped really identify some issues, and you can imagine if a student is maybe asking for a pass to the restroom multiple times a day, is there a health problem with that student? Is that, maybe, something their parents would want to know? Is there something nefarious going on? They also mentioned that when they knew that there was bad blood between a couple of students, they would make sure that they didn't have hall passes at the same time. So there, there was some value to it. The, the, the things I've mentioned-- and what has been brought up in terms of sharing information-- there is federal legislation. All of you are probably familiar with FERPA, and that's the Family Educational Rights and Privacy Act. Something that I wasn't familiar with, but I actually looked it up after I spent a brief time with Senator Conrad was-- I think I'm pronouncing the acronym correctly, COPPA, that's the Children Online Privacy Protection Act, and it expands protections for children's data and requires that individuals and entities that collect or maintain personal information from children on a commercial website or online service provide transparency to parents and guarantee privacy protection. So, I would agree that anything that's collected digitally can be hacked, correct? So, we're all at risk there, and all we can do is try to reduce that risk as much as we can. Things like the hall pass or, or the surveillance equipment that's used, that I'm familiar with, is kept on local servers. But again, that's not to say local servers can't be hacked. But the idea that maybe it's sent to a national vendor would not be accurate from what I've seen. I can tell you as a former building principal and superintendent, it is important to take advantage for our students' safety, and take advantage of the

technology. So, I, I, I appreciate Senator Conrad; I think we can work with her. We-- we're concerned about the same things, but I really feel that what we hear from our public is we want more security, more safety, and that tends to mean more technology involved.

MURMAN: Thank you. Any questions for Mr. McGowan? Senator Sanders.

SANDERS: Thank you. Thank you for being here. It's more of a statement, Mr. McGowan. And anything that has WiFi connected-- right?-- can be hacked into. Not that we think in those terms until something happens. But I particularly want to thank you and everyone else here this evening. You have waited over four-and-a-half to five hours to testify, and it's greatly appreciated. You're the experts giving us lots of good information. And so, I appreciate that. Thank you.

KYLE McGOWAN: That's very kind.

MURMAN: Senator Hunt.

HUNT: Thank you, Chair Murman. I wanted to know if you'd be willing to comment about-- Senator Conrad and I had an exchange about this in her introduction. It's not-- do you understand, or can you speak to that it's not hacking that's really the concern; it's the software companies that schools contract with, selling the data, sharing the data, compiling the data.

KYLE McGOWAN: Right.

HUNT: Can you speak to that as a representative of the administrators?

KYLE McGOWAN: I think that's a legitimate concern when you're talking about curriculum purchases, maybe even library systems, or, or how to make your child read better, or progressive types of-- they're not missionaries. They're looking to make money, right? So, I think it would behoove the school not to know what information is being mined and where that's going. I do think that falls on the responsibility of, ultimately, the administration in making a recommendation of, of whether they should purchase this or not. Because frankly, there's-- also I didn't bring up CIPA, which is the Children's Internet Protection Act, which requires schools to, to monitor how children are on the internet, or what's used to. So, there, there is legislation already. And I guess I would just say legislation's only as good as the people that are monitoring it. I'll put it that way.

HUNT: Yeah. One thing I-- when I think about legislation is, as we create legislation to require monitoring, we're also creating a market and propping up the market of the companies, the tech companies that create the software that provides this monitoring. And then, those companies and the people who own them have a valuable commodity, which is the data of these kids. And so my question is-- CIPA, is that what you said it was called?

KYLE McGOWAN: The-- CIPA is one of them, the Children's--

HUNT: COPPA, is it? Whatever. All these things.

KYLE McGOWAN: --Internet Protection Act.

HUNT: You know what I'm talking about. You know, how is that market interest, I guess, considered under the law and under that policy by administrators, by principals, by decision-makers who buy the software and sign the contract? And then, how are parents informed about what's being done with their kids' data?

KYLE McGOWAN: Right. There are requirements for parent transparency. To your, to your question-- and, and again, I, I don't think anybody would deny when you're talking about curriculum types related things, these groups are looking to make money. I think Senator Brewer had a, a bill last year that was requiring a certain kind of software to be used because it would share with law enforcement. So, it was a, a monitoring--

HUNT: Yeah.

KYLE McGOWAN: You know. And so, the other thing I think it's important to know-- technology is not always good just because it's new, but it's not always bad because it's new.

HUNT: Right.

KYLE McGOWAN: If we're not taking advantage of new technology that helps people, whether it's improving your car, whether it's medicine-- and so, I, I would say schools are monitored, students are monitored much more than they ever were before.

HUNT: Mmhmm.

KYLE McGOWAN: And we all know why. Right? I, I mean, schools are can be a dangerous place, a deadly place, which is disgusting. So, again, it would fall upon us to make sure as-- well, I, I think, as a

community, that we send our, our, our students to school, expecting them to come home safe. And that means monitoring what they're doing.

HUNT: Mmhmm. Did you say that you had data on how many times kids go to the bathroom and it's in the bathroom pass? Or--

KYLE McGOWAN: No. What I'm saying is I-- and OK, I'm speaking off-the-cuff about digital passes.

HUNT: OK.

KYLE McGOWAN: So, in theory-- and I-- because-- if you-- if you're a school that has a digital pass, you could then collect information on Jane Doe of if she, you know, went to the-- signed out to use the restroom, whether that's what happened or not, how many times a day. And how much time it took. So, that, that could--

HUNT: I wonder, I wonder why schools would be concerned about that.

KYLE McGOWAN: Well, I just mentioned a couple of things, right? One is, maybe Jane has a health issue. It might be good to tell her parents that Jane used the restroom five times today, and we're kind of concerned about that. It, it-- and again, maybe it could be something, as I mentioned before, a little bit more nefarious in terms of, well, what, what negative things might happen when you're not in the classroom or being supervised.

HUNT: OK. Thank you.

MURMAN: Any other questions for Mr. McGowan?

KYLE McGOWAN: Is it "nefahrious" [PHONETIC] or nefarious?

HUNT: Nefarious.

KYLE McGOWAN: Nefarious? Sorry about that, so.

MURMAN: Thanks for your testimony. Any other opponents for LB31?

KIRK LANGER: It's almost evening, so I was going to say "good afternoon," but we're right on the hedge, so. I wish to express my appreciation of the members of the Education Committee for this opportunity to address you in relation to LB31. My name is Kirk Langer, K-i-r-k L-a-n-g-e-r, and I'm testifying today in my role as the chief technology officer for Lincoln Public Schools, and as a legislative liaison for the Nebraska Association of Technology

Administrators, or NATA, an organization whose members serve approximately two-thirds of the students in our state. It is from these perspectives that I share my comments today in opposition to, to LB31. I think it's important to point out that information security and data privacy are foundational priorities for LPS and NATA districts. We take the confidentiality, integrity and availability of data very seriously, and we adhere to the principle of least privilege in the provision of access to information. As the digital age gives way to the age of AI, there's no greater threat to personal liberty, civil rights and civil liberties than data security breaches. That's because the logging and retention of data is a byproduct of information systems, regardless of their purpose. While we can't support "LP30"-- LB31 in its current form, we support its ideals of privacy, liberty, transparency and stewardship through, or vis-a-vis the thoughtful, purposive and transparent use of technology. First, we oppose LB31 in its current form because it propounds a false narrative that attacks both the intent and impact of technology implemented by K-12 schools. It not only suggests schools purchase tools of "mass surveillance," under the quote, guide [SIC] of advancing security or efficiency goals, end quote, but that they do so at the end-- at the expense of meeting instruction and learning needs. The resolve of LB31 to ensure civil rights, advance transparency and safeguard privacy doesn't have to-- nor should it-- come at the cost of recognizing the realities of what is required for schools to fulfill their custodial responsibilities. Second, we oppose LB31 in its current form because its language makes it impossible to operationally define the scope of what constitutes mass surveillance, monitoring, and tracking technology. On the one hand, it equates exceedingly diverse exemplar technologies, including environmental sensors, transactional identification scanning, procedural hall passes, cameras and surveys, while on the other hand, LB31 makes it clear the list is not inclusive. The logical extension of this language is the enumeration of all data system and devices that log data, which is practically all of them. Third, we oppose LB31 in its current form because it mandates a level of reporting that is "burdison"-- burdensome and costly due to that scope; it is duplicative of other legislation, such as the Protection of Pupil Rights Amendment; and finally, it denies reporting safeguards afforded under the Protected Critical Infrastructure Information program of the Cybersecurity and Infrastructure Security Agency, or CISA. I agree with my NATA colleague from Grand Island, Cory Gearhart, who is their CIO, who concluded his opposition letter to the committee with the statements: We believe that collaboration and open dialog are the most effective means of addressing legitimate concerns regarding, regarding student privacy and the appropriate use

of technology in schools. We invite you to engage in a conversation with us about the current practices, technology and protocols in place that are designed to address safety, security, liability, and compliance. We welcome the opportunity to share more about the operational realities of school safety, and work with the Legislature-- legislators to discuss practical laws and regulations. I'd be honored to respond to any questions you may have.

MURMAN: Thank you. Any questions? Senator Hunt.

HUNT: Thank you. Sorry, I'm still sort of processing your testimony, so I'm sort of forming my questions as I'm talking. But does LPS use any of this technology? Like, on the top of the second page, environmental sensors, transactional identification, procedural hall passes, cameras. Like, do you use procedural hall passed, for example--

KIRK LANGER: Yes.

HUNT: --at LPS? Would you be able to share those contracts with the committee?

KIRK LANGER: Sure.

HUNT: Would you be able to share them with parents?

KIRK LANGER: They're a matter of public record.

HUNT: OK.

KIRK LANGER: So, absolutely, we could-- we can-- we'd share them as a matter of public record.

HUNT: OK. Thank you.

MURMAN: Any other questions for Mr. Langer? If not, appreciate your testimony. Any other opponents for LB31? Any neutral testifiers for LB31? If not, Senator Conrad, you're welcome to close. She waives closing. And for LB31, we had 50 propo-- 58 proponents online, 8 opponents, and 0 neutral. That will close the hearing on LB31.

HUGHES: All right. I'm up. All right. Last bill of the day. LB428. Can you raise hands, who's testifying on this one? LB428. One. You can have a full five minutes. OK. Go ahead. Senator Murman.

MURMAN: OK. Good evening, Vice Chair Hughes, and members of the Education Committee. My name is Dave Murman, D-a-v-e M-u-r-m-a-n, representing District 38 in Nebraska. Today, I have the privilege to introduce LB428, which relates to surveys and personal information, and the collection of data. During the interim, Senator Conrad brought an interesting study on student surveillance and technology used in schools. One of the topics mentioned in her LR was electronic surveys, which is a concern I share, so I'm grateful to her for bringing that topic some attention and to signing on to this bill. To begin, I'll note, on the federal side, we do have the PPRA, or the Protection of Pupil, Pupil Rights Amendment, which exists to protect from data collection. However, when it comes to schools using third-party surveys, and how that data is collected and shared is generally quite limited, and was also passed nearly 50 years ago, and the world of big data has certainly grown since then. This bill is based on a 2015 law passed in Virginia. It would ensure that decent transparency and data protection measures are put in place regarding student surveys. The bill requires that when schools administer a survey involving personal or private information, including health, religious or political information, that parents receive a notice 30 days prior. That notice would include basic information, such as the nature and purpose of the survey, who the results might be shared with and have access to, and what steps would be taken to protect student privacy. Parents could, upon request, a review of the survey and choose to exempt their child from participating. Also, to quickly note, there were a couple of online comments about outing children to their parents about the results of-- or infringing on student privacy. To clarify, this bill is about letting parents be aware of surveys before they are given to students; it is not giving out the results of student surveys to any parents. In other words, we are letting parents know about what kinds of questions are being asked of their children. There is no personal information that's been given out as a result of this bill. So, why do we need this? A 2023 Pew Research poll found that 71% of adults are concerned how companies use data collected on them. The same poll found 67% have little to no understanding about what companies do with the data they collect. It has become increasingly more and more clear that personal data has become a bigger and bigger part of our economy, but could also pose risk to personal privacy. And while that data can sometimes be help-- sometimes be helpful, parents can and do have valid concerns about the need of collecting data, its security, how it is stored, and who it is shared with. This bill asks that parents are informed and given the ability to make decisions they feel is best for their child. Thank you, and I'm happy to answer any questions.

HUGHES: Thank you, Senator Murman. Does anybody have any questions for Senator Murman? OK, so I have one. And I'm so sorry, but I'll make it quick. It's for non-anonymous surveys, so, clearly something that you put your name to. So, if it's anonymous, it's fine. They don't have to do anything. Am I right by how I read it? The bill?

MURMAN: I'm certainly open to change on, on that.

HUGHES: What I-- so--

MURMAN: To, to discussing that with the--

HUGHES: I-- like, the only-- and I, I guess I-- maybe the question is what non-anonymous surveys are there that, like, this would refer to? Do you have any specifics? Or?

MURMAN: Well, I, I suspect there are surveys where the child would put their name on the survey.

HUGHES: Yeah, I-- OK.

MURMAN: I-- I'm not-- I'm not sure.

HUGHES: The only ones that I want to protect-- and this comes from my anti-vape hat-- is I-- and I'm forgetting the name of it, I believe it's in eighth grade, tenth grade, twelfth grade. It's there-- it's, like, this risk assessment survey that's done-- given to kids-- what's it? OK. And it collects data, like-- and it's anonymous. But are you-- have you smoked in the last 30 days? Have you vaped in the last year? I think it even talks about-- it's risk. Sexual behavior, things like that. But it's extremely valuable information that we've had for decades. And then, we can see trends, right? With teen vaping use, or cigarette use, and things like that. So, I don't-- this doesn't cover that, I don't think, because you're only talking about a survey that you put, like, my name on it, and it's tied to me, right?

MURMAN: Yes. Well, well as written, it's non--

HUGHES: Yeah, as written. OK.

MURMAN: --anonymous. But, but I am open to--

HUGHES: Well, no, I think that's OK.

MURMAN: --talking about that.

HUGHES: I just-- and the only other thing I can think of, sometimes kids do surveys. I mean, I've-- early on, you'll get online, you're like, oh, I'm going to do this survey. And then, you're like, why did I do the survey? Because now I get 500 emails on said whatever I did the survey on. So I wonder, how much do kids do-- this would be just more if the school is giving this to all the kids, and things like that. Sorry, I'm answering my own question. Thank you, Senator Murman.

MURMAN: Yeah, this is all about the schools.

HUGHES: OK. Proponents for LB428. So you have just had a day today. You're here anyway, right?

SUE GREENWALD: Made a trip to Lincoln for you all today.

HUGHES: Go ahead.

SUE GREENWALD: Thank you. My name is Sue Greenwald, S-u-e G-r-e-e-n-w-a-l-d. I represent Nebraska Education Coalition, otherwise known as Protect Nebraska Children. I-- you are receiving a copy of the law called the Pupils Privacy Rights Amendment [SIC], it's the 1970s law that's been mentioned a couple of times. This amendment remains in place, and it restricts schools from asking students about the listed sensitive topics. You can see on the-- page 1, it lists the topics your-- schools are not allowed to ask. They also match the topics that all the surveys ask. So, this federal law is largely ignored, and the reason is that schools are not asking sensitive questions; they're paying vendors or accepting grants to have third parties ask the sensitive questions, so the law is essentially moot. LB428 is a proposal that is a state version of the PPRA, and parents need it because the federal version is being sidestepped. Currently, parents have the right to opt their students out of surveys, but what most of them-- almost none of them know is what's in the survey. They don't know how the data will be used, they don't know what the questions are, they don't know who will have access to the data. They don't know anything about it. And most of the time, they don't even know-- most of the parents I've talked to, they don't even know about the surveys until after they've been given. And then they're going, why did they give this kid my-- my kid the survey? Nobody asked me about it. Well, they might have sent a, a little piece of paper home in the backpack, but that's not good enough, because parents aren't given the opportunity to opt out. If schools have to disclose this information, it will be very enlightening for parents. And the schools may, may be more circumspect on the acceptance of doing these surveys. I do have two recommended amendments. The non-anonymous that you

mentioned, there really is no such thing as a non-anonymous survey. If it's done online, there's an IP address on every computer, so everybody knows whose survey that is. If it's done by paper, that's more anonymous, but every teacher knows that they can recognizing the handwriting of every student; they know whose survey is what. So, I would just remove those words, there, "non-anonymous." I would just remove that word. The other concern that-- when I showed this to school board members, they noted the phrase on page 2 at the bottom, "or any other"-- it's line 30-- "or any other information." So, what that-- the miscommunication there is one school board member took that to say, well, if we-- if it says "or any other information that the school board deems to be sensitive," they can just deem that none of it's sensitive, and not have the law. So, that's a little bit confusing. I think you either need to just take that out, or say "in addition" instead of "or." So, those are my suggestions. And I'm happy to answer questions.

HUGHES: Any questions for Dr. Greenwald? Nope? OK. Thank you for coming in.

SUE GREENWALD: Thank you.

HUGHES: Thanks for staying late. Next proponent. I got to ask this. Is there any opponents? And is there any neutral? OK. You can finish, Senator Murman. Thank you. And online, we had 57 proponents, 29 opponents, and 1 neutral.

MURMAN: Thank you for everyone saying this late. I am certainly open to an amendments, as mentioned, and-- but we can discuss that in committee, and go from there.

HUGHES: All right. Very good. Any questions to wrap up? Thank you, Senator Murman. And this concludes that hearing and the day.

SANDERS: Thank you, everybody.