

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee March 3, 2025

**MURMAN:** Welcome to the Education Committee. I'm Senator Dave Murman from Glenvil, Nebraska, representing the 38th Legislative District, and I serve as chair of the committee. This public hearing is your opportunity to be part of the legislative process and to express your position on the proposed legislation before us. The committee will take up agenda items in the order posted. If you wish to testify on the mic today, please fill out a green testifier sheet. The forms can be found at the entrances to the hearing room. Be sure to print clearly, and provide all requested information. If you will testify on more than one agenda item, you will need a green testifier sheet each time you come forward to speak on the mic. When it's your turn to come forward, please give the testifier sheet and any handouts you might have to the page as you are seated. If you have handouts, we request that you provide 12 copies for distribution. If you do not have 12 copies, please alert the page when you come forward. At the microphone, please begin by stating your name and spelling both your first and last names to ensure we get an accurate record. Observers, if you do not wish to testify but you would like to indicate your position on an agenda item, there are yellow sign-in sheets in notebooks at the entrances; the sign-in sheets will be included in the official hearing record. We will begin with each-- the introducer giving an opening statement at the mic, followed by the 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 three-minute time limit system for all testifiers. When you begin your testimony, the light on the table will be green. When the yellow light comes on, you'll have 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 cause for you to ask to leave the hearing room. Know that committee members may need to come and go during the afternoon for other hearings. I will know-- now ask the committee members with us today to introduce themselves, starting at my far right.

**SANDERS:** Good afternoon. I'm Rita Sanders, representing District 45, which is the Bellevue/Offutt community.

**HUGHES:** OK. I am Jana-- Senator Jana Hughes, District 24. That's Seward, York, Polk, and a little bit of Butler County. Right by Senator Lippincott's district.

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**LONOWSKI:** Hello. I'm Dan Lonowski from District 33. That comprises Adams County, Kearney County, and rural Phelps County.

**JUAREZ:** Hello, I'm Margo Juarez from south Omaha, District 5.

**MURMAN:** Thank you. And staff with us today are, to my immediate right, research analyst-- or, excuse me, legal counsel Kevin Langevin, and to my far right on the end of the table is committee clerk Diane Johnson. The pages who serve with us-- this committee are-- and I'll ask them to stand up and introduce themselves and tell us a little bit about what they're doing.

**JESSICA VIHSTADT:** Hi. My name is Jessica. I'm from Omaha, Nebraska. I'm a second-year student at the University of Nebraska-Lincoln, and I'm studying political science and criminal justice.

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

**MURMAN:** Thank you for your help today, ladies. And with that, we'll begin today's hearing with LB550. Senator Loop-- Lippincott.

**LIPPINCOTT:** Good afternoon, Chairman Murman, and the Education Committee. My name is Loren Lippincott. That's L-o-r-e-n L-i-p-p-i-n-c-o-t-t, and I'm here representing District 34. LB550 empowers parents by giving them a stronger voice in their children's education while equipping schools with additional resources to support student success through released-time religious instruction-- RTRI. Through this bill, each school shall adopt a policy that excuses any student to attend a released-time religious course for one class period per week. You may recall that last year, I introduced a similar bill, LB1066, and the bill that you have in front of you today is a much different version. This bill would be at no cost-- zero-- to the school district. And as you can see from the fiscal note, that supports no cost to the school. All study of religion would be off school grounds, and all transportation would be provided by either a parent or a sponsoring entity. Any such program would be-- only be allowable with written parental permission. We aim to support families who seek religious education for their children while strengthening character education in our public schools, fostering a well-rounded and inclusive learning environment for every student. This type of programming is nothing new. There are 26 states with laws and three states with regulations in place, such as our neighboring states South Dakota, Iowa, Minnesota, and even states like California and New York. As written, there is no liability to our school systems. Zero. The

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constitutionality of RTRI was affirmed in the 1952 *Zorach v. Claiborn* case heard before the Supreme Court. The court ruled that such programs do not-- I say again, do not-- violate the Establishment Clause, as long as they contain the same items that I am proposing in this bill. Number one, that it's voluntary; number two, that it is off-campus; and number three, that it does not use public funding. Those three items. We're currently provide a breadth of elective courses in our schools. We know that. And this would not only be an additional elective course, but an enhancement to character development programs. Schools are challenged each day to prepare students to academically and behaviorally succeed, and released time provides the opportunity for students to develop a stronger sense of morality and work ethic. It can lead to better academic performance, and can help schools by decreasing behavioral issues, and we all want that. If we all told stories about those people who influenced us to become better people, we would name teachers, coaches, friends, parents, and religious leaders or volunteers. Released-time programs incorporate character-based education in the religious instruction provided to these students. Most religions emphasize similar core character traits that promote moral living and strong communities, such as compassion, honesty, respect, self-discipline, gratitude, humility, forgiveness, perseverance, generosity, and justice. These traits contribute to a well-rounded, ethical society, something we all want. This can also help students perform better academically, have fewer behavioral issues, and less likely to have truancy issues where the kids don't show up for school. If students are allowed this additional educational opportunity, the positive outcomes for students would aid in reducing the time that teachers are spending addressing behavioral issues in the classroom. Again, to highlight this bill, we're asking for one reasonable class period per week-- not per day, per week; written parental consent-- that is, an opt-in program; and no school district funds are to be expended. Zero. I do have others here to testify who might be able to answer some more questions, but the important thing I want this committee to know is that we have programs and communities that want these programs here. As a matter of fact, I just read recently that there are 70 schools that have reached out for programs like that, right here in Nebraska. So with that, I will take questions.

**MURMAN:** Thank you. Any questions for Senator Lippincott at this time? Senator Juarez.

**JUAREZ:** Thank you. Thank you, Senator Lippincott, for introducing this. And apparently you've tried in-- introducing this before. Is that what you said?

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**LIPPINCOTT:** Yes, ma'am. That is correct.

**JUAREZ:** OK, so I'm-- I wanted to know, have you actually discussed this bill with the sch-- with our-- any of our superintendents in our state?

**LIPPINCOTT:** Yes.

**JUAREZ:** And what were their thoughts about this?

**LIPPINCOTT:** The big difference between last year and this year on this bill: last year, it said that schools may draft a program like this. So, this is legal in America since the 1952 Supreme Court ruling on it. So, it is allowable. And so, last year, the bill just said to the schools, you may have a program like this; this bill here says to the schools that you will have a program like this. And if I may just elaborate on that very briefly, that is this: these types of programs do require some homework for the administration to do. They have to figure out the logistics as to when they're going to have a period in school where kids can opt out and go off-campus. So, what we've had in the past is, because it was just allowing them to change if wanted, it was very passive in nature. So, this is much more proactive, and, in essence, it helps the school boards and the school administration to accommodate this. For instance, of a lot of this, we don't really think through these things. But since it will be the entity that would provide transportation out to where they're going to have the class, they have to think about liability insurance. You know? For instance, if they have a car load of kids and they get t-boned down at the intersection, you know, the guy has to think through those different kinds of programs. So again, none of this would be required at the schools, but at least they have to set up the skeletal-- administrative portion to allow this to take place. So last year, we made it optional, but this year we're saying we need to have that in place so that those things can be addressed. Now, there are some people here that can talk, talk about that on the molecular and atomic level on that, but overall, this is saying that the schools will actually establish the institution so that this can take place. Does that answer your question?

**JUAREZ:** Yes. That's fine for right now. Thank you.

**LIPPINCOTT:** Thank you very much.

**MURMAN:** Thanks. Senator Hughes.

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**HUGHES:** Thank you, Chairman Murman. Thanks for bringing this, Senator Lippincott. We've talked a little bit about it before today, of course, too. I'm going to-- I have a couple questions. One, you prompted; you said 70 schools have reached out to you. What is that-- I don't understand what that means. 70 school districts reached out to you to do this?

**LIPPINCOTT:** Schools, yeah. And there is a young man to my right that he can address that more specifically. But just overall-- now, he represents one particular company that offers these services. But there are multiple companies that offer services to help harness this feature so the kids can go ahead and do this off-campus study. Because right now, what happens is mom-- a mom-and-pop organization can, can do this right now, it's, it's-- it is all legal. It's just that they don't for the very reasons that I'm-- discussed with her, regarding all the things you have to bring into place. You know, insurance and those kinds of things. So, you do have to think through those logistics.

**HUGHES:** OK, so-- well, I guess I'll wait to ans-- hear that answer from the guy behind. So, I did a quick survey. I actually had a group do a survey of our schools, and I only got 30 responses of school districts, but 25-- have you heard of, like, the early release program, or early-- with some school-- OK. So, a lot of our schools across the state do-- like, one day a week, they-- the kids-- maybe on when-- whatever. Thursday, they get out at 2:30-- normally releases at 3:15, but one day a week, they get out at 2:15, and then the teachers use that typically as, like, a work time, or they, they hold classes for the teachers or whatever. So, I guess-- so, 25 out of 30 said they do some sort of either early release or maybe a late start; maybe instead of getting out early on a Thursday, they go in a little later on a Thursday. Has this-- has your-- the group that brought this to you, have they-- I mean, couldn't they go that route? So-- and, and, and I'll be honest with you, what I hear from parents, they hate early-outs because if you're working or whatever, it's like, OK, so now instead of 3:15 or 3:30, you know, Johnny's off at 2:15 on Thursday or whatever. I mean, to me, that would be a great fit for something like this. Like, that organization can come meet those kids at the school and do their thing, and then parents can come at the normal time they would have picked up at school. I mean, I think that would be an option, that-- I mean, are-- is any entity doing that right now anywhere? Or-- that you know of?

**LIPPINCOTT:** I've got two thoughts on that. Number one, what this program tries to do is it tries not to have things before school

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starts, after school starts, where anything that would compete with extracurricular activities-- like sports, for instance.

**HUGHES:** Right.

**LIPPINCOTT:** And the reason is, is because they want to make this available to all the kids; rich, poor, whatever. And they want it during the school day. They have found that that actually works the best. And by the way, this is in 30 states already, like I said in my opening, so it's already a mechanism that is in place, it is working. And then, this is point number two that I wanted to add on to this. This is very interesting. They have shown that as schools participate in this more and more-- so, more schools participate, more students participate. As a matter of fact, nationwide, there's over 30,000 students-- or, correction, 300,000. A third of a million students who participate in this right now, in those 30 states. So, as more kids participate in this, they're also seeing that academic instruction and performance also, to the same degree, raises-- is-- follows that same graph. Also, truancy, absenteeism goes down to the same amount. So, it's having a very excellent impact on our students.

**HUGHES:** But when we spoke before-- correct me if I'm wrong-- they-- when you're getting out of class, it has to be, like, from recess or lunch or study hall. I mean, we don't want the kids getting out during math and science and those things.

**LIPPINCOTT:** Correct. Right. Yes.

**HUGHES:** The core curriculum.

**LIPPINCOTT:** No. Core curriculum-- and that's the whole reason why we actually want for the administrators to get involved in this, so that core curriculum is not impacted.

**HUGHES:** But it's-- like, this is how I think-- and, and maybe I need this answer. I was thinking you're addressing this more toward an elementary age, but this is all the K-12, all the way through?

**LIPPINCOTT:** This would be K-12. Correct.

**HUGHES:** Because there's different aspects of it, right? Elementary, you don't have the afterschool stuff that you compete with with maybe middle school, high school. So, in my opinion, in elementary, the early release days work great. They're, they're not going to a sport anyway, you know, if they're out early. But high school, this is where I-- like-- and you only know what you know, but when my kids went to

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high school, it was a block schedule, and, and there's-- everybody's on such a different schedule. Dan's son might have study hall second period; my son has study hall fourth period, so. And the school can't possibly make everybody have study hall fourth period.

**LIPPINCOTT:** Right. Correct.

**HUGHES:** So, how did they work that out? And how-- or, is the-- is this organization-- they take a group second period, and then they come back and get the third period group, and then they come back and-- they just keep shuttling kids back and forth over study hall?

**LIPPINCOTT:** That young man's going to answer those questions, right there.

**HUGHES:** OK. I will save them all for, for that. But I look at this as, like, I don't want to make burden on-- I just know how hard it is scheduling kids anyway. And to, to try to make certain things line up is really difficult.

**LIPPINCOTT:** Correct. And that's, that's why-- first off, let's just take the big, big look at education in general. We know that America-- we don't rate very well on how we're performing scholastically.

**HUGHES:** I'm going to-- I'm going to fight that on-- I think Nebraska does a--

**LIPPINCOTT:** Nation-- nationwide.

**HUGHES:** --really good job.

**LIPPINCOTT:** Yeah. That's why I said nationwide, not Nebraska.

**HUGHES:** OK. And that's fair.

**LIPPINCOTT:** Yeah. And so, there's always room for improvement. We know that.

**HUGHES:** Oh yeah. Right?

**LIPPINCOTT:** Yeah. Absolutely, positively.

**HUGHES:** Always, yes.

**LIPPINCOTT:** So, we need to think outside the box, and one thing that you and I have discovered since we came here to Lincoln, that any time there's any kind of change, there's always pushback. Because change is

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tough. Whether you've got white hair or dark hair, you know? It's just-- it's, it's difficult. So, this is why this bill changes a little bit this year, in that it says to the administrators, "Let's go ahead and try to orchestrate the school day so that something like this is possible." Now, I underst-- I underst--

**HUGHES:** So, what does that mean? What does try mean? I mean--

**LIPPINCOTT:** Well, it says "you shall." You, you sh--

**HUGHES:** No, this is a must. Yes. Right. But again, Senator Lonowski and my-- our sons are in the high school together. I-- how can they try to make sure they're all on a study hall at the same time? It's-- I mean, it's darn near impossible. You know,--

**LIPPINCOTT:** Yep.

**HUGHES:** --my son wants to take this class, this class, this--

**LIPPINCOTT:** Well, it, it also might be that there could be several different periods that that instruction would be available, not just one.

**HUGHES:** OK, so then it, it lends me to-- and we-- I asked you this to the-- to you. I said what stops-- I can go to the high school and say I want to pull my son out during study hall. I'm a parent and I can do that--

**LIPPINCOTT:** Correct.

**HUGHES:** --today.

**LIPPINCOTT:** Yes.

**HUGHES:** So, why do we need this if I can do that today?

**LIPPINCOTT:** Because it's not--

**HUGHES:** Whether I take him to church--

**LIPPINCOTT:** Because it's not happening. That's why.

**HUGHES:** You're saying the rules are not allowing it?

**JUAREZ:** [INAUDIBLE]

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**LIPPINCOTT:** No. What I'm saying is that there is no program that is set up like this. For instance, we've got a bunch of folks here from Beatrice today. They would love to see a program like this put into play in Beatrice. And they're not the only ones; they just happened to be here testifying today. And there are a lot of parents that would like, like this. Now, you're a sports person, so am I, so is the senator over here. And, you know, I was just thinking about this earlier today. I don't remember a whole lot about the periodic table in science class, but I do remember a lot of the principles that I learned in athletics. And in athletics, you learn a lot about character development, not quitting, perseverance, honesty, self-sacrifice, giving and supporting another person. And in essence, that's what this is doing. This is, this is providing a vehicle for character development because we don't get that too much in the classroom. We get it a little bit in sports. That's wonderful, but not everybody goes out for football, wrestling, basketball, and all this.

**HUGHES:** So, so then I guess, why can't that be after school for those kids? Or, for example, in our-- where our kids went to school, Wednesday night was sacred and no practice went past 6:00. Hard stop. It was kind of a church night, is what-- you know, Wednesday night's church night. There weren't activities scheduled on Wednesday nights; a lot of the, the middle school or younger kids went to CDC or confirmation right after school.

**LIPPINCOTT:** Right.

**HUGHES:** Is that not happening other places?

**LIPPINCOTT:** It is. But again, we have to think about all kids. You know, some kids, they get off school, they go home or they work the restaurant, washing dishes; they help their parents' farm, all these kind of things. So, we-- what we want to do is we want to offer this during the school day to make sure that it's available for all kids. And this is an optional program. This is not mandatory.

**HUGHES:** Why can't those parents do it also after school? I mean, it's optional. It can-- I, I don't know. Let me hear-- oh, I want to hear all the people behind,--

**LIPPINCOTT:** OK. That's fine. Yeah.

**HUGHES:** --and then we can come back to it at the end, so. Thank you.

**LIPPINCOTT:** Thank you.

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**MURMAN:** Any other questions?

**JUAREZ:** I have--

**MURMAN:** I have one. You know, it seems like there's so many positives for this program. I mean, academics, improvements on morals, control of the-- discipline, control of the classroom, less truancy. And there's, what, 30 other states have already doing it. Why do you think this hasn't happened in Nebraska already?

**LIPPINCOTT:** We looked at it last year, and we said that you may set this up. And, and, and since it is a change, and schools are already overburdened with lots of things, we didn't see much movement in this. And what this does, is it just says that this is something that we want to have set out so that schools like Beatrice or wherever here in Nebraska can go ahead and have these programs set up, so that they can start teaching character development for kids during school hours.

**MURMAN:** Sounds great. Thank you. Any other questions? Senator Juarez.

**JUAREZ:** I'm sorry, Senator Murman, I thought of another one. So, I am assuming that this is going to be an elective where a student is going-- at least something at a high school, anyway-- would-- they would be able to get a credit for taking this course. Correct? Because you want to build it into the regular classes like everything else.

**LIPPINCOTT:** They may-- they may get credit. It's not mandatory. The, the program itself is voluntary, but the way the bill is written-- I believe it's on page, page 3, line 10: "a school district may adopt a policy that rewards academic credit for the completion of a released time course." May.

**JUAREZ:** OK. Thank you. So, one more question, please. So, my next one is how are we going to be deciding-- is this going to mean all religions are going to be able to participate in having our students attend their class? Is that correct?

**LIPPINCOTT:** Yes, that is correct.

**JUAREZ:** Baptist, Hindu, whatever.

**LIPPINCOTT:** That is correct. And then the parents themselves, they get to determine what the kids would, would go to.

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**JUAREZ:** Well, because I just think that if we go down a route like this, we're going to be getting ourselves into trouble if we're not going to recognize all religions. Right?

**LIPPINCOTT:** Correct. Yeah. That's right, yeah.

**JUAREZ:** OK. Thank you.

**LIPPINCOTT:** Mm-hmm. Thank you.

**MURMAN:** Any other questions? If not, appreciate the introduction, and we'll ask for the first testifier for LB550. First proponent.

**JESSE VOHWINKEL:** Chairman Murman, members of the committee, thank you so much for having me here. My name is Jesse Vohwinkel, J-e-s-s-e V-o-h-w-i-n-k-e-l, and I'm here to support LB550 because we believe that parents should have the ultimate choice as to whether their child can receive religious instruction. LifeWise Academy is a released time religious program based in central Ohio. We're currently serving more than 500 schools across the country, as you heard the senator say. Each week, over 40,000 public school students are attending LifeWise classes. Specifically in Nebraska, to the point that Senator Hughes made, specifically in Nebraska, people in more than 70 school districts have reached out to, to LifeWise to begin the process of starting a program in their school district. The organization has been growing rapidly because so many parents want their children to receive Bible education as part of their school day. As we all know, some parents remove their children from public schools today to send them to private Christian schools or homeschool them, but-- often for the purpose of religious education. But this is-- simply is not feasible for all families. But that doesn't mean that those parents don't want religious instruction for their children. LifeWise released time programs work with school administrators to find a time for students to attend that is not disruptive to their school day. None of the students who attend LifeWise classes miss any core curriculum; I know that was a question I was asked earlier. None of the students miss any core curriculum, and almost none of our students miss any kind of class of any kind. For example, some LifeWised [SIC] students are released during lunch or recess time once per week to attend our classes. Decades of research has shown that religious instruction has a positive influence on students. When a child has religious education in their life, their mental health improves; anxiety and depression go down; their character improves; risk factors such as drug and alcohol abuse go down; and their academics approve-- improve as well. In fact, LifeWise commissioned a third-party study with Thomas P. Miller &

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Associates, and the study reviewed, reviewed data from thousands of school-- schools across the nation, and it found that when a student-- when a school introduced LifeWise, their attendance went up significantly and their in-school and out-of-school suspensions drastically went down. In a recent survey of educators and parents, overwhelming numbers find LifeWise to benefit their students. In fact, 99% of participating parents say that they recommend other parents enroll their children as well. Despite the many benefits of programs like LifeWise Academy, some school districts deny families access to released time programs. LB550 will ensure that students have access to these programs and their many benefits. What LB550 will accomplish is not new or not was you heard the senator say. Several other states, including Wisconsin, Pennsylvania, and New York already have similar laws. In fact, just last year, Indiana and Ohio updated their laws to ensure that students could, could, could participate in released time programs. Oklahoma also established a law protecting the right to released time programs recently, as well. And we would rec-- and we would request that Nebraska would do the same. Thank you.

**MURMAN:** Thank you. Any questions? Senator Lonowski.

**LONOWSKI:** Thank you, Chair Murman, and thank you for your testimony. So, I have a couple of questions. So, let's say I live in Beatrice and I'm a concerned parents-- a concerned parent. Do you give me the likewise less-- LifeWise lessons to give them, or do you have an instructor already in place, or how does it work?

**JESSE VOHWINKEL:** Yeah. Good question, Senator. So, so when a LifeWise program is live and launched, that local program will have a program director that runs the program, and they will also hire teachers and volunteers to work the program. So, they will have a full staff of teachers and volunteers; bus drivers, if there's, if there's bussing included, and they will be teaching the curriculum. That curriculum is also available for parents to do online.

**LONOWSKI:** OK. Thank you.

**JESSE VOHWINKEL:** Yes, sir.

**LONOWSKI:** And then, if, if my school decides to do LifeWise, then do they pick up the tab, or how does that work?

**JESSE VOHWINKEL:** Good question. So, LifeWise comes at no cost to any schools and no cost to any parents at all. So, the local program is, is-- would be funded locally by local donors, and there's a small fee

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per student which takes care of curriculum and insurance, and things like that. But there's no cost to the parents and no cost to the, to the schools at all.

**LONOWSKI:** OK. One, one more question.

**JESSE VOHWINKEL:** Of course.

**LONOWSKI:** So, pragmatically speaking-- I'm not-- I'm trying to look at it from a different angle, here. Does-- just the-- does this help public schools, as far as-- we've had-- since COVID, we've had a lot of kids that leave public schools and go to, to homeschooling or even private schools, but more, I think, to homeschooling. In my mind, I guess it's for religious purposes, but I don't really know that. So, can, can you shed any light on whether that's what's really happening or not?

**JESSE VOHWINKEL:** Yeah, absolutely, Senator. So again, I'll refer to the study. So, we, we have a study of thousands of, of people across America in, in schools and, and the reports of attendance going up, and on behavioral issues going down. So, schools see the noticeable difference of just character-based education for students that they're receiving. But yes, I think that we've had-- in, in fact, one of our pilot programs that we have launched back about six years ago, we-- after, after a few years, we had almost 95% enrollment in that elementary school into this program in the middle of the school day, and we had neighboring school districts that were reaching out to us and asking how they could get LifeWise, because they have parents actually in an open enrollment "unenrolling" from their school district to enroll over here, to give their children an option for, for religious instruction as part of their normal, normal school day. So, so we've-- just based on the amount of people that have come to us from all over America saying, "We need this, we want this," I think our heart is really to allow an option for, for those families that can't-- that don't have the resources to homeschool, don't have the time; both working parents or working out of the home, they can't homeschool. And maybe they can't afford private school, or there's not one within 25 miles of their house. We want to be able to provide an option to protect their ability to, to partner with educators and participate in the kind of education that they want to receive for their students.

**LONOWSKI:** Thank you very much.

**JESSE VOHWINKEL:** Thank you, Senator.

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**MURMAN:** Senator Hughes.

**HUGHES:** Thank you, Chairman Murman. So, I thought Senator Lonowski was going to-- just-- I want to-- I'm, I'm a fact person and-- how this works, exp-- are you-- is this more of a K-6 thing? Is it more of a middle school thing? Is it more of a high school thing? And then, with that, walk me through how it works elementary; walk me through how it works with a high school. Do you see what I'm saying?

**JESSE VOHWINKEL:** Yes, I do.

**HUGHES:** Like, logistics.

**JESSE VOHWINKEL:** Those were really good questions before, and they're, they're, they're tricky to answer sometimes with how a, how a high school's so different than an elementary school. So, rough-- over 80% of our, of our live schools right now are elementary. So, they're K-6 or K-5. And so in that, traditionally-- again, the, the, the community will come-- will, will meet with the school administration to adapt the-- a, a-- to kind of talk through a logistical plan, right? And so normally, LifeWise would take place over a-- they'll either work-- depending on the school and their preference, they might work them into a specials-- as one of the specials in a specials rotation, or over a lunch period or something like that. So, in those cases, the local program would look for a host site. Well, where would we bring the children to teach them this lesson, and where we would bring the children. And usually, it's nearby; we encourage them to look within a few minutes from the, from the school building so that they can maximize class time with them, so. Generally speaking, they can either walk them across the street if there's location allows, or they come pick them up on a-- you might see a little red school bus wrapped with LifeWise logo, or whatever program they choose to partner with. But they would pick the students up, bring them over there for the period of time, and bring them back. So, that's the elementary age. Now, 10%--

**HUGHES:** And now back up. If they do lunch,--

**JESSE VOHWINKEL:** Sorry.

**HUGHES:** --do you feed them lunch?

**JESSE VOHWINKEL:** Yeah. So, great question. So, if it's, if it's a school that has bring-your-own-lunch and they brown bag it, the kids just take their lunches with them on the bus. Yeah, the kids will take them lunch with them. If it's a, a warm lunch program or something,

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we've worked it out-- just depends, again, on the school district. Some school districts have worked it out where the kids that have to go to a released time program will just get ahead in the lunch line, go grab their lunches, and they bring their, their trays right out-- or their, their-- cardboard-- you guys know what I'm saying, though. The cases right out with them, they bring their lunch right on the bus with them. Yeah. Good question.

**HUGHES:** And I-- and then-- go ahead [INAUDIBLE].

**JESSE VOHWINKEL:** You're totally fine. So, the middle schools is-- represents about 10% of our programs. So, middle schools, again, is still that age where kids aren't driving yet and their, their, their days are still a little bit more structured. So, middle school probably works fairly similar to elementary school, so not, not a whole lot of differences there. As you get into the high school, that's, that's about 5% of our programs right now. As the senator pointed out, there are opportunities that, that school districts and states can, can allow for an actual high school credit, like an elective. So then, you can build your elective-- we offer this character elective, however you want to call it-- this character elective is second hour and in fourth hour, and then the kids can kind of set their schedule around that when they select their electives, right?

**HUGHES:** And then, is that-- does that LifeWise person go into the school to teach it?

**JESSE VOHWINKEL:** No, so none, none of them will ever--

**HUGHES:** They still-- it's always off-site?

**JESSE VOHWINKEL:** --be inside the school building. Yeah, it'll always be off campus. So, at that point, high school students may be able to get themselves there; it just kind of depends, again, on age, and, and so again, this makes up a much smaller percentage of, of our live schools as of right now. It's, it's primarily middle school and elementary are where-- are the schools that we're serving.

**HUGHES:** So then, back to kind of what I was asking Senator Lippincott. If 80%-- I mean, clearly, the biggest is the elementary.

**JESSE VOHWINKEL:** Sure.

**HUGHES:** And that is where-- I, I think-- and I need to get for all 240 some school districts we have. A lot of ours have an early release.

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So, wouldn't that be a great fit for something like this? And honestly, I think that would help parents, because now their kid's always in school or this, 8 to 3:30. Do you know what I mean?

**JESSE VOHWINKEL:** Sure, sure. Yeah, so--

**HUGHES:** Have, have they-- have-- has any of these groups pursued that at any place?

**JESSE VOHWINKEL:** Really good question, and, and-- so, I don't have the exact answer, Senator Hughes, mostly because every school that works with a community-- so, like, when Beatrice comes to, to their public schools and says, "Hey, we want this released time program," they're going to specifically build out a plan that works for both parties, right? And so, that can look different in Beatrice, as it would in Lincoln, as it would in Omaha. Every single LifeWise may-- I'm just using LifeWise, but every single LifeWise program could look different, it could be at different times, it could be utilizing an early release or a, or a, or a late arrival.

**HUGHES:** Or a later start.

**JESSE VOHWINKEL:** The big thing for us-- and I think the senator did a great job of calling it out-- the big thing for us and why released time is so important is that it is during those normal school hours, whatever that looks like-- whether it's the beginning the day, end of the day, middle of the day-- that it's, that it's in the middle of the school day so that parents don't have to provide for special accommodations to, to let their child participate in it. And that's why we've seen such high participation rates, is because we, we found that a lot of parents-- whether or not they're even religious, a lot of parents really want character education of some sort, and, like, you know, it wouldn't be bad if my child learned a little bit more respect, humility, and, and honesty. But maybe they're not churchgoing family; maybe they would never go to a church after or take-- or, you know, miss soccer practice one day a week for that, but there's an option that's built into their day, not taking away from their core curriculum, that they can participate in. And that's the beauty of, of, of the released time program if it's done, done the right way and supported the right way.

**HUGHES:** OK.

**JESSE VOHWINKEL:** Yeah.

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**HUGHES:** And then, just the last thing. You had said that you have stats from other states, and I don't think you've handed out anything like that. Do you--

**JESSE VOHWINKEL:** Yeah. Do you have any particular questions on any other states, or--

**HUGHES:** Well, you-- I-- you know, it's like, oh, clearly we've seen better attendance and all this [INAUDIBLE]. I don't see that.

**JESSE VOHWINKEL:** So, so I've got a copy of the study.

**HUGHES:** OK.

**JESSE VOHWINKEL:** We can actually get you a full copy of the study.

**HUGHES:** That would be great.

**JESSE VOHWINKEL:** It's 16 pages, so I felt like I--

**HUGHES:** And honestly, maybe email it to all of us, if you could.

**JESSE VOHWINKEL:** Yeah, for sure. We could, we could definitely take care of that. I didn't want to bombard you with 16 more pages of thoughts.

**HUGHES:** I gotcha.

**JESSE VOHWINKEL:** But yeah, of course, ma'am. Great question.

**MURMAN:** Senator Juarez.

**JUAREZ:** Thank you, Senator Murman. OK, I have a few questions. So, I wanted to know-- how long has your company been in existence?

**JESSE VOHWINKEL:** Yeah, great question. So, since 2018, 2019, that-- in that time period, there. About six years.

**JUAREZ:** OK. And I want to know, can-- are parents allowed to review your curriculum that you provide?

**JESSE VOHWINKEL:** Yes, Senator. All of our curriculum is available publicly online. Mm-hmm.

**JUAREZ:** All right. And give me an example of what some of the religions are that you instruct about. Is it a wide variety of religions that you have--

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**JESSE VOHWINKEL:** Good, good question--

**JUAREZ:** --staff available?

**CONRAD:** Oh, sorry. Just one second.

**JESSE VOHWINKEL:** Yeah.

**CONRAD:** I know you're trying to have a conversation with Senator Juarez, but our transcribers--.

**JESSE VOHWINKEL:** Oh, I'm so sorry.

**CONRAD:** --won't be able to get you on that. Yeah.

**JESSE VOHWINKEL:** Yeah, I need to talk into the mic. That's my bad.

**CONRAD:** Sorry.

**JESSE VOHWINKEL:** Yes, ma'am.

**CONRAD:** Yeah.

**JESSE VOHWINKEL:** Thank you.

**CONRAD:** Sorry.

**JESSE VOHWINKEL:** Yeah, Senator, so I can comment to that. So LifeWise, being a sponsored entity, we are a-- we would be, like, a non-denominational Christian organization. So, we would be teaching the children that opt in to our pro-- or, the parents that opt their children into our program would receive a-- like, a Christian Bible-based character education. But I think what Senator was alluding to is that the, the released time for religious instruction is not a Christian Supreme Court ruling; this is-- it was actually in the 50s. I believe this was-- it was actually for a Jewish family that wanted to do Judaism teachings in the middle of a school day. So, we've seen examples of this out West. The, the Mormon faith has released time in public schools throughout Idaho, Utah, and Arizona. It's very common, actually. So, it'd be weird if your school didn't have a program taking kids out of the middle of the day to teach them a certain religion. Our program, specifically, is a Christian organization, though.

**JUAREZ:** OK. And then are you-- are there other companies in a-- in the U.S. that provide this type of instruction?

**JESSE VOHWINKEL:** Yeah. Very good question. So, so from-- we, we are-- I think we're, we're one of the larger and more structured ones. There are a lot of-- I-- the Senator maybe alluded to it-- when we, when we did a study about six years ago, we found out that about 350,000 students around America were participating in some kind of a released time; that could be Mormon, or Catholic, or Hindu, as you mentioned, right? But what, what, what it seemed to be was that a lot of them are more, more-- just smaller, kind of pop up in a certain community that want it. There wasn't just-- there wasn't structure behind it, right? And so, that's why we say that, you know, any, any religion is free to, to build this program like this. But as Senator called-- as Senator "Lippahoon" [SIC] called out, the, the, the infrastructure, the, the insurance and the liability and the, the scalability is really a tricky thing to figure out, and that's why you probably don't see a lot of large ones from a lot of religions. There's a lot of investment and a lot of time in there, but anyone is free to do it, Senator "Harez" [SIC]. So, we just-- this is, this is kind of how we've did it. We kind of built the framework and the plug-and-play model for, for the-- for, for our denomination. Or-- we're not really a denomination. I shouldn't say that. But our religious approach, if I, if I may.

**JUAREZ:** OK. Thank you.

**JESSE VOHWINKEL:** Yes, ma'am. Great questions.

**MURMAN:** Yes, and I have a question also, kind of with the logistics of the program. The-- say, K through middle school, is it typically-- is the LifeWise program typically provided for every class, or at least-- especially K-5, I guess. But for, like, first, second, third, fourth, fifth? Or just some time during their middle school, like, just for fourth grade, or something like that?

**JESSE VOHWINKEL:** Great question, Chairman. So, so when a LifeWise program begins in a, in a school district, during a school-- in a, in a school district, we usually will start with one or two school buildings, the community typically start with that. And that's because, you know, any, any-- when any program starts, funding is a little bit, you know, at-- minimal at-- you know, at the initial. So, they'll typically start, and they'll pick a school, and they'll usually try to identify schools that just make it easy on the, on the school board and the administration. So, schools that are fairly close to a host site, right? So it's not complicated, there's not an eight-mile drive or something-- you know, something crazy like that. So, they try to pick-- they try to pick a school to start with that's,

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you know, convenient and, and close, if you will. And then, they, they typically will pick a handful of grades. It usually-- it's, it's rare to see all the grades have a class offered, because you, you have to-- you have to get teachers and volunteers for all those grades and teach all that. So, so, the programs tend to expand that way. By, by year three, you'll start to see-- by year one, they usually start with X percentage of the, of the elementary school enrollment, and then by year two that's usually doubled from-- based on what we're seeing. And then, year three, it's, it's grown exponentially, where they offer more grades, additional school buildings that somebody-- you know, somebody in the neighborhood offers, like, you have that-- like, we want that in our school, but let's start that here. So, they, they, they raise the funds for an open in a new school, in a new grade. But traditionally, when that plan comes to the school board, we're tip-- we're typically taking one-- we're starting with one school, maybe two, and then just a handful of grades.

**MURMAN:** OK. Thank you.

**JESSE VOHWINKEL:** And then growing from there. Yeah, great question.

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

**JESSE VOHWINKEL:** Thank you very much.

**HUGHES:** Thank you.

**JESSE VOHWINKEL:** Thank you.

**MURMAN:** Other proponents for LB550?

**KAREN DITTBRENNER:** Hello, my name is Karen Dittbrenner, K-a-r-e-n D-i-t-t-b-r-e-n-n-e-r. I am a proud Nebraska public educator of 30 years, and I want you to know that many of our Nebraska students are in crisis. During the '23-'24 school year, 68,000 or 22% of Nebraska's students were chronically absent, meaning they missed 10% or even more of their school days. In 2022, over 20% were diagnosed with mental health or behavioral conditions needing treatment, with only 62% getting the recommended help. In 2021, 22% of Nebraska high schoolers seriously considered suicide, with 10% actually making an attempt. Tragically, in that period, 46 of our Nebraska kids aged 10 to 19 completed suicide. 46. Doesn't seem like a real high number until you have to look at that empty seat in your classroom. Or worse yet, it's your family member. Sadly, five days ago, I sat in my office comforting a young man whose brother had-- who had attempted suicide three days before. We have to try something different. There is money

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being thrown at this crisis; social-emotional learning programs in schools have skyrocketed in the past few years. We're spending exceeding \$1.7 billion in the '21-'22 school year alone. But compared to the \$31 million-- or (\$31) billion being spent on pediatric mental health conditions in 2021, it'd seem we have a very long way to go. There is something Nebraska hasn't tried. The National Institute of Health-- a U.S. government website-- published research findings that higher levels of religiousness and spirituality are generally associated with lower depressive symptoms, symptoms, suicidality, and substance abuse. So, let's give Nebraskans a chance to try this; a chance to offer parents a place for their kids to increase their levels of religiousness and spirituality; the option to try something different if they choose. Released time for religious education is an opportunity for kids to learn about empathy, coping skills, courage, obedience, perseverance, contentment. What are we asking for? A reasonable period of time once per week, off school grounds, with parental approval, at \$0 to our schools. Potential benefits? Better attendance; less mental health issues; lower likelihood of substance abuse; happier, healthier Nebraska children. As a Nebraska educator, a parent, and a former released time participant, I ask you: please make this option a reality for our Nebraska families.

**MURMAN:** Thank you. Any questions? Senator Lonowski.

**LONOWSKI:** Thank you, Chair Murman. Thank you for your testimony. So, are you a counselor or a teacher right now?

**KAREN DITTBRENNER:** I am currently the middle school media specialist in our district. I am the tech coordinator, and I am the ICU lifeguard.

**LONOWSKI:** Can I ask you where?

**KAREN DITTBRENNER:** I am from Beatrice. Proudly from Beatrice.

**LONOWSKI:** OK. So, so, is, is the Beatrice School Board on board? I mean, are you guys ready to do this if we can make this work?

**KAREN DITTBRENNER:** I cannot answer that. I've heard rumblings. I've heard both directions. I pray that they are.

**LONOWSKI:** Yeah, and, and I'm with you 100%. I think this is what we've been lacking with since 1962, so. Yeah, I just wondered-- I just wondered where your school is at in that process. And thank you for being a teacher and working in the school.

**KAREN DITTBRENNER:** Yes, and thank you.

**MURMAN:** Senator Hughes.

**HUGHES:** Yes, thank you, Chair Murman. You had said that you were a previous religious time instruct-- or whatever--

**KAREN DITTBRENNER:** Yes.

**HUGHES:** Recipient or something?

**KAREN DITTBRENNER:** Yes.

**HUGHES:** Just expand on that, please.

**KAREN DITTBRENNER:** I grew up in northern Minnesota.

**HUGHES:** OK.

**KAREN DITTBRENNER:** We had religious released time. It happened during the school day. We left school,--

**HUGHES:** Yeah. Walk me through. I'm, I'm just struggling with the logistics of it. So, what grade-- grades were you when this happened? How it worked, all that.

**KAREN DITTBRENNER:** Kindergarten through fifth grade.

**HUGHES:** OK.

**KAREN DITTBRENNER:** They still have it.

**HUGHES:** OK.

**KAREN DITTBRENNER:** I went to school in the 80s, graduated in '91. We left school. It was--

**HUGHES:** Like, over lunch? Did you--

**KAREN DITTBRENNER:** No. Absolutely not. We left school in the afternoons, typically. And if you were a farm kid, which I was, then we picked a church that aligned with, well, either our beliefs or the one our parents chose from the ones that were available. If you--

**HUGHES:** So, there were several belief options available in your-- like, your parents could say, oh, you're going to go to Lutheran one, or you're going to go to Catholic one?

**KAREN DITTBRENNER:** Correct.

**HUGHES:** Or you're going to go--

**KAREN DITTBRENNER:** Correct.

**HUGHES:** And those were at different times during the day, then?

**KAREN DITTBRENNER:** Nope. We all went at the same time.

**HUGHES:** OK.

**KAREN DITTBRENNER:** And we-- so--

**HUGHES:** So, like, three buses would pull up, or cars, and different--

**KAREN DITTBRENNER:** Actually, we ran. It was a steady stream out the door.

**HUGHES:** OK.

**KAREN DITTBRENNER:** So their, their people would come get us, and we were that excited. And if you were going to this church--

**HUGHES:** Yeah.

**KAREN DITTBRENNER:** --you line up in this line; if you're going to this church, you line up in this line. And you would literally see kids run out the doors, or run--

**HUGHES:** So, would it be, like, like, fifth period, the fifth graders would go? And then, fourth period, the third graders would go, or whatever?

**KAREN DITTBRENNER:** Yes, yes, yes, yes. It was-- it-- actually, I think it was in the afternoon, but it was every day.

**HUGHES:** Yeah.

**KAREN DITTBRENNER:** But every grade did not have a different day, necessarily. The majority of us went on Wednesdays. And then, when you got there, fifth graders were in this room, fourth graders were in this room. They had enough help that someone taught a different lesson for--

**HUGHES:** And then, can you tell me-- the kids that didn't get signed up for this--

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**KAREN DITTBRENNER:** Mm-hmm.

**HUGHES:** I'm as-- I mean, clearly, there probably were.

**KAREN DITTBRENNER:** Mm-hmm.

**HUGHES:** What were they doing back at school?

**KAREN DITTBRENNER:** Well, interesting that you ask that. Thank you for that question. One of my best friends come from a very vocal atheist family, and so Holly could not participate. They stayed back at school. Different teachers handled it differently. Some, some would take the three, three weeks that it's nice in Minnesota during the school year--

**HUGHES:** The end of May.

**KAREN DITTBRENNER:** You went out, you went out and-- you could go out and play. They took them out and they did P.E. And that's where they typically-- the, the time was during P.E., but we had--

**HUGHES:** So, you, you would miss P.E. that day--

**KAREN DITTBRENNER:** But we had P.E.-- so, we had P.E. five days a week when I was growing up. So to miss--

**HUGHES:** I know. It's so less, now.

**KAREN DITTBRENNER:** --so, to miss P.E. was--

**HUGHES:** Not as big of a deal.

**KAREN DITTBRENNER:** --just not as tragic.

**HUGHES:** Yeah. OK. No, thank you. That helps.

**KAREN DITTBRENNER:** Mm-hmm.

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

**KAREN DITTBRENNER:** And thank you all.

**MURMAN:** Other proponents for LB550?

**BRENNA GRASZ:** Good afternoon, Chairman Murman, and members of the Education Committee. My name is Brenna Grasz, B-r-e-n-n-a G-r-a-s-z. I'm an attorney here in Lincoln, and I am testifying in support of

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LB550 on behalf of the Nebraska Family Alliance. Religious instruction release time has existed for over 100 years in our country. Today, as been-- as has been alluded to, hundreds of thousands of children participate in released time education every week in dozens of states. This bill provides our Nebraska children with the same opportunity to receive once-weekly religious instruction in a constitutionally-sound manner. Speaking to the constitutionality of the bill, the seminal U.S. Supreme Court case is one from over 70 years ago, called *Zorach v. Clauson*, which upheld New York's released time policy after determining that it did not run afoul of the First Amendment of the U.S. Constitution. LB550 is crafted in a manner that tracks the parameters the court blessed in *Zorach*. For example, written consent is required for any student to attend released time courses under Section 1(2) (a) of the bill. In addition, released time courses must generally be held off school district property under (2) (f), and further, no school district funds can be used to fund the religious instruction under (2) (e). The bill's requirements square with this binding court precedent, and the committee can be confident that LB550 is written in a way that avoids constitutional concerns. LB550 also permits, but does not require, school districts to award academic credit for released time courses. If a school district does so choose to award credit, its evaluation from the program must be based on "purely secular criteria" under Section 1(4) of the bill, and the decision to award credit must not favor one religion over another. Multiple federal courts have upheld the constitutionality of awarding credit for released time instruction, and, practically speaking, doing so benefits students, giving them the ability to attend such programs while still graduating on time with sufficient credits. Finally, NFA believes LB550 is sound public policy. Studies have shown that students who participate in released time programs actually achieve greater academic outcomes and present fewer behavioral problems, and I believe a study will be sent to you, as one of the previous testifiers alluded to. Thus, it is not-- it not only provides benefits to the student, but it also provides public school instructors the benefits as well. As the U.S. Supreme Court stated in *Zorach*, this bill "follows the best of our traditions." It allows parents to direct the upbringing and education of their children while imposing no financial burden on public schools, and simultaneously improving student behaviors and outcomes, all in a constitutionally-sound manner. NFA encourages the committee to advance LB550. Thank you.

**MURMAN:** Thank you. Any questions for Brenna? If not, appreciate your testimony.

**BRENNA GRASZ:** Thank you.

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**MURMAN:** Other proponents for LB550.

**BRIELLE OSTENDORF:** Good afternoon, Chairman Murman, and the members of the Education Committee. My name is Brielle Ostendorf; that's B-r-i-e-l-l-e, and last name is O-s-t-e-n-d-o-r-f. And I am here today to offer my full support for LB550, the bill that would allow students to participate in off-campus religious instruction during school hours, provided they have parental consent. As a parent of two young children, I understand firsthand the importance of education that goes beyond academics. My oldest, who is six, currently attends public school as a kindergartner, while my youngest-- three years old-- attends Saint Paul Lutheran School in Beatrice. She, too, will transition to public school when she begins kindergarten. Unfortunately, not every family has the financial ability to keep their children enrolled in private or parochial schools. That's why programs like RTRI are so significant. They allow families like mine to provide their children with religious education without compromising the structure of public schooling, or relying on taxpayer funding. RTRI offers one of the best forms of character-based education available, one that has been enriching students for generations: the Gospel. RTRI provide-- or, programs instill strong moral values, integrity, and a sense of responsibility, which are essential qualities for any child's development. Importantly, RTRI doesn't cost the school system anything. It provides an opportunity for spiritual and character growth without impacting school budgets or resources. This program respects the separation of church and state, while preserving the right of families to choose the type of education that aligns with their beliefs and values. By supporting LB550, we ensure families have the freedom to educate their children in a way that fosters both intellectual and moral, moral growth. Thank you for your time and consideration. I encourage you to lend your support to this important legislation by voting in favor of LB550.

**MURMAN:** Thank you. Any questions? If not, thank you. Oh, Senator Hughes has a question.

**HUGHES:** Sorry. I just have a quick question.

**BRIELLE OSTENDORF:** No, that's OK.

**HUGHES:** So, I, I think I heard you right. Your kids go to a, a preschool program at a, at a parochial school--

**BRIELLE OSTENDORF:** At Saint Paul-- yes, that is correct.

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**HUGHES:** OK. Do they have a K-8 school, or a K-6 school, or something?

**BRIELLE OSTENDORF:** K-5.

**HUGHES:** OK. And you're not gonna do it--

**BRIELLE OSTENDORF:** Or--

**HUGHES:** You're not going to send them there because it's just-- it's the cost.

**BRIELLE OSTENDORF:** Unfortunately, correct. Yes.

**HUGHES:** Will you-- if this would not pass, would you still be able to take your kids to some sort of program there on, on-- I don't know, Wednesday nights, or a Sunday school Sunday, or?

**BRIELLE OSTENDORF:** Correct. We do go to church in Beatrice. Yeah.

**HUGHES:** OK. I just-- I didn't know if they still had programs like that, or whatever.

**BRIELLE OSTENDORF:** But-- I just-- I think that letting them have that extra--

**HUGHES:** It's more time, sure.

**BRIELLE OSTENDORF:** --during is more-- yes, absolutely.

**HUGHES:** Yep. Thank you. Thanks for coming in.

**BRIELLE OSTENDORF:** Thank you.

**MURMAN:** Thank you. Other proponents for LB550?

**DALLAS ASHER:** Hello. My name is Dallas Asher, D-a-l-l-a-s A-s-h-e-r. I grew up in a small rural area north of the Twin Cities of Minnesota. In 1962, I started high school, and one of the first things we did was enrolled in released time. I am a product of that, that teaching and that time, and I highly recommend it. It was always a highlight on Wednesdays, about 2:15 in the afternoon, to get on one of four or five school buses to go to one of the major churches in town to where we had our instruction. I still remember one pastor by the name of Tom Kyle [PHONETIC]; he was a big guy and gentle, but at the same time, us smart alecks would probably do more than we should in the released time, and you'd feel a heavy sho-- or, a heavy hand on your shoulder, and he would begin to tell you that you were in God's house, and you

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respected him and you respected the house. And so, it was really some good teaching. What he had taught-- I still remember some of the things today. Not everything, but it was, it was a good time to, to have for the school, and to get the instruction there. And it-- there was, like I said, four or five school buses, and basically, they were fairly well filled, so there were a lot of students taking part in that. And in our time, it was only in the high school. We only-- we didn't have it for the lower grades. Now, at age 77, I still reflect on what I had learned in res-- released time classes. I will ever be grateful for those hours of instruction, and I want to encourage the committee to pass LB550 on to the General File. With the world which we are living in today, who knows what survival skills the students of Nebraska may gain from having a chance to go to released time classes? And I have a brother-in-law that teaches in the OPS system. He's a science teacher. I think he said there's over 24 students in his class; he said, I have four or five that really want to pay attention. And he has more time with trying to control the other students in his class. So, I think respect is something that could be gained from this type of a-- [INAUDIBLE] want to say ministry, but this time it's schoolwork, or whatever, so. Thank you.

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

**LONOWSKI:** Thank you. And, and thank you, sir, for being here. And maybe this kind of, like, addresses Senator Hughes's question as well, as far as the difference between Wednesday night. So, I've taught CCD on Wednesday nights, and it's strictly teaching kids about confirmation, or teaching kid-- kids about the word of Lord. So, this sounds more like there was a lot of character-building, maybe how to react in, in public, around adults, or how to show respect. Am I wrong in that?

**DALLAS ASHER:** No, I think you're correct, because we had some very good role models in that-- in those classes.

**LONOWSKI:** And I thought I heard you say that the school buses actually dropped you off at the churches--

**DALLAS ASHER:** Yeah, they did.

**LONOWSKI:** --which is-- OK. All right. Thank you for your testimony.

**DALLAS ASHER:** Thank you.

**MURMAN:** Any other questions? Senator Hughes.

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**HUGHES:** Thank you, Chairman Murman. I'm going to ask the same question that I asked the other gal that had done this in Minnesota. So, you were doing this in high school, right? And it was Wednesday afternoon. I'm assuming not everybody in the high school did this. So, what were the kids that were left at the school-- what did they do?

**DALLAS ASHER:** Well, those that didn't go to released time, there was a, a study hall class that was open. And it was--

**HUGHES:** So, was it just kind of, like, everybody had a study hall at the end of the day, and you guys basically got released early for the day? Kind of?

**DALLAS ASHER:** Well, it was at 2:30 or about 2:15 when we got on the buses, so we were back by 3:30 to get back on to go home.

**HUGHES:** And then, were there just a bunch of different buses that took you to the different religion places, or did you all go to the same place?

**DALLAS ASHER:** There were probably four or five churches in, in the area. There was a couple Lutheran, a Catholic, a Baptist. I was from a Christian Missionary Alliance, and, and it was a free church, so the-- some of the churches combined the Baptists and, and the Free Church and the Christian Mission Alliance, we would combine so, it would-- wouldn't spread it out, I guess you'd say.

**HUGHES:** And then-- and, and maybe you don't know, but could any kid do this? What if a kid is not really religious, but didn't [INAUDIBLE]--

**DALLAS ASHER:** It was open to whoever wanted to go.

**HUGHES:** And you would just pick one? Like, maybe [INAUDIBLE]

**DALLAS ASHER:** Yeah, and then you'd just pick what church you wanted to go to.

**HUGHES:** Yeah. OK. Thank you. Thanks for your-- I, I like hearing the experience of it, so. Appreciate that.

**MURMAN:** Any other questions? Well, thank you very much.

**TYLER CARTER:** All right. Good afternoon, Senators and Education Committee. My name is Tyler Carter, T-y-l-e-r C-a-r-t-e-r, and I am here today and representing Youth for Christ, Campus Life here in Lincoln and the surrounding areas. And so, we believe that through

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those, those types of programs that we provide, that they're dedicated to the holistic growth of students; spirit, soul and body. And I'm thrilled to support LB550, a bill that's a win-win for students, schools, and communities. So, I'd like to start with a little bit of humorous confession here. I would have jumped at any excuse to get out of class. Math was my personal kryptonite, to be honest with you, and-- but I'm not here to talk as much about receiving a hall pass for faith-related studies or anything like that, but giving students a chance, an opportunity to grow in their faith with the parents' blessing. And so, LB550 isn't about dodging algebra; it's about adding something valuable to our kids' lives. At Youth for Christ, we see kids holistically. LB550 supports this by giving parents the freedom to include faith in their child's development. Imagine a student who excels on the field, in the classroom, and they also grow in character through biblical values like integrity and compassion. That's the holistic vision of RTRI. It strengthens families by affirming parents as their kids' primary spiritual leaders, making faith accessible in a busy world, all while protecting their First Amendment rights. This isn't about disrupting schools; it's voluntary, off-campus, and uses no public school funds. Over 30 states already do this successfully, and Nebraska can, too. For the soul, RTRI builds moral clarity in a confusing culture, equipping kids to make choices. For the spirit, it purposes-- it gives purpose and hope, and studies show faith boosts mental well-being. And for the body, it connects kids to safe and encouraging spaces with mentors, fostering belonging. Churches and para-church organize-- organizations like Youth for Christ, we partner with families and schools to raise responsible citizens without burdening taxpayers. I've seen it firsthand at Campus Life: a student who had never set foot in a church finds faith through YFC, or other like-minded partners. That's the ripple effect of LB550. I could tell you student stories over and over again about kids that basically are dealing with trauma and difficulty and challenges at home, where they've come into programs like Campus Life, and they found faith, and all of a sudden, many different parts of their life begin to be affected and changed for the positive. Thank you.

**MURMAN:** Thank you. Any questions for Mr. Carter?

**TYLER CARTER:** All right.

**MURMAN:** Senator Hughes?

**HUGHES:** Sorry.

**TYLER CARTER:** Yeah.

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**HUGHES:** Thank you, Chair. So, does Campus Life plan to do some of this ministry at--

**TYLER CARTER:** We would love to. I mean--

**HUGHES:** Where are you located?

**TYLER CARTER:** So, we are in the Norris schools, we're at Lux, we are at Northeast--

**HUGHES:** Is this, like, Lincoln-- or, like--

**TYLER CARTER:** LPS--

**HUGHES:** --Christian-- FCA? Like, Fellowship of Christian Athletes?

**TYLER CARTER:** It's kind of like FCA, yeah. And so, many of the different programs that you mentioned earlier, like CLC and PLC, we take part in that. We go after school or before school to do our programs. There's a lot of kids, though, especially between the ages of, you know, 11 and 19, or middle school and high school that don't have the ability to participate in something like this because of ac-- or, because of athletics. And so-- I hope that answered your question.

**HUGHES:** Yeah, I think so. Thanks.

**TYLER CARTER:** Yeah.

**MURMAN:** Yeah. Just a little further on that. So, Campus Life does do the program in other states?

**TYLER CARTER:** Oh, yeah. Yeah, absolutely. We're in 48 different-- we're in 48 different markets. I don't know exactly how many states, but 48 large markets throughout the United States.

**MURMAN:** OK. Thank you.

**TYLER CARTER:** Yeah. Omaha, Hastings, to be specific here in Nebraska.

**MURMAN:** But K-12, or [INAUDIBLE]--

**TYLER CARTER:** Yeah, we work with kids that are in middle school and high school, not elementary.

**MURMAN:** OK. Thank you. Any other questions? If not, appreciate your testimony.

**TYLER CARTER:** Thank you, guys.

**MURMAN:** Other proponents for LB550.

**ERIC BOOK:** Ladies and gentlemen, good afternoon. My name is Eric Book, E-r-i-c B-o-o-k, and I'm a member of the Board of Education District 15 in Beatrice. I have three young children in Beatrice Public schools, and my wife is a teacher there as well. And we love public schools. Over these last four years, I have witnessed an exponential growth of children struggling mentally in our public schools with depression, anxiety, bullying, suicide, and an overwhelming lack of respect towards our teachers and our students. We are without a doubt having a mental health crisis. As a father, and like many parents out there, I strive to keep my kids safe from this evil world, sheltering them especially when they are lung-- young, so they can enjoy their lives being a child with innocence and loving, happy memories. But COVID came along, and unfortunately, we exposed them; we desensitized them to a world they were not ready to see yet, and disconnecting them from these precious social memories and connections that they were so desperately needed of as a child, and we're seeing the results today. We're also witnessing an entire generation of children who were raised on social media now who are parents, raising kids with unchecked time on social media, again desensitizing them. The most important thing you can give a child is a-- is time. And unfortunately, in today's society, we're seeing a catastrophic breakdown of the family unit with a lack of love in the home like never before. On one side of the spectrum, you have families where mom and dad have to work full-time jobs just to barely make ends meet, and the time for the child is limited. On the other side of the spectrum, you have families where there is no love in the family; only drugs, alcohol and abuse. The only love that most of these children receive is at school from our amazing teachers, and God bless our teachers. They are overworked and underpaid, and unfortunately, there is not enough time to be a counselor and a teacher for all of these kids. And I know firsthand that it breaks their hearts to see these kids hurting and struggling while they are, in fact, struggling to teach. And like most districts in Nebraska, we are financially bound. We cannot afford enough counselors to combat this mental health crisis. LB550 is an amazing opportunity to take a step in the right directions. And Senators, I ask you today, why are you here? I hope it's the same reason while I'm here: to leave a legacy. When I first got on the school board, I learned real quick that I had to leave my political beliefs and pride at the door if I wanted what's best for our kids. I ask you, what is best for our kids? Now is not the time to allow politics or your personal beliefs to stand in the way of a child discovering that they

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are loved by their creator. My hope and our hope is that the child that has no love at home will discover that they are loved, and that they will bring that love and that light into that home full of darkness, and share that love with family members who may have never known that they were loved by their creator as well. This is not just a bill for education or for public schools; this is for our communities. This is not just a bill, it's for our communities, and for all in Nebraska that is suffering through this mental health crisis. There are here's there-- that are in favor of this-- here today that are against this, but I say that we are desperate for this. What kind of legacy will you leave? Thank you.

**MURMAN:** Thank you. Any questions for Mr.-- Book, is it?

**ERIC BOOK:** Yes, sir. Book.

**MURMAN:** Book. OK. Very appropriate name for a school board member.

**ERIC BOOK:** Yes.

**HUGHES:** Thanks for being here.

**ERIC BOOK:** Just like the good book, yes.

**MURMAN:** Senator Lonowski.

**LONOWSKI:** Thank you, Chairman Murman. I was going to make a librarian remark, but I won't.

**ERIC BOOK:** Yes, sir.

**LONOWSKI:** Thank you for your time. So, it seems like Beatrice is, is kind of, like, spearheading this here. Have you looked already into the fundraising, or the, the type of volunteer that you have? Do you guys have that already started?

**ERIC BOOK:** I believe it has been. I mean, I'm, I'm sure there's other people that will-- they'll speak on, on-- about the numbers of volunteer work. I do know that there was a survey that did go around on Facebook that was well over-- close to 400 or 500 people that favored and-- that responded in favor of this. I know for a fact that many teachers and members of our community have approached me in favor of this, so I don't think there will be a lack of volunteer work; no way, shape, or form on this.

**LONOWSKI:** OK. Have there been any teachers that have said absolutely no?

**ERIC BOOK:** No one has actually approached me to tell me "absolutely not" yet, no.

**LONOWSKI:** OK. And you-- and you're on the school board, so--

**ERIC BOOK:** Yes, sir.

**LONOWSKI:** All right. All right. Just making sure. Thank you very much.

**ERIC BOOK:** Yes, sir. Thank you.

**MURMAN:** And it does sound like you believe this may help for teacher and educator, educator retention [INAUDIBLE]?

**ERIC BOOK:** Absolutely. Yes, sir. The, the teachers are struggling, without a doubt.

**MURMAN:** Thank you.

**ERIC BOOK:** Yeah.

**MURMAN:** Senator Hughes.

**HUGHES:** Thank you, Chairman Murman. So, does Beatrice-- if we're looking-- it sounds like most of the programs are that-- kind of this K-5, K-6 range. Do you guys have an early out, or do you do late start, or anything like that, that--

**ERIC BOOK:** There was a program we had for early out. It was on Wednesdays for a teacher to have teacher staff time, but we did eliminate that, and I believe it's-- we have, like, a one day off a month for [INAUDIBLE] teachers' time.

**HUGHES:** Could-- I mean-- I just-- could something like that take-- would it fit into that time, if that--

**ERIC BOOK:** I, I, I still think it's a, a part of wanting to-- for not, for not the parents to, I believe, to make another trip back to school. I think it's mostly for-- like the gentleman from LifeWise said, that they wanted during the school hours and not an early out. I think that's about all I have on that.

**HUGHES:** Yeah, OK. Thank you.

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**ERIC BOOK:** Thank you.

**MURMAN:** Any other question--

**HUGHES:** And thanks for serving on school board.

**ERIC BOOK:** Appreciate it.

**MURMAN:** OK. Thank you for your testimony.

**ERIC BOOK:** Thank you, Senators.

**MURMAN:** Other proponents for LB550.

**NICOLE SCHNUELLE:** Hello, Senators. My name is Nicole Schnuelle, N-i-c-o-l-e S-c-h-n-u-e-l-l-e, and I'm here today to share my testimony in support of LB550. I'm here today as both a mother of four children attending Diller-Odell Public Schools, and as a teacher who loves public schools. I'm a former K-6 special ed teacher at Southern Public Schools and currently a substitute teacher for Diller-Odell. While receiving my degrees in elementary education and my master's in special education, I substituted here in Lincoln Public Schools. There's no question that I love public schools. I love the diversity of all students, and I love that each is given the opportunity to learn and grow together, no matter what their religious beliefs. And I have personally committed to the success and well-being of our public education system. With parental permission, I believe LB550 can play a vital role in enhancing education by providing additional learning support through released time religious instruction. RTRI can be a valuable tool in addressing students' mental and behavioral health challenges. I know firsthand how prevalent behavioral issues are among students, and how difficult it can be for educators to manage them. A program like RTRI could help all students-- not just those with IEPs-- by providing support that is both needed and beneficial. The mental and behavioral health of our students in public schools concerns me, as does teacher burnout and exodus because of the state of kids and school districts. Teachers are given so many standards, and oftentimes, very limited support to get students engaged and ready to learn enough to meet the standards. I've seen school districts try to implement character development strategies, but the lack of time to plan and limited number of staff to carry out the plan typically left the plan unsuccessful. Character development training provided by RTI [SIC] could address this by taking on a portion of this instruction for school districts, and could also increase the productivity teachers have in their core teaching time, as this is often spent

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dealing with negative behaviors and even leaving classrooms to address the extreme behaviors that are becoming more prevalent. I would love to see RTI [SIC] programs supplement any students' public education with parents' permission without public funding and during school hours. RTI [SIC] during school hours is imperative to me as a parent, because Sundays and Wednesdays are no longer left for church activities. My children, specifically, have had to choose between church activities and public school sports practices and games, high school club meetings, 4-H club activities, quiz bowls. Too many families are no longer able to have only Sunday mornings and Wednesday nights. I feel blessed to have so many opportunities for our children to take part in, but would love the opportunity to have RTI [SIC] time during the day for public school students to help supplement what we are missing. Thank you for your time today, and I urge you to vote yes in favor of LB550.

**MURMAN:** Thank you. So, you think that this program could really help keep kids in public schools also?

**NICOLE SCHNUELLE:** Absolutely. Yeah.

**MURMAN:** Thank you. Other questions? If not, thanks for your testimony.

**NICOLE SCHNUELLE:** Thank you.

**MURMAN:** Other proponents for LB550.

**PHILLIP REINKE:** Hello, Mr. Chairman and Senators. Thank you for the opportunity today. My name is Philip Reinke; it's P-h-i-l-l-i-p R-e-i-n-k-e, and I, too, am from Beatrice, Nebraska, but I'm here in full support of LB550. I'm a parent that prioritizes both education and faith. I have two daughters; they're seven and nine years old. Currently, they do attend Saint Paul's Lutheran School in Beatrice, Nebraska. I also service, through my small business, several communities in the area that do not have the same opportunity that I have, not just logistically, but financially. I personally believe, on a level, that my daughter specifically would enter the public school system if an opportunity like this were to arise at an earlier level. Because just like many communities, Beatrice only-- does only offer K-5. K-12 is not an opportunity; it's just K-5. So, as they enter a larger, a larger district, a larger classroom, it sure would be a great opportunity for them to know that they have other children that align in a religious and character-building program, right along with what we teach at home. The flexibility would allow various educational opportunities, one of them being just "comfortability." When we talk

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about how kids act around people and like-minded people, it changes when they feel comfortable in their setting. So, it's my belief that RTRI would not just benefit my children, but it would benefit many, many kids who would then be able to have conversations in their groups and with their people in a positive and respectful manner. And that's, that's my testimony.

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

**JUAREZ:** Yes, thank you. So, I'm just thinking of the reality and-- now that it-- this might not take place already, but let's just say that we would pass this program so that the students can go to learn, you know, about the religion that's personal to them. You know, their religion of their choice. I'm assuming, then, that, you know, in the school setting, if the kids, like, let's say, over lunch, might talk about all the different religion classes that they're going to, you know, and then sharing it with their fellow classmate, that-- I mean, you'll, you'll be welcome to that, and not have any issues with the kids talking about, you know, what they might have learned yesterday at their religion class?

**PHILLIP REINKE:** You know, honestly, I think that that's a fair question, and I think that the reality of that is that we have to accept that everybody-- no matter what we do, what we believe, or how we believe it-- is going to be talked about in a different light, correct? So, it's my job as a parent, then, so-to-speak, if, if somebody were to bring home a different belief, it's my job as a parent to explain to my children exactly what I believe, why I believe it, and how they should believe it. Now, with all that being said, there's also kids that don't know how to believe, they don't know what to believe, and this is an opportunity for them to come along and maybe learn a belief. When you talk about different styles or different settings or different belief systems, everybody has that opportunity to choose that in their home how they see fit. That's how I feel about it. So, if you brought home a different philosophy than I did, I would simply explain to my children why. Would I find that a problem? No, because I would hope we live in a world where we're able to explain our beliefs to each and every individual without taking that to a personal level and going to somebody and explaining-- and, and telling them that we don't approve of that.

**JUAREZ:** Well, I guess my only concern is-- and I keep trying to understand the reality of implementing this-- is that, you know, I don't want, for example, our principals to start hearing complaints now about parents whose children might be learning about-- well, I'll

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just say Hindu, or Baptism. And, and it's another set of complaints that some parents might start vocalizing to the principles, and "what are you going to do about this?"

**PHILLIP REINKE:** Well, I think--

**JUAREZ:** I feel like this is sort of going to open up Pandora's box. That's what my concern is.

**PHILLIP REINKE:** OK, so earlier, he-- the, the gentleman from LifeWise spoke about a curriculum, correct? So, if your child chooses to go to, let's just say Saint Joe's Catholic Church in Beatrice, Nebraska decides to offer their, their services, correct? To, to the public school setting. So, the kids are now allowed to go there. Are you going to know what's going to be, be taught there? I would hope so, because there would be a curriculum, correct? So, his program offers a curriculum for me to examine and check yes or no. So, that is my choice. That would be a choice of the parent to understand what their kids are being taught. Now, if they provide a curriculum and they aren't teaching that curriculum, do I feel like there could be a situation? Absolutely. But if the curriculum is up-front, and I, as a parent, have an opportunity to say yes, I want my child to be taught along those lines, then I don't think that there should be a problem.

**JUAREZ:** OK. Thank you.

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

**PHILLIP REINKE:** Thank you.

**MURMAN:** Other proponents.

**ERIN CHADWICK:** Good afternoon, Senators. My name is Erin Chadwick, E-r-i-n C-h-a-d-w-i-c-k, and I'm here today in support of LB515 [SIC]. I'm a member of the Beatrice community, a small business owner, a wife, and a stay-at-home mother of two girls who I have the immense pleasure to homeschool. I am a former member of the District 15 Board of Education, and proudly voted to construct Beatrice Elementary School, now the largest elementary school in the state of Nebraska, and a blessing to our community. I'm also a member of Christ Community Church, which sits next door to this new school. In praying for a way to reach more youth in our area, our church leaders stumbled upon the concept of released time religious instruction. This opportunity allows students to received care-- to receive character-based religious education during school hours. RTRI programs have proven to be a crucial piece of the puzzle in public schools where they operate,

helping to reduce truancy rates, decrease behavioral issues, and help students grow closer with their Savior or hear about him for the first time. In addition, these programs help to solve a glaring issue in the public schools: the lack of neutrality regarding religion. As many are familiar, religious instruction was not uncommon in public schools before the 1950s; it was as much a part of the day as math, science, or reading. As our culture has become more secular, religion was not only taken out of schools for neutrality, but the mere mention of religion was removed, therefore shifting from a neutral stance to an "anti" stance. To quote R.C. Sproul, the problem is that there's no such thing as a neutral education. By striving to be neutral, we've stopped being neutral; we've made a decision, we've said that God is out of bounds. What began as a concept of separation of church and state-- two distinct institutions with two distinct responsibilities and spheres of operation-- has come to mean the separation of the state from God. So, Christian parents now face the dilemma of entrusting the education of their children to a government school in an educational system that excludes any reference to God. This is where RTRI comes in. It allows for the proper separation of church and state, and gives the taxpaying parents the power to decide what is important for their children to learn. Elective classes currently offered are certainly not unimportant, but neither is character education, and a broken system that cannot keep up with both the requirements of the state for education and the increasing issues that children are facing, and teachers are underequipped to manage. RTRI programs seek to partner with the schools to help be a part of a solution to children whose parents feel it is important. RTRI policies respect both religious freedom and the role of public schools in accommodating diverse educational needs. Justice William O. Douglas, writing for the majority in the 1952 *Zorach v. Clauson* case, argued that the government should accommodate religion rather than show hostility toward it, which is what we are asking for today. Thank you for your time today, and your service to the great state of Nebraska.

**MURMAN:** Thank you. Any questions for Ms. Chadwick? If not, thanks for your testimony.

**ERIN CHADWICK:** Thank you.

**MURMAN:** Other proponents.

**CURTIS BARNES:** Thank you, Senators. Thank you for your service. My name is Curtis Barnes, C-u-r-t-i-s B-a-r-n-e-s. I am a grandfather of 20 kids. And in a society where on practically every street corner, there's a Delta-8 vape shop and other synthetic drug places, I shudder

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to think what my kids-- grandkids are being introduced to in junior high and high school. And I think the percentages of kids that are being affected by the RTRI program in grade school is terrific, because I think they should have this exposure to biblical teaching, where the theme-- the central theme of the Bible-- is love. And where they can learn right from wrong, where they can hear teaching that builds character, that they learn that lying is not good, that stealing is not good, and they can make decisions based on those beliefs. And, you know, even going in to, to junior high, having had some advocacy outside of the school that teaches them right from wrong will certainly help them make decisions when the vape pens start being broken out at junior high, and going to birthday parties and things like that where-- you know, we were all in junior high, we were all-- went down our roads. I actually was raised in a house where drugs were sold, so I know what that life looks like, too. And I think for a child to have a safe place to, to get some moral compass stuff built in their life outside of school would help tremendously. Jesus told of a, a parable of the sower and the seed, and on this very building there's a Sower sowing seed, and I think that you could actually use that for a template in this program, because we're trying to sow some good seed in our children. And I think that the long term of this decision is what we're really looking for, because-- when's the best time to plant a tree? Ten years ago. When's the next best time? Today. I think ten years from now, you will see the effects and the culture of schools changed dramatically because of this program. Thank you.

**MURMAN:** Thank you. Any questions for Mr. Barr [SIC]? If not, thank you very much.

**CURTIS BARNES:** Thank you.

**TERRY DOYLE:** Good afternoon, Senators. My name is Terry Doyle, and you can look at our group here. Most of us from Beatrice, most of them are--

**MURMAN:** Could you, could you spell your name, please?

**TERRY DOYLE:** Oh, sure. It's T-e-r-r-y D-o-y-l-e. Most of the people that are from Beatrice are younger than I. There's a reason for that. My kids are grown. I'm not going to have anybody really affected by this, but-- because I'm retired. But I'm also a city councilman, and as a city councilman for the city of Beatrice, I've committed my service in strengthening and growing our community as a priority for me and both the current generation and those to come. We'll hopefully recoup something from that effort. I'm here today to express my strong

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support for released time religious instruction-- RTRI bill, as I believe it provides a valuable opportunity for our students to deepen their connection to the community and develop the character and values that will guide them in their adulthood. That is very important to me. Communities thrive when families, schools, and local organizations work together to support our children's development; RTRI does exactly that. It allows students to receive faith-based instruction with parental consent, off school property, and without use of public funds, as you've been told numerous times. This program not only reinforces important values such as integrity, responsibility, and service, but also strengthens the bonds between students, their families, and the broader community as a whole. From an economic and civic perspective-- the reason I'm in front of you-- students who feel connected to their community are far more likely to invest in it, and, as they grow older, will stay in it. When young people see their hometown as a place where their values are supported, I believe they are more likely to stay in that town, work in that town, grow their families in that community. That also is very important to me. Beatrice has not grown for a long time; we're trying our best to make it grow. RTRI plays a role in that by providing a moral and ethical foundation that reinforces service to others, accountability, and leadership; qualities we need in our future community leaders, business owners, and public servants. Additionally, RTRI, I believe, has been shown to positively impact student behavior and engagement, leading to better academic performance and school morale. These benefits translate to a stronger, more unified community and encourages personal responsibility and civic involvement. So, Senators, I urge you to support this "legislation"-- legislation so that families in Nebraska have the freedom to choose religious education as just a part of their child's development, and communities all over Nebraska will be strengthened in the process, I believe.

**MURMAN:** Thank you. Any questions for Mr. Doyle? If not, we appreciate your testimony.

**TERRY DOYLE:** You bet.

**WES GARLAND:** Good afternoon, Senators. My name is Wes Garland, W-e-s G-a-r-l-a-n-d. I just recently retired from the teaching profession, where I taught and coached for 33 years. I very much enjoyed teaching and getting to know the students and athletes that I taught and coached, both on a personal and academic level. I was most impressed with students that exhibited great character. Character plays a big part in the learning environment and the classroom. I remember having in-services during the school year, where a primary focus involved

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improving the character of our student body. I remember the six pillars of Character Counts!: trustworthiness, caring, respect, responsibility, fairness, and citizenship. I think all of us can agree that these pillars need to start at an early age. If character is such an important trait, why wouldn't we want to give students and parents the opportunity on a weekly basis to learn more about good character? This bill gives parents another tool to help drive home what they're trying to teach their children, is that character counts. As a family, we try to always ask our children, like a lot of parents do, "what did you learn today at school?" Many times, it was based upon academics, but I can see parents asking their children what did they learn today for their partic-- that particular day of that released time. And if the parent and child are able to talk about maybe the Good Samaritan, who is the only person who stopped and helped a wounded man where others before him didn't. Or they may talk about the brother who forgave his siblings, who are-- who early on left him for dead, but he ended up forgiving them. Also, maybe a discussion would take place about the story of the prodigal son. If more students have an opportunity during the week to get additional character education, this can only help the learning environment within the classroom. There is a program, as you know, called Teammates that can take place during the school day when students have free time, but many students don't have an opportunity to have a teammate because there's just not enough volunteers. The released time allows-- allowed by LB550 gives students mentors outside the classroom on a weekly basis to learn what true character is all about and why it is important. You have heard it takes a village to raise a child, which means a child's upbringing is a communal effort involving many different people and groups. I believe 5-- LB550 would allow a group of people to be able to give additional help to students that we know crave it and need it. Again, I wanted to thank each one on the committee for taking the time, for listening to what I had to say, and I strongly consider you passing on LB550.

**MURMAN:** Thank you. Any questions for Mr. Garland? If not, appreciate your testimony and your teaching career.

**WES GARLAND:** Thank you. Appreciate it.

**JUAREZ:** Yes, thank you.

**ANDREW MASCHMANN:** Good afternoon, Chairman Murman, members of the committee. My name is Andrew Maschmann, A-n-d-r-e-w M-a-s-c-h-m-a-n-n. And thank you for the opportunity to testify today in support of LB550. You've heard a lot of testimony today, and before we turn

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things over to the opponents, I just want to set a few of the-- I just want to set the record straight with a few facts. Number one, LB550 is fully constitutional; it does not violate the cer-- the separation of church and state; it doesn't blur any lines; it does not violate the Establishment Clause or the Equal Protection Clause. These questions have been asked and answered by the Supreme Court of the United States. Any claims suggesting otherwise are misleading at best. On a personal note, I believe in the separation of church and state. The term separation means putting two things in separate spots, but it does not throw either of them away. Separation is fine; elimination is not fine. The opposers of this bill will want elimination, and they'll claim it in the name of separation. Fact number two, Nebraska is not breaking ground here; we're catching up. When this bill passes, Nebraska will not be the first state to enact this legislation; it will be the 31st. Fact number three, the benefits to students are clear and measurable. Studies consistently show that students who receive religious instruction have lower truancy rate-- rates, fewer mental health struggles, and fewer interactions with law enforcement. Additionally, schools with these programs report improved classroom behavior and academic performance. So, what's not to love about this legislation? More students show up to class, academics improve, fewer behaviors in the classroom, and it costs the district nothing. All that we're asking for is one class period per week that is equivalent in time to core instruction-- core instructional classes. Schools have spent millions trying to battle the challenges we've mentioned above. It's time to try something else. Sincerely, Senators, what do you have to lose? Before I close, I want to leave you with one more thing: Luke 18:16. But Jesus called the children to him and said, let the little chil-- let the little children come to me, and do not hinder them, for the kingdom of God belongs to such as these. Very soon, Senators, you're going to have the opportunity to vote this bill out of committee. Please don't hinder our children. Supporting this bill should be a very innocent-- very easy decision. I thank you for your time today, and I'm happy to answer any questions you may have.

**MURMAN:** Thank you. Any questions for Mr. Maschmann? Mr.-- or, Senator Lonowski.

**LONOWSKI:** Thank you, Chair Murman. And thank you for your testimony. Do you have children in school?

**ANDREW MASCHMANN:** I do. I have-- well, I have one left. I have two that have graduated, and I have-- one is a senior. So, my children won't be able to benefit from that. We were-- our family was fortunate enough that we were able to send all of our kids to parochial school

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in those first five years, and I want to have-- make sure that other kids in our district have that same opportunity.

**LONOWSKI:** OK, so, you're still willing to support this even though you won't have a direct stake, so-to-speak?

**ANDREW MASCHMANN:** Yeah. Well, I, I, I think it's interesting. Like, Teammates that was mentioned earlier is a great program. And I'm pretty confident that I can say this, that across the-- across all the school districts, there are hundreds of kids that need-- that, that are, that are looking for teammates that are candidates but can't find teammates. Senators, there are thousands of people across the state that will put their time, their talent, and their resources into this program. And I'm not saying that Teammates is bad; Teammates is great. But they struggle in almost every school district that I know of to find enough, enough teammates for the candidates. Here, you have people that are coming and begging you, talking to 49 senators to try to get this done. I think it's-- I think it's time. I think there's enough people that, that this can get done.

**LONOWSKI:** OK. Have you seen any drawbacks to this from other states? Or have you heard of any, I don't know, pitfalls or downsides?

**ANDREW MASCHMANN:** So, I haven't interviewed, other than we did go down to Kansas and we did, we did-- we toured their facility. And I-- it was very interesting, and I, and I learned a lot in that, in that scenario. But I think that there's probably some reservation with change. But as we-- as Jesse talked about, if you get a chance to look at the, at the data afterwards, it's pretty, it's pretty important. You can-- or, it's, it's very clear; you can see that people have come around. Change is hard. It is. But every organization that's done great things, they had to go through change. It takes bold leaders to implement change.

**LONOWSKI:** Thank you.

**MURMAN:** Thank you. Any more questions? If not, appreciate your testimony. Other proponents for LB550. Any other proponents? Any opponents for LB550? Opponents for LB550. Any neutral testifiers for LB550?

**DORIS MARTIN:** Good afternoon, Chair Murman, and members of the Education Committee. My name is Doris Martin, D-o-r-i-s M-a-r-t-i-n. Thank you for allowing me to testify. I am here testifying in opposition to LB550.

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**MURMAN:** You're an opponent to LB550?

**DORIS MARTIN:** Yes.

**MURMAN:** OK, we'll continue with opponents, and then we'll go to neutral testifiers.

**DORIS MARTIN:** OK. OK, thank you. I am currently the pastor at First Presbyterian Church in Beatrice, and I'm a formal journalism teacher for 35 years, now retired. And I also serve on the Board of Education in Beatrice. I believe the people encouraging this bill have the right motives, but seem to have little understanding of the importance of being present. When information is presented in a classroom, I think we would all agree it is best presented in person, as was clearly shown during the pandemic. As a former educator, I did my best teaching to those students that were in class. It is difficult to either present the material ahead of time or to help a student catch up when they are gone. And it is a management nightmare if a third of the students are gone. For example, if the teacher has 24 students and 8 are gone, the teacher can 1) repeat the information the next day, which does not seem fair to the 16 students in attendance the day before. They could request each student that was gone come in before or after school that week to go over the material; this creates a significant amount of extra work, and not all students can either come before school starts or the school day ends. Imagine if this happens every single week. Or, they can just expect the child to figure it out on their own. I doubt if any of us would have been happy if our children had been told to just figure it out on your own. I taught a required one-semester course. Students needed the course to graduate. If they missed this class once a week, they would have missed the class 20% of the time. I think it is unrealistic to expect all students will be able to be successful in missing this much. I also think it is disrespectful to teachers to expect them to provide learning opportunities at other times to cover 20% of the missed material. Even if this program is implemented on the elementary level, I think it is important to remember that there are standards for all disciplines, and the student's future success is determined by mastering these standards. I'm also concerned about the impact on students that choose not to attend the religious education class. They may choose not to attend by their own choice, or because their parents do not want them to attend. Research shows that students in these religious education classes are encouraged to evangelize among their friends. For example, parents in districts that have implemented the LifeWise Academy say their children come back to school with special t-shirts, candy, other goodies. The children are told to encourage

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their friends to come. We also need to keep in mind that not all students that attend public schools are Christians. Will this bill allow for Muslims to be released, for Jewish students to be released? I also think we--

**MURMAN:** You have the red-- you have the red light, but you can continue for a little bit.

**DORIS MARTIN:** Thank you. I think we need to also appreciate the theological differences which exist within Christianity. When I met with some individuals wanting to implement the LifeWise Academy, I asked if my youth director could pick up the Presbyterian students for the time, and was told no. In closing, I want to say I'm a faithful Christian wanting to bring others to Jesus, but I believe this can and should be done without interfering with the public school students' day and their education, and without placing additional burdens on teachers. Thank you.

**MURMAN:** Thank you. Any questions? I have one. The way I understand the bill, the students are only released during non-teaching time at the school, so it wouldn't interfere with their subject matter.

**DORIS MARTIN:** But on the elementary level-- on the elementary level, they don't have study halls. They-- they're in class the entire time they're in school. They have art, music, P.E., those kinds of classes. But I think those are also important. I mean, we've determined that it's important that they get a well-rounded education.

**MURMAN:** You mentioned that the teacher-- it'd be harder on the teachers with less-- if, if there would be less students in the classroom, wouldn't it be easier for the teacher?

**DORIS MARTIN:** It's more difficult for the teacher to catch the students up that are gone. Because if you have-- and I'll give you an example. When I first started teaching, they used to have what were called-- only the city kids came to school because of snow and the buses couldn't get through. They quit doing that because the city kids came, we taught, the city kids went home, everybody came the next day, and so we repeated what we had done. They found that very ineffective. And I, I think that's what's going to happen if children are taken out of any classroom setting. You're going to want to make it up, you're going to want to give them that information.

**MURMAN:** And another question. It's up to the parents to decide whether or not to release their students for the extra teaching outside of the

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school. Don't you think the parents should have that opportunity to do that?

**DORIS MARTIN:** Well, we do let-- we let them do that now, but not in this organized fashion. For example, if a, a parent takes the child and they go for a doctor's appointment, they don't come back to the school with a t-shirt and candy, and then encourage all the other kids to go to the doctor. I mean, it's not-- they-- kids leave and go on a vacation and they come back, but it's not every single week.

**MURMAN:** OK. So, the--

**DORIS MARTIN:** And you're not taking large groups of them out.

**MURMAN:** OK. The extra material benefits that the kids might get from it is, is a big concern?

**DORIS MARTIN:** I believe that they can get that on-- and I've worked diligently, both as a teacher and as a pastor, to make sure that Sunday mornings and Wednesday nights are available for religious instruction. And I believe that that, that is what should continue to be in place. Or, they can do it-- you know, for example, we have an afterschool program in Beatrice that-- I suggested the children go then. They can walk easily to the building, but they did not-- that was not-- they didn't want to do that. Yeah, I think it could be done easily after school, since we're so close.

**MURMAN:** So, you think Sunday night and--

**DORIS MARTIN:** Sunday morning.

**MURMAN:** --or excuse me, Sunday and Wednesday evenings are sufficient for teaching kids about their religious instruction?

**DORIS MARTIN:** Well, and I think parents would-- I would want parents to be involved. I want to be involved in my children's faith life.

**MURMAN:** OK. Thank you. Any other questions? If not, thanks for your testimony. Any other opponents? You are an, an opponent for LB550?

**PIYUSH SRIVASTAV:** Yes.

**MURMAN:** OK. Thank you.

**PIYUSH SRIVASTAV:** Chair Murman, members of the Education Committee. My name is Piyush Srivastav, spelled P-i-y-u-s-h S-r-i-v-a-s-t-a-v, and

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I'm here today on behalf of the Nebraska Association of School Boards and the Lincoln Public Schools, where I serve as a member of our school board. I am here today in respectful opposition to LB550. A longstanding principle of legislative guidelines for the Lincoln Public Schools is prioritizing the importance of local control. This bill would diminish local control by requiring an not-- an allowance that candidly infringes upon the parameters of the normal school day. We believe that as a public school entity, we are the best body-- we are the body best suited to make determinations about the use of instructional time and what occurs in, and is considered permissible during the school day. In other states that have instituted released time for religious instruction, or RTRI, there have been many and documented concerns about how such programming actually fosters economic and social disparities, or haves versus have-nots, including peer pressure and bullying of students who do not participate in RTRI programming. I passed along an example for your all review. We believe that this turn-- that this runs contrary to the inclusive and supportive nature of education LPS provides. Finally, as we think about the broad range of backgrounds within Lincoln Public Schools, we already acknowledge and understand that our community has a wide variety of rich and varied religious traditions, celebrations, and observances. Furthermore, current enrollment provisions already allow us-- and we are very supportive of-- dual-enrollment students, such as many of those in our career academy who participate in and experience excellent academic programs and pathways offered by Lincoln Public Schools; as part-time enrollees who, in many instances, are homeschooled and are from private parochial schools, in many cases for family's religious reasons. Thus, we already have a model in place that is working without the state imposing its notion of what must be required. We respect families' choice to recognize their religious commitments. We honor the parent as the ultimate authority in excusing absences, and we strive to make sure that students have reasonable opportunities to make schoolwork up when missed. With that said, we believe that it is not the place for the school to set aside or partition the school day for religious instruction. We oppose the advancement of LB550. Thank you.

**MURMAN:** Thank you. Any questions? I have one. We, we talked earlier, in Senator Lippincott's opening and during the previous testimony, about all the benefits that are shown from these types of programs, such as increa-- increased academic performance, better morals, better discipline in the classroom, keeps kids in public schools. You don't think that any of those things are actually true?

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**PIYUSH SRIVASTAV:** Yeah, like I said, we believe that our schools are not the place to do that, and-- within the instructional time. And the families already have the options of letting their students, their, their children attend those opportunities outside the instructional time.

**MURMAN:** OK. Thank you. Any other questions?

**SANDERS:** Thank you.

**MURMAN:** Just one more. So, you-- so, you don't think religion at all is appropriate during the school day?

**PIYUSH SRIVASTAV:** That is correct.

**MURMAN:** OK. Thank you.

**PIYUSH SRIVASTAV:** Yeah.

**MURMAN:** Other opponents for LB550? Any other opponents for LB550? Any neutral testifiers for LB550? If not, Senator Lippincott, you're welcome to close.

**LIPPINCOTT:** A very brief review of some of the things we've talked about. Number one, we've talked about multiple times that core subjects will not be missed by students when they participate in this program. We've heard a lot about-- people say that they don't want tax money going toward kids to have an option as to where they're going to go study, i.e. private schools. This program is a perfect example of-- it doesn't cost the taxpayers anything, doesn't cost the schools anything, but yet they can still go off campus and have religious studies, which-- that's a good thing. Kids today-- right now, it's said there's no truth, there's no certainty, there's no morality or meaning in life. And we very tragically heard the statistics here in Nebraska; about 22% of kids consider suicide, 10% have actually attempted suicide-- that's sad-- and 46 kids here in Nebraska have actually committed suicide. There's hopelessness. It's very interesting. I was just sitting here listening to all of this. You know, it was Benjamin Rush who said the reason we started public education in America was to learn how to read the Bible. That's true. And now, we've kicked prayer out of schools, 1962; we've kicked the Bible out of schools, 1963. And what have we gotten from it? Government statistics show from 1962, 1963, teen arrests have gone up 150%; divorce is up 350%; teen suicide, 450%. That's tragic. Abuse to teenagers has gone up 2,300%, and drug and alcohol abuse, 6,000% increase. We need to make a course correction. We need to do something

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different. And to have our kids go off campus to talk about character development sounds to me like a pretty good idea. So, I think this is a fantastic program. We've already seen-- there's 30 states. The wheel has been invented. There's 30 states that are currently doing this. There are statistics, facts, and figures that show mental health increases with students that are involved with this program. Their academics also increase in terms of their performance, and also their community involvement increases when they get involved with this. It's voluntary, it's off-campus, it doesn't involve any public funds. This is a good idea and should be incorporated into the great state of Nebraska. Questions, sir?

**MURMAN:** Thank you. Any questions? Senator Lonowski.

**LONOWSKI:** Thank you, Chair Murman. Thank you, Senator Lippincott. Do schools-- like the LPS board member said it's just not going to work here. Do schools or school boards have the option to say "we're not going to do that" as a district?

**MURMAN:** Senator Lippincott, when you're talking across, could you move back a little bit so you're still talking into the mic?

**LIPPINCOTT:** Yes, sir. Thank you, sir.

**MURMAN:** Thank you very much.

**LIPPINCOTT:** What this bill does is it requires the schools to set up the mechanism that would allow this to take place. So, it's optional. This is an optional program where it does not require the kids to be involved in this, but it does set up the framework so that it can be exercised in the schools.

**LONOWSKI:** And a district has-- they have the, the ability to say, I'm sorry, we can't work it into your schedule and we're not going to allow you to miss chemistry class, correct?

**LIPPINCOTT:** Yeah. They're not going to miss any of the core subjects. That is correct.

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

**LIPPINCOTT:** Thank you, sir.

**MURMAN:** Senator Juarez.

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**JUAREZ:** Thank you. Thank you, Senator Lippincott. I've been trying to read some of the lines in the act, and so I have some more questions in regards to what I'm reading here. So, it says on page 2, line 31, no school district funds to be expended other than diminis-- de minimis administrative costs. So, what type of de minimis administrative costs might happen?

**LIPPINCOTT:** Yes. What that would simply be is-- let's say that this group right here all hops on the van and goes to religious instruction off campus. Obviously, their attendance needs to be recorded. So, it would just simply be the very minimal cost of keeping track of the students. You know, let's just say there's 20 kids that are enrolled; we need to make sure that 20 kids show up, and that that is reported to school.

**JUAREZ:** So, it's this-- it's the-- isn't it the entity of where the students are going, they're going to be recording that attendance. Correct?

**LIPPINCOTT:** That is correct. Yes, ma'am. And then, that entity will be reporting that back to the school so that we don't lose any kids.

**JUAREZ:** OK. And then my next question was on page 3, line 2, "a released time course not to be held on school district property unless permitted under a neutral policy of equal access that opens school district property for use by community groups." So, that really bothers me, because I am sure that all schools-- I mean, for the most part, I'm gon-- I think-- you know, have space that can be used by community groups. But if another group wants to come in, you know, there's a form where you have to have liability insurance purchased, and, you know, what about the space that's available at the school? I'm just very concerned about how you have this written up. I just-- you know, I just think that it's going to be so much better for the students to leave the school property and go to the subject area that they're going to pursue on, on the religious aspect. Because then, I'm trying to figure out about, you know, what does it open up these schools to if-- because you have right on the front, here "authorize a civil action for violations." Again, I'm concerned. By adopting this, what are we going to be opening up our schools to from a liability perspective? I'm very concerned about that. Thank you.

**LIPPINCOTT:** Yeah. I don't want to shoot from the hip on that. That's a, a great question. What you're talking about is if-- like, let's say FCA, Fellowship of Christian Athletes-- I know that they sometimes will have things on school grounds. So, you're talking about some kid

trips, falls, knocks out a tooth, and the liabil-- liability regarding that. That's something I can look into.

**MURMAN:** Any other questions? Senator Lonowski.

**LONOWSKI:** Thank you again, Chair, and sorry I didn't have my questions all in order. Thank you for that. And part of this is every school district's going to be different. Where I taught for 35 years, we sat out in the middle of, of nowhere. So, our FCA people, they came in and they used a gym space and were given the freedom to do that. When I, when I look at this bill and I think of where the separation of church came from, you know, and I think the fact that we don't separate anywhere else except for public school, I try to remember that, that I'm a Christian 24/7, not just, not just on Sunday morning. And it kind of helps me put things in perspective of what my job really is here. So, I don't have any other questions, I guess; just that commentary. Thank you for bringing this bill.

**LIPPINCOTT:** Thank you, sir.

**MURMAN:** And I can see that there's definitely a need for a program like this, and there's-- likely would be a lot of benefits for a program like this. But I think some of the questions in the beginning on logistics-- and I'm not sure if they were answered. So, released time would be available, according to this bill, for every student in the school and every class, but only certain groups might have a released class available at a certain time. I assume during the other classes and students' time, they could-- those students could do it-- their parents could take them out to do it, but certain classes would have it available from a certain outside group. Is that correct? Am I--

**LIPPINCOTT:** Yes, sir. That is correct.

**MURMAN:** --[INAUDIBLE] that correctly? OK. Thank you very much.

**LIPPINCOTT:** Thank you, sir.

**MURMAN:** Senator Conrad.

**CONRAD:** Thank you, Chair Murman. Thank you, Senator Lippincott. Good to see you. I remember this bill from last year, and am trying to just kind of work through some of the distinctions as you've reintroduced this year. So, I know one area that the Education Committee has heard about many times, and that I'm always trying to think deeply about, is the, the current status of our truancy laws, and how those play out

for entangling a lot of families into the criminal and juvenile justice system, perhaps needlessly. And we hear from, you know, parents, families experiencing poverty who have transportation issues; we hear about 4-H kids who are perhaps out of school a lot, and we know that truancy has been weaponized against families of faith in regards to their ability to exercise their, their religious beliefs and attend instruction or religious services or otherwise. And so, that's why I think you see a growing, building level of support for truancy reform on some of those fronts. I'm wondering if you would be open to working with the committee, if there are some policy disagreements that we're not able to work through in regards to what you've put forward, if maybe we should explore or think more deeply about reforming truancy as another way to facilitate the free exercise for religious activities that, that might be amenable to your policy goals.

**LIPPINCOTT:** I am.

**CONRAD:** OK. Very good. The other thing that I just wanted to ask about was-- I, I was trying to, to get a sense from some of the proponent testimony, where they were talking about how important their faith was to them and their families, which I think was sincere and authentic, and I appreciate their ability to hold and exercise their, their faith as they see fit, and to guide their children's education and religious instruction at the same time, which are our fundamental rights, of course. But I'm just trying to get a sense about-- if that-- if indeed that is a priority for a family, why wouldn't you prioritize those opportunities outside of the school day for religious instruction through Wednesday night catechisms or Sunday or Saturday religious events? I understand that they might conflict with extracurricular activities or sports, but if indeed those are a priority-- do you just want to speak to that question? Just kind of from a practical perspective of-- I know busy families have a lot to sort through, but--

**LIPPINCOTT:** Yeah. This just gives another option. This is not mandatory. Some people think sports are important, some people think that learning how to be a mechanic is important, some people think being a mathematician is important. So, this just simply gives students and their parents an option, because some people-- this could be very important to them. Some people-- you know, kids, obviously, they're wandering around trying to find themselves. And sometimes, their friend may be involved in so-called church activities, but they're wanting to dip their toe into it. So, their friend might be involved in something like this, and then they could very well want to

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see if they could gain from something like this. So it's-- again, it's just giving-- it's giving parents, it's giving students, it's giving schools an option.

**CONRAD:** OK.

**LIPPINCOTT:** Not mandatory.

**CONRAD:** And then, the last piece would be if we need to-- if the community decides to move forward with legislation like this, I, I have heard feedback from, feedback from some school officials and other families that they want to make sure that the leave is not perhaps too restrictive, but would be available for also secular purposes, whether it's fine arts or higher ed, or other sorts of instructional components that may be happening during instructional time off campus, so that might be a way to perhaps broaden the concept, and would be something that we could think about that might not have other entanglements from a policy perspective.

**LIPPINCOTT:** I'm not fully up to speed on some of these things. I think right now, some schools have the option of allowing kids--

**CONRAD:** They do.

**LIPPINCOTT:** --to go off and say, for instance, go down to the John Deere place and learn how to--

**CONRAD:** They do, yes.

**LIPPINCOTT:** --you know, be a diesel mechanic. And so, that kind of follows in that vein that you're talking about,--

**CONRAD:** Yes.

**LIPPINCOTT:** --which-- I think that's a valuable thing, and I'm all for that because kids have different strengths.

**CONRAD:** Yes.

**LIPPINCOTT:** And let's build on those strengths.

**CONRAD:** Absolutely. And then, I guess the final would just be-- my final question would just be kind of a, a general or perhaps philosophical kind of component. You know, we've heard during the course of your bill today and some of the measures you brought to this committee last week about the stress that students are under, and the

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stress that families are under, and I think a lot of that is well-documented. But my question to you, Senator, is, are these the only solutions you see to addressing the, the stress and mental health for kids and families, or will you work together with other members of this Legislature to support access to good quality jobs, and access to quality child care, and access to a good safety net that takes the pressure and the stress off of families and kids?

**LIPPINCOTT:** Well, you're, you're right, there's lots of problems, and there's no one-stop solution to a lot of these different things. This is one of them. And again, as I kind of talked about here a little bit ago, it seems like we've kicked God and religion out of our schools to our demise, and we've seen the results of what's happened because of it. The suicides and drugs, and all that stuff. I don't need to repeat myself. But this allows parents and students to have the option to go out and to address that gap that is in students' lives today, since we have eliminated any type of spiritual training in schools.

**CONRAD:** I, I understand you're trying to address a spiritual need or spiritual hunger, so-to-speak, but I'm asking you, will you address actual hunger as well, and equally as voraciously? When children and families don't have access to food, it makes it hard to pray, it makes it hard to learn. Will you bring that same Christian compassion and passion to ensuring a strong safety net?

**LIPPINCOTT:** Well, what you said reminds me of what I've heard Franklin Graham--

**CONRAD:** No, my question is "will you bring that same passion and compassion to building a strong safety net?"

**LIPPINCOTT:** Yeah. I've heard Franklin Graham say exactly what you just said in so many words. He says, before you can address a person's spiritual needs, you need to address the hunger they have in their stomachs, or the clothing on their back. So, yeah, we are trichotomous being; we've got spiritual, physical needs and those thing-- but if I may dovetail on to that, also, I think that in many respects that outside entities-- whether it's Christian-based-- oftentimes, they meet those needs better than the government. And we have to be very careful as to the jurisdiction that we assign ourselves. For instance-- and this-- these are just rough numbers. When you've got people in need and the state handles addressing different needs in people's lives, only approximately 30% of the money gets to them; 70% is lost. Whereas if you have somebody like Franklin Graham, Samaritan's Purse, 70% gets to the people; 30% is handled with

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administrative issues. So, it's a question of jurisdiction that you're talking about. But again, in principle, what you said, I would agree with you fully. We have to address people's physical needs in addition to their spiritual needs. It's just that this right here addresses spiritual needs, which has been neglected in the public arena.

**CONRAD:** I, I appreciate your response, Senator, and there's no doubt that we are all grateful for philanthropic efforts to meet community needs as well, whether they're religious-based or, I guess, secular, for lack of a better comparison or a broader inclusion there. But, but my question that I hear a lot from my constituents and that we debate a lot in these hallowed halls, is that where's the zealotry in bringing care for our fellow neighbors when it comes to the expressions that we have available through public policy as well? If we're going to live our lives according to the Golden Rule and lifting each other up and helping the most vulnerable, and that's what you're trying to do sincerely with this and other measures, where, where is the, the same passion and equal concern to try and strengthen the safety net?

**LIPPINCOTT:** That's a great question. I'll tell you just a very brief story. One day, I'm flying at Delta Airlines, I'm a copilot. This is a long time ago--

**CONRAD:** I knew it might start and end there with you, Senator.

**LIPPINCOTT:** There, there you go again. Yup. And I was flying with a captain-- great guy, terrific guy; went to the Air Force Academy; he flew F-15s; smart guy, talented, and a family guy. And we were flying together for four days, so we'd been in the cockpit for 20, 25 hours. You talk about a lot of stuff. And he said-- I asked him, he says-- his name was Jim. I says "Jim, do you tithe? Do you give money to your church? You know, 10%?" "Well, not really." And I asked-- and then he went on to explain himself, and he says, I don't because I pay a lot of taxes, and the taxes take care of poor people. And I thought, golly gee whiz, here's somebody, he actually responded-- because I suspect a lot of people have that mindset. They don't give to the church, they don't get involved in these ministries like what you're talking about, because they expect the government to do it. And that's too bad. So, this right here, what it does is it allows kids to go and to study different character traits that are something that all of us yearn to have in our best friends, and yearn, really, to have in our own lives as well, because that's what keeps society afloat. And I think it's a good thing.

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**CONRAD:** Well, I appreciate that, and maybe you're getting at a different policy underpinning in terms of role of government, perhaps. And, and I appreciate that, and we can continue that discussion. But, you know, I, I think it is-- it's just frustrating and hard when we know that Nebraskans are hardworking, we know that they're-- we have the number one state in the country for family-- for adults working full-time, year-round and living in poverty. And rather than forging collaboration and consensus to try and get better jobs and lessen reliance on government assistance, you know, we continue to see mean-spirited attacks upon poor from the right side of the aisle, and particularly in this legislative session. And so I-- which is, I think, important to put that juxtaposition on the record in regards to these bills. And I guess we can leave it there. Thank you.

**LIPPINCOTT:** Thank you.

**MURMAN:** Any other questions for Senator Lippincott? There were 90 proponents, 40 opponents, and 2 neutral on this bill. And one more time, any more questions?

**CONRAD:** Thank you.

**MURMAN:** If not, thank you for bringing the bill, Senator Lippincott.

**LIPPINCOTT:** Thank you, sir.

**MURMAN:** So, that'll close the hearing on LB550. And Senator Hughes-- is she on her way?

**KEVIN LANGEVIN:** Oh, no, her L.A. is going to open.

**MURMAN:** Oh.

**SANDERS:** But here LA is here to introduce.

**MURMAN:** OK. And we-- yeah. We will open the hearing on LB142. Senator Hughes is not here, so her L.A. will open. She's presenting in another, another committee. She's got a good excuse.

**SANDERS:** We're listening.

**MATTHEW HOWE:** Good afternoon. Mr. Chairman, fellow members of the Education Committee--

**MURMAN:** Can, can we leave quietly, please, so we can start on the next bill? Thank you.

**MATTHEW HOWE:** Thank you. Good afternoon, Mr. Chairman, members of the Education Committee. I am Matthew Howe, M-a-t-t-h-e-w H-o-w-e. I am the legislative aide for Senator Jana Hughes. She represents Legislative District 24. I am here on her behalf today to introduce LB142. LB142 removes the 1.1 multiplier of the federal community eligibility provision, otherwise known as CEP, for purposes of calculating free lunch and free milk students under the needs side of the Tax Equity and Educational Opportunity Support Act, otherwise known as TEEOSA-- the TEEOSA formula. Last year, Senator Hughes introduced LR419, an interim study to look at a number of items related to the CEP. These items included how the CEP impacts funding for schools under TEEOSA, the adequacy of using free and reduced-price lunch data and data collected by the IRS to calculate the poverty allowance under the needs side of TEEOSA, and many other items. Additionally, the interim study LR419 asked what the recommendation was for adjusting the CEP multiplier. As part of that, an analysis was performed by the Nebraska Department of Education. NDE's analysis resulted in their finding that the CEP 1.1 multiplier was no longer needed. So, why did we have a CEP multiplier in the first place in TEEOSA? In stepping back, the CEP is a program that allows schools with high poverty levels to serve free breakfasts and lunch to all students without requiring individual applications for those free and reduced-price meals. It's also run through the United States Department of Agriculture. The traditional manner for qualifying for this-- for the free and reduced-price meals is for the family of the student to submit an application to their school district. This application's generally two pages long, and requires the family to provide information regarding their income, the number of students in their household, and other related information. However, because not every family chooses, for a variety of reasons, to submit this application, not every eligible student ends up qualifying for these free and reduced-price meals. For each student that qualifies that, that-- under this, the local school district there is then reimbursed from the federal government at a higher rate for reduced-price meals, and the highest rate for free meals. So again, the CEP allows school districts to calculate their student poverty rates by direct certification using other federal programs like SNAP rather than using the traditional application process. The CEP is a federal program, as I had mentioned, from the USDA, and that's available to all public schools to participate, if they're so eligible. So, Senators, LB142 is a clean-up bill. We learned from the interim study, LR419, that that 1.1 CEP multiplier was no longer needed, and so that-- this bill removes that from within TEEOSA. And I thank you for your time and consideration, and for letting me present on behalf of Senator Hughes.

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**MURMAN:** Thank you. We're not allowed to ask any questions, so thank you for your open.

**MATTHEW HOWE:** Thank you.

**MURMAN:** Are there proponents for LB142?

**ERIC SAVAIANO:** Chair Murman and members of the Education Committee, my name is Eric Savaiano, E-r-i-c S-a-v-a-i-a-n-o, and I'm the program manager for food and nutrition access at Nebraska Appleseed. I'm here in support of LB142 and the community eligibility provision. So, Appleseed and myself have been involved with CEP since it was first made available to states in 2014. We've done our best to work with districts on technical assistance on moving toward this program; worked with the state and other big districts on figuring out the CEP multiplier issue; and, in general, just worked to make this program work, because it's important. This is one of the only options that schools have to serve free meals to all students in their schools, and that's important because we require students to be at school, but we do sometimes require them to pay for the meals that they receive there. We were a part of pulling together school districts to help decide on the 1.1 multiplier way back in 2016, 2017, and we used NDE proposals, NDE support and analysis to decide on that multiplier, to make schools not worry-- actually make schools whole when they do decide to take on CEP. It does change the way they calculate their poverty, and it, it can make it more challenging for districts to do so. So, the 1.1 multiplier was designed to make them whole so that they received the appropriate TEEOSA funding that they would after taking CEP, compared to what they would do previous to taking CEP using our traditional free, reduced-price and paid multiplication-- or, method. After Senator Hughes' LR419 last summer, we, we trust this NDE's recent analysis that is based on more appropriate, more timely data, and do agree that there is not-- the, the 1.1 multiplier is no longer needed. And so, we want to make sure that we answer any questions and, and agree that this is a cleanup bill that can hopefully sail through, and we'd be happy to answer any questions if you have them.

**MURMAN:** Thank you. Any questions for Mr. Sarrentino [SIC]? Sariano? [SIC].

**ERIC SAVAIANO:** Savaiano.

**MURMAN:** Savaiano. OK.

**ERIC SAVAIANO:** Close.

**MURMAN:** I know you gave a little bit of history of the CEP program--

**ERIC SAVAIANO:** Sure.

**MURMAN:** So, could you tell us-- and I think you might have mentioned it in your, your testimony-- what schools are eligible, and, if I understand this legislation correctly, it will reduce the CEP multiplier down to 1. Is that right?

**ERIC SAVAIANO:** It, it will, yes.

**MURMAN:** OK.

**ERIC SAVAIANO:** So, for the purposes of TEEOSA, it will reduce it from 1.1 to 1.

**MURMAN:** And that's only for purposes of TEEOSA?

**ERIC SAVAIANO:** Correct.

**MURMAN:** OK.

**ERIC SAVAIANO:** Yeah. It's a bit complicated. So, the CEP program uses the number of students on SNAP or Medicaid or TANF, or any means-tested public benefits program, and they take that number of students and they multiply it by a different multiplier-- 1.6, currently-- set by the federal government to decide how much reimbursement schools will receive for their meal program, if they serve it through CEP. That will stay the same. Schools that are eligible for CEP right now are eligible at 25% and above of those students who are using those means-tested bubble-- public benefit programs. And that won't change either. The only thing that changes is the free counts for the purposes of TEEOSA going from 1.1 to 1.

**MURMAN:** And I assume probably all of these schools that are on the CE [SIC] program--

**ERIC SAVAIANO:** Uh-huh.

**MURMAN:** Well, no, they're not all-- I was going to say I assume they're all equalized, but they're not, I can see. See that at a glance.

**ERIC SAVAIANO:** Actually, a-- yeah. You probably know that.

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**MURMAN:** So, by, by reducing it to-- from 1.1 to 1, right?

**ERIC SAVAIANO:** Mm-hmm.

**MURMAN:** It would only affect those equalized schools because--

**ERIC SAVAIANO:** Who use TEEOSA.

**MURMAN:** --that TEEOSA actually--

**ERIC SAVAIANO:** Correct. Yeah, and it shouldn't impact--

**MURMAN:** --brings in state funds, I guess I should say.

**ERIC SAVAIANO:** Yeah. Sorry for interrupting you.

**MURMAN:** Yeah. No, no problem.

**ERIC SAVAIANO:** Yeah, in general, it shouldn't impact how many schools can serve free meals through this program. It only impacts the TEEOSA allotment, and it right-sizes it, we think, and makes it so that they're not receiving additional funds than what they would have when they were previously using the free and reduced-price meal applications.

**MURMAN:** And did this program-- well, the, the question to reduce the effects on TEEOSA from 1.1 to 1, was that brought mainly by OPS, or, or was it brought by other equalized districts also?

**ERIC SAVAIANO:** You mean the switch down--

**MURMAN:** Yeah, the switch.

**ERIC SAVAIANO:** --from 1 to-- 1.1 to 0 [SIC]? No, actually the calculation is--

**MURMAN:** Or who did bring the bill? I guess I should maybe be more specific.

**ERIC SAVAIANO:** Yeah. So, there was a concern brought up when we were push-- we were moving a bill last year-- LB285, from Senator Walz-- that would have required certain districts to use the CEP, CEP program. And when that was moved, OPS did bring some concerns about-- or, and, and then I think there were some challenges with general funds. And so, the need to re-analyze this TEEOSA multiplier was really discovered. I think that's because this-- the committee, the body has changed TEEOSA a little bit in the, in the intervening years.

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And so, this change, the analysis performed by NDE did study OPS along with all the other districts that are eligible, and decided that that 1.1 should move to 1. So, it doesn't strictly benefit one district. I think in general, the intention is to right-size T-- CEP so that more school districts can use it and more kids can get fed, so.

**MURMAN:** OK.

**ERIC SAVAIANO:** That's generally--

**MURMAN:** And I apologize for asking you all these questions.

**ERIC SAVAIANO:** No problem.

**MURMAN:** Maybe there's someone behind you can answer them also. But--

**ERIC SAVAIANO:** Sure.

**MURMAN:** I would have answered-- or, would have asked the introducer, but of course she's introducing in another committee, so.

**ERIC SAVAIANO:** I'm happy to talk.

**MURMAN:** Thank you for answering them.

**ERIC SAVAIANO:** Yep.

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

**ERIC SAVAIANO:** Thank you.

**MURMAN:** Other proponents for LB142. Any other proponents? Any opponents for LB142? Any neutral testifiers for LB142? And I believe she'll waive closing, and-- for LB142, online, we had 2 proponents, 1 opponent, and zero neutral testifiers. So, we will close the hearing on LB142 and open the hearing, well, on LB572 and also Senator Hughes, who is, who is still busy in another committee. OK. We'll open the hearing on LB572.

**MATTHEW HOWE:** All right. Hello again. Good afternoon, Chairman Murman, fellow-- or, Senators, members of the Education Committee. I'm Matthew Howe, M-a-t-t-h-e-w. I am the legislative aide for Senator Jana Hughes, who represents District 24. I'm here on her behalf as she is introducing another bill in another committee. Senators, LB572 is a simple concept, and was an idea shared with Senator Hughes by a member of a local school board from her district. The concept here is that if a school district decides to pay their student teachers, it won't

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apply to-- against their taxing and spending caps. We know from experience that a majority of students who student teach in a district and are offered employment in that district tend to stay and work there, so this is a pathway for many school districts to recruit their next generation of teachers. LB572 isn't going to push hundreds of thousands of dollars outside the caps and negatively impact property tax payers; rather, it's a small amount of money, but it has a bigger impact in incenting student teachers to come to rural schools, and for the rural schools to address the workforce need without having to sacrifice another necessity at that expense. Senator Hughes spoke to many school districts in her legislative district; most of them probably would not actually take advantage of this because they have no need to pay student teachers because of their proximity to a number of local teaching colleges and the University of Nebraska. So, they could have a lot of applicants. However, as she spoke to school districts in more remote areas of our state, she found that they had significant issues getting student teachers to come out to their communities. So, student teachers presently are required to be enrolled in their respective college or university. These students have to pay for tuition, fees, other costs while they're student teaching. They also have to pay for housing, transportation, and food, and anything else. So, this can be a tall order if a student has an opportunity in a more distant rural district, so many students simply can't afford to do this. On the flip side, a number of small rural districts might consider paying their student teacher a stipend if they could do it outside of their present tax and spending caps. As I mentioned, this is a-- we think this to be a relative small amount of money, and it is for many school districts. But for remote, smaller rural districts who have very small budgets, paying a student teacher can mean the difference between purchasing textbooks for the classroom or having that student teacher in the classroom. Senator Hughes introduced LB572 to bring a-- forward a simple and effective way to help many small rural schools get student teachers in their classrooms. We're, we're not-- she's not proposing appropriating millions of dollars to pay every student teacher in the state, but just to allow this flexibility for those districts that wish to do so. Considering our ongoing teacher shortage, which disproportionately impacts our many small rural schools, we need to think outside the box, and I-- on behalf of Senator Hughes, I appreciate your time and consideration of this bill. And reserve any questions for her, if she gets in in time.

**MURMAN:** Thank you for your open. Proponents for LB572? Any proponents for LB572? Any opponents for LB572? Any neutral testifiers for LB572?

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**LONOWSKI:** You want to close?

**MURMAN:** If not--

**CONRAD:** Land speed record.

**MURMAN:** And while we're waiting for a few minutes on LB572, we had 15 proponents, 8 opponents, and zero neutral testifiers online. And she will waive closing, and--

**SANDERS:** Jacobson's staff?

**MURMAN:** Senator Jacobson's staff here?

**JACK SPRAY:** I do not see Jacobson.

**MURMAN:** That'll close the hearing for LB572, and we'll take a, a few minutes' break.

[BREAK]

**MURMAN:** So--

**SANDERS:** You good to go?

**MURMAN:** --we will open the hearing on LB528, and welcome Senator Jacobson. And no, no problem on you, we went through those two bills super fast.

**JACOBSON:** Yeah. I was watching. So-- I'm just glad I wasn't last, so. Well, good afternoon, Chairman Murman, and members of the Education Committee. My name is Mike Jacobson, M-i-k-e J-a-c-o-b-s-o-n, and I represent District 42 in the Legislature. Today, I'm introducing LB528, an essential solution to ensure the learning platforms program is effectively implemented. In 2023, LB787 was voted unanimously out of the Education Committee and passed through the, the Legislature as part of the Education Committee's package. Additionally, LB787 received support from various entities, including NSEA. The bill aimed to provide Nebraska students with game-based learning platforms in science, technology, engineering, and mathematics, or STEM. However, the Department of Education failed to administer the program, and no funds were awarded despite receiving proposals from qualified applicants. LB528 addresses this by transferring the control of the grant to a different agency. Initially, this bill placed the program under the Department of Economic Development, DED, but with AM91, this bill would instead go to the Nebraska State Treasurer's office. This

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is due to the Treasurer's office experience handling other web-based educational programs, such as EVERFI's financial literacy program, ensuring proper procurement and implementation. Additionally, this bill clarifies the funds without being-- for research and development, they are strict-- or, they are "restrictly" for licensing and implementation. It also contains language establishing minimum data standards to protect students' data. AM91, as mentioned-- as, as mentioned, LB528 originally placed oversight under DED, however, after further review, it is clear that the State Treasurer's office is a better suited, better suited to administer the program. LB528 is a straightforward fix to ensure the learning platforms program is implemented and-- as intended. I encourage your support, and would be happy to answer any of your questions. I might add that this has been particularly frustrating, because I was here in the Legislature in '23. I think all of you remember we had a lot of bills that got, that got pulled together, it was hard to get bills passed. I did see the demonstration from one of the providers who brought us the idea of what could be done with online learning platforms, which was, was what was provided here. They, of course, could not have any kind of inside track in terms of being approved, so this was-- it had to go out for RFP, which it did by the Education-- Department of Education. This-- the provider who actually showed us the program originally and the basis in which we first approved this, this Legislation that pr-- it's approximately \$2 million a year, that provides this to every school in the state of Nebraska, free of charge. Never got implemented, even though they were the only bidder or provider who presented that met all the criteria plus the expanded criteria that the Department of Education added to it. I was particularly disappointed when I reached out, then, to the Department of Education after introducing this bill and expressed my concerns as to what happened, and they were going to look into it and get back to me. Well, that was back when the bill was introduced, and I've heard nothing from the Department of Education since that time. So, it just underscores in my mind the need to move this to the Treasurer's department, let them add this with EVERFI, and have this platform out in the hands of students sooner rather than later. So, with that said, I would stand for any questions.

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

**HUGHES:** Yeah. Thank you, Chairman Murman. Thank you, Senator Jacobson. I'm-- I apologize. I was coming back from a bill I had upstairs, so I might have missed something at your--

**JACOBSON:** Highly doubtful.

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**HUGHES:** --beginning. OK. But-- so, I was going to ask about the 0.5 FTE for DED, but I heard you're changing it to Treasurer-- State Treasurer. So, printed off the duties of the State Treasurer; receive and keep money, disburse public money, comprehensive of money, all the things. And there's only-- number nine is to award grants as provided under the Municipal Inland Port Authority Act. I don't see how this fits under Department of Treasury, I guess.

**JACOBSON:** Well, I would tell you that the EVERFI program is administered by the trade-- the state depart--

**HUGHES:** Which one?

**JACOBSON:** The EVERFI. It's a financial literacy program, and the State Treasurer does administer that, and--

**HUGHES:** --but that's a financial literacy [INAUDIBLE].

**JACOBSON:** It is financial literacy--

**HUGHES:** OK.

**JACOBSON:** --but it's an online platform, which is what this-- particularly the STEM program-- is also basically internet-based learning platform. So, the two are very, very similar in terms of their educational tools that are online tools first for students.

**HUGHES:** OK. And then, if I'm-- if I may ask another.

**MURMAN:** Yeah, sure. Go ahead.

**HUGHES:** OK. Thank you. I heard you say that the person-- the client, the-- whatever. The-- oh my God, the developer that originally you said met all the criteria-- but yet, in here, you're scratching-- you're changing a little bit of the criteria, right? We've scratched-- ugh, I was looking at this before. Sorry. I didn't have enough time. Math and [INAUDIBLE] I saw that.

**JACOBSON:** I do think--

**HUGHES:** But you're changing it a little bit, so if it met it, I guess I don't see why that part has to change.

**JACOBSON:** No, there was a-- there was a checklist of the-- of what they had to meet for that.

**HUGHES:** Right.

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**JACOBSON:** I would tell you--

**HUGHES:** Oh, there we go. Yeah. Right.

**JACOBSON:** Yeah. And, and they met all the criteria. Then the Department of Education added more, and they met those as well. So, we had an applicant who met all the criteria. And it just--

**HUGHES:** How-- and how-- I guess, how do I know that?

**JACOBSON:** Well, I-- primarily--

**HUGHES:** You're saying that.

**JACOBSON:** --because I'm telling you that. But I would also--

**HUGHES:** OK.

**JACOBSON:** --tell you that that was the-- well, it should be good enough.

**HUGHES:** OK.

**JACOBSON:** But, but, but I'd also tell you that this was the company that actually came and gave demos of how the project-- how the-- how this worked. How the pro--

**HUGHES:** But some-- but another company also tried [INAUDIBLE].

**JACOBSON:** Another company later bid, but that company still needed to do some R&D, and they wanted to use some of the funding to complete their R&D, which the bill specifically prohibited. It had to be only--

**HUGHES:** It had to just be take it out of the box and, and go.

**JACOBSON:** Right. Right. And so, so the fact is, is that it was opened up for others.

**HUGHES:** Mm-hmm.

**JACOBSON:** And, and I'm not going to speculate, but if I were to speculate, I would think there might have been some influence on the committee that was making the decision at Department of Ed that they had another-- they had a preferred vendor. OK? But I'm just speculating.

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**HUGHES:** So, let me ask you this. Let's say this doesn't go forward; what happens to that \$2 million that we did two years ago?

**JACOBSON:** My guess is it goes back into the General Fund.

**HUGHES:** Ooh, that's excellent. Thank you.

**JACOBSON:** But I would also tell you that the Education Committee unanimously passed this out of committee. It was on-- it was in the committee priority package that was--

**HUGHES:** It was in the one with 27 bills.

**JACOBSON:** It might have been, but it was unanimously passed out of committee, and the bill passed with a strong support on the, on the floor. And so-- and when you start looking at-- what impressed me when I first saw the demonstration on this, on this, which I'm--

**HUGHES:** So, you saw it two years ago?

**JACOBSON:** I did see it two years ago, yes. And--

**HUGHES:** Were you on Education Committee?

**JACOBSON:** Pardon me?

**HUGHES:** Were you on the Education Committee?

**JACOBSON:** Oh, no, no. I just, I just saw them.

**HUGHES:** How'd you see it?

**JACOBSON:** I-- they were, they were out promoting it to, to talk to senators in the Rotunda,--

**HUGHES:** OK. I didn't get to see it.

**JACOBSON:** --invited us and-- and they literally pulled out a laptop and--

**HUGHES:** Played it?

**JACOBSON:** --brought it down and played it for me in the Rotunda. And what's interesting is, if you think about how kids learn, OK? This is what impressed me the most about it, was the fact that this is STEM, and it's like a video game, OK? And-- but you have to solve different mathematical equat-- you have the things you have to solve, certain

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chemistry equations as well, in order to progress. So, if you want to win the game, you have to learn STEM.

**HUGHES:** Do you, do you know if-- did NDE come to the committee two years ago and ask for this? Or how did it even come about?

**JACOBSON:** No, this, this was a vendor that came and presented it through-- and it came through a bill, and then it was given to the Department of Education to go ahead and do an RFP.

**HUGHES:** Yep.

**JACOBSON:** We gave them-- the Legislature gave them the, the-- what they needed to look at. So, it was opened up to anyone who qualified that could meet all those criteria. It was very clear that it could not include R&D. And as I understand it, there was one other indi-- group that, that made a proposal, but couldn't-- that were not ready; it was, it was-- they needed much more time and they needed to do more R&D, which led me to believe that you had a year to-- over a year to do the RFP, develop the RFP, and then get vendors to come in and make proposals, and then they decided there was one that met it-- which so happened to be the one that was the reason the bill got passed-- and they decided to not award the funding, which seemingly would mean they were trying to get somebody else to come in and compete with [INAUDIBLE] to them. That's speculation.

**HUGHES:** Thank you.

**MURMAN:** So, I've got a question. So the, the start date for the implementation of the program has, has not come yet? [INAUDIBLE]

**JACOBSON:** My understanding was, is that this was supposed to have been awarded last July.

**MURMAN:** OK. So, the reason it hasn't been awarded yet is because there's some issues--

**JACOBSON:** They, they just chose-- they chose not to. They heard the proposals, reviewed the proposals, and they've just failed to act on the proposals.

**MURMAN:** OK.

**JACOBSON:** So, my concern would be that if we want the Legislature in-- legislative intent was to have this in practice by now. And if we want these funds to get swept and used for other purposes, that could

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happen. And there's been a lot of time and, and effort spent on getting it to this point. And seemingly, the Department of Education really has no response. I-- they-- no one's gotten back to me since I met with the commissioner and said, "I'd really like to have an explanation as to why nothing was awarded." And he was concerned, he was going to look into it. Well, that was probably back in the first week of January, and I still haven't heard from him.

**MURMAN:** So, that's the reason for [INAUDIBLE]

**JACOBSON:** Well, the bill was brought, but I thought I would pull the bill if they were prepared to act on making a decision. But he didn't come back with something, so I moved forward with the bill.

**MURMAN:** So that's the reasoning to move it to the Treasurer's office?

**JACOBSON:** Yeah. And, and again, then if the Department of Ed's not going to do it, then maybe it's a DED thing. But then, I got to looking at EVERFI and the fact that EVERFI is a financial online tool that's, that's really administered by the state treasurer; this is an online learning tool, so they've already got some experience in online learning tools. So, whether it's financially-- I mean, you could argue there's-- there could be some mathematics in this as well, but bottom line, they've got experience on, on online tools and dealing with public schools.

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

**LONOWSKI:** Thank you, Senator Murman. Thank you for bringing this, Senator Jacobson. What other states are doing this?

**JACOBSON:** I couldn't tell you for sure. I, I, I knew at one time, but I think there's a testifier, I think, behind me that will probably be able to answer that question.

**LONOWSKI:** OK. And the fiscal note is-- how much was it? \$2.4 million? Is that ongoing?

**JACOBSON:** Yeah, and that was-- those are dollars that I believe would be coming from other funds. It wouldn't be-- would, would not be coming out of the General Fund.

**LONOWSKI:** OK. And finally, I guess, what-- what's the curriculum that it's replacing? Is there--

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**JACOBSON:** It's actually augmenting-- as you well know, as a former teacher, you know, kids all learn differently. But I think every kid out there understands video games, and that's what's the unique thing about this, is that kids that don't normally learn-- do the book learning, you put this in some kind of a video form and make a game out of it, and all of a sudden you've got their interest, and you can start educating them in areas that they might not otherwise want to spend any time on.

**LONOWSKI:** Is there a site I can go to that you know off the top of your head, that I can look at?

**JACOBSON:** I can't tell you that site, but there'll be another testifier that can--

**LONOWSKI:** OK. OK. Thank you.

**JACOBSON:** --get you that.

**MURMAN:** Thank you. Any other questions Senator Jacobson? Senator Conrad.

**CONRAD:** Thank you, Chair. Thank you, Senator Jacobson, for bringing this forward. I know that we all get equally concerned if we don't have a responsive, collaborative dialogue with our partners in state agencies or in other areas of government, so I definitely take that information that you shared to heart. I know that never sits right with any of us when you're kind of-- worked in good faith on a bill and you can't get the information you need to decide how to proceed forward. But I will let you know-- I don't know if they're planning to be here to testify or not, but the Department of Education did submit a letter, at least online, in opposition to your bill. And their perspective, I think, is different than the one that you presented. In essence, it states that neither of the vendors that applied for these funds met the requirements of either state law or NDE requirement.

**JACOBSON:** And, and I would challenge that assertion, and I would also resent the fact that--

**CONRAD:** But why, why would you challenge? Because you support it?

**JACOBSON:** Because, because they, they-- I saw what they submitted, and they did meet all the criteria. They-- the problem, the problem--

**CONRAD:** Who did? Who met the criteria?

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**JACOBSON:** Pardon me?

**CONRAD:** Who met the criteria?

**JACOBSON:** The, the, the vendor that, that I was speaking of, of about that was-- not-- it's not in the bill, but there's a, there's a particular vendor who did submit that, that basically presented to us to begin with that had the completed program. The bill was modeled after their program. So, the, the fact that the depart-- that the Department of Education did not even give me the courtesy, give me the courtesy of a letter back to me personally, who met with the commissioner, really is insulting. And it's something I won't forget, what the commission-- what the education commissioner, that he gave me that much disrespect to send an opposition letter to the committee without even notifying me or meeting with me and telling me what his concern was. I'm still waiting for a response from the Department.

**CONRAD:** Sure. Now I'm-- I've been there this year as well, and believe me-- not necessarily with the Nebraska Department of Education, but it's, it's frustrating, it makes the hearing less rich when you can't sort out some of the opposition beforehand and see if you can get on the same page or not. So, it's beneficial to everybody in the process when people are able to, to kind of work through that pre-session. But-- so, I understand you have a different perspective than the department in regards to this, that is required under existing state law to create criteria to put out an RFP based on no vendor met that. You're-- you've scored it on your own, I guess, or looked at the material. Do you think that--

**JACOBSON:** Sure.

**CONRAD:** --one vendor should have made it?

**JACOBSON:** Well, I-- Plasma Games is the name of the vendor that was here in the, in the rotunda, made the case to state senators individually on the floor-- or, in the rotunda. And they were the ones behind the impetus of the bill to begin with. And they had an operating game that they could show you, and showed us how it worked. And so, the bill was modeled after what they were doing. And, and so, it's my understanding that when they presented, they checked all the boxes; the competing company did not. In fact, I'd even heard that there may have been a conflict with one of the committee members who made the selection that had a conflict with the other, with the other company. Which may have something to do with why they decided not to.

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And I shared that with the commissioner, and he was going to get to the bottom of it, and of course, failed to get back to me.

**CONRAD:** OK. And you do understand, of course, Senator Jacobson, that we can't-- there's a prohibition on special legislation.

**JACOBSON:** I understand that.

**CONRAD:** You can't just dedicate state resources to a specific private company.

**JACOBSON:** I know that well, and that's why there was an RFP.

**CONRAD:** OK. Is your effort in this regard to keep it an open process, or to--

**JACOBSON:** Yes.

**CONRAD:** --direct those dollars to Plasma Games?

**JACOBSON:** I want to get it away from any conflicted people that are on the committee at the D-- the Department of Education, get it in the hands of the Treasurer's office, let them do an RFP, and make an unbiased decision as to the, the vendors that are applying. Because I'm convinced that the Department of Education is conflicted at this point, and I don't trust them to make the decision.

**CONRAD:** OK, so, con-- conflicted has a pretty specific meaning under our accountability and disclosure statutes. You're saying that there's somebody-- and I don't know who that is-- that you're contending in the Department of Education that has a financial interest in a competitor of Plasma Games? Is that [INAUDIBLE]

**JACOBSON:** That, that has been alleged.

**CONRAD:** OK. And have you been able to confirm that?

**JACOBSON:** I have not, and that's what I asked the department-- the commissioner to do.

**CONRAD:** OK. Did you go check who was ever-- was alleged to have that conflict? Did you check to see if they had an A&D filing about getting money from a competitor, or [INAUDIBLE].

**JACOBSON:** I, I-- I've-- I did not. I left it all to the commissioner to investigate. And of course, he, he chose either not to investigate it, or not to share with me where he's at.

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**CONRAD:** Which is frustrating.

**JACOBSON:** Yeah.

**CONRAD:** But nevertheless, you, you did bring forward a bill. So, you didn't-- so you're parroting allegations that at this point are unfounded, but you haven't done any independent research on it?

**JACOBSON:** Correct. I, I brought the bill, was prepared to pull the bill if they were prepared to make a decision-- an unbiased decision, based upon the information they had. And they, at this point, chose to ignore my, my inquiry.

**CONRAD:** OK. And are you aware that this particular vendor that you're working on behalf of has had some negative headlines out of our sister states?

**JACOBSON:** Headlines is the key.

**CONRAD:** OK.

**JACOBSON:** Headlines are the key-- and I am aware of that-- that are politically-motivated, and I will just leave it at that.

**CONRAD:** OK. And then, I, I guess you said that perhaps some of these technologies could perhaps touch upon math, but what expertise does the State Treasurer's office have on STEM education?

**JACOBSON:** I, I would say as much as anybody else has on the, on the-- I don't know that anybody--

**CONRAD:** Well, not as much as the Department of Education.

**JACOBSON:** Well, I don't know.

**CONRAD:** [INAUDIBLE] come as state agencies with expertise.

**JACOBSON:** Do, do we, do we know what the board members' background is?

**CONRAD:** What's that?

**JACOBSON:** Do we know the background of the board members on the Department of Ed? Or on the people who are making the decision?

**CONRAD:** Yeah, I mean, I think the, the profiles for the elected Board of Education members are pretty well-known in that if you're an electoral process--

**JACOBSON:** Right.

**CONRAD:** I don't know if they're the ultimate decision makers or other state officials are, but I-- I would imagine that it really wouldn't be debatable that the Department of Ed has more expertise in STEM education than the State Treasurer's office.

**JACOBSON:** And what I'm focusing more on is online learning platforms. The State Treasurer has experience, significant experience--

**CONRAD:** On one.

**JACOBSON:** --with their EVERFI program that has been very successful.

**CONRAD:** OK. And do you know how many online learning platforms are managed through the department of the [INAUDIBLE]?

**JACOBSON:** To my knowledge, that's the only one other one.

**CONRAD:** OK. At the State Treasurer, there's one.

**JACOBSON:** Right.

**CONRAD:** But you're not-- we-- I don't know, either,--

**JACOBSON:** I don't know. I, I would not know.

**CONRAD:** --off the top of my head, but I imagine it's more than one.

**JACOBSON:** Right. Yeah. Might be. Yeah.

**CONRAD:** Yeah. And then the last question would just be in, in line with the thread that Senator Hughes raised. You know as well as anyone we're in a budget crunch right now. If I'm not seeing my inbox, you know, filled to the brim with requests from science teachers saying, "Oh my gosh, put forward with this appropriation; this is a tool I can't live without," isn't this an easy one-time cost just to move back over to the General Fund if there's no qualified vendor?

**JACOBSON:** Well, I would-- I would disre-- I would, I would, first of all, respectfully say that there is a qualified vendor who brought an online learning tool. I'm looking at test scores in the state that are going down. And so, if we're serious about raising test scores and providing quality education to children in public schools, why would you not take this free tool that's available to you and use it in your, in your classrooms? I don't know that anybody said "We don't need it;" it's just that they wanted to use a different vendor.

**CONRAD:** Well, I think that we're all concerned about finding solutions and remedies to support student growth and achievement and teachers on the front lines, but what we continually hear from those on the front lines in our schools and our teachers is they need more teachers; that that's the number one thing they need. They don't need more apps; they need teachers.

**JACOBSON:** Well-- but again, I would respectfully suggest that-- I hear "We need more teachers, they need to be paid more, they need better benefits,"--

**CONRAD:** You got it.

**JACOBSON:** --and yet, we're not willing to challenge or look at new ways of learning that more fits with what-- children today, how they learn. And this is seemingly an opportunity that was debated two years ago in this Legislature to bring another alternative to the, the, the mundane teaching or whatever we're doing today in STEM. Make this a little more exciting. We know that STEM is one of the highest-rated areas that we want to try to promote, and this is a very unique learning opportunity for children throughout the state, and, and it's an online program. So, it just seems to me that the Legislature made this decision and the Department of Education ignored what we told them we wanted done.

**CONRAD:** And I, I appreciate your trying to bolster your case, but I think that, you know, the, the selective approach to deference to a unanimous Education Committee speaks for itself, whether that's in regard to Senator Murman's bill last night-- last week, or, or mine that came out of the committee unanimously early. It's pretty selective, when we lift that up and provide deference and respect to the committee of jurisdiction.

**JACOBSON:** Sure.

**CONRAD:** Thank you.

**MURMAN:** Senator Hughes.

**HUGHES:** Thank you, Chair Murman. Back to the alleged problem with conflict. Can you not report that to the NADC? Wouldn't that be the proper--

**JACOBSON:** I've chosen not to. Because I don't, I don't have-- I don't have the depth of experience of, of, of the-- what was involved, but I've had it brought to my attention there's a belief that there was an

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individual who may have been on a board of another company that had a, an interest here.

**HUGHES:** OK.

**JACOBSON:** And so, that's what was brought to my attention, that's why I met with the commissioner to try to do this discreetly, to find out what's going on. He told me he would research and get back to me,--

**HUGHES:** And when did you meet with him?

**JACOBSON:** I met with him-- I think it probably would have been the first week or two when the session began.

**HUGHES:** So, second week of January.

**JACOBSON:** Right. Plenty of time to have gotten back to me. In fact, had time to write a letter to the committee to take opposition to the bill.

**MURMAN:** Any other questions? If not, thanks.

**JACOBSON:** Thank you.

**MURMAN:** And we'll ask for proponents for LB528. Good afternoon.

**MARY VAGGALIS:** Good afternoon. Chair Murman, mem-- members of the Education Committee, my name is Mary Vaggalis, M-a-r-y V-a-g-g-a-l-i-s, and I'm here today in support of LB528 on behalf of Plasma Games. Plasma Games was founded by Hunter Moore after his work at IBM, Boeing, and others revealed a lack of qualified American workers in STEM-related fields. His solution was to create a first-of-its-kind 3D digital learning platform that teaches STEM learning standards through engaging gameplay. The platform maximizes the fusion of learning standards with engaging gameplay to provide real-world context around what students are studying in the classroom. As one example, the lead character uses the periodic table to select armor, so students are learning about melting points and energy to melt for various elements. Kids learning-- learns things all the time from video games, and with Plasma Games, they learn STEM standards instead of fictional statistics. Plasma Games also customizes its platform in each state it operates, creating profiles for the scientists saved in the game. These profiles spotlight Nebraska community colleges and universities, Nebraska corporations, and Nebraska jobs so that students can see themselves studying and working in Nebraska to build the workforce pipeline that drives economic

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growth. The platform comes with an integrated textbook with text descriptions and videos that explain science concepts in a conversational dialogue, as well as step-by-step teaching materials and study guides, worksheets, and other teacher resources. They also provide 24/7 teacher resource access via phone and online chat. This committee knows better than most the challenges our schools-- particularly in rural areas-- are facing recruiting and retaining teachers. Plasma Games' platform is flexible enough to be used by an experienced STEM teacher as a supplement to their-- or, existing curriculum, or as a full set of curriculum. Prior to making its grant application, Plasma Games allowed the program to be piloted in some Nebraska schools. They have testimonials from several teachers from around the state, and I'd like to share one from Brett Moser, a high school physical science teacher in Gering Public Schools. Brett said, quote: I found that my students were genuinely interested in it, and were able to start making connections between scientific concepts and real-world applications. They started asking me questions about graphs and formulas that were on the platform that I never thought would be asked by them. It really opened my eyes to how they can all learn when they have an interest to learn about the concept. End quote. An independent study funded by the North Carolina Department of Commerce and analyzed by independent North Carolina State University researchers found students who use Plasma Games are five times more likely to pursue a chemistry-related career, and found a 19% increase in end-of-year test scores after just one time of 30 minutes of gameplay. Plasma Games' principal goal is to engage students in STEM to increase our local workforce. Although Hunter's main focus when starting the company was chemistry jobs, we know that STEM learning is critical for those entering trade schools, health care fields, manufacturing, and much more. We worked with Senator Jacobson to bring LB528 following the Department of Education's failure to award the learning platform grant passed "unanimally"-- unanimously, excuse me-- out of this committee and approved by the full Legislature in 2023. The objective and potential impact of this grant is too important. Thank you for your time. I'm happy to answer any questions.

**MURMAN:** Thank you. Any questions for Mary? Senator Lonowski.

**LONOWSKI:** Thank you, Chair Murman. And thank you, Ms. Vaggalis, for being here. So, Gering uses this?

**MARY VAGGALIS:** They received access to a-- basically, a pilot version of the program for Nebraska. We piloted with a few schools around the state to have some Nebraska teachers be able to share their feedback

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and their experience with the Department of Ed when we made our grant application.

**LONOWSKI:** Do you know what it would cost per school?

**MARY VAGGALIS:** So the, the statute was set up in 2023 to use a percentage of lottery funds for an annual license, and it's required in statute, then, that that license be made available to all of the schools in, in the state without any charge to the district.

**LONOWSKI:** Can, can a school get it on their own? I just-- I was just curious. Like, a, a per school basis? I'm just--

**MARY VAGGALIS:** Sure. So, Plasma Games operates in about a dozen states. In all of those states, the, the funding mechanism might vary in terms of how the funds are awarded, but it operates by and large on a state level. So, it-- and mostly that's because it can be cost prohibited [SIC] with all of these resources for a smaller school to then utilize this type of resource on their own. Obviously, if you can recruit schools to then buy in that and share the cost, you-- you know, economically, that, that becomes more feasible. And that's why Plasma has applied at these more state level programs to provide those resources.

**LONOWSKI:** OK. What other schools, besides Gering? Off the top of your head, do you know? I need to have a look.

**MARY VAGGALIS:** Sure. I don't know the full list of schools, but I do have the list of folks who provided testimonials. One was from Beatrice Public Schools; one was from Norfolk Public Schools; another from Harvard, Nebraska; and, and then another teacher in Norfolk.

**LONOWSKI:** All right. Thank you.

**MARY VAGGALIS:** Sure.

**MURMAN:** Senator Hughes.

**HUGHES:** Thank you, Chair Murman. Thanks for being here, Ms. Vaggalis. So, do you have any other-- does-- not you, but does Plasma Games have any other customers besides state governments?

**MARY VAGGALIS:** Well, in terms of who they receive funding from?

**HUGHES:** Right.

**MARY VAGGALIS:** No.

**HUGHES:** OK. And then, we were able to find a copy of a report to the North Carolina General Assembly because they had done one, and they had spent-- North Carolina-- about \$7.3 million in state funding for these games to go to schools in North Carolina. And then, this report shows that there were 29,825 licenses, student licenses given out, but only-- but 20,683 were not used, so 69% were not used. Is there-- I mean, and then we're talking about doing this for Nebraska. I-- you know, with our budget tight and everything, I mean, the money is a huge concern. And, and I-- I'm an engineer. I-- STEM is super important, and we need, we need to do the best we can for kiddos with math and science. But I want to make sure, if we're going to spend that much money, it's effective. And, and I'm about data, right? And so, when I see something like this from another state, it concerns me, I mean, would be-- that be better off, I don't know, using that money for training for science teachers, or even getting more science teachers? Because that's, you know, a shortfall. I've got a district that has had a, a science and math position open for a year with no applicants, so. I guess, can you answer that? Is it-- yeah.

**MARY VAGGALIS:** Sure. I'd be happy to respond. I spoke with Plasma Games' CEO Hunter after we talked in the rotunda earlier about this question--

**HUGHES:** Yes, because I thought that they were going to be here. Because I wouldn't ask you, I would ask them.

**MARY VAGGALIS:** --yes, yes. And, and Hunter would be glad to connect with, with any of you at any time. He has a great demonstration of the product and more information and testimonials from other states they operate in, which he'd, he'd be glad to share. But he provided some important context regarding the North Carolina report. In North Carolina, it is a line-item budget appropriation rather than a grant program like we have here. And in, in that state, their, their version or equivalent of the Department of Education requires schools, then, to apply individually to the grant program, and there are some schools who choose not to apply to the grant program because of some of the onerous reporting requirements. But Plasma Games has not withheld use of the platform from those schools despite the sort of new structure they've implemented recently. So, they've been-- North Carolina was their first state. It's their, it's their home state. They've been there-- I think it was three years in 2023, so almost five years now, and the, the new grant program with the schools applying was just implemented in March of last year. So, the data that you have relates

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to basically March to the end of the school year in, in 2024, for that year, and it only reflects the data provided from those schools who were providing the grant program. So, they estimated that actually 65% to 70% of the districts in North Carolina are using the platform, and only a, a small percentage of those have applied through the grant, and therefore report data to the Department of Education. And they can also tell through their teacher logins that there's a significant portion of some of those districts who are just using the teacher resources, which include curriculum and workbooks, those types of things through teacher logins, but aren't having students then log in to the actual platform themselves. So, there's a variety of ways that the whole package of the platform gets put together. And some of the important data may not be reflected in that report because of the way North Carolina has recently restructured their program.

**HUGHES:** OK. And if I may, you prompted me to think of another question. You'd said that it has-- so, the teacher module has lesson plans and things like that. So, were you involved with this two years ago?

**MARY VAGGALIS:** Yes.

**HUGHES:** OK. Did, did NDE come to you and say we need help with our science curriculum, math curriculum? We need more options available?

**MARY VAGGALIS:** We were approached by Plasma Games, and we--

**HUGHES:** So, you were not approached by NDE, you were approached by the vendor.

**MARY VAGGALIS:** That's correct.

**HUGHES:** OK.

**MARY VAGGALIS:** Mm-hmm. Yes. And, and we provided some demonstrations to this committee, we provided a briefing that Senator Murman was kind enough to send out,--

**HUGHES:** Yeah, and I wasn't on the committee then.

**MARY VAGGALIS:** Right. As well-- as well as other senators who we knew were interested in economic development initiatives, and, and received a lot of positive bipartisan feedback. We also talked to some of the folks at, at UNO and some of the nonprofit organizations to garner support for the bill. We made a presentation to the Chamber's

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manufacturing sector, and the Nebraska State Education Association came in and supported the bill at that time.

**HUGHES:** Thank you.

**MURMAN:** Any other questions?

**LONOWSKI:** I got one, sir.

**MURMAN:** Senator "Loniski"-- Lonowski.

**LONOWSKI:** Yeah. Thank you, Chair. Just real quickly, what's the prime age that this is geared toward? Is it high school only? Do they have an entire curriculum, or do you know?

**MARY VAGGALIS:** It's geared toward middle school and high school students, and the teacher resources are loosely divided into those categories.

**LONOWSKI:** OK.

**MARY VAGGALIS:** They do have some states where they have teachers who are using it for their high-achieving elementary students who, who kind of need more stimulation. But then, it can really be used by kids who have a different learning style and, and don't do well in a classroom setting. So, it's really versatile, and the teacher experiences that they've heard from reflect that. They have a huge number of teachers on staff that helped them to develop the curriculum, so it is really geared toward making any teacher a good STEM teacher, and it's very versatile and flexible in that way.

**LONOWSKI:** Thank you.

**MURMAN:** Any other questions? Senator Juarez.

**JUAREZ:** Thank you. Senator Hughes, I was trying to follow up on the-- follow you on the comment made about the percentage of purchases that weren't used. Right? Was that in North Carolina?

**HUGHES:** I'm not-- I don't-- can I answer that? Is that-- no.

**JUAREZ:** Can you--

**MURMAN:** No. [INAUDIBLE]

**MARY VAGGALIS:** I believe it was in North Carolina.

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**JUAREZ:** I'm sorry. You understood what I was talk--

**MARY VAGGALIS:** I did.

**JUAREZ:** Thank you. Well, I wondered if you could get them to donate it to us, then. That's, that's my only comment. If they're sitting there not being used, tell them we'll take the donations. Thank you.

**MARY VAGGALIS:** I will pass that message along.

**MURMAN:** And I'm not sure if I heard you quite right. You said it's-- Plasma Games are used in, in six other states. Is that what [INAUDIBLE]

**MARY VAGGALIS:** I believe it's almost a dozen. And, you know, as I mentioned, each state's structured a little bit differently. Some states, they don't have special legislation prohibitions, so they, they do a straight line-item. We have many states that have a grant program, Kentucky and Louisiana and some others, and, and we're perfectly comfortable with that. There are other vendors that provide these types of programs. Plasma games does not win every grant that they apply for, and-- so-- I'm sorry, I think that I lost my train of thought.

**MURMAN:** Sure, you, you said they did,--

**MARY VAGGALIS:** But about, about a dozen states.

**MURMAN:** --have competition in the other states, some of the other states, at least, that they are being used now.

**MARY VAGGALIS:** Yes. Yes. Absolutely. And I will just note, too-- Senator Hughes asked that we provide a copy of the RFP that we submitted to the Department of Education, which, which I'm happy to do, as well as circulating the, the North Carolina Department of Economic Develop-- or, excuse me, Chamber of Commerce study that I, that I mentioned as well.

**MURMAN:** Thank you. Any other questions? Senator Conrad.

**CONRAD:** Thank you, Chair Murman. Thank you, Mary. You always do a great job. Always good to hear from you, and I definitely remember the hearing in the last biennium. I don't think I was able to attend any of the interactive displays that I know were offered to committee members, and I did hear good feedback from other committee members about the tool that was available. But you, I know, were here during

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Senator Jacobson's opening. Is it your contention that there is some sort-- or your client's contention that there's some sort of financial conflict of interest happening at NDE in regards to this particular RFP? I'm trying to sort through that, and it's the first I ever heard of it until today, and it's a fairly serious allegation. So, do you have awareness of that? Is that your client's position?

**MARY VAGGALIS:** I'm not aware of any--

**CONRAD:** OK.

**MARY VAGGALIS:** --additional specifics. I can't supplement the, the senator's response.

**CONRAD:** Of course.

**MARY VAGGALIS:** I think our, our large concern is just that there's not an appetite in the Department of Education to award the grant.

**CONRAD:** OK.

**MARY VAGGALIS:** When we rec--

**CONRAD:** Which is a little different.

**MARY VAGGALIS:** Right. We received a follow-up. Once the department staff met with the Board of Education, the response, simply, is we've determined not to award the grant, we will reopen it at our discretion. Which indicated to us that it, it may potentially never be reopened. You know, there's an appropriation here of state lottery funds.

**CONRAD:** Yeah.

**MARY VAGGALIS:** I don't know-- there are very specific things that lottery funds can, can go to.

**CONRAD:** Yes.

**MARY VAGGALIS:** And, and this committee determined that, that this was in line, and, and there was a need for this type of program. And we're of course very open to, to proving ourselves in terms of district adoption and providing those types of metrics. We, we want to be open and transparent, and if it's not working for the state, you know,--

**CONRAD:** Right.

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**MARY VAGGALIS:** --you have a, an obligation to be sound stewards of tax dollars, and, and we certainly understand that.

**CONRAD:** OK. Thanks very much. Appreciate it.

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

**MARY VAGGALIS:** Thank you.

**MURMAN:** Other proponents for LB528? Any other proponents? Any opponents for LB528? Chair's a little tricky.

**LINDSEY TROPF:** First time here. Am I good to start?

**CONRAD:** Yeah.

**MURMAN:** Yeah, go ahead.

**LINDSEY TROPF:** OK. Good afternoon, everyone. I'm Lindsey Tropf, L-i-n-d-s-e-y T-r-o-p-f, founder and CEO of Immersed Games. I trained as a teacher and then school psychologist in Florida, especially spending time in middle schools. I decided to focus my dissertation on game-based learning, realizing we could create far more effective and impactful educational games. This is why I started my company: as an educator who wanted to do better for students. We've created an immersive learning video game where students solve real-world problems embedded with educational best practices. Instead of just explaining boom/bust cycles, students become ants in the Amazon, investigating mysterious deaths firsthand. A platform has been built with grants from the National Science Foundation, Department of Education, MIT Solve, and others. Studies show how we help students, with a 12% increase in science and engineering skills, a 20% increase in math performance, and 53% of students increasing STEM career interest. One of the most exciting parts of this work is the opportunity to customize learning to local contexts, making STEM relevant to students and their communities. This approach boosts STEM engagement and civic participation. It even improves economic mobility, when you focus on local career pathways and opportunities for students that are actually available to them. When NDE opened the RFI last year for this learning platform, I was thrilled at the cutting-edge educational leadership. My team talked with ESUs, districts, and prior NDE staff, and incorporated all their input. Our proposal had a key tagline of "For Nebraska, by Nebraska," as we planned to customize content for Nebraska's context and H3 careers. For example, learning about chemistry through helping farmers in Nebraska's prairies test soil samples and then make recommendations. For full transparency, I've

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provided a copy of the slides I used to demo to NDE. But I'm not here to rebid or promote our work; I'm here as an expert in this field-- field because this bill, as written, will limit the opportunity to make a difference for Nebraska's children. As an expert in the field of education, I can tell you what's best for Nebraska students is the opposite of nearly every change in this proposed bill. First, it is likely that R&D will be needed on any adopted platform in order to customize it to fit the needs of Nebraska students and school system. This bill removes the option by explicitly calling out that funds cannot be spent on R&D. Second, this bill cuts math, and instead chooses to focus on physics and chemistry. These are generally not the highest priority STEM areas, and not likely a choice NDE would make if they got to choose where to focus this platform. Third, this bill narrows the focus to high school, despite research showing earlier interventions at the middle school level are critical. NDE, in the RFP last year, stated that they wanted more focus on middle school for this learning platform, so this bill is proposing the opposite of what they indicated as the best use of this opportunity. So, my hope is that you'll reject this bill and instead expand NDE's flexibility to adopt a platform that will make a real impact for Nebraska students. Thank you.

**MURMAN:** Thank you. Any questions for Ms. Tropf? Senator Conrad.

**CONRAD:** Thank you for being here, Ms. Tropf. Just a quick question. Do you-- does your company work with departments of education in other states? I'm not sure if I caught that in your opening.

**LINDSEY TROPF:** Generally, we haven't worked at the Department of Education level.

**CONRAD:** OK.

**LINDSEY TROPF:** In Washington, I worked with an ESU that did work across the state there,--

**CONRAD:** OK.

**LINDSEY TROPF:** --but generally, we've worked more with local school districts and schools, and things like that.

**CONRAD:** OK. More on the local level,--

**LINDSEY TROPF:** Yeah.

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**CONRAD:** --perhaps maybe a little bit of regional. OK, so I-- what I'm trying to understand is, have we had a situation similar to kind of what we're experiencing with maybe some different perspectives, there's some tension between the vendors and the department? Have-- I think we're all kind of trying to sort through it and get to the bottom of it, because we all ultimately want the same things for our kids, which is access to good learning tools to enhance their, their STEM abilities and learning. But are you aware of any similar issue popping up in your work in other states?

**LINDSEY TROPF:** Like to what we're seeing with the--

**CONRAD:** Today. Yeah, this is kind of an unusual hearing, to me.

**LINDSEY TROPF:** No, I am not. I mean, I've read the same news articles that you guys saw, but I haven't been involved in anything like that, or aware of those individually.

**CONRAD:** OK. And then, you-- so, your company did put in something for the RFP, but the Department of Education found-- yourself and Plasma Games, I think, were the only two applicants--

**LINDSEY TROPF:** Correct.

**CONRAD:** --did not meet either the state statute requirements or the additional rules and regs the Department of Ed put out.

**LINDSEY TROPF:** Correct.

**CONRAD:** So, where, where does it-- do you know-- if you know, and I can ask the Department of Ed if, if you don't know-- where does it stand today? So, are they re-promulgating rules and regs, or is it kind of just at a standstill? Or have you heard any update since your application was rejected?

**LINDSEY TROPF:** I emailed to ask for any feedback, and much-- similar to Plasma's, they essentially said that they didn't feel that, on adoption, we would meet all of the requirements that were in the legislation and the state board, although we had proposed some customization for Nebraska. So, while they appreciated that, on adoption, it kind of wouldn't meet those requirements, and that it might open again in the future at the State Board of Education's discretion.

**CONRAD:** OK.

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**LINDSEY TROPF:** And so that's, that's all I was told as well.

**CONRAD:** OK. And last piece is, you're from out of state--

**LINDSEY TROPF:** Yes.

**CONRAD:** --and have some back-- roots in Florida, it sounds like. Do you have financial relationships with members of the state Board of Education?

**LINDSEY TROPF:** No, I do not, and I'm happy to submit a list of my board members, my investors, and be very transparent. I-- none of them have ties to Nebraska; nobody works for NDE, or anything like that. I'm not sure where that came from.

**CONRAD:** OK, thanks. Appreciate it.

**LINDSEY TROPF:** Absolutely.

**CONRAD:** I think that's all.

**MURMAN:** Any other questions?

**JUAREZ:** Yes.

**MURMAN:** Senator Juarez.

**JUAREZ:** So, I have to tell you that I'm not into this electronic stuff at all. I mean, I just-- why these kids like to play those games-- I mean, I have a grandson that's-- he'll spend-- he spend-- I was with him yes-- last night. On-- he's on my iPad playing a game, you know? The whole time I was there. So, I kept busy with his brother. But I just-- it's amazing to me how these kids have transitioned over to doing this electronic stuff, you know? And I just wanted to ask you if you would be willing to, you know, email me or the committee or the chairman so we would have-- if we could possibly touch base with you if we have further questions, because I'm not sure I understand all this stuff about this electronic game, so. Maybe if I think of something afterwards, I could possibly email you if I have another question?

**LINDSEY TROPF:** Of course. I write grants all the time for, you know, NSF, Department of Ed and everything, so I have a lot of research briefs ready to go. I'm happy to give you a 60-second overview if you're curious, but-- right now. But yes, I'm happy to answer any

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questions or send research that would be helpful for you all in making a good decision here.

**JUAREZ:** My problem is, since I don't-- I'm not-- I don't do games, you know? I don't play them. My grand-- my, my older grandson who's actually a senior in college, is graduating in May; he tried to get me to play with them, and I just couldn't handle it. Made my head spin, you know?

**LINDSEY TROPF:** That happens. I must confess, being a gamer myself, I, I will say, if it makes you feel a little better about their time spent in gaming, there's a lot of research that gaming actually increases certain skills that are good for high-level math; girls who game early are more likely to go into engineering by about three times. And actually, if you have a surgeon, it's best they're a gamer; they're about 30% faster and make 30% fewer errors because of all the hand-eye coordination. So, I'll, I'll just give a little bit in defense of your grandkid spending so much time in games today. But that's all I'll say.

**JUAREZ:** Thank you, thank you.

**MURMAN:** And I just have a, I think, a question. If the-- in Nebraska, the state Board of Education approves curriculum, and then it's up to the local school districts to adopt whatever curriculum that has been approved. But the exception is if, if the Legislature would require certain curriculum to the state Board of Education. Is that the way it's done in a lot of other states? Or, typical in other states?

**LINDSEY TROPF:** Yeah. And generally, a specific curricula wouldn't be required, but perhaps a standard set, and then districts or a state would then say here's maybe an approved list of vendors that we feel fit that requirements. But generally, it's left up to local control because everyone's different and needs to be able to make those decisions.

**MURMAN:** OK. Thank you. But it-- I think it can be done in other-- in some other states by either state Board of Education or the Department of Education. Does that [INAUDIBLE]

**LINDSEY TROPF:** Yes. And I've seen maybe an approved list of curricula in some states, where they say these are the ones we fit-- you know, we think fit the requirements, and everyone can just choose from that curricula, while other states leave it more open, so. As is everything, it very much varies.

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**MURMAN:** Yeah. Thank you. Any other questions? If not, I appreciate you coming forward to testify.

**HUGHES:** Thank you.

**LINDSEY TROPF:** Thank you so much.

**MURMAN:** Other-- let's see, we're still on proponents, right?

**JACK SPRAY:** Opponents.

**MURMAN:** Other opponents for LB528.

**SARA COOPER:** Good afternoon, Chairper-- Chairperson and members of the committee. My name is Sarah Cooper, S-a-r-a C-o-o-p-e-r, and I've dedicated my career to ensuring meaningful, high-quality learning experiences for Nebraska students. I began as a science educator in Lincoln Public Schools, and later served as the science education specialist at the Nebraska Department of Education, leading the implementation of new science standards. Throughout my career, I've worked at every level of the education system. One of the most eye-opening experiences in my career was serving as an undergraduate program advisor at the University of Nebraska-Lincoln. It became clear to me that our education system fails to support students in discovering their passions early enough. I saw far too many students changing their majors as juniors or even seniors, only realizing at that late stage that career opportunities aligned with their interests even existed. This is exactly the kind of issue that an innovative, career-connected learning platform could change. Last year, a colleague introduced me to this program, and I was excited about the potential for a transformational approach to learning that blends rigorous STEM education with immersive, game-based learning. I provided input on one of the bidder's proposals, focusing on how the efforts should be customized for Nebraska's workforce needs, making career exploration an integrated and meaningful part of learning. Despite the promise of this approach, no provider was selected. That is a missed opportunity for Nebraska's students, and now, with the restrictions in this bill, we risk eliminating this opportunity entirely. If this bill passes as written, no provider will be able to offer the type of customized research-backed and career-connected learning that Nebraska students deserve. A critical issue with this bill is that it removes NDE's ability to make key educational decisions. NDE should be empowered to select the best learning platform for Nebraska, including the option for customization and local engagement, which research shows leads to better student

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outcomes. Nebraska takes great pride in writing standards that incorporate Nebraska's unique resources, assets, and history; this demands that to truly meet Nebraska's vision for learning, materials are specifically designed for Nebraska with Nebraskans. The NDE is uniquely positioned to both select a program that supports the state vision for STEM and provide the leadership needed for effective implementation. Without the NDE, the investment in any learning platform risks being wasted. Nebraska cannot make this mistake. We know from research that stakeholder involvement is a-- is key to successful adoption. Our educators have expertise in their content area, they know the resources and priorities in their communities, and they know what interests and engages their students. Our educators deserve to be vested in the design and development of this instructional resources. Only with NDE leadership can this resource be designed and used in ways that the teachers and students find meaningful and relevant, ensuring these monitoring resources are put to good use. Education should be about expanding opportunities for students, not limiting them. I urge you to reject this bill and allow NDE the flexibility to choose the best platform for Nebraska students.

**MURMAN:** Thank you. Any questions for Ms. Cooper? If not-- oh, excuse me. Senator Conrad has a question.

**CONRAD:** Sorry. Thanks. And if, if you know, Ms. Cooper-- and if not, that's OK, but-- and I don't know if any other folks will be testifying today. Based on your extensive background in different aspects of education-- I mean, I'm just really struggling with the placement at the State Treasurer's office. I'm not aware of any expertise or ability to ensure that products align with curriculum standards that's housed at the State Treasurer's department. I don't know if you'd like to respond to that.

**SARA COOPER:** And I-- as a, as a former NDE science education specialist, I also-- like, I find that very alarming. I know how much trust our teachers across the state have in the resources provided and supported by the state. As someone who wrote, sat with local constituents across our state to write our standards for science and be very intentional about Nebraska-specific connections-- like, we took great pride in that. And we have constantly, since the first adoption of those standards in 2017, and now with the new adoption recently in 2024, have advocated for resources to be designed for Nebraska. Our science teachers organization in the state, that has been on their wishlist, to-- they continue to seek out grants and opportunities to have resources designed for Nebraska, and I think only the Department of Education has that rich connection to the

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educators in our state to make a platform like this be implemented, implemented in ways that truly impact students in the ways we, we want.

**CONRAD:** No, that-- that's fair, and I appreciate, too, the information that was elicited during the committee hearing today, which-- you know, arguably, I think Senator Jacobson has identified a curriculum, an online learning tool that is available for financial literacy through the Treasurer's office. And, you know, he seemed to indicate, well, maybe there's some math in this, so we can draw correlation to the State Treasurer. We've heard some conflicting testimony that this kind of undercuts the, the math component, so--

**SARA COOPER:** Yeah, yeah.

**CONRAD:** --I'm not sure how that, that squares with his thinking that maybe he can-- we can continue the dialogue with him. If-- from your chair being involved in science standards, being in the classroom, advising all of these different things, what's the, what's the best case scenario that comes out of this discussion? What's the worst case scenario? Because, I'm-- there's a, a lot to unpack here, and I'm trying to figure it out.

**SARA COOPER:** Yes. I spent a lot of time with science teachers; that, that is what I do. I interact with them regularly, and what I know-- as we've implemented these new standards that have really challenged how we teach science in the classrooms, really trying to have students engaged in authentic learning-- so the authenticity of, like, being connected to careers-- really resonates with the kinds of instruction we want in classrooms. Teachers have said that new instructional materials that have been designed for the standards have limited abilities to engage kids that love the gaming platform, right? And, and because of the depth of the standards now, that sometimes it's hard to find these really fun and engaging ways to support kids that need it the most. And so, there is a demand for, a need for-- if you talk to science teachers, and I know math teachers-- I've talked to my math teachers as well-- to have a platform like this. And not to replace their instructional materials, but to be something that's offered to support kids that need it, that need to be engaged who aren't en-- being engaged in the ways in the classrooms that we want them to be. And more importantly, the careers. Like I said, the authenticity. So, best case scenario-- and I know my son is here, and he would speak to this, too-- high school is too late. So, when I, when I see that the instructional-- the platform is, like, targeting physics and chemistry, I have huge concerns, because high school

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physics and chemistry is, is too late for us to be exposing kids to careers. Like, if I were writing the bill, I would love to see it focus on middle school. I know that middle school kids are looking for those opportunities to start to think about "who am I?" and, and "what am I good at?" and "what do I want to do?" And we missed those opportunities. So, I would love to see it target STEM broadly, science and math, but really focus at middle school. And I know that our middle, middle school teachers in the state are asking for it.

**CONRAD:** OK. That-- that's really helpful, and I appreciate-- I know my two kids have really different learning styles and different tools spark their interest and creativity in very different ways. So, I appreciate what you're saying there. You know, and I was-- as I'm thinking about Senator Juarez's comments, as we're trying to kind of get up to speed in this digital world, I guess, perhaps an ancient example would be-- I mean, I remember-- I have so many fond memories of Oregon Trail. Right?

**SARA COOPER:** Yes, yes.

**CONRAD:** You're, like, playing that as, you know, a hundred years ago, when I was in elementary school. But it was an online learning opportunity that we had in the classroom that everybody loved, that we still remember, that we still cherish, that sparked, you know, just that kind of interest in learning about that period in history and the challenges pioneers went through, and all of those kinds of things. So, I get it. Maybe I can draw upon that kind of ancient experience and try and get up to speed on the, the present tech. But thank you.

**MURMAN:** Any other questions? Senator Hughes.

**HUGHES:** I have one question. Thank you, Chair Murman. I just want to be clear on timing. I know you're not at the NDE anymore, right? OK. Were you involved with the, the request for the both-- the, the two vendors and came-- like, were you part of that process? Or have you been gone for a while?

**SARA COOPER:** I, I served as a consultant for, for Lindsey's program.

**HUGHES:** So, you didn't-- you weren't part of NDE, but you were helping [INAUDIBLE] on it.

**SARA COOPER:** No, no. I'm an independent education consultant. I primarily work with states.

**HUGHES:** OK.

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**SARA COOPER:** So, a colleague in Kansas actually introduced me to Lindsey, and knew that she needed some Nebraska connections because she was interested in this program,--

**HUGHES:** OK.

**SARA COOPER:** --so that's, that's where I became involved.

**HUGHES:** Thank you.

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

**SARA COOPER:** Thank you.

**MURMAN:** Other opponents for LB520 [SIC]?

**ANICA BROWN:** Hello. My name is Anica, A-n-i-c-a; Brown, B-r-o-w-n. I taught in a school district for 30 years; the last 18 of those years, teaching science in a middle school with sixth, seventh and eighth graders. During these past five years of my retirement, I've been a university supervisor for practicum students and student teachers who are pursuing their teaching degree. I have supervised all grade levels with STEM as a focus. I'm speaking on behalf, on behalf of myself. Over my 18 years with middle schoolers, I found they are incredibly curious. When given the opportunity to dig deeper into their own understanding of science, they want to discuss, question, and love collaborating with their peers to make sure they make sense of their evidence. When being introduced to technology platforms at the middle school level, my students were able to evaluate and calculate actual data that helped them explore their world. As an example, they engineered natural selection results in computer programs to identify inherited traits in species. They worked as scientists do, with authentic scenarios, real-world, hands-on mathematical data that drew on their collaborative critical thinking skills to problem-solve. With these kinds of enhancements to lessons, middle school students were more motivated to picture themselves in various science careers, and found accomplishment in the science field. This was middle school student science engagement at its best. Authentic STEM-based lessons that enhanced the learning through the use of technology platforms would not be happening if it wasn't for educational colleagues collaborating together to enhance curriculum that is based soundly on science standards constructed by our Nebraska Department of Education. It is because our NDE encourages and values the collaboration of educators when making decisions about curriculum that I oppose the changes to LB528. I oppose eliminating the Nebraska Department of

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Education and inserting the Treasury office devel-- in this bill. If you're constructing a grant to purchase a learning platform that benefits Nebraska students in technology and careers in science, then the Nebraska Department of Education should oversee an educational grant like this. Since NDE funding will be used for it, the Nebraska Department of Education should be the ones to decide how the grant should be administered, how educators will be involved in implementing this technology platform, and should include research and development to provide modifications and expertise from Nebraska educators in making changes to meet the needs of our school districts across our state. Middle school students are at the perfect age to experience authentic science using these platforms that adds to their ongoing science instruction and exploration of their world. This bill should remain in its original form, with the Nebraska Department of Education at its grant-- as its grant program decision-maker. Thank you.

**MURMAN:** Thank you. Any questions for Ms. Brown? If not, thank you.

**ANICA BROWN:** Thank you.

**HUGHES:** Thank you.

**MURMAN:** Other opponents for LB528?

**AVERY YENDRA:** Hi there. My name is Avery Yendra. I'm here today on behalf of myself and, looking around the room, for the youth a little bit, here. I'm a teacher; not in a public school, but I am a teacher. I'm involved in education. It's my passion, and I'm still a learner and student to this day.

**MURMAN:** Could, could you say and spell your name, please?

**AVERY YENDRA:** Oh, sorry. A-v-e-r-y Y-e-n-d-r-a. Avery Yendra.

**MURMAN:** Thank you.

**AVERY YENDRA:** And today, I'm just here to tell some stories and my experiences as a student and as somebody who enjoys video games. So, when I was in middle school, I can only recall one time where I was introduced to careers. We had one class, you did it once, you did one job shadow, and that was the end of it. So, there's-- I definitely saw the need, and continue to see that need that we do need to connect children at a younger age, but the, the earlier the better, realistically. And just a personal story is-- like, for me, I did well in school. You know, I did all the right things they tell you to do, but I had no direction; I had no idea what I was doing. When-- only

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went to college because I had a scholarship. Otherwise, I would have taken the time to figure out what I wanted and what was good for me. Sorry. I also play video games. I like video games a lot. I was in school when video games were kind of being introduced into it, and I can tell you that the least likely group of kids to use it is going to be high schoolers. The games are going to be not as engaging as probably what their brains are looking for, compared to younger age groups. So, it's-- in my opinion of being a learner, it's going to be more effective for someone of that age. And the last thing I'd just like to talk about is, from what I've heard here today, I've heard from two companies, which was really unique and cool, I think. And one sounds like they're just gamifying the learning to me, and the other one sounds like they're trying to create a unique educational experience that's actually looking to put people and careers in this state. So, I just-- that's my two cents. That's all I've really got for you, just some personal thoughts. Thank you.

**MURMAN:** Well, thank, thank you. And those personal thoughts are valuable.

**CONRAD:** Yeah.

**MURMAN:** Any questions? If not, thanks a lot. Other opponents for LB528? Any other opponents? Any neutral testifiers for LB528? If not, Senator Jacobson, you're welcome to close. And while he's coming up, online, we had zero proponents, 6 opponents, and 1 neutral.

**JACOBSON:** Thank you, Mr. Chairman. Well, I think listening to the testimony, it's very clear that we have one vendor that has a lot of work to do on their program yet, and that seems to be able to explain why the foot-dragging by the department. The Legislature made their intent very clear two years ago. Two years ago. And that bill was fully supported by NSEA. But yet, the department ignored the legislative intent, decided to kind of work with another vendor, and they evidently are still working with that other vendor today, to really circumvent what we'd laid, laid out to begin with. When I look at the bill, there were questions-- there were suggestions made that this only is high school. I'd refer to you, in the original bill, page 4, lines 18 through 21, which makes it clear that this does include middle school. So, we have one vendor that's, that's got, got the-- vendor that's up and running and was two years ago, and we've got another vendor that's out there still trying to try and find a way through it. At the end of the day, it really doesn't matter who they choose, as long as it's done objectively and timely. Right now, it certainly hasn't been timely, and I question the objectivity. I made

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the, the concerns I told you to the, the commissioner, who told me he would go out and investigate it. If he believed there was nothing done wrong, then why hasn't he responded to me? Why have I heard nothing back from the Commissioner of Education? Seems strange to me. So, again, I'm not going to go down that hole; I'm just going to say that, that the, the Treasurer does already oversee the EVERFI program. It's an online platform. We can hear everybody talk about what we need, but all I'm looking at is test scores continuing to go down in one of the most important areas, and that's STEM. So, I believe that it's time for whoever it's going to be to act and justify their decisions. But right now, what we heard in the testimony is that NDE is, is not prepared to ever make a decision at this point. They've given no one any timeline as to when this would happen, but the Legislature made it clear that it needed to, needed to happen. We allocated the funds. It needed to happen. So, the frustration that I continue to have is what does it take to get the department to do their job, follow legislative intent, and award the contract to a qualified vendor? That's all I'm asking for. Just award it to a qualified-- to the qualified even-- vendor that meets the criteria of the legislative intent. That has not happened, and there's no idea when that might ever happen. Meanwhile, this program is not in the hands of students, and meanwhile, we're still watching test scores go down. So, with that, I'd stand for any questions.

**MURMAN:** Thank you. Any questions for Senator Jacobson?

**JUAREZ:** I only-- I-- just one.

**MURMAN:** Senator Juarez.

**JUAREZ:** I'll just make a comment that, you know, based on what's going on in our federal world right now, and if they abolish the Department of Education, you know, they're going to give the money to all these other different agencies, right? So, I guess your idea will fall along with that idea. Giving it to a different department-- I'm not saying that it's a good decision, but, you know, if they eliminate the Department of Education, we're going to have to accept wherever they decide to send the money.

**JACOBSON:** Well, I think-- Senator Juarez, thank you for that comment. I, I would just tell you that all I'm looking for is accountability, and I'm not seeing it. I'm not seeing that the Department of Education has gone out and followed the intent of the Legislature. We gave them the funding, and they failed to act on awarding the, the, the dollars. Seemingly, now, they're waiting for another vendor to catch up that

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they're working with on the side to try to get the award to them sometime in the future. I don't know. I've met specifically with the department-- with the, with the commissioner. He met with me, came over to my office, met with me, and has never gotten back to me. So, I don't consider that responsiveness by the department. Departments that are responsive will hang around and be relevant, but those that have their own agenda, I have concerns with. And that's what I think's going on here.

**MURMAN:** Any other questions? If not, thank you--

**JACOBSON:** Thank you.

**MURMAN:** --Senator Jacobson. That'll close the hearing on LB528, and we will open the hearing on LB497. Good evening, Chairman Hughes, and members of the Education Committee. My name is Dave Murman, D-a-v-e M-u-r-m-a-n, representing the 38th District. Today, I have the privilege to bring LB497, which contains two different pieces, both related to extracurriculars. The first part is based on last year's LB1273, which came out of committee on an 8-0 vote, and simply ran out of time before it got to the floor. It allows for a student who lives in one district to participate in a neighboring district if their home district does not offer that activity. This is important especially for rural schools that simply do not have the opportunity of scale to accommodate activities that other schools can. This idea came to me when a consultant wrote to me that her homeschooled daughter wanted to compete in wrestling, but her home district did not offer girls wrestling while the nearby district did. I don't think her home district was purposely excluding girls in this case, but it had more to do with the small size of the school and limited interest from the students. The school could not just-- financially justify creating a girls wrestling program. If LB497 were in effect, that family could find an easy solution to let the young woman wrestle on a girls team which she would feel more comfortable on. Besides athletics, there are also many extracurricular programs that some schools might have while others do not, that offer academic benefits or career skills, such as robotics club, debate club, photography club, or DECA, just to name a few. An extracurricular club could give a student an interest or a skill in a subject that their core curriculum might not offer that could sometimes even opt-- open students up to a new career pathway. These are great opportunities for students to learn and have fun, and I want to make sure the district they live in is not the only determining factor of if they can have that opportunity. The second part of the legislation is clean-up language, meant to class-- clarify the minimum amount of part-time credit hours required for a homeschool

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student to participate in extracurricular activities. The current law, based on legislation passed two years ago, states that a student is required no more than-- and no less than five credit hours. The intent of that law was not to limit the part-time enrollment to only five hours, but to lower the minimum to five hours. Right now, many schools allow homeschool students to participate in more than five credits, but others are reading the statute and restricting students to only five. This bill clarifies the students are not restricted to just five. I understand some might find it odd that a homeschool family would still want to take some public school classes, but I will point out that those families pay property taxes the same as full-time public school families, so they deserve the same right to education that works for them. Thank you, and I'm happy to take any questions.

**HUGHES:** Thank you, Chairman Murman. Senator Lonowski.

**LONOWSKI:** Thank you, Vice Chair Hughes. Thank you, Senator Murman, but I want to make sure I'm clear on this, because when I was coaching girls wrestling, I had-- Hastings High didn't want to start it, so Adams Central basically took them in, which, which means they were, they were given the option that you're concerned about. And I know Seward had the entire county, and it was just Seward County wrestling. So, how does this differ from-- and, and, and our wrestlers go to Hastings High-- or, excuse me, our swimmers and divers go to Hastings High and they're part of that program. So, how does this differ? What is your law or your bill do differently that they weren't doing? Do you know?

**MURMAN:** Well, I don't think it-- that affects-- the bill would affect any of what you said.

**LONOWSKI:** No--

**MURMAN:** The bill is-- where the difference is, is that if it's a homeschool student and their home district doesn't provide the-- whatever activity that they would like to participate in.

**LONOWSKI:** And that's the second part of the bill, which-- right?

**MURMAN:** No. Well, that's actually the first part of the bill.

**LONOWSKI:** It's still part of the first two--

**MURMAN:** The second part is to clarify that when a homeschool student goes to a, a school to, to participate in an activity, they are not restricted-- well, they're mandated to take five hours, or one class

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at the school, but they can take more than one class, if they would like to.

**LONOWSKI:** OK, so, so the first part's dealing with homeschool kids as well?

**MURMAN:** Yes.

**LONOWSKI:** OK.

**HUGHES:** Other questions? Yes, go ahead.

**CONRAD:** Thank you, Senator Murman. I remember this legislation from last year. And I'm sure-- perhaps was not your intent, and maybe it's a local wrinkle, but I did hear from some folks in my district that do homeschool, and they were worried about the measure as written impacting their ability to participate in non-NSAA activities like youth orchestra or symphony, and some of-- so I'm trying to get up to speed on it, but they had reached out, and I was digging through my emails over the weekend, so I said I'd make sure to give voice at the hearing, and maybe we can, can work on that if the committee decides to move forward.

**MURMAN:** Yeah, I appreciate that. Yeah, that was an oversight. Actually, the bill would only affect N-- NSAA activities.

**CONRAD:** Yes. OK.

**MURMAN:** Because right now, it's not mandated that they would have-- a homeschooler would have to take a class to do other extracurricular activities.

**CONRAD:** Right. Yeah. And I appreciated them raising the concern, because that issue wasn't on my radar screen. And I thought, well, that kind of undercuts the whole point of Senator Murman's bill that he's been trying to provide more access to extracurriculars for homeschool families, so it's probably just a drafting issue that we can.

**MURMAN:** Yes. Yes, that, that will be corrected with an amendment.

**CONRAD:** OK. Thanks.

**MURMAN:** Thanks.

**HUGHES:** Other-- anybody else with a question? Oh, OK. Go ahead.

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**LONOWSKI:** Oh, thank you, Vice Chair. I-- so, just to clarify, you have a homeschooled child in one district, and their, their district doesn't offer swimming, so they could go to another district and belong there? Is it--

**MURMAN:** Yes. The way that it's written, they would have to go to the nearest district that offers that-- whatever activity you're looking for.

**LONOWSKI:** OK. OK. Thanks.

**HUGHES:** OK, so I'm going to expand on that. So, the-- that homeschool would go to a different district, but then they'd also take the minimum five hours at that-- out-- that the district that has the swimming?

**MURMAN:** Yes, if it's an NSAA activity.

**HUGHES:** So, it's kind of like you're opting in to the other district, kind of?

**MURMAN:** Yes.

**HUGHES:** OK. Because then-- so then, I asked the question, and maybe that took care of it. My kid goes to Centennial, Seward Public School, they don't have swimming; can I go take swimming in Lincoln but still stay at Seward Public School?

**MURMAN:** Run that by me one more time?

**HUGHES:** Because if we're saying the homeschool person has to take the classes all-- you have to then take that five-hour minimum classes at the school you're doing the activity with. Yes.

**CONRAD:** I think so.

**HUGHES:** OK. That-- that's fine, because I was kind of thinking, oh, you get to take your five hours at Seward, but then you get to be on the swim team in Lincoln. That would be a problem, right? That's kind of how I read it, but maybe that's not how it's written. Maybe this is all wording

**MURMAN:** Let me review that, that one more time. I'm not 100% sure of that-- the, the answer to that question.

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**HUGHES:** OK. But that's not your intent. Your intent is that I can go to-- I live in District A as a homeschool, but I can go to District B, take my five hours of class, and participate in a sport there.

**MURMAN:** Yes, I think that's the way the homeschooler would want to do it anyway, yes.

**HUGHES:** That's what-- that was your intent with this.

**MURMAN:** Yes. Yes. Yes, I-- and I'm not sure--

**HUGHES:** Yeah, I don't know.

**MURMAN:** --I think it's written that way, but I'd have to review it.

**HUGHES:** Because I read it like I would take my five hours at District A, but I still get to go swim on District B. That wouldn't work, so-- OK. And, and maybe-- again--

**MURMAN:** Probably wouldn't, probably wouldn't work for the homeschooler, either, because,--

**HUGHES:** True.

**MURMAN:** --you know, they probably want to take the class where they're doing the activity.

**HUGHES:** Yeah. And then, the other piece to it, the second side of it is you can take five hours or more. You're not-- because kind of what you're saying, you'd accidentally put in the five--

**MURMAN:** Yes. It's, it's five hours or more. And that's the way the intent was--

**HUGHES:** Yeah, yeah.

**MURMAN:** --in the previous legislation, and I think it's written that way, but it's just not always interpreted that way.

**HUGHES:** Not as clear. OK.

**MURMAN:** Yeah.

**HUGHES:** Anybody else?

**JUAREZ:** I have a question, please.

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**HUGHES:** Oh, yes, Senator Juarez.

**JUAREZ:** So, I just wanted to clarify-- and I-- because I'm not an athlete person. What you're proposing's not going to cause any conflicts with the NSAA, is that what it's called?

**MURMAN:** No, it'll actually be in harmony with the NSAA.

**JUAREZ:** OK. Thank you.

**HUGHES:** OK. Thank you. Are you going to stay for close?

**MURMAN:** Yeah, I'll stick around.

**HUGHES:** OK, great. First proponent. Go ahead, sorry.

**DAVID LOSTROH:** OK. Senator Hughes, members of the Education Committee, my name is David Lohstroh, spelled D-a-v-i-d L-o-s-t-r-o-h. I serve as board member and legislative coordinator for the Nebraska Christian Home Educators Association. The NCHEA is a proponent of LB497. NCHEA's been working on behalf of exempt school students for over 20 years regarding the requirements and limitations on homeschool students participating in public school extracurricular activities. LB497 resolves the misapplication or misinterpretation of the changes that occurred under LB705, Section 75, which passed in 2023. Under LB705, the credit hour requirement for part-time homeschool students attending public schools to participate in public school extracurricular activities was reduced to, to five hours, and 79-2,136 as revised was not written to limit a student to only five credit hours, but simply to not allow a local school board to require a student to take more or less than the five hours in order to participate. However, some school districts have misinterpreted the statute, and LB497 and removes the potential for misinterpretation. NCHEA has been contacted by parents of children wishing to participate extracurricular activities in the Norris and Gretna school systems who were told their children could only take one class, even though they wanted to take more. So, parents from other school districts had no issues, so the statute is not being applied, and, and I think this would fix it. Additionally, LB497, through proposed changes to 79-215, also provides nonpublic school student interested in extracurricular activities may do so-- I'll move on here. Very recently, I learned of an unintended result of changes to 79-2,136 by LB705 regarding extracurricular activities that are not regulated by the Nebraska School Activities Association, and proposed an amendment I believe that would fix this situation. The result here is that inadvertently

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adding credit hour requirements where homeschoolers and the public schools were already happy without any. And so, it was being applied to non-NSAA, and so, the, the fix here, I believe-- and I believe this-- proposed amendment is in process, in bill writing right now. The language would add, on page 8, line 5 between the words "in" and "extracurricular" to add "Nebraska School Activities Association regulated," and so then, it would read that school board policies and procedures adopted pursuant to subsection of this section of shall require any student desiring to participate in Nebraska School Activities Association regulated extracurricular activities. So, the five-hour, the requirement, then, would only be on NSAA required-- regulated activities, and other ones that are not extracurricular activities would not have the one, the one course-- or, five-hour mandate, in view of this change. So, this is currently part of the bill, but I think it-- I think it would be good to, to make that change, as was discussed by Senator Murman.

**HUGHES:** OK.

**DAVID LOSTROH:** And since it was the NSAA that--

**HUGHES:** Your light is red. If you could just finish up.

**DAVID LOSTROH:** OK. I'm sorry.

**HUGHES:** Yep.

**DAVID LOSTROH:** I've got it written there. NSAA did require the, the course requirement for years, and then removing the course requirement for non-NSA [SIC] ec-- extracurricular activities should, should solve the problem. And they had always wanted more hours, so I don't think this is going to be offensive to NSAA to make this change. That's my personal opinion.

**HUGHES:** Anybody have questions for Mr. Lostroh?

**DAVID LOSTROH:** OK. Thank you.

**HUGHES:** You know what? Wait. I have one. Sorry.

**DAVID LOSTROH:** Sure.

**HUGHES:** So, I'm only familiar if-- that your-- if you're homeschooled and then you do an NSAA-- so, they're-- you're telling me there's some activities that the homeschooler doesn't attend District A at all but still does some, does some stuff? Programs or something?

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**DAVID LOSTROH:** Well, I think, I think the case-- and there will be people testifying behind me about the situation in Lincoln with the orchestra. This is a non-- in my understanding, it's a non-NSAA activity; there's not any competitions, and they haven't worked out where the homeschoolers could participate with the, the orchestra.

**HUGHES:** It was in the paper. But then, they pulled-- like, now, they're not letting them, right? Or something.

**DAVID LOSTROH:** Well, they're requiring some courses now that-- because-- or, I think because of this law.

**HUGHES:** Oh, they're requiring the five hours?

**DAVID LOSTROH:** And, and they were-- currently-- before, everybody was happy without that.

**HUGHES:** Yeah, yeah, yeah. OK.

**DAVID LOSTROH:** And so, that's kind of where we're at.

**HUGHES:** That makes sense now. OK. Thank you.

**DAVID LOSTROH:** Sure. Thank you.

**HUGHES:** Next proponent. Go ahead.

**JANE DOWD:** Hello, Senator Hughes, and the committee. Good afternoon. My name is Jane Dowd, J-a-n-e D-o-w-d, and I'm the secretary of the Lincoln Home School Orchestras. I'm here to speak in support of the proposed amendment to LB497, page 8, line 5, that would then read: this section should require any student desiring to participate in Nebraska School Activities Association regulated extracurricular activities. This will clarify for all those young musicians who desire to further their music education, or just enjoy making music with others by participating in the after school activities sponsored by local school districts. To apply the NSAA rules for interscholastic competitions to music activities is beyond their scope, and is indeed a hardship and a deterrent to the young musicians and their families. The six educational music groups offered to the Lincoln community by our local school district are audition-based, and do not compete against other music groups. These music groups share the common goals of teaching and pursuing excellence in music-making, developing the students as musicians and people, providing and playing opportunities to share their music with others. As these groups are formed for education and not competitions, they do not qualify to be under the

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NSAA rules. Therefore, these groups should not be required to comply with the mandate for the student to be enrolled in and participate in a Lincoln Public School music class as if it's in this-- as in a sports program. The three afterschool citywide audition orchestras-- the Youth Ensemble for Strings, the YES, Junior Youth Orchestra, JYO, and the Lincoln Youth Symphony, LYS, require the young musicians to play in their school orchestra or band. The Lincoln Home School Orchestra, LHSO, is the school orchestra for homeschoolers, also for private and some public school young musicians. For two decades, LHSO has helped these students meet the LPS eligibility rule, qualifying the young musicians to play in the YES, JYO, and LYS orchestras. The LHSO is on amicable terms with the YES, JYO, and LYS orchestras and conductors, and will continue to be a part of and encourage music education in the community of Lincoln. The NSAA rule requiring the student to be enrolled in and participate in a public school music class to be eligible to play in the afterschool music activity is a burden and a hardship for the young musicians and family. The added burden of attending an additional school, which would disrupt the school day-- schedule for homeschool students, and be ridiculous to be considered for other private and parochial students. Why are these young musicians be required to play in two orchestras to be eligible to play in YES, JYO, or LYS orchestras? We want to improve music education opportunities by amending LB497 to let music programs not have to be run like a sports program. Thank you.

**HUGHES:** OK. Thank you. Do we have any questions for Ms. Dowd? No? Thanks for coming in.

**JANE DOWD:** You had, you had orchestra questions; I'm the orchestra person. Thank you.

**HUGHES:** All right. Next proponent.

**SPENCER FINLEY:** Spencer Finley, S-p-e-n-c-e-r F-i-n-l-e-y. I'm here to ask for your support of LB497, specifically, the need to fix language that at least some districts are using to limit part-time students' education. It sounds like many school districts and the NSAA are interpreting the law change in 2023 as it was intended, that schools may require part-time students to take at least one class in order to participate in extracurricular activities. The law's intent was clearly meant to say that school districts could not require more than one class, as the NSAA rules at the time required two courses. Unfortunately, there are some-- including Gretna, where we live-- that are using the wording to limit part-time students. They insist that students can take one and only one class in order to participate in

activities. It makes no sense that a student's education would be limited in order to precip-- participate in activities, but is-- but that is what they are, they are enforcing with their school policies. This bill helps to clarify that part-time students can take more than one class and still participate. It's honestly sad that we have to come to you to solve this issue, but I've seen Gretna Public Schools kind of go out of their way to discriminate against part-time students and homeschool students. Homeschool's advocates have had to come to the state Legislature to help force the school to do the right thing. In my opinion, they should be trying to help all students in their district, but unfortunately, the-- you know, too many board members and administrators have become entrenched in their dislike for homeschooling families and, in my opinion, have lost sight of why they went into education: to help students. These are programs and-- that are already being offered by the school district. We are not asking them for any more funds or to create any special programs; we just want equal access to the programs that they are already offering. Let me be clear: there are many school boards and school board administrators that-- across the state that do the right thing. And, in this case, I would hope that there's not anyone that is against this legislation. Part-time students deserve equal access to these classes and activities offered by the public school. For the sake of the homeschool students, please pass this bill out of committee as soon as possible. Without it, my boys and many others will continue to be discriminated against. Thank you.

**HUGHES:** Thank you for your testimony. Do we have questions? All right. Senator Lonowski.

**LONOWSKI:** Thank you, Vice Chair. Thank you for your testimony. Have you guys been here since 1:30?

**SPENCER FINLEY:** We have.

**HUGHES:** Oof.

**LONOWSKI:** Thanks, young man. That's displaying some patience.

**HUGHES:** You got out of school, though. That's pretty cool.

**LONOWSKI:** OK, so you homeschool your kids. I really want to get to the-- just the-- you homeschool your kids, correct?

**SPENCER FINLEY:** Well, I have four boys, so one goes part-time to-- as a junior, two classes at Gretna East; a, a freshman full-time. And then, my two seventh graders currently attend a collaborative school--

**LONOWSKI:** They're twins?

**SPENCER FINLEY:** --but they're homeschooled, yes.

**LONOWSKI:** Oh, bless you. All right. I'm just kidding. So, you homeschool-- or, part time, but the orchestra classes are not in your district, correct?

**SPENCER FINLEY:** No. So, for us, our issue is Gretna interprets this as you can only take one class. And it's still part--

**LONOWSKI:** You can-- they, they interpret it as you can only take one.

**SPENCER FINLEY:** Correct. So they limit you to one,--

**LONOWSKI:** OK. OK, so yeah, where I taught, it was different. But go ahead.

**SPENCER FINLEY:** Well, this is-- yeah, from the 2023--

**LONOWSKI:** OK.

**SPENCER FINLEY:** --law change, so I don't-- it's--

**LONOWSKI:** Right. OK.

**SPENCER FINLEY:** Yeah, so that's where this comes in. They also limit homeschool students to two classes overall, which I disagree with, but that's a separate, separate issue.

**LONOWSKI:** OK. So, where are the-- where are the orchestra classes that you want to take? Same district?

**SPENCER FINLEY:** Well, this-- we aren't orchestra.

**HUGHES:** He's not orchestra.

**LONOWSKI:** Oh, I'm sorry.

**SPENCER FINLEY:** No, no, no. You're OK.

**JUAREZ:** That was the prior speaker.

**LONOWSKI:** I'm sorry. OK, OK.

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**SPENCER FINLEY:** Oh, no, no, no. You're OK. So, this would be any-- I mean, they limit all, you know, e-sports, that is an NSA [SIC]-- I mean, just any activity,--

**LONOWSKI:** OK.

**SPENCER FINLEY:** --cross-country, track, anything. You can only take one course and participate.

**LONOWSKI:** OK.

**SPENCER FINLEY:** If you want to take more than one course, then that excludes you from participating in activities, is what Gretna is doing with the way--

**HUGHES:** Because of how it was laid out.

**SPENCER FINLEY:** --because of how it is written. Again,--

**HUGHES:** It's written that way.

**SPENCER FINLEY:** No one intended it that way is my understanding.

**LONOWSKI:** Yeah, yeah. OK.

**SPENCER FINLEY:** No one-- I have not heard of another district interpreting it that way, but Gretna--

**LONOWSKI:** Is like the wild, wild west of evolving-- you know--

**SPENCER FINLEY:** Yes.

**LONOWSKI:** --trying to help homeschool kids out, so-- OK. And you think this, this bill will fix what the issues have been?

**SPENCER FINLEY:** Yeah, the second part of it, as we've discussed, yes,--

**LONOWSKI:** OK.

**SPENCER FINLEY:** --should fix that issue to make it super clear that students-- part-time students can take more than one class and still participate.

**LONOWSKI:** OK. Thank you.

**SPENCER FINLEY:** Yeah. Well, thank you.

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**HUGHES:** Do you-- Senator Sanders?

**SANDERS:** Thank you, Vice Chair--

**HUGHES:** Yes.

**SANDERS:** --Hughes. So, it's not really a discrimination issue; it's a misinterpretation. And this will clear--

**SPENCER FINLEY:** Well, when no one else interprets--

**SANDERS:** --set the guidelines.

**SPENCER FINLEY:** I'm sorry to interrupt. Yeah, when no one else interprets it that way, it, it personally becomes a little hard about how are you interpreting it this way when even the NSAA doesn't interpret it that way? So again, Gretna, they, they limit part-time students to two classes. You know, that's a separate issue. So, that's a little bit where I'm coming from in terms of-- you know, I don't use that word lightly, but I've had conversations with school board members that just don't like homeschool families, and so they've refused to budge on this issue, even knowing the intent was not this, and knowing that other school districts don't interpret it this way, so.

**SANDERS:** Thank you, Senator Murman, for bringing the bill, for clearing this--

**SPENCER FINLEY:** Yes, I forgot to say that at the very beginning. Thank you.

**HUGHES:** So, I have a question. You said-- I think you said your junior son takes two classes.

**SPENCER FINLEY:** That's the most he's allowed to take at Gretna.

**HUGHES:** But then, because he's taking two, he can't play a, a, a sport or do anything.

**SPENCER FINLEY:** He cannot participate in any activity.

**HUGHES:** But if he took one, he could.

**SPENCER FINLEY:** Then he could. Correct.

**HUGHES:** OK. My second question is, do you have a kid that does a sport right now at the school?

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**SPENCER FINLEY:** Well, I have one that's going to hopefully testify right after me.

**HUGHES:** OK. And maybe I'll ask him, too--

**SPENCER FINLEY:** Oh, yes, I do. My full-time freshman.

**HUGHES:** Well, but that's, that's full time. That's [INAUDIBLE].

**SPENCER FINLEY:** Correct.

**HUGHES:** So, if you, if you would be taking one class and taking the sport, do you have to-- because there's grade requirements, right? To be able to play the games and all that. Do they hold the homeschool kids to that, too?

**SPENCER FINLEY:** For that one class, I believe they, they do.

**HUGHES:** For that one class. Yeah, you have a passing grade, [INAUDIBLE]

**SPENCER FINLEY:** And then, the law's-- my understanding, it's written that, you know, for their other courses that they're taking at home, we have to essentially sign off that, yep, they're--

**HUGHES:** That they're still passing their classes and stuff like that.

**SPENCER FINLEY:** Correct.

**HUGHES:** OK.

**SPENCER FINLEY:** But yeah, the school doesn't require us to submit grades.

**HUGHES:** Yeah, yeah, yeah. OK. Thank you. Anybody else? Sorry. OK. Next proponent. Good afternoon-- good evening. I feel like it's evening time.

**JUAREZ:** It is, it is.

**HUGHES:** Good evening.

**ETHAN FINLEY:** Good evening. My name is Ethan Finley, E-t-h-a-n F-i-n-l-e-y. And I don't take too long, but I want this bill to be passed so I can take multip-- to play sports like basketball and track, but still take more than one class.

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**HUGHES:** Is that it?

**ETHAN FINLEY:** Yeah.

**HUGHES:** That was easy. What grade are you?

**ETHAN FINLEY:** Seventh.

**HUGHES:** Seventh grade. OK. Do we have questions for Mr. Finley?

**SANDERS:** Just a few.

**LONOWSKI:** I do.

**HUGHES:** Go ahead, Senator Lonowski.

**LONOWSKI:** What sports would you like to participate in, young man?

**ETHAN FINLEY:** Basketball and, like, track and cross-country.

**LONOWSKI:** Are you better than your twin brother at basketball?

**ETHAN FINLEY:** I don't know.

**LONOWSKI:** Good answer.

**HUGHES:** [INAUDIBLE].

**LONOWSKI:** OK. And, and so basically, you just, you just want to make sure that you can participate and take a couple of classes.

**ETHAN FINLEY:** Yeah.

**LONOWSKI:** Yeah. OK. Thank you.

**HUGHES:** Other questions?

**SANDERS:** Thank you, Ethan.

**HUGHES:** Which, which two classes do you plan on taking?

**ETHAN FINLEY:** I don't know yet, but I know that will probably be--

**HUGHES:** More than one.

**ETHAN FINLEY:** --more than one. Yeah.

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**HUGHES:** All right. Thank you for coming, and thanks for sitting here for so long. Oh my gosh, I was bored, I can't imagine how bored you were. OK. Next proponent. Thank you.

**ERIN van CLEAVE:** Hello. Thank you for taking the time. My name is Erin Van Cleave. E-r-i-n; last name is two words; v-a-n C-l-e-a-v-e. And I've been homeschooling for 24 years, and when we-- and this is our 10th year at dual enrollment. We're out in the Norris district, and when my boys first wanted to play some sports and they were interested in football and wrestling, the law at the time was four-- a minimum of four classes, which was very cumbersome and hard to do. And as the years have gone by, it's gone down to two, and now one, and I appreciate that. My two younger daughters-- and I only have one in high school now. She is interested in doing more, but not being full-time. They're very big into music, so they do band and show choir. But as you progress-- how Norris has laid out the day-- as you progress in show choir, there are some gaps, then. So, we've filled those with math, and then as she gets older, potentially some AP classes. But Norris has also interpreted that it was "no more than," ten days before school started last year. So, I don't understand it. I find it-- I'm flummoxed when I see that you wouldn't let someone else go more than the-- well, at the time, last August, I don't know if they knew about the one, so they said no more than two, and because we had been there so long, they did grandfather her into the three, but they've already told me they're not doing that. So, I guess I just-- I am, I am pleading for flexibility for my boys. One would have been awesome. So, I think just having flexibility for each student and family. If you want to take the 0 or 1, great, or if you want to take more. That's what I'm, I'm proposing, that-- just more flexibility per family.

**HUGHES:** OK.

**ERIN van CLEAVE:** Thank you.

**HUGHES:** Yes. Thank you, Ms. Van Cleave. I want to-- you can't take zero, right? You have to take at least [INAUDIBLE]

**ERIN van CLEAVE:** Yeah. I'm sorry. Well, I meant, like, either don't go, or, if you want to do sports,--

**HUGHES:** Yeah, yeah.

**ERIN van CLEAVE:** --take the one.

**HUGHES:** Sure.

**ERIN van CLEAVE:** So.

**HUGHES:** Do we have questions for Ms. van Cleave? Nope. Thank you for coming in.

**ERIN van CLEAVE:** So thank you very much.

**HUGHES:** Yeah.

**JUAREZ:** Thanks for being here.

**ERIN van CLEAVE:** Yeah, thank you.

**HUGHES:** Next proponent. All right. Do we have any opponents? None. Do we have anyone coming to speak in the neutral? No. All right, Senator Murman. And for the record, online, we have 20 proponents, 10 opponents, and 1 neutral. I got to look at the opponents.

**MURMAN:** Well, when the bill, bill writers wrote the original bill, it said-- if I remember correctly-- required no more, no less. And I questioned the-- that seems like a little confusing--

**HUGHES:** It, it sounds like just exactly five, yeah.

**MURMAN:** But it says require no more, no less. So, in other words, they can't require more, but you can do less, they just-- or, or you-- they require-- can't require less,--

**HUGHES:** Uh-huh.

**MURMAN:** --but they can do more.

**HUGHES:** Right.

**MURMAN:** But anyway. We're, we're-- we fixed it, so. So, that's that part of the bill. And the other part of the bill, I think we want to do what's best for our students and give them the most opportunity possible, no matter how they're educated, so. I'll take any questions you might have.

**HUGHES:** OK. Go ahead, Senator Juarez.

**JUAREZ:** Senator Murman, I'm just curious, based on the testimony that we heard and I-- since I'm pretty new. What are-- who are parents supposed to turn to when they have conflicts, you know, with their school districts? Or it could be about any bill interpreting our Nebraska laws that we have in place. Who are they supposed to reach

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out to to get things clarified like this? That's raised my curiosity on that basic issue.

**MURMAN:** Well, of course, parents should be the, the determinant of their child's education, and they can reach out to their state senator, and some have. So, that's why I brought some of these bills.

**JUAREZ:** So-- but, like, in the situation like-- let's just say, for example, Gretna schools because of how they are interp-- making an interpretation. Would a, would a senator be able to contact someone on the school board so we could get issues resolved? I mean, it just made me wonder how many parents might be dealing with stuff like this, and-- it's just a bureaucracy to me, you know?

**MURMAN:** Yeah. Of course, they'd first work with the school to see if they could work it out. And then, from there, if it's an NSAAA [SIC] activity, you know, they could contact the NSAA and-- you know, if there's still questions, contact your senator and try and get it fixed. And that's what we're doing today.

**JUAREZ:** Thank you.

**HUGHES:** Other questions? Senator Lonowski.

**LONOWSKI:** Yeah. Thank you, Chair-- Vice Chair Hughes. And thank you, Senator Murman. Yeah, so I, I had said something about wild west of, of homeschooling rule-- schooling rules. Mrs. van Cleave had made exactly that; for over 20 years, we just keep shuffling the rules or whatever. So, I guess my only recommendation is that we write this as simple as we can, so that there's not misinterpretation of, of what we want to do. I don't-- and of course, we can't write specific rules for every different situation, but we certainly don't want to have people to have to, like, miss an entire year of, of athletic opportunity when they only get a, you know, six years from grades 7 through 12. So, yeah, thank you for bringing this bill.

**MURMAN:** Yeah. And the girl wrestler last year, I, I think did miss an entire year that she could have participated in girls wrestling, but at least we're improving the situation as best we can now.

**LONOWSKI:** Thank you.

**HUGHES:** OK. Senator Sanders.

**SANDERS:** My question was going to be, is this one that we could have taken to the attorney general for an interpretation?

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**MURMAN:** I, I didn't look into that, but I suppose that could have been a possibility.

**SANDERS:** Might be an avenue we need to use more often.

**MURMAN:** But, you know, if we can make it more clear, like Senator Lonowski said,--

**SANDERS:** Right.

**MURMAN:** --I'm all for that. You know, I questioned it last year. I thought, eh, it doesn't look right to me. But--

**SANDERS:** Thank you for bringing it.

**MURMAN:** --you know. Went with it because the-- well, I don't want to put blame on anyone, but ev-- the, the bill writers and everyone assured me, well, that's the way it should be written. I'm not a lawyer, so. These, these things have to fit the legal interpretation, so.

**SANDERS:** Thank you for bringing the clarity. Thank you.

**HUGHES:** So, I did read through some of the stuff because I'm kind of [INAUDIBLE]. I think half the bill, the five-hour thing, is clear that it needs to be straightened out. The other one of letting a homeschool basically opt into a different school district would be our issue, right? Of option enrollment denials, I think. Maybe. So, maybe that's the piece where if we're make-- how can we mandate a homeschool to have to get into a district beside them if we're not going to let everybody get into that district beside them? I-- I'm just-- that's, that's probably the rub. The, the-- half of this bill is super easy, I think. But the other half might-- we might need to discuss, so. I'm not being helpful, I'm just stating what I'm--that's my sense of it, anyway.

**MURMAN:** I didn't address the-- if, if the program would be full.

**HUGHES:** And maybe that would be the thing. Yeah.

**MURMAN:** I'm not anticipating that that would happen, because these would be-- well, I, I don't think the NSAA or non-SAAA [SIC]-- I'm not sure that either one would be full, but--

**HUGHES:** Yeah. I, I don't know.

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**MURMAN:** I don't know for sure either.

**HUGHES:** Any other questions? Hey, we're done before 6. Thank you, Senator Murman. That ends LB497.

**MURMAN:** Sorry, I should have said thank everybody for sticking around, especially all the--