

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee January 28, 2020

**GROENE:** Welcome to the Education Committee public hearing. My name is Mike Groene from Legislative District 42. I serve as Chair of this committee. The committee will take up the bills in the posted agenda. Our hearing today is your public part of the legislative process. This is your opportunity to express your position on the proposed legislation before us today. We will begin today's hearing with three appointment confirmations. We will be considering the appointment of Glenn Wilson, Jr., to the Board of Educational Lands and Funds. We will also be considering the appointment of Dr. Jacque Carter and Dorothy Anderson to the Nebraska Educational Telecommunications Commission. For the two bills on today's agenda, we have American Sign Language interpreters assisting us. Because we only have the interpreters from 2:00 to 4:00 p.m. this afternoon, we will be-- we will need to modify our process slightly. Senators McDonnell and Wishart will need to present their openings first. We will combine the testimony of the two bills. Next, any testifier needing to use interpreters will testify first. It is imperative that each testifier state their position and what bill they are testifying on. And you can start testifying on the McDonnell bill and then stop and say, now I also have some comments on the second bill, which is-- the first bill will be LB965 and then LB839. The transcribers and the clerk will separate the testimony pertaining to each bill later. At the conclusion of the testimony, Senators McDonnell and Wishart will present their closing remarks. We will start with proponents. If you are a proponent for one bill but an opponent for the other bill, I would appreciate you sit down and then come back and present your opposition when the opponents are heard. To better facilitate today's proceedings, I ask that you abide by the following procedures. Please turn off cell phones and other electronic devices. If you will be testifying, please complete the green testifier sheet and hand to the committee page when you come up to testify. Those sheets are in the back corners of the room. If you have written materials that you would like distributed to the committee, please hand them to the page to distribute. If you are not going to publicly testify or need to leave early, you can turn the written testimony in with a completed green testifier sheet. We need 12 copies for all committee members and staff. If you need additional copies, please ask a page to make copies for you now. When you begin to testify, please state and spell your name for the record. Due to the time of the tran-- need of a translator, I'm not going to put a limit on how long you can speak. We will set the clock at about ten minutes so you'll realize, also, that there's other folks who want to come up and testify. But that way, if you get carried away, we will shut you off. There's a lot of people

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee January 28, 2020

who might want to testify, but there won't be a three- or five-minute limit. If you would like your position to be known but do not wish to testify, please sign the white form at the back of the room and it will be included in the official record. Additionally-- and you could have sent a letter in. It's too late for this hearing, but if anybody is listening and you wish to get correspondence into the committee for the record, you need to do it by 5:00 the day before, working day, when the session is on. Please speak directly into the microphone so our transcribers are able to hear your testimony clearly. The committee members with us today will introduce themselves beginning at my far right.

**MURMAN:** Senator Dave Murman, District 38, south of Kearney, Hastings, and Grand Island.

**LINEHAN:** Good afternoon. Lou Ann Linehan. I'm from Elkhorn, Valley, and Waterloo.

**WALZ:** Lynne Walz, District 15, all of Dodge County.

**BREWER:** Tom Brewer, District 43: 13 counties of western Nebraska.

**PANSING BROOKS:** I'm Patty Pansing Brooks, District 28, right here in the heart of Lincoln.

**KOLOWSKI:** Rick Kolowski, District 31 in southwest Omaha.

**GROENE:** I'll introduce my committee staff. To my immediate left is research analysis [SIC] Nicole Barrett. To the right, at the end of the table, is Paige Edwards, who is our committee clerk today. The pages are Nedhal and Noa, and they're the ones you-- if you got something to hand out to committee, you'll hand it to them. Lastly, we are an electronic-equipped committee and information is provided electronically as well as in paper form; therefore, you may see committee members referencing information on electronic devices. Be assured that your presence here today and your testimony are important. If they are looking at that, it's because they're communicating with their staff back in their offices or researching so they can ask intelligent questions of you. Thank you. We will now begin with our first appointment. We're going to skip over the first one, Glenn Wilson, because he's supposed to be calling in and we'll wait for the phone to ring. So we'll go to Dr. Jacque Carter, Nebraska Education Telecommunication Commission appointee. If you want to come forward, sir, tell us a little bit about yourself.

**JACQUE CARTER:** Do I sit here?

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee January 28, 2020

**GROENE:** Yeah, that's where you get to sit-- hot seat.

**JACQUE CARTER:** All right. I've been there before. OK.

**GROENE:** Go ahead. You present-- tell us something about yourself--

**JACQUE CARTER:** All right, well--

**GROENE:** --and why you want to be on this commission.

**JACQUE CARTER:** Yes, I'm-- I'm Jacque Carter. I'm in my ninth year of having the honor to serve as-- as Doane University's 12th president in 147 years. I see we have some distinguished alumni right here in the form of Senator Brewer, and we have-- a current student that's here as-- as well. So the reason I would-- I'm-- I'm pleased to have this opportunity to serve on NET is-- is that the diversity of education in Nebraska is what makes-- makes it, in part, so good. And so there is private and public. And part of my role on-- on the commission would be to-- to represent or provide a voice for the contributions that private education has to the-- to the state, as it can be distributed and amplified and can-- and partnered with through our NET. So that's-- that's one of the roles I think I play. Another one is it-- is that I-- I-- I believe that we all have a commitment-- we should-- to provide more access and opportunity for information to make sure that these-- the stories that are told and the-- the knowledge that is-- is made available to citizens of Nebraska is-- is able to-- to reach even the most remote places. And so one of the roles that I think I'll have on this committee is to ensure that there-- there is connectivity to not only Lincoln and Omaha, but to the small towns and the communities that stretch across the state. And that's another role that I-- that I'm pleased-- pleased to play. Beyond that, I-- I'm an avid listener and viewer of-- of public television and radio and have been pretty much all my life. And I think it's-- I think it's indispensable for-- for our children and-- and for our adults. And so I'm glad to have an opportunity to make sure that it's here for tomorrow.

**GROENE:** Thank you. Any questions from the committee? Did I miss it? Where-- are you a native Nebraskan or--

**JACQUE CARTER:** I'm not. I was born in Illinois.

**GROENE:** OK.

**JACQUE CARTER:** But I did walk beans and detassel corn growing up, so I'm pretty familiar with the landscape.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee January 28, 2020

**GROENE:** All farm-- all farm boys are welcome. Is there any other questions? Senator Pansing Brooks.

**PANSING BROOKS:** Yeah. Thank you for coming, Dr. Carter. I'm pleased to have you before us. And I feel positive-- we're in a group together, so I know what a fine and upstanding person you are. So thank you for applying for this and for your service to many areas of Nebraska.

**JACQUE CARTER:** Well, thank you.

**PANSING BROOKS:** Thank you.

**JACQUE CARTER:** I appreciate that.

**GROENE:** Thank you, sir.

**JACQUE CARTER:** OK.

**GROENE:** This was [INAUDIBLE]

**GLENN WILSON:** This is Glenn Wilson. I've just joined you.

**GROENE:** I understand. Well-- we're-- we put somebody in front of you, Glenn, and when Dr. Carter is done, we'll go to you.

**GLENN WILSON:** Very good.

**GROENE:** Is there any-- go ahead, sir. You can leave. Is there any proponents, opponents, or neutral in Dr. Carter's behalf? Thank you, sir. Now we will go to Glenn Wilson, who's on-- joining us by phone, and he's a reappointment to the Board of Educational Lands and Funds. So go ahead, Glenn, tell us why you want to continue on the-- on the board and how is the board doing? Glenn?

**GLENN WILSON:** Yes.

**GROENE:** Go ahead.

**GLENN WILSON:** Doing-- doing fine this afternoon. I really enjoy being on the Board of Educational Lands and Funds. I think they do very important work and good work. And we've had, I think, some pretty good seasons. And I-- I-- I really appreciate the opportunity to serve. And actually, I've been in real estate, different states, and find that the-- the-- the way that it's handled here in Nebraska is very, very good, I think.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee January 28, 2020

**GROENE:** Could you tell us where-- where you're from and how long you've been on the board?

**GLENN WILSON:** Well, I-- I've been on the board for four years. I've lived in eight states and I've had a-- a-- a-- variety of jobs. I grew up in Pittsburgh area and went to college there and married early, and then I've-- I've been in politics off and on. My wife and I both enjoy it, so we've served two Governors and two Presidents in the-- and my line of work has been in finance. I managed several banks and mortgage companies and I got associated with a firm at Wall Street that buys and sells companies, and when they had some banks that needed work, why, they would-- they would hire me to go out and try and fix it and get it back on schedule so that it could be sold. So that's how I originally got to Nebraska a good number of years ago. I've been in-- work a bank in Omaha so it's back onto a schedule that could be-- could be sold. That's a little bit of background--

**GROENE:** Thank you.

**GLENN WILSON:** [INAUDIBLE]

**GROENE:** Thank you. And then you decided to stay in Nebraska, I take it? Thank you.

**GLENN WILSON:** Yeah. Well, with the political appointments, we moved out and then came-- I'm about the only person around that's moved to Nebraska four times from out of state.

**GROENE:** Thank you. Is there any questions from the committee? No questions from the committee. Any proponents, opponents, or neutral on the appointment of Mr. Wilson? Thank you. That closes the hearing on the appointment of Glenn Wilson. We will now go to the appointment of Dorothy Anderson to the Nebraska Educational Telecommunications Commission. And go ahead, Dorothy.

**DOROTHY C. ANDERSON:** Dorothy Anderson, D-o-r-o-t-h-y, middle initial "C.," Anderson, A-n-d-e-r-s-o-n, a native Nebraskan born and reared in West Point, Nebraska; undergraduate degree from the University of Nebraska; and 30 years later, a master's degree in legal studies from the University of Nebraska, class of-- the Law College. I was on campus when NET first began. I can still remember Ron Hull and Jack McBride in the basement room of the Temple Building when NETV was started. I'm an avid consumer of NETV and NET Radio and I think they are an important entity to this state. To my knowledge, they're the only media outlet that reaches from border to border, north to south,

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee January 28, 2020

east to west, in real time that we have. It used to be the World-Herald, at least, made it across the state. Now they're-- they don't deliver past Kearney on the day of publication, but NET Radio makes it all the way. Unfortunately, there are a few areas out in rural Nebraska, up in Tom Brewer's-- Senator Brewer's territory that do not get NETV in real time, and they have to take their satellite TV transmissions from Denver and Los Angeles and Rapid City, South Dakota. And this year, unfortunately, despite the best efforts by Senator Deb Fischer and Congressman Adrian Smith, the STELAR Act was reauthorized. And that's that Satellite Transmission [SIC] and Localism Act and that's the one that allows satellite companies to bail out and take a cheaper alternative in those far rural areas. So we're one of 12 states that have a couple areas that don't get their NETV in real time. My background talk, I was a librarian at Love Library. I lived in Germany for a couple years when my husband was in the Army, was active in a lot of community and statewide boards and commissions and leadership roles. And prior to retirement, I worked for 22.5 years for-- first for Congressman Doug Bereuter, and then I was with Senator Chuck Hagel from the first day he was sworn into office. I was his director of constituent services and managed the Lincoln office. So I had a team of 12 caseworkers across the state of Nebraska that I trained and supervised. And as I said, I'm a big fan of NETV and NET Radio. NETV, I think, is so fantastic. It's not just the educational production, the arts and the science and the music and the drama, but you also have to give them credit for over 200 hours of live sports programming that reaches across the state of Nebraska. They probably deserve a lot of credit for that statewide fan base for the volleyball team because they were broadcasting volleyball long before we had the money from the Big Ten Network to do it. And they do Creighton and university. They do baseball, volleyball, but they also do the high school championships; football, basketball, volleyball, wrestling, even bowling. I mean, they do fantastic sports programming that draws a lot of viewers. And they do it at a-- such a high quality that the Big Ten Network hires them to do a lot of their sports programming that then is put on the Big Ten Network. So I think they're a fantastic entity and I want to be there to make sure they stay good. Any questions?

**GROENE:** OK. Questions from the committee?

**DOROTHY C. ANDERSON:** Senator Brewer.

**BREWER:** Well, first off, thank you for applying. Thanks for kind of sharing a little bit of history, because you've lived it, and so I think it has a special meaning. And I was just going to tell you that

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee January 28, 2020

I remember-- I went to a one-room school, and of course life's a little bit boring in a one-room school, so as soon as we were done, we-- we raced home to turn on NETV. At that time, it was the only station that we could get and-- but, you know, they-- they still had enough variety. Of course, at that point, Sesame Street was pretty exciting because it was new. But I-- I hear what you're saying. I think that, you know, we're probably lesser because of the fact that we're not able to get it like we used to. Merriman was where--

**DOROTHY C. ANDERSON:** Right.

**BREWER:** --of course, the tower was. Everything came out of there and that was-- your life kind of evolved around the programming on--

**DOROTHY C. ANDERSON:** Um-hum.

**BREWER:** --that because it was your only choice, but it was a good choice. But thank you for the history lesson.

**DOROTHY C. ANDERSON:** Certainly.

**GROENE:** Senator Pansing Brooks.

**PANSING BROOKS:** Thank you. Thank you for coming, Ms. Anderson. I just wanted to just say a couple things. First off, your service has been amazing. I think in this room, we have two women who have had incredible service to our country from a different standpoint than yours, Senator Brewer, but the, the work that-- I know just a little portion of the work that you and Senator Linehan have done for our country and I appreciate that. While we may all be at different points on the spectrum, when I was on the same point as Ms. Anderson, when I was county co-chair of the part-- of the Republican Party, I looked to Ms. Anderson as a mentor, as somebody that-- to be trusted and I-- I still consider her a friend, and I'm very pleased to have you before us for this position, so thank you.

**DOROTHY C. ANDERSON:** Thank you, Senator.

**GROENE:** Senator Kolowski.

**KOLOWSKI:** Thank you, Mr. Chairman. Dorothy, thank you so much on behalf of our entire committee here and for the work that you've done and the quality of life that you've given to Nebraska. We appreciate that very much.

**DOROTHY C. ANDERSON:** Thank you.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee January 28, 2020

**KOLOWSKI:** Thank you.

**GROENE:** Senator Linehan.

**LINEHAN:** Thank you, Chairman Groene.

**DOROTHY C. ANDERSON:** Uh-oh, my former boss.

**LINEHAN:** [LAUGHTER No, I-- I just want to say-- you touched on what you did for Senator Hagel and Congressman Bereuter, but just to expand on that a bit, the women or man staff that does constituent services work in those office are like the angels. They're the people that get called when everybody else has said no. They don't have their Social Security check. They're having trouble with Medicaid. They have-- they un wrangle major problems for people. And it really was a blessing that Ms. Anderson was on Senator Hagel's staff. And I know Congressman Bereuter thinks the world of her, so thank you for continuing your service and thanks for being here today.

**DOROTHY C. ANDERSON:** Thank you for your kind words. I loved it all. It was great fun helping people. It really was. It was the consumer complaint division of the office, but it was fascinating to-- to solve the problems.

**GROENE:** Any other questions? Dorothy, are you satisfied that we are-- is NETV moving to more educational opportunities statewide? I mean, how many stations now do you broadcast on?

**DOROTHY C. ANDERSON:** There's 9 stations and I think it's 11 translator stations and the 9 radio stations too. I mean, we have the boosters, places all over the-- all over the state. So I've only been on the commission long enough to be to two meetings, so I can only speak to, you know, to the two meetings I've been to. But I think it's great that-- I mean, I-- when I drive from place to place and I spend a lot of time in different parts of the state and I think it's so great when I go to one place-- from one area to the next and still catch my NET Radio.

**GROENE:** The thing that I would like to thank NETV, and-- and hopefully you keep it up, is what you mentioned about a statewide-- there's people in--

**DOROTHY C. ANDERSON:** Yeah.

**GROENE:** --Merriman watching this today.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee January 28, 2020

**DOROTHY C. ANDERSON:** I know.

**GROENE:** You cover the Unicameral. Because of NETV, we can speak-- these elected officials before you can speak directly to the people unfiltered by the press. And without that, as you said-- I live out west. There's an awful lot of folks who do not know what's going on in Lincoln, Nebraska. They get no news coverage--

**DOROTHY C. ANDERSON:** Uh-huh.

**GROENE:** --TV, but NETV does do that and it's a great service, so--

**DOROTHY C. ANDERSON:** I-- um-hum.

**GROENE:** --make sure it continues, would you?

**DOROTHY C. ANDERSON:** Oh, I'm-- I'm with you. I mean, I used it when I was still at home with the babies. I used to watch it all the time in the daytime. I did. I thought watching the Legislature--

**GROENE:** We get calls from all over the state. We all do--

**DOROTHY C. ANDERSON:** Yeah.

**GROENE:** --get emails about what they've seen us do on the floor of the-- some of us tell-- tell us to comb our hair but-- but anyway--

**KOLOWSKI:** I'm sorry, what did you say?

**GROENE:** He's not one of them. [LAUGHTER] Anyway, Senator Pansing Brooks.

**PANSING BROOKS:** Just one more thing I think is interesting is that the master of legal studies program, I happen to know, was started directly due to Ms. Anderson. And it's now continued, as-- most people know that at the law school, you can get a juris doctor. But due to some of Ms. Anderson's persistence, young people are now able to receive a master of legal studies, and our-- our son was one of those who did. So again, she's a groundbreaker in many areas that people don't even realize, so thank you.

**DOROTHY C. ANDERSON:** You're right. I was Dean Perlman's guinea pig for the program.

**PANSING BROOKS:** Yeah. Yeah.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee January 28, 2020

**GROENE:** Thank you. Any other questions? Any proponents, opponents, neutral? Thank you. We will probably Exec on this today, on the appointments, and so we get them to the floor quickly. Now we will start with LB965. Senator McDonnell.

**McDONNELL:** Thank you, Senator Groene and members of the Education Committee. My name is Mike McDonnell, M-i-k-e M-c-D-o-n-n-e-l-l. I represent Legislative District 5, south Omaha. I come before you today on behalf of LB965. I have provided committee members with a copy of my testimony for your reference and an informational LEAD-K-- it stands for Language Equality and Acquisition for Deaf Kids-- handout and a friendly amendment that incorporates the Nebraska Department of Education. The Nebraska Commission for the Deaf and Hard of Hearing and the Nebraska Association of the Deaf asked me to file this bill for a very simple reason: to make a positive difference in the lives of deaf children in the state of Nebraska by providing additional educational opportunities on their behalf. The intent of LB965 is to provide a list of assessments and tools to be added to the school's toolbox to use to measure a deaf child's language development appropriately. It provides support to the schools to do a better job of supporting both American Sign Language and English bilingually. The schools are already taking care of the cost of their own assessments as per-individual family service plan and individualized education programming. Research has shown that language deprivation or delays between the ages of 0 to 5 is the main cause of many deaf children's reading, academic, and social struggles. LEAD-K legislation will do two things: raise awareness and understanding of the deaf child's experience and language learning and how that impacts their educational success; and number two, work with other partners to provide best practices and information sharing relating to the education of deaf children who use American Sign Language or English or both towards readiness. There is a small cost associated with this bill in the formation of the advisory committee, which includes holding meetings and publishing the findings and recommendations. The Nebraska Commission for the Deaf and Hard of Hearing is aware of this cost and, due to the importance of this bill and the impact it will have, it is willing to absorb these costs with existing resources. To further elaborate on the importance of LB965, we are fortunate to have Nebraska native Mr. Darnall, Jr., nationally recognized for his expertise in deaf education, who is here today to address any questions you may have about LEAD-K and why we need this legislation. As you can see, the premise of the bill is straightforward: to improve educational opportunities and success. Here to answer any of your questions.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee January 28, 2020

**GROENE:** Any questions, committee questions to Senator McDonnell? Thank you.

**McDONNELL:** I'll be here to close also.

**GROENE:** Senator Wishart, would you like to open on your LB839?

**WISHART:** Well, good afternoon, Chairman Groene, members of the Education Committee. My name is Anna Wishart, A-n-n-a W-i-s-h-a-r-t, and I represent the 27th District in west Lincoln. I am here today to introduce LB839, a bill that recognizes American Sign Language as an official language in Nebraska. The bill also allows, in state statute, schools in Nebraska to offer sign language as an official language course, which many schools and districts already voluntarily do. LB839 was brought to me by the Nebraska Commission for the Deaf and Hard of Hearing to encourage our state to join a majority of states in recognizing American Sign Language as an official language in our state. We are currently, I believe, one of five who do not, and we owe it to our deaf and hard-of-hearing constituents to change that statistic. There will be advocates here to testify behind me as to what this bill and official stat-- status in state statute would mean to them. So I ask that you hold questions for me until my closing since we have interpreters here and want to ensure all constituents who want to speak on this issue get the opportunity to do so with an interpreter. I did take a-- a chance to actually learn a little bit of sign language today. One of my best friends when I was young was deaf, and so I-- I knew it when I was in first grade. So with that, I want to say--

**WISHART (THROUGH INTERPRETER):** Thank you. I urge you, the committee, to support this bill. Thank you.

**GROENE:** So, yes, we'll start with proponents of-- and discuss each bill.

**LINSAY DARNALL, JR. (THROUGH INTERPRETER):** And who do I give this paper to? Thank you. That was very nice, Senator Wishart, thank you. Good afternoon, everyone. My name is Linsay Darnall, Jr., L-i-n-s-a-y D-a-r-n-a-l-l, Jr., J-r. So before I make my comments, I am today serving on a National Association of the Deaf board. And the National Association of the Deaf is very active with bills similar to one that's being presented today, LB965, LEAD-K, all over the United States. We are thrilled that Nebraska is now having the opportunity for people to take a look at this bill and hopefully it will pass. It will truly benefit deaf children here in Nebraska. As you can see for

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee January 28, 2020

yourselves, I am deaf and born and raised deaf. My parents are both deaf. My brother is deaf. And so when I was born, I automatically had access to language at home. So when I arrived to school, the Nebraska School for the Deaf in Omaha, in kindergarten, I was already language ready. As I was growing up, I looked around to my peers and oftentimes I would see them arrive to school, maybe at the age of five, and their language was delayed. I am hoping that the last several years, it is improving, at least according to the Nebraska Department of Education. They say they have been doing some assessments. What I believe that this bill will do is really support the IDEA, the Individuals with Disabilities Education Act. That mandates that states must do assessments and that would be comprehensive assessments. So what this bill will do is enhance that law. Specifically, what this bill will do is requiring setting up a committee. The Commission for the Deaf and Hard of Hearing will coordinate that. They will-- this committee will decide what assessment tool to use and then just make a proposal. That's all it's going to do. I am very excited to see the results after the recommendation because, as I mentioned, I was language ready. The fact that many deaf children fall through the cracks-- Nebraska, nationwide-- the reason is due to a variety of reasons. However, I just don't want to see Nebraska take the responsibility of allowing that to continue to happen. So I'm asking you to take a look at this bill and consider it-- passing this bill because it truly will benefit deaf children in Nebraska so that when they are language ready for school, they will become productive citizens of Nebraska; just like many of us are, here today, who have had the opportunity to be language ready prior to kindergarten. If I may take a moment to recognize that we have members of the Junior National Association of the Deaf chapter here in attendance, sitting behind me today, wave your hands, Junior NAD people. They are here today and it's a wonderful group of students. They have come to observe how this process works. Many of them are very active because they have deaf role models in their lives, which is truly important. Here in Nebraska, where you can find deaf role models oftentimes is in large cities like Omaha and Lincoln. But we all know that Nebraska is a large rural state, and there aren't many deaf adults that live in western Nebraska, so that's my concern. With this bill, it will ensure that children are language ready prior to kindergarten, so that they will then continue to work that we-- continue the work that we have started. So I will take any questions if there are any.

**GROENE:** Did-- did you say these students are from Nebraska?

**LINSAY DARNALL, JR. (THROUGH INTERPRETER):** Some are from Nebraska; the rest are from Iowa. They attend the Iowa School for the Deaf. One

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee January 28, 2020

student here goes to the Iowa School for the Deaf part time and also attends Ralston High School in Omaha. The person I'm talking about is the president of Junior NAD. Molly, would you stand? She is the president of Junior NAD. Thank you, Molly. Molly just attended the National Junior NAD Conference in Rochester, New York, this past fall and had a wonderful opportunity interacting with other deaf students from other states.

**GROENE:** Any other questions? So I got-- is there a-- I should-- I should know this. Is-- there a school in Nebraska that specializes in-- in educating these students or is it-- do we share with Iowa?

**LINSAY DARNALL, JR. (THROUGH INTERPRETER):** We had the Nebraska School for the Deaf. It was closed around 21 years ago, and so now the responsibility of educating deaf children has transitioned to public schools under the IDEA and IEP, Individual Education Plan. So what I understand-- there are 195 deaf and hard-of-hearing children from the age of zero to five. And then from kindergarten to 12th grade in Nebraska, there's approximately 850 deaf or hard-of-hearing students. And all of them, except for two or three who now have an opportunity to attend the Iowa School for the Deaf, the rest of them remain here in Nebraska. That's why I feel there is a sense of urgency for this bill. People are doing what they can, but resources and support is really not enough. And so with this bill, that will help support their work to ensure that deaf children are language ready before they get to school.

**GROENE:** Thank you. Senator Pansing Brooks.

**PANSING BROOKS:** Thank you. Thank you for coming today. I'm wondering, are there any schools right now in Nebraska that-- that do teach the American Sign Language? Zero.

**LINSAY DARNALL, JR. (THROUGH INTERPRETER):** None.

**PANSING BROOKS:** So how are these children being taught in places-- like you said, this young woman goes to Ralston?

**LINSAY DARNALL, JR. (THROUGH INTERPRETER):** Omaha and Lincoln have the advantage of having a large number of deaf students. They have interpreters in their school. The remainder throughout Nebraska, often we'll-- you'll see only one deaf child in the whole school, and the school district is searching to try to find an interpreter because they need to pass qualifications in order to work. They have to have a-- a level of education interpreter performance and their-- their

level has to be a 4.0 or above that eff-- that efficiency, so-- and they're working one-on-one with maybe that lone deaf student. So oftentimes, the language will happen if you have access to all of the information in the classroom. That-- that includes the hallway, the playground, but the deaf child gets their language only from that lone interpreter. So the interpreter is interpreting at maybe 80 percent of the information that they receive, so the student is always going to miss approximately 20 percent of the information daily. And the interpreter themselves, while they're signing directly with the student, the only way the child can acquire language is from that interpreter. Then at recess, in the cafeteria, in the hallway, there's no access to language and that's very concerning. Teaching official ASL classes like we take English classes in school-- there are no ASL classes that are offered for deaf children here. And so what happens is you will see teenagers-- you know, if a situation arises where they can get together, their ability to express their thoughts, their opinions through sign language oftentimes will not be as efficient as language should be because they don't have a language model. The interpreter is doing what they can. For example, right now, for two hours, we have two interpreters here. We have Sharon and Kelly [PHONETIC]. And so we have-- Sharon has her time that she works and then they switch because it's exhausting work. Now imagine in school where you have one interpreter working every day, all day, with no breaks. It's not an ideal situation where language can happen. We get by. Kids are graduating; they're going to college. But oftentimes when they come back, they say, wait a minute, I-- you know, I'm missing something here. We can't allow this to continue.

**PANSING BROOKS:** OK. I have another question. So-- thank you for that answer. So it seems to-- is there something specific about adopting the American Sign Language as the official language versus-- I don't even know if there's another language, so I'm sorry about that; number one. Number two, I cannot imagine learning physics or calculus with an interpreter, let alone just one of the teachers that's trying to speak to us. It's hard enough. And so I-- I just-- and number three, I love this because I wish I had been able to take sign language as an elective course so that I would be better able to communicate in instances like today and other times. So thank you-- three questions.

**LINSAY DARNALL, JR. (THROUGH INTERPRETER):** So as far as American Sign Language, it is a recognized language by linguistics. It's been studied. It is an official language.

**PANSING BROOKS:** I thought it was the only one, sorry. Just to be--

**LINSAY DARNALL, JR. (THROUGH INTERPRETER):** Well, we do have American Sign Language, but then you also have Language Signs of Mexico--

**PANSING BROOKS:** OK.

**LINSAY DARNALL, JR. (THROUGH INTERPRETER):** --LSM.

**PANSING BROOKS:** Oh, OK.

**LINSAY DARNALL, JR. (THROUGH INTERPRETER):** And then you have German Sign Language--

**PANSING BROOKS:** OK.

**LINSAY DARNALL, JR. (THROUGH INTERPRETER):** --British Sign Language. We have Chinese Sign Language. It's worldwide, but they're all different. If you allow me to have a minute, I'll give you an example. For example, my name is L-i-n-s-a-y. That's in American Sign Language. However, in British, I would spell my name this way. In Sweden, it would be that way. And so all countries are different with language. Now going back to your second question, which was--

**PANSING BROOKS:** Just the difficulty, I think, of having some-- a teacher be able to teach something as complicated as physics and calculus.

**LINSAY DARNALL, JR. (THROUGH INTERPRETER):** Right, right.

**PANSING BROOKS:** It's hard enough with actual language, let alone in sign language. And you talked about two hours and how difficult that would be to be able to-- to teach kids in that manner.

**LINSAY DARNALL, JR. (THROUGH INTERPRETER):** It can be done. It has been done at schools for the deaf throughout the country. Gallaudet University, for example, the teachers sign directly to students-- physics, calculus-- in the own language. What's required for an interpreter is basically practice. I also have a contract with the Northeast Regional Program for students who are deaf and hard of hearing. I mentor their interpreters. We have Zoom meetings once a month, but I have a group of interpreters in that area and we have one hour. And all of them are watching me sign. They're watching me teach them new things, concepts. They're asking questions. One hour and we're done. I mean, God bless them for doing their due diligence and doing their best, but, yeah, it is a challenge. Then thirdly, opportunities for you to learn American Sign Language, one is at UNL. I know they do offer classes there. And interacting with us deaf

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee January 28, 2020

people more often, you're going to pick up a sign or two, just like she did-- Senator Wishart did.

**PANSING BROOKS:** Thank you. [IN AMERICAN SIGN LANGUAGE]

**LINSAY DARNALL, JR. (THROUGH INTERPRETER):** Oh, I see you were signing just now. Thank you. Good job. All right, anything else?

**GROENE:** I might be-- might be behind the times, but when a deaf individual learns communication, is the lip reading part of it too? Is that the other side of it, when you go out in the public anymore, like you-- that's not-- you-- that used to be something they talked about or--

**LINSAY DARNALL, JR. (THROUGH INTERPRETER):** A deaf person has a variety of skills and not are-- all deaf people are the same. For example, both my parents are deaf, but my mother is a better lip reader than my father is. I grew up at the Nebraska School for the Deaf. I was never taught how to lip read. We used sign language. And I did take some speech classes, learning how to speak, but some deaf people have that ability and some do not. Some are taught to listen. You know, it-- it varies. Oftentimes, when I'm out and about doing whatever business I may have, the first thing people will ask is, can you read my lips? And they point to their mouth often. Can you read my lips? Well, I can read that because it's the question I'm asked all the time: Can you read my lips? So I can say yes to that, but then no to the rest. But if I try to read lips, I only will receive 40 percent of the information. So research has already shown American Sign Language is far superior because it's a visual language. Once you have a visual language, you become a visual learner. And, oddly enough, research has also shown for those deaf children who are learning how to speak, learning ASL does enhance their ability to speak. Huh, who knew? So strange, right? But research has shown that. So what we're talking about is opportunity; opportunities for deaf children to acquire language through English and different means and ASL.

**GROENE:** One last question to clarify. I have nobody deaf in my life or in my family or friendships. So then when you're out and about-- and it's a rare language that anybody knows, is sign-- I guess it's the written-- written communication then. Is that how you communicate, with notes?

**LINSAY DARNALL, JR. (THROUGH INTERPRETER):** I want to inform you, us deaf people, we are experts in communication.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee January 28, 2020

**GROENE:** I'm not. [LAUGHTER]

**LINSAY DARNALL, JR. (THROUGH INTERPRETER):** It is the hearing people; those people who can hear are the ones that go, ah, what do we do? For example, I'll go to McDonald's. I want a number one, the meal deal. I'm like-- I point: one. The kid's standing there like a deer in the headlights. And I'm, like, a one, hello. So deaf people, we are adept in all kinds of situations. We can write; we can gesture. Some can lip read; some can speak for themselves; some can hear some; some can mime; some can gesture, like-- it goes on and on. It's you people that can hear that need to learn that.

**GROENE:** Thank you. Thank you, sir.

**PANSING BROOKS:** I like deer in headlights. I got it.

**GROENE:** Any other questions? Did-- one last thing: Did you have any comments on the second bill, LB839, or did you want to wait and testify later?

**LINSAY DARNALL, JR. (THROUGH INTERPRETER):** I mean, I can. I can go ahead. Really basically, I am in favor of that bill. It is so important. It's dear [SIC] and dear to my heart. It-- as you know, born to deaf parents, and so ASL is my mother's hands, so-- kind of so to speak. Ha ha ha, my mother's hands, ASL, yeah. OK Anyway, so-- so anyway, ASL, yes, is very important, and I believe both bills go side by side. They're right there. They're connected. You pass one, you should pass the other. This one passes, you pass the other. One without the other? No, you'd need to have both.

**GROENE:** Thank you, sir. Any other questions from the committee? Thank you for your testimony.

**LINSAY DARNALL, JR. (THROUGH INTERPRETER):** And thank you for your time. Thank you.

**GROENE:** Next proponent.

**WALZ:** Welcome.

**JONATHAN SCHERLING (THROUGH INTERPRETER):** Thank you. Hi, my name is Jonathan Scherling, and that's J-o-n-a-t-h-a-n S-c-h-e-r-l-i-n-g. Lindsay, Mr. Darnall, pretty much said everything I was planning to say, so I'll keep it pretty short and sweet. So I am a representative for the Nebraska Association of the Deaf chapter, and I wanted to tell you that this bill is so important to us. Many of us, our members are

what we call victims of language-- language deprivation. Many of them grew up without assessment tools or resources or any information. Like Linsay, I am blessed to be born to a deaf family. I was language ready before going to kindergarten. I had an interpreter, went to mainstream public school, and then I went to a school for the deaf. But I was language ready, so I was blessed. However, statistics-- there's only five or six of us that are language ready due to having deaf families. Most people that have a deaf baby are hearing. They have the capability to hear. They don't know what to do with their deaf child. This bill will help support those families so they can have their children prepared and ready with language assessments so that they meet milestones to be ready for kindergarten. IDEA, as Linsay mentioned, there are 13 different categories. Us, being deaf, we're a part of those categories, but we're a very small population. IDEA has assessments, but this bill has opportunities to become better assessments for deaf children, to-- to really make IDEA stronger so that we are able to identify these children and have them ready for school so that they can then, in turn, have a great life. Language is key for, basically, your human rights. It's important for us to pass this bill to develop children's critical thinking, to develop confidence in them so that they're ready for school, and then become a full-fledged citizen like Linsay had mentioned. So we totally support this bill and we also support the other bill. Both, like Linsay say, are parallel to each other, one without the other.

**WALZ:** Do we have questions from the committee? Senator Linehan.

**LINEHAN:** So-- thank you very much for being here today. Thank you, Vice Chair. What does it look like if-- if a child is born deaf or through some kind of tragedy becomes deaf and the parents are speaking, wouldn't you need-- they-- not just the child, but the parents are going to need help too. So did-- are there programs there where systems have a robust program for this?

**JONATHAN SCHERLING (THROUGH INTERPRETER):** There are a few programs. Some of them are provided through school districts, the language that they could prepare the student for school, but it's typically not enough. We have the Early Hearing and Detection Intervention Program. We have Boys Town. It used to be we had-- the Nebraska School for the Deaf had those resources. But as Linsay mentioned, that's been transitioned over to the Department of Education. So those resources are there for parents, but this bill will make that more robust.

**LINEHAN:** Thank you very much for coming.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee January 28, 2020

**WALZ:** Senator Pansing Brooks.

**PANSING BROOKS:** Thank you. Thank you for coming, Mr. Scherling. I was just-- so along those lines of what Senator Linehan just said, is there testing early or are the-- are there educational-- I mean, how does a child prekindergarten come to the attention of the schools? And I mean, is it on the parents? Is it on-- who is in charge of getting this information and helping make sure that the child has robust help?

**JONATHAN SCHERLING (THROUGH INTERPRETER):** It varies. Some children are born deaf, like I was, so through the hospital testing they identified that I was deaf. And then EHDI, that E-H-D-I group, brought resources and then-- I then transferred under the school district. They then found out that they would have a deaf child coming to the school district. I also had services through Boys Town. But some are born with the capability of hearing and then become deaf later, so they go to Boys Town, maybe, to get their hearing checked, and then those statistics are reported to the state. The assessment tools, as us being under IDEA-- this bill will help those assessment tools to catch those children earlier at a-- like when they're a-- a baby, that age, and have those assessments in place.

**PANSING BROOKS:** Thank you.

**WALZ:** Thank you. Are there any other questions from the committee? I see none. Thank you.

**JONATHAN SCHERLING (THROUGH INTERPRETER):** I want to thank you for your time and listening to our testimony. Again, it's very important for us and I hope that you will pass this bill. Thank you.

**WALZ:** Next proponent. Good afternoon.

**CARLY WEYERS (THROUGH INTERPRETER):** Hello. Good afternoon. My name is Carly, C-a-r-l-y, last name, Weyers, W-e-y-e-r-s. And the letter that's being passed around is from a person who is in deaf and hard-of-hearing education and a certified interpreter, and so passing out that information for you. I'm here to testify in support of LB839 even though, like they said, it goes right along with LEAD-K. But I want to tell you why I'm encouraging you to support this bill. I'm a behavioral health coordinator and deaf services coordinator for the Nebraska Commission for the Deaf and Hard of Hearing, NCDHH. Before I say why I am strongly encouraging you to support this bill, I have a question for you to ponder. How does the deaf and hard of hearing community navigate that world if the world isn't accessible to us? I

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee January 28, 2020

mean the world is-- it's so important for us to communication and through sign language, not through English, so why not include ASL as a language, recognize that? It's very critical to us. You'd be surprised how many people rely on American Sign Language as our method of communication, myself included. I'm testifying now and you're-- yet you're not recognizing it as-- as my language. Deaf and hard-of-hearing students, people-- people look at them and say, oh, they've got some behavior issues. Well, really, they're just trying to communicate and they're failing. So what if we could connect that emotion with sign language? We would minimize their frustrations. What if we could tell their parents, did you know that ASL is a language that you can give your child to communicate better? What if we gave that child the opportunity to have a language, grow up, and be able to give back to our community and make a difference in the world instead of being marginalized because they're different? In my experience, growing up in a deaf family, I attended the Iowa School for the Deaf even though I lived in Nebraska. I was one of those very fortunate students able to go to the Iowa School for the Deaf. I then went to Gallaudet University. That university is the only university that is designed to be what we call barrier free, and that's for the deaf and hard-of-hearing students that attend the college. So how can you remove that barrier to communication? By using ASL to communicate. Well, you think, OK, Nebraska hasn't recognized it as a language. Well, that was the only way for me to receive my education growing up, was through ASL. The deaf and hard-of-hearing community often face challenges related to the stigma, a negative viewpoint on us. We're often looked-- looked at as being disabled and disability means something is interfering with you being able to do your duties and activities as a "normal" person. Well, if we recognize ASL as a language, that will remove that negative stigma. They will look at us as communicating in a language, opening up more opportunities not only within school and education and daily lives, but employment, personal lives, having access to language. Like she mentioned, Nebraska is one of the few states that has not recognized it as a language. And if we do, we will create very inclusive communities between both deaf and hard-of-hearing and hearing worlds and open up so many more opportunities, giving people the opportunity to grow as a person, rather than being looked at as someone different. That's why the commission and I strongly urge you to support this bill. Thank you.

**GROENE:** Any questions? Senator Pansing Brooks.

**PANSING BROOKS:** Thank you. Thank you for coming, Ms. Weyers. I'm just interested-- you know, when you talk about kids getting in trouble, it's pretty clear that it is-- when I think about my own children, I

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee January 28, 2020

think one of the hardest times was between about one-and-a-half and two, and they talk-- two years old-- and they talk about the "terrible twos" and I think what that really is, is a point where the children understand the language and can't fully express it themselves. And so in that way, we, as-- as people who can speak vocally, can understand at least that portion of the frustration that kids experience with-- in schools when people can't understand what in the world they're talking about. So it also makes me wonder about-- I'm just-- maybe I'll talk to you afterwards or somebody, if I could learn about what's happening to the juveniles in the-- in the juvenile justice system that are-- that are kids that can't hear. Are there interpreters? Are there people that are there to help them on a daily basis?

**CARLY WEYERS (THROUGH INTERPRETER):** There are always challenges and barriers within our community related to the ability to communicate and the lack of skilled, licensed interpreters. If we recognize it as a language and give people who can hear the opportunity to acquire sign language, they could then work in those systems, maybe in court systems, providing communication access to Nebraskans. So I agree; communication is key in interacting with-- with children at a young age. They need to be able to express themselves in their own language and that can be a challenge.

**PANSING BROOKS:** Thank you.

**GROENE:** Senator Brewer.

**BREWER:** Just a quick question: If you wanted to learn American Sign Language, where is it taught as far as university, college here in Nebraska?

**CARLY WEYERS (THROUGH INTERPRETER):** Currently, there are a few programs. UNL, like Lindsay mentioned, UNL does offer sign language classes; UNO offers some; some small universities, Concordia University; some-- some churches provide sign language classes; Metro programs offer some. It's very small, but there are some available out there.

**BREWER:** Or-- or we could spend time with Senator Wishart.

**CARLY WEYERS (THROUGH INTERPRETER):** There you go. Good idea.

**GROENE:** Any other questions? But-- I have one. But isn't the problem the same as any language? If you're immersed in it, you-- you-- the repetitiveness of it is-- is the learning curve. So isn't that one of the problems why more people who take it don't become proficient in

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee January 28, 2020

it? Or is it easier than Spanish, because I failed that, that once you learn it, it's-- how do I say it-- it's more easy to remember the language?

**CARLY WEYERS (THROUGH INTERPRETER):** Well, I would like to think so. Not that I have a bias, but I think sign language is an easy language to acquire. It's pretty much 90 percent body language, facial expression; 20 percent is terminology. Once you understand the concept of the gesturing, the body language, the facial expressions, you can pick it up. The-- the language itself, you can pick up faster. Sign language, to me, is like muscle memory. Once you learn and then you stop using it and you pick it up again, you'll-- you'll be able to acquire it faster because you've already acquired the foundation itself. So maybe you'll pass American Sign Language if it's available in school.

**GROENE:** As long as I don't need to know verb tense. Thank you.

**WALZ:** Oh, we have another one there. Senator Murman.

**GROENE:** Senator Murman.

**MURMAN:** I just wondered if you have some ideas on how sign language and American Sign Language can be taught more easily and effectively in rural areas-- I'm sure distance learning would be a big part of it, but just how it could be used more and, and just more effective in the rural areas in the state?

**CARLY WEYERS (THROUGH INTERPRETER):** For the state of Nebraska, I think we need to open up more opportunities for us to recognize ASL as a language, then from there we can develop more qualified people to teach it and-- like, in western Nebraska. The larger deaf communities are in Lincoln and Omaha, and in the west there isn't enough. We start with bills, we assess and see what tools we're missing, and then we can bridge that gap between the hearing world and the deaf community in western Nebraska. Maybe that is through distance learning until we find qualified teachers to teach that. We do have some, but there's always never enough.

**MURMAN:** OK, thank you.

**GROENE:** Any other questions from the committee? Thank you for your testimony.

**CARLY WEYERS (THROUGH INTERPRETER):** Thank you very much. Thank you for having me today.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee January 28, 2020

**GROENE:** Any other proponents?

**AMY RHONE:** Hello. I'm Amy Rhone, A-m-y R-h-o-n-e, and I'm the assistant director of the Office of Special Education at the Nebraska Department of Education. I'm here as a proponent to both bills, so I'll just speak about both of them really quickly. Ultimately, the Nebraska Department of Education supports these bills, as all children ages birth to five who are identified or suspected by a school district as a child with a developmental delay or disability, and who receive early intervention special education services on an IFSP or an IEP, must receive ongoing child assessments to measure progress for child outcomes by developmental domain and by functional outcomes. One of the multiple developmental domains that is required to be assessed on an ongoing basis is language and literacy. Nebraska meets this federal data collection and reporting requirement through the use of TeachingStrategies GOLD. It's a curriculum and database component. Currently, the Nebraska Department of Education purchases the umbrella licensure for the state to use TeachingStrategies GOLD within the local educational agencies or the districts. So I think, Pansing Brooks, you asked earlier, how do school districts receive those or how do families receive resources? In Nebraska, we have the Early Development Network, which is a co-lead agency with the Nebraska Department of Education and the Nebraska Department of Health and Human Services, to provide early intervention to children zero to three. And then we have what's called preschool, or 619, services that are provided through school districts to children three to five. So any child or student-- we call them both because you're not a student until you're required to go to school-- so any child or student suspected of having a disability, so potentially born with it in the hospital, it is the school district's responsibility to do what's called ChildFind. So we do this through multiple-- lots and lots of avenues, working with doctors, working with community organizations, health groups, all sorts of outreach programs, so that we can identify kids as early as possible and get them the services they need. Through our assessment, and then hopefully through encouraged assessments, districts are then able to provide the supports that students and-- children and students need to gain the growth that they need to accomplish their needs. Along with LB839, Nebraska, unfortunately, along with a lot of other states, is experiencing and will continue to experience teacher shortage. And one of the largest area of shortage in Nebraska is that of our low-incidence population; teachers of the deaf and hard of hearing, educational interpreters, all of the areas that our students with the highest needs need at their access. So we highly encourage the use of this. Like many other school districts

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee January 28, 2020

have career academies or opportunities for students to learn how to be a teacher, it would be very exciting for them to be able to take classes to learn American Sign Language, which then would promote them to potentially serve in those areas. The Nebraska Department of Education currently recognizes ASL as a world language and does allow for it to be taught in schools. I think this bill will just encourage that further, and I'll answer any questions.

**GROENE:** Questions? Senator Linehan.

**LINEHAN:** Thank you, Chairman Groene. So I think the way the bills are written, or at least this was, it's "may," right? So we're not saying-- the schools aren't going to come back and say we've directed them, they have to do this.

**AMY RHONE:** School districts have to assess children.

**LINEHAN:** Well, right, they have to, but do they have to have a class for American Sign Language?

**AMY RHONE:** No.

**LINEHAN:** So it's "may."

**AMY RHONE:** Um-hum.

**LINEHAN:** That's what I thought. I just wanted to make that-- sure it was on the record. OK. Thank you.

**AMY RHONE:** They have to offer languages.

**LINEHAN:** Right.

**AMY RHONE:** ASL could be one of them.

**LINEHAN:** Right, thank you.

**GROENE:** Senator Murman.

**MURMAN:** Thanks a lot. Do you have any idea about how many students would be served in Omaha, Lincoln, and how many in rural Nebraska? Do you have that broken down or--

**AMY RHONE:** I don't--

**MURMAN:** --how many totals or--

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee January 28, 2020

**AMY RHONE:** I don't have the split. One of the areas of concern is our children zero to three. The federal identification area is developmental delay. So we identify kids with developmental delays and they potentially could be deaf and hard of hearing. So one of the things that we would need to do is a disaggregation of the data to really find out if they are labeled or verified as developmentally delayed, if they truly have-- are deaf and-- or have a hearing loss, that we're making sure that they have the same access to those assessments to make sure we're meeting those needs as well.

**MURMAN:** Do you have idea, even over five, for how many are served, you know, in public schools now or would be served?

**AMY RHONE:** Yes, over 800 are served. In the western area-- in the metro and western area, we serve-- the Nebraska Department of Education serves through our regional programs. And then also, each individual district is required to obviously provide for the needs of the child. But then we offer support, as it was spoke about, through our regional programs to support those individual teachers of the deaf and hard of hearing and educational interpreters as well.

**MURMAN:** Thank you.

**GROENE:** Senator Pansing Brooks.

**PANSING BROOKS:** Thank you for coming, Ms. Rhone. I'm wondering, does ChildFind have a list of disabilities or issues that-- that you will cover? I'm-- I'm wondering if-- if learning disabilities with reading and other things are also part of that.

**AMY RHONE:** Um-hum, yes. There's-- currently in Nebraska, our state statute allows for 14 verification categories, deaf and hard of hearing being one of those. But federally, there are a few more than that, but Nebraska recognizes 14.

**PANSING BROOKS:** OK, thank you.

**GROENE:** Any other questions? On the zero to five, the parent has to step forward and ask-- ask for services. Is that correct?

**AMY RHONE:** Or a doctor can make a referral or a community organization, like a childcare facility, can make a referral. It doesn't always have to be the parent, but the-- there is a referral process, yes.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee January 28, 2020

**GROENE:** You don't test every child out there zero to five. It's-- it's through referrals or a parent stepping forward needing services?

**AMY RHONE:** Around the-- around developmental disabilities, yes. All children, when born, receive a screener for vision and hearing, but it's not to the level of assessment that this would be.

**GROENE:** Thank you. So when you say you have a regional, so you have employees at-- the Department of Education has translators on staff?

**AMY RHONE:** We do not employ educational interpreters on our staff. We, through contracted programs, have regional programs in all five of the Nebraska regions where we have-- through educational service units, coordinators, and then the districts are responsible for employing those. But we help in finding and making matches with-- making sure that those students have those pieces, yes.

**GROENE:** So the ESU, then that's an employee of the ESU?

**AMY RHONE:** Yes, in most cases.

**GROENE:** Then there is no financial transaction between the Department of Education and--

**AMY RHONE:** No, we contract with the ESU or whatever agency it is to provide for that.

**GROENE:** Is that federal funds or--

**AMY RHONE:** Yes, state and federal because there are state funds earmarked for deaf or hard of hearing.

**GROENE:** Thank you. Any other questions? Senator Walz or Senator Linehan.

**WALZ:** Go ahead.

**LINEHAN:** I'm going to ask Senator Walz's question. So-- so there's funding through IDEA, but then there's state funding for deaf and hearing [SIC]. But is there extra-- is there additional funding through the federal government for the deaf?

**AMY RHONE:** That is for-- that is the IDEA funds. Those are the federal dollars, yes.

**LINEHAN:** Right, so the-- but there's not additional-- there's not another--

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee January 28, 2020

**AMY RHONE:** We receive--

**LINEHAN:** --source of federal funding?

**AMY RHONE:** We receive a deaf-blind grant which helps to work with students who are specifically deaf and blind both at the State Department of Education. That funds some regional programs as well.

**LINEHAN:** OK, but-- and then some-- do you know what the appropriation is, state appropriation for deaf?

**AMY RHONE:** For deaf and hard of hearing, I do not. We received a appropriation and then we utilize that appropriation to make sure that all students' needs are met.

**LINEHAN:** OK, thank you.

**GROENE:** Senator Walz, did you have a question?

**WALZ:** She asked it.

**GROENE:** So what would LB965 do? It sounds like you're doing most of this already.

**AMY RHONE:** It would offer the opportunity for us and the commission-- for the Nebraska Department of Education and the Commission for the Deaf and Hard of Hearing to collaborate together and just seeking out new opportunities. The way I understand it, we would need to continue the TeachingStrategies GOLD as a baseline because it's hard to necessarily know what's working for students and what's not working for students if you don't have a baseline for them. So we would continue that, as it also is a required assessment component for all of our other disability categories.

**GROENE:** So the biggest thing is the coordination between the commission and the Department of Education?

**AMY RHONE:** Hence the amendment, yes.

**GROENE:** Thank you. Any other questions? Thank you. Any other proponents?

**ROSE GODINEZ:** Good afternoon. My name is Rose Godinez, spelled R-o-s-e G-o-d-i-n-e-z, and I am here to testify on behalf of the ACLU of Nebraska on behalf-- in favor of LB839. I first want to thank the interpreters for being here. As someone who is bilingual, that access

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee January 28, 2020

to communication is crucial and important and-- which is why LB839 is so important. So thank you, Senator Wishart, for introducing this bill, and cosponsors. It would allow us to join, as Senator Wishart mentioned, as of 2016, 43 other sister states that have also declared American Sign Language as a state language. Our organization like [SIC] the intent behind this bill: strives for a Nebraska that is free from discrimination for people with disabilities, where people with disabilities are valued, integrated members of our society, and who have full access to the court system, to families, to healthcare, to education. This bill is a great antidote to that type of discrimination that our disabled Nebraskans are experiencing every day. We have received and addressed several intakes at the ACLU in regards to the state's failure to accommodate those that are deaf and hard of hearing in courtrooms and county jails and during interactions with law enforcement. And while this bill does not directly address those situations, it does reinforce the basic fact that disability rights are human rights and that just like English, American Sign Language is an integral part of our country and part of our culture. Moreover, it will provide our deaf and hard-of-hearing Nebraskans with better access to ASL interpreters, as we have heard throughout testimony today, we are experiencing a lack of. And for those reasons, we urge you pass-- go ahead and encourage you to advance this bill to General File. Happy to answer any questions.

**GROENE:** Any questions from the committee? Thank you.

**ROSE GODINEZ:** Thank you.

**GROENE:** And the other proponents? Any opponents? Any neutral?

**LINSAY DARNALL, JR. (THROUGH INTERPRETER):** So-- excuse me-- Molly McEvoy, who is our current president of Junior National Association of the Deaf chapter, I have asked her to come up and just say something. She's terrified, but I want to let you know that she wanted to say Junior NAD is in support of both bills. Thank you.

**GROENE:** I guess shyness runs in all languages, huh? Any neutral? We have a-- on LB839, letters in the-- for the record, two support; NASB, Association of School Boards, and Community College Association. No opposition or neutral received. On LB965, we had letters of support-- no support or opposition; one neutral, Nebraska Speech-Language-Hearing Association; and no correspondence received. So is that-- do you want to close on your bills, Senator McDonnell and then followed by Senator Wishart?

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee January 28, 2020

**McDONNELL:** Thank you, Senator Groene. I believe part of the mission of-- of government is to try to remove unfair hurdles for its citizens. We sometimes bring legislation forward in thinking that it could work, that it could make a difference. We know this can make a difference. You've heard from the subject matter experts. These-- these kids, they-- they need our help and we want to make sure we could put them in a position so they can be the best version of themselves. And starting off with this, we're going to put them in a position to where they're not behind the first day they walk into the classroom.

**GROENE:** Questions from the committee? Senator Brewer.

**BREWER:** Well, first off, I-- you know, I mean, we have bills that come before us that fit into the category of-- of what we call a no-brainer. I think this is kind of a no-brainer and we're looking forward to your closing in sign language, like Senator Wishart opened.

**McDONNELL:** So, again, Senator Wishart, I wish you would have told me you were going to-- I-- not that I could have learned it that quickly, but I thought you did a great job. Also, of course, I'm speaking on behalf of LB839 also. And-- and again, I-- I-- I agree with you, Senator Brewer, that--

**BREWER:** That she has more talent than you do?

**McDONNELL:** Definitely. Thank you.

**GROENE:** Any questions-- other questions for Senator McDonnell? Thank you, sir.

**McDONNELL:** Thank you.

**WISHART:** Well, I want to thank the committee for hearing these two bills today. Both of them are incredibly inspiring to me. I am inspired, myself, to think about learning and becoming fluent in sign language in my own life. My goal with the bill I introduced today was hoping that more Nebraskans, when we recognize this as an official language in our state, will be inspired, young and old, to learn sign language and not just for a career, but also just to be fluent in another language so we can support members of our community. I'm happy to take any questions.

**GROENE:** Any questions for Senator Wishart? I want to thank both of you for working with the committee on this hearing. I think it went well and we'll be discussing with you about Execing on it. So thank you.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Education Committee January 28, 2020

Any-- that closes the hearing on LB965 and LB839. The committee, it's  
this-- stay. We'll have a short Exec on some issues and--