

Transcript Prepared by Clerk of the Legislature Transcribers Office
Education Committee February 3, 2020

GROENE: Welcome to the Education Committee public hearing. My name is Mike Groene. I serve as Chair of this committee. This 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 or your proposed-- on the proposed legislation before us today. To better facilitate today's proceedings, I ask that you abide by the following procedures. Please turn off your cell phones and other electronic devices. Move to the chairs. If you're going to testify, would you move to the first three chairs and keep them full, on your right on the front, so that we get some idea and it moves quicker, gives everybody a chance for their full five minutes. And the order of testimony is in-- introducer, proponents, opponents, neutral, and closing remarks by the introducer. If you will be testifying, please complete the green testifier sheet and hand to the committee page when you come up to testify. If you have written materials that you would like distributed to the committee, please hand them to the page to be distributed. We need 12 copies. The pages will help you get those copies if you need it. Just get it to them as quick as possible. If you are not going to publicly testify or need to leave early, you can turn in written testimony with a completed green testifier sheet. When you begin to testify, please state and spell your name for the record. We'll go five minutes. The first four minutes will be green; the last one will be yellow; and when it turns red, wrap up or please be finished. And you might get questions from the committee. If you'd like your position 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, please speak directly into the microphone so our transcribers are able to hear your testimony clearly. And so I'll have the senators introduce themselves, starting on my-- Senator Murman on my right.

MURMAN: Senator Dave Murman, District 38, seven counties south of Kearney, Grand Island, Hastings.

LINEHAN: Good afternoon. Senator Lou Ann Linehan, Elkhorn, Waterloo, and Valley, Nebraska.

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

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

KOLOWSKI: Rick Kolowski, District 31, southwest Omaha.

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GROENE: To my immediate left is Chris Jay, committee counsel. To my right, at the end of the table, is committee clerk Kristina Konecko. Our pages today is Nedhal and Kathleen [SIC]. Please remember that senators may come and go during our hearing as they may have bills to introduce in other committees. Also, I'd like to remind our committee members to speak directly into the microphones and to push them out of the way when you're not speaking. Lastly, we are an electronically equipped committee and information is provided electronically as well as in paper form; therefore, you may see senators and members referencing information on electronic devices. Be assured that your presence here today and your testimony are important to you-- to us and is critical to state government. So we will start with LB1089, Senator Vargas. Senator Kolowski, would you want to go first? Are you prepared?

KOLOWSKI: I am and can, yes.

BREWER: Excellent answer, excellent answer.

GROENE: Senator Vargas is staying for a little bit, so is Senator Hilgers. So we'll, I hope that's okay with everybody here who's testifying. Anybody who is coming late, they can be mad at me later. Senator Kolowski, would you change the sign, have the pages change the sign so the people watching on TV know which bill we're on?

WALZ: Senator Hilger.

GROENE: What?

LINEHAN: It's Hilgers.

WALZ: Hilgers.

GROENE: Oh, Senator Hilgers, are you ready to go?

HILGERS: Yes.

GROENE: Let's get-- let Senator Hilgers go.

KOLOWSKI: OK, I--

GROENE: There might be some testifiers coming a little bit later for yours, Senator Kolowski.

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KOLOWSKI: Not a problem, not a problem. Thank you.

HILGERS: Oh.

GROENE: Senator Vargas. [LAUGHTER]

MURMAN: They are called musical chairs.

GROENE: Must-- must be a millennial thing about coming quite late.

VARGAS: My apologies. Did you just say something disparaging about millennials? [LAUGH] OK.

GROENE: They're going to take over someday.

VARGAS: Thank you. All right. Good afternoon, Chairman Groene and members of the committee. My name is Tony Vargas, T-o-n-y V-a-r-g-a-s, and I represent District 7, the communities of downtown and south Omaha. Will a page pass these around? LB1089 is a fairly straightforward bill. Essentially, beginning in the 2021-22 school year, all high school students would be required to complete and submit a Free Application for Federal Student Aid, otherwise known as FAFSA. There is language in the middle of page 2 that allows for the requirement to be waived if a parent or guardian refuses to complete a FAFSA for the student or if the student is otherwise unable to fulfill the requirement due to extenuating circumstances. If this bill passes, Nebraska will become fourth state to implement this kind of requirement for high school graduation. The first state was Louisiana. It was passed into law in 2015 and implemented beginning with the 2017-18 school year, and just last year both Illinois and Texas passed similar bills. Since Louisiana started requiring FAFSA completion, they now have the highest FAFSA completion in the country. It jumped from around 50 percent to nearly 80 percent, as well as an increase in both high school graduation and college attendance following graduation. An annual analysis shows that the high school class of 2018 missed out on \$2.6 billion of federal financial aid when 661,000 graduates across the country who were eligible for a Pell Grant did not complete the FAFSA. The same analysis shows that over a third of high school graduates did not complete the FAFSA in 2018-- that's a third-- missing out on an average of \$4,000 in financial aid. The maximum award for a Pell Grant for the 2018-19 academic year was \$6,095. Last year, Nebraska exceeded the national average for FAFSA in completion rates, with 38 percent of students not completing and submitting the FAFSA. Now, as you all know, students pursuing

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postsecondary education currently have the option to complete and file a FAFSA in order to be considered for a federal Pell Grant, subsidized Stafford loan, federal Perkins Loan, federal work study program, or state-sponsored, like a Nebraska Opportunity Grant Program, and college-sponsored financial aid. By making FAFSA completion a requirement, schools would be able to provide more assistance and resources to students who may not otherwise have the assistance to complete a FAFSA application on their own or who do not know about the financial resources that could become available to them as if they did complete one. Now, when students do not apply for the FAFSA, many revert to private student loans, which often have higher interest rates and lack the consumer protections that federal student loans include. Research shows that 47 percent of private loan borrowers could have used some more affordable federal loans, saving them thousands and even tens of thousands of dollars in postcollegiate graduate student loan payments. Private loans are commonly recognized as a riskier way to finance college, and many students go that route simply because they don't believe they will qualify for federal financial aid. Now here's the reality. The vast majority of students actually do qualify for at least some federal aid. It's available for anyone with a household income below \$250,000, which is 95 percent of all households in the country. Requiring students to complete the FAFSA under LB1089 will lead to an increase in more affordable student grants and loans and hopefully college enrollment. When it becomes more affordable to low-income students and their families, so higher education, which includes college apprenticeships and other job and skill training programs, this is the best tool we have to spur economic growth in our state, and getting students the help they need to complete the FAFSA is critical to their ability to pursue higher education and ready themselves for a successful career in Nebraska. Now the last thing I want to know about LB1089 is that over the last week or so, my office has been working with some stakeholders that we work with that represent students to rework some of this waiver language that is currently in the bill. As I mentioned earlier, this language is derived from the Louisiana legislation and we believe that there's some language that can be tightened up to ensure that it is as clear as possible for students, parents, schools and the Department of Education. Now, with that, I'd be happy to answer any questions. One-- one final thing I want to say about this is I think we all tend to look at bills that have a connection to us in some way, shape, or form and that's one-- one of the ways that we connect with it, either if we were business individuals or nurses or doctors-- I myself was a

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teacher, but the way-- the connection I have with this is I was a student that-- that benefited from having a federal Pell Grant. Had I not applied for the FAFSA and gotten a federal Pell Grant and other types of aid from both the state, from the- the university, and specifically in low-interest loans, I would not have gotten my college degree and my master's degree. I think that's one of the opportunities that was afforded to me, and I'm proud to be a first-generation college student. And in Louisiana, it shows that this did increase college going in Louisiana, specifically for those that are first-generation college students. And so with that, I just wanted to tell you this is something personal to me, and I appreciate you taking the time, and happy to answer any questions.

WALZ: Thank you, Senator Vargas. Questions? Senator Kolowski.

KOLOWSKI: Thank you, ma'am. Senator, the numbers vary as you look at the-- the com-- combination of sheets that we have here. For the '19 and-- and '20 FAFSA completion, when and how do you-- how do you approach a large district when they would have a lot of kids wanting to get FAFSA forms completed, but they may not-- they also may not-- they may need help getting that done. Who do you turn to in your school, counselors, teachers, combination, or where do you go? Because we're talking, in the three Millard district high schools, we're talking hundreds upon hundreds of students.

VARGAS: Yeah. I can't speak for how every district may approach this, but I think what we have are great examples, Louisiana being a bigger state than ours, Texas and Illinois. And one of the ways that they are going about ensuring that there is some-- that there's some accountability and also some flexibility in this is, one, by requiring it, they're sending a message to all parents and students that this is really, truly important piece of furthering your education and pursuing postsecondary options, and by requiring it, it's sending a-- sending that really important message. The second piece that we're seeing is, there is going to be some increased demand and luckily, I think that this bill were introduced four years ago, we'd be in a very, very different situation. The reason why, particularly, I'm introducing it this year is not only because Louisiana and Illinois and Texas introduced it, and other states have, but there have been streamlined processes both in federal legislation and in technology. The FAFSA is now available to then be utilized on an app. It's a new initiative from the Department of Ed as of last year that they have been piloting and are expanding. And there's been a bipartisan effort

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through-- through Congress to try to streamline some of the processes to then complete the FAFSA form. In other words, they're trying to make it easier, reducing the number of questions, reducing the way that some of the-- the different entities that you would require some forms, how they speak to each other, so that they're doing-- they're making it easier for parents and families to complete the FAFSA. And so I think with those things, along with-- again, the state of Nebraska has been working on trying to increase the FAFSA completion rates. There will probably be some individuals behind me that I know are going to speak to that effort. And so I'm confident that given the numbers we see in Louisiana, we are going to see an increase in the-- in the actual completion rates, not only for the FAFSA but also on postsecondary education. So there are some good things happening at the federal level that are helping us with this, and I imagine there's going to be some bright spots, some examples on what local school districts are going to do to try to-- try to support this initiative.

KOLOWSKI: Are there also attempts by districts to combine with other districts maybe to get the support systems they need to be able to fill these out? I-- I'm just trying to anticipate the-- the quantity being an issue as far as getting those things right. And if you turn 600 kids loose, fill out a FAFSA form, you're going to get a lot of variety and just to make sure you're getting that done correctly, because of a very important step that you don't have to recycle those back and bring them back in all of a sudden the dates are missing and you don't get the scholarship help that you need. All those kind of things are somewhat worrisome, but something has to be done to-- to make sure they're taken care of.

VARGAS: Yeah. You bring up a good point. And I can't speak to all the different bright spots we have across the state that are some of the data points showing why we have higher completion rates in certain areas. But I-- I will look for some more of them to try to elevate some of those best practices. And you might hear some of them, you know, in this hearing. But I-- I-- I understand your question as to how can we sort of pool some of those resources and best practices so that it's ensuring that we're supporting those that would need it. And we have a couple different states that we can look to, to see what they did internally when-- with the Department of Ed and local school districts.

KOLOWSKI: The FAFSA is not like the ACT or SAT test that the students would take and you get a score, but they do get a score as far as

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parent incomes in that particular family and then the eligibility that student would have for money from different sources, whatever that might be. Any difficulties that you're seeing or thinking of from those other states that have done this already, and any follow-up information you can give us?

VARGAS: I don't have information. What I'll say is that different states have worked with local and state-level organizations and advocates organizations to make sure the right information is out there and elevating some of the new-- the new streamlining initiatives at the federal level as well. And I think, as a result of that, and also sending the message that this is-- this is an important-- this is why we're requiring it, that they were able to see success. And that's what we saw in the-- in the data that we see from Louisiana. And we're not the only state that's doing this or looking to do this. These last year and a half, California has, as well as Tennessee, is two other, I think, very different states that are also trying to move forward with this type of legislation.

KOLOWSKI: What's been the funding on a yearly basis at the current time and what do you anticipate it would be as more, many more, students are filling out the form?

VARGAS: We don't have any numbers on how many more because there is no cost associated with the FAFSA to complete it. I completed the FAFSA with my parents. I probably found out about it really late and that's why it took me a little bit longer. My hope in that what we're seeing in other states is when they find out about it earlier on, that it's a requirement, we're all able to wrap our arms around and help those students to then complete it. And it sends a message to parents, just like my parents, they are first generation, that it's a very important thing to then complete for graduation, and so they'll put more of an emphasis on it. And so that's what I-- I imagine is going to happen. But there is no fiscal note associated with this, and there may be some more coalescing of resources we're going to need to do at the local level. I imagine that that's definitely going to need to happen.

KOLOWSKI: Family or parent information is-- is gathered and students are then dealt with by the formula? Is that-- how-- how-- how do they acquire the scholarships that we're looking that they might be eligible for?

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VARGAS: So really just important piece of information, we're requiring everybody to complete the FAFSA. We're not requiring anybody to accept any of the options provided to them. That is a completely separate scenario based off of what other postsecondary options people apply to or are pursuing. We just want to make sure they have all of the options available to them and can make some informed choice. But as you can imagine, if you don't have that option in front of you, similar to how we have the ACT, people can't make really an informed choice. And so I can't necessarily answer what this is going to look like in terms of-- because we don't know what each person is going to do for themselves in terms of postsecondary options.

KOLOWSKI: Sure. Thank you.

VARGAS: Thank you.

WALZ: Senator--

LINEHAN: He was first.

BREWER: Thank you. Quick question, do we know what the number is as far as how many students that are high school seniors go on to college right now? Are you seeing any numbers? And the reason I ask was when I ran through the numbers here, my bigger towns like Alliance is 43 percent, Stapleton, 50 throughout-- which is one of my major towns-- Stapleton, Valentine is 64, going to 65. Would it be that that's roughly the number that go on to college, the 60-some percent, and that the reason that that number isn't higher is the ones that aren't planning to go on to college just don't take the test now, or what do you think the reason why the numbers are what they are?

VARGAS: I don't know if I could speak to the reasons why people may not be attending college, to your point, or the percentages here. But what I can say is if you-- if you don't complete the FAFSA and you don't have the options in front of you in terms of what federal aid, you have one less piece of information that might help you make that decision. And I also want to expand on just what- I-- I'm saying college, but I've been trying to say postsecondary institutions because there is a lot of different options available to use this financial aid that are not just limited to what we think of as a four-year college, which I think is really important. What we do see is some correlation, a very strong correlation between individuals that complete the FAFSA and seeking postsecondary education, one of

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the reasons why we saw some of this increase in Louisiana and why other states are pursuing it.

BREWER: So a-- a Milford Community College, is this-- this data could be used for them also.

VARGAS: Correct.

BREWER: OK. Thank you.

VARGAS: Thank you.

WALZ: Senator Pansing Brooks.

PANSING BROOKS: Thank you for bringing this bill, Senator Vargas. I am interested just briefly-- it talks about, in section (a), (3)(a), so lines 16 through 19, that a parent can certify to a district if they choose not to have the person-- or they refuse to have the-- their child complete a FAFSA. Can you tell me what that-- and maybe you already said it because I was-- I'm sorry, I was a little bit late due to another--

VARGAS: That's OK, Senator Brooks-- Pansing Brooks.

PANSING BROOKS: But if you-- if you have-- if-- did you already explain that?

VARGAS: No, I'm happy to elaborate on that.

PANSING BROOKS: OK.

VARGAS: That's OK. And again, we-- we are going to work on a little bit of language on this section because we-- we have a couple different other states that have then expanded on this and we want to-- we're-- we're learning more about what the right language is here. But the intent here is to ensure that there is an opt-out provision that clearly puts-- puts ownership into a parent or guardian to decide whether or not their-- their student, their child would complete the FAFSA. And so this section is-- is providing that specific opt-out for a parent or guardian. And then the second section is specifically providing the opt-out provisions for a school district or specifically an administrator. But this is the part that we want to work on to clean up so that there is-- very clearly this is an opt-out provision that works for parents and families and schools.

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PANSING BROOKS: OK. Do you know-- I have one more question then. Do you know how other states have handled-- because if people are opting out, which I do think is important to be able to do, then in a way I'm trying to figure out how we make it so that it isn't-- it doesn't become a socioeconomic part of our education where clearly the kids taking the test are those most in need. So I'm just trying to think that through a little bit, but we could talk off the mic if you'd prefer.

VARGAS: No, no, you-- you bring up a really good question, and so let me address two things. One, there is alternative language on waiver from other states, specifically Illinois and Texas. Illinois is basically on a form created by the State Board of Education. You file a waiver with the student's school district indicating that the parent or guardian or, if applicable, the student understands what the FAFSA is and the application for state financial aid and they have chosen not to file an application. And I also have Texas. I'm happy to give this to you. But to your bigger question, if creating the opt-out actually might lead to decreased completion for those that we want, we actually see the opposite in Louisiana's example--

PANSING BROOKS: Great.

VARGAS: --which is a good concern. And so what we saw in Louisiana is the graduation rate for-- as a result of this change, climbed for high school graduation by 3.2 percent to 81.4 percent. For African Americans, we saw their-- their-- this increase about 5 percent. And for economically disadvantaged students, their actual increase of graduation, now, remember, they-- they have to complete the FAFSA to graduate, increased by 3 percent. We saw increases across the board for individuals of color and those from first-generation backgrounds after creating this requirement, more so than we saw in the last three years in Louisiana. And so we're not seeing a negative impact on those that we might assume might have it, and that's really encouraging for this legislation, and I think that's why we're seeing more states look forward on it.

PANSING BROOKS: I think that's really encouraging, as well, and I really appreciate that information. And maybe what you could do is if you could do-- I liked the idea that you just mentioned of an informed opt-out so that the child really does understand. You know, a parent might opt out and the child doesn't really understand the ramifications of that decision, and that child may be, after high

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school, going to live on their own anyway and have to come up with all funding to-- for living expenses. So in a way, you-- it really is important to have the child-- the child have-- having the information, as well, to make that decision, as well as the parent because it's the parent's income generally. So thank you.

VARGAS: Thank you very much.

WALZ: Senator Linehan.

LINEHAN: Thank you, Vice Chairman Walz. I'm going to try and figure out how to ask this as a question. So in our discussions about several things, and I know you're particularly focused on education, Senator Vargas, have you heard before that we have a large number of Nebraska students who score between 27 and 28 on the ACT and they don't go on to any kind of formal-- formal education, not two-year, not four-year? Has anybody had that discussion with you?

VARGAS: I've had that discussion, but I cannot off the top of my head reference the exact college-going-- or postsecondary-going rates for those ACT numbers.

LINEHAN: So isn't part of what you're trying to do here is to make sure that every child, even if they don't think and they've been told most of their life there's no money for college, knows that there's other options? Isn't that what you're trying to ensure here?

VARGAS: Correct.

LINEHAN: OK. Thank you.

VARGAS: Thank you.

WALZ: Other questions? Seeing none--

VARGAS: Thank you very much.

WALZ: --we'll go on to proponents. Thanks.

VARGAS: I'm going to stick around.

WALZ: Any proponents?

MIKE BAUMGARTNER: Good afternoon, Madam Chairwoman. Members of the Education Committee, my name is Mike Baumgartner, M-i-k-e

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B-a-u-m-g-a-r-t-n-e-r. I'm the executive director of the Coordinating Commission for Postsecondary Education, and I am here today to testify in support of LB1089. For some context, I mentioned to you in testimony previously that a recent federal Department of Education study following ninth graders through seventh-- seven years after their ninth grade, that is, up to three years after graduation, found that after three years of high school-- this is a national study, I should say, not the Nebraska Department, federal. After three years-- three years after high school, only 55.7 percent of the lowest fifth socioeconomic status and 65.9 percent of the second-lowest fifth had ever enrolled in postsecondary education, compared to 75.1 percent of the middle fifth, 83.6 percent of the second highest, and 93.2 of the highest fifth. Given college-- given differences in college-going rates that we observe in Nebraska, which for 2018 high school graduates were 77 percent for non-free or -reduced graduates versus 59 percent for free- or reduced-lunch-eligible students. I expect that those percentages are very similar. It's strike-- very striking how-- how similar they are. As you know, students must complete a FAFSA to access federal and state financial aid and federal loans. Unfortunately, many potential students do not, and they never find out what resources they could have had to access college. According to the National College Access Network, completion of the FAFSA is one of the best predictors of whether a high school senior will go on to college, as seniors who complete the FAFSA are 84 percent more likely to immediately enroll. For students in the lowest socioeconomic quintile, FAFSA completion is associated with a 127 percent increase in immediate college enrollment. While we have initiatives in Nebraska that encourage FAFSA completion, such as the great work of EducationQuest, College Possible, Avenue Scholars, TRIO programs across the state, and the Coordinating Commission's FAFSA completion initiative, we simply need to do more. LB1089 would require high school seniors to complete and submit a FAFSA prior to graduating from a public high school with certain opt-out provisions. At a minimum, this would familiarize parents with the FAFSA and the financial aid and help them understand what they need to do to help their children achieve their educational goals. I think this is a logical next step to the state's adoption of ACT, which serves as both a tool for school accountability improvement and a way for students to gauge their level of preparation for college and for topping up their skills in their senior year. As the competition for an educated workforce continues to be top of mind in discussions across the country, right alongside college affordability, we need to look across the country and see how

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other states are working to ensure that all students are college and career ready. FAFSA completion as a graduation requirement has demonstrated bipartisan support across a growing number of states. As Senator Vargas has noted, three very diverse states-- Louisiana, Illinois, and Texas-- are requiring FAFSA completion as a graduation requirement. And according to the Education Commission of the States, others considering the idea this year include at least Indiana, Missouri, Oregon, California, and Connecticut. I checked this morning on Indiana's bill, and it's sailing through the legislature supported by the Indiana Chamber-- Chamber of Commerce and other business interests in the state who need talent and want every student to know what resources are available for them to pursue some sort of postsecondary education. LB1089 will help Nebraska keep itself in the talent race as well. Thank you.

GROENE: Any questions from the committee? Senator Brewer.

BREWER: Thank you, Mr. Chairman. If you were to see one of these tests sitting in front of you, it's more of a information collection than it is really a test of knowledge or--

MIKE BAUMGARTNER: Correct. This isn't a test. It's a-- it's--

BREWER: All right.

MIKE BAUMGARTNER: It's just--

BREWER: So this is a form you fill out that provides enough information so that then they can determine eligibility for different--

MIKE BAUMGARTNER: Yes, that's correct.

BREWER: --grants?

MIKE BAUMGARTNER: Right. Yes. Um-hum.

BREWER: All right. Thank you.

GROENE: Senator Kolowski.

KOLOWSKI: Thank you, Mr. Chairman. Mike, the-- there's a bit of an undercurrent in the country today about parents not wanting to give up a lot of information about family and all the rest. It's impacting upon ACT tests, SATs across the board, all these things taking place.

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Would you comment on that from your own background and what you're hearing about what's taking place?

MIKE BAUMGARTNER: Well, there is certainly in certain-- certain populations that may have immigration status that is mixed in a family, there is concern about that and supplying information, just as you hear with the Census. People don't want to take the Census because they're concerned that there might be information can be used about them. That-- that is an issue. There are privacy issues because we're all worried about our education privacy. and I know the committee has dealt with that recently, education data and where that ends up. I-- I think that-- well, it's the same problem with-- with surveys, with surveys on presidential candidates or-- or other-- other elected officials. People are concerned about what happens to the data, and that-- that is a concern, and there is the opt-out provision here. But that has to be balanced against the fact that most of these programs are means tested and for federal Pell Grant and the federal loans and for state programs and many institutional programs, this is the form you have to use, and if you don't use this, you're going to have to use another form. And I-- I think that with-- with the changes that Senator Vargas mentioned that I had mentioned to you last week, some changes in the way that the information is going to be shared directly from the IRS to the Department of Education in the future, that I-- I hope that parents would at least consider that they would be able to do that at-- at the push of a button rather than carrying papers back and forth and worrying who sees it. But I-- I-- I do believe it's a problem and I think it's going to be a problem for FAFSA completion. But this is-- this is the avenue. This is where you have to do it.

KOLOWSKI: Thank you.

GROENE: Senator Murman.

MURMAN: Thanks for coming in. How difficult really is it to fill out a FAFSA or exactly what is involved?

MIKE BAUMGARTNER: What is involved is pulling together your income information, your asset information, and then sitting down-- now, as-- as Senator Vargas mentioned, with changes, people are able to do it on the phone. It's platform neutral. I was in Washington last week listening to the chief operating officer of federal student aid. He talked about the changes they've made and the changes that are going to come from the future act and how-- how the simplification is going

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to roll out over the next couple years. And you do have to gather those papers. If you are in a family that is not the traditional mom and dad, married family, that is blended in some way or a parent is absent, it is more difficult because you have to collect information on the people in your household. But you-- you get the tax documents. You get their savings account or other asset information. You have information on your siblings because they need to know how many children you have in the household as they determine what-- what your expected family contribution is, and answer-- answer a number of-- of questions. For students who have no income or assets, it's not that difficult because they'll go directly into some-- skipping some questions because they're going to have zero expected family contribution. For-- for others, it's-- it's a longer process. They say, at the Department of Education, that first FAFSA should take about an hour. Now you are going to collect documents first, though, and you've got to get parents, so there is that time. It's like doing your taxes. I can sit down with TurboTax and knock it out pretty quickly, but it took me a long time to find that stuff that I lost, so-- so you have that. But then the renewal FAFSA after the first one will pick up the information that you already supplied, and as long as it didn't change that much, there is an expectation that you should be able to do the renewal in about 20 minutes, so-- and with the additional information coming directly from the IRS going forward, that should just make it easier, but it'll never be fun. Just like taxes, it never is.

MURMAN: Yeah. Thank you very much.

GROENE: Senator Linehan.

LINEHAN: Thank you, Chairman Groene. So let's say you complete the FAFSA and your parents are unemployed and you don't have any family support. What kind of support can a student, senior rising to college, expect to get through filling out this form?

LINEHAN: They could get the-- the FAFSA-- I-- they could get the Pell Grant, which--

LINEHAN: Which is how much?

MIKE BAUMGARTNER: --which is a little bit over \$6,000 if they get the full amount. If there were-- they were going to a Nebraska institution and there was enough NOG money available, which there never is but we

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will continue to fight for that, they could get up to about \$4,000, \$4,500 in that. That would be a large award because the schools generally distribute it differently, but they could have that. They could get a supplemental grant, and I can't recall the amount for that. They could get a subsidized loan. As a freshman, I believe that's \$5,500. They may be eligible for other scholarships, need-based scholarships, in particular, at the college or university they are at. If they were going to SCC, there is a program available that will pay the tuition for most of the students coming directly out of high school, so they'd be able to use their Pell Grant for living expenses. But that's-- that's the starting point because the Pell Grant is really the biggest-- the biggest base of-- of free money, and that's over \$6,000 a year.

LINEHAN: And that's per year?

MIKE BAUMGARTNER: Yes.

LINEHAN: OK.

MIKE BAUMGARTNER: Yeah.

LINEHAN: So for an hour or two hours of work, they could--

MIKE BAUMGARTNER: Yeah.

LINEHAN: --find \$10,000.

MIKE BAUMGARTNER: Yes, they could.

LINEHAN: Thank you very much.

GROENE: Sir, what percentage of coll-- high school graduates go on to higher education and become--

MIKE BAUMGARTNER: In Nebraska, 70 per--

GROENE: --become certified?

MIKE BAUMGARTNER: Seventy percent within one year after the graduation, the way that-- that we-- that's the way that we measure it. We look and see after their-- did they--

GROENE: That enter into a higher education--

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MIKE BAUMGARTNER: Yeah.

GROENE: --program--

MIKE BAUMGARTNER: Yeah.

GROENE: --because, I mean, they graduate.

MIKE BAUMGARTNER: Yeah. Right, 70 percent in Nebraska. And that, as I mentioned early on, varies by income, 77 percent for those who are-- are not free and reduced lunch and about 58 percent for those that are, and that-- the way those are weighted in the population, that's how we come up with that 70 percent.

GROENE: But if they didn't fill out-- if they're in the poverty and they didn't fill out the FAFSA-- the FAFSA, how do you know that they were--

MIKE BAUMGARTNER: Well, we know that they--

GROENE: --were qualified for it but they decide to go to school and then throw it out?

MIKE BAUMGARTNER: We wouldn't know that if they didn't fill out the FAFSA. We didn't-- we wouldn't know. So how we measure it is, you know, were they high school graduates and then did they show up in the National Student Clearinghouse over the next year as enrolled? We don't have the income information from them. What we start out with is, were they free and reduced lunch eligible, whenever we do the Nebraska measure. We could in our office, for the students who receive a NOG award, we know about them, so whenever we do our-- our annual Nebraska Opportunity Grant report, we can tell you if-- if they were a freshman and if they continued on and graduated after a certain number of years. But if they didn't fill out the FAFSA, we wouldn't have that information either. That's-- that's--

GROENE: So how-- I want to say this-- there isn't a financial aid officer out there at any college-- the first thing they ask, have you filled out a FAFSA-- FAFSA, probably, would--

MIKE BAUMGARTNER: Yeah, um-hum.

GROENE: --and that they want to-- and they're looking into attending school. Isn't that the first thing they ask them to fill out?

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MIKE BAUMGARTNER: It is very high on the list, yeah, yeah.

GROENE: I mean, they want the student, they want to get them
[INAUDIBLE]

MIKE BAUMGARTNER: They want the student and with-- with the Pell Grant comes the money from the student, so it's in their interest to help the students afford it.

GROENE: So then what's the advantage in doing it in high school if the-- because he took it, then he thinks he needs to go apply to college or--

MIKE BAUMGARTNER: No. If you do the FAF-- doing the-- if you don't do the FAFSA in high school, you're going to miss out on a lot of financial aid that's-- that institutions have to give out. If-- if you know that you're going and you can start-- you can fill out the FAFSA October 1 of the year before you go to college, and you do that because that will put together your financial aid package and you'll know whether or not you can afford to go the next year.

GROENE: So they'll already plan, then they do it October, kid graduates in April--

MIKE BAUMGARTNER: Yeah.

GROENE: --May, then they will plan and try to get him some NOG money?

MIKE BAUMGARTNER: They will have packaged that before then. They will-- as soon as the student's admitted and they have the FAFSA, they will start packaging aid for students. I mean, it's-- it's in the institution's interest to-- to get them to come and it's in the student's interest to know that they can afford it right away.

GROENE: So when he walks into the office of Mid-Plains Community College in North Platte in June and says, I have decided to take welding or I decided to-- I didn't like the work and I wanted to get higher education, at that point, if he fills out that FAFSA, it'll-- he still can get Pell Grant but he--

MIKE BAUMGARTNER: Right.

GROENE: --but he's losing out on NOG and--

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MIKE BAUMGARTNER: Probably so, yeah, most-- most likely so, yeah.

GROENE: Thank you. Any other questions?

KOLOWSKI: Let me ask, please--

GROENE: Senator Kolowski.

KOLOWSKI: Thank you, Mr. Chairman. Mike, is there a combination of looking at any of the other ACTs or SATs or anything like that along with their FAFSA material to-- if the student's got a 13 on an AC-- ACT test, he's going to have challenges and struggles in a regular college environment, but that doesn't mean he couldn't go into a trade school or somewhere else down the road. But it's-- I'm trying to just get a feel for the reality of the-- the scores that might be necessary for a student to be successful.

MIKE BAUMGARTNER: We could not put that together. A longitudinal data system, whenever the longitudinal data system is completed, that would be a possibility.

KOLOWSKI: OK.

MIKE BAUMGARTNER: But I don't believe the financial aid systems are flowing into that, so it would have to be a special study. You could-- you could put together an MOU to do a special study on that.

KOLOWSKI: Sure, sure.

MIKE BAUMGARTNER: But to-- to-- to-- this kind of gets back to the question from Senator Linehan. And I do have some information on ACT, on who is going and who is not going right away, within a year, and that-- what I have from ACT from last year is that that 27 and 28 level, about 13 and 14 percent are not enrolled anywhere. When you get down to the 23 and 24 ACT, I mean, those are good, solid scores. We're up to a quarter of the students not going anywhere within the first year. And then, as you would expect, as the score goes down, fewer and fewer are-- are going so that when we're down to about a 15, 6-- 61 percent are not enrolled who got a 15. And maybe they will. You know, they-- they may go to work and then-- and then change their minds. Maybe they didn't know that they had financial aid available and can go to Metro and start into a program that's going to give them a much better lifestyle than they're going to get if they do nothing at all.

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KOLOWSKI: It begs the whole issue of a guidance program that you have in your high school as a high school principal that would ask the students from their freshman year on, what are you hoping to do--

MIKE BAUMGARTNER: Yeah.

KOLOWSKI: --and where are you hoping to go and what would you like to-- to end up being at the end of this? And-- and you can't ask that enough in high school--

MIKE BAUMGARTNER: Yeah.

KOLOWSKI: --to get a male or female student down the path to hopefully success in-- in whatever field they choose.

MIKE BAUMGARTNER: Yeah.

KOLOWSKI: But sometimes they're just-- those programs don't exist.

MIKE BAUMGARTNER: Yeah. And counselors are critical--

KOLOWSKI: Yes, they are.

MIKE BAUMGARTNER: --the teachers, the counselors, principals, everybody.

KOLOWSKI: There's teaching counselors also--

MIKE BAUMGARTNER: Yeah.

KOLOWSKI: --teachers acting as counselors--

MIKE BAUMGARTNER: Yeah.

KOLOWSKI: --and working with a group of kids on a daily basis saying, we-- we care about you, we want you to be successful, now these are things that we do here that makes that happen.

GROENE: At what age are they on their own? I mean, they go out and work for two years; they go to the military for two years. At what age are they-- it's their income and not their parents'?

MIKE BAUMGARTNER: Twenty-four.

GROENE: Twenty-four?

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MIKE BAUMGARTNER: On-- if they're in the military, they're automatically independent. If they're married, they're automatically independent. If they have a child, if they have a dependent of their own, they're independent. If-- otherwise, if they are-- if they were formerly a foster child or in a-- in a foster care system, they are automatically independent; otherwise, they are dependent until they are 24.

GROENE: Thank you. Appreciate it. Any other questions? Thank you, sir. Next proponent.

LAZARO SPINDOLA: Good afternoon, Chairman Groene and members of the committee. Thank you for receiving me this afternoon. For the record, my name is Lazaro Spindola; that would be L-a-z-a-r-o S-p-i-n-d-o-l-a. I am the director of the Latino American Commission, and I am here in support of LB1089. In order to attend college, students and their families must decide how they're going to pay for it. This is a major barrier raised for Latino students and their families. Many Latino first-generation college students come from a disadvantaged socioeconomic status and may lack the financial knowledge and resources that students with college-educated parents have. I emphasize the word "knowledge." By not making the students fill out a FAFSA application, we are effectively classifying them as undeserving of the opportunity to go to college. This constitutes a form of segregation and our schools are classifying disadvantaged students as not worthy of a higher education. I have heard the argument that this measure would constitute an additional burden on the schools, but this does-- does not constitute a reason for knowingly leaving behind a percentage of their students who would have otherwise gone on to college. After all, who has a greater interest in having more and more college graduates? Isn't it the state? I was a first-generation college student. When I went to high school, I was not informed about possible financial aid, and since my family could not afford college tuition, I was one-- one-- I was one of those left behind. I do not want other students to go through that experience. With that, I would be happy to try to answer any questions.

GROENE: Any questions?

LAZARO SPINDOLA: Thank you.

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GROENE: Next proponent. Any opponents? Neutral? Senator Vargas, would you like to close?

VARGAS: Chairman Groene, members of the committee, just want to thank you-- thought this was a great dialog-- and want to just react to-- follow up on one thing specifically that Senator Brewer didn't mention. Louisiana is one data point that we have and it's-- there's a lot of great data that-- that comes out of this. In particular, I know there was some concern on what happens with our college-going rate. In Louisiana, FAFSA completion increased, but not just FAFSA completion, so did high school graduation rates and college enrollment. And if you look at the subgroups, African Americans, Latinos, first-generation college students or those that are low income, all those rates increased, as well, for both high school graduation and college enrollment. That's why I introduced this bill. It is in the interest of us to try to make good use of the existing resources we have in front of us. We have a great resource right now. It's the federal Department of Education. We have a program that's existed for a really long time. It doesn't matter what side you are on, a bipartisan effort has been made to try to improve how FAFSA is delivered, and we're making those same different types of strategic initiatives at our state level. And one of the things that we can do as a state is send the message that it is unequivocally important for us to provide options for people to afford college and not leave any money on the table with the federal government. This is a game changer in our state. And for the number of students that would be eligible to then utilize this funding for postsecondary education, not just four-year colleges-- we're talking about all different types of postsecondary options-- it's really going to change people's lives. With that, I want to thank you and appreciate this conversation. And after we make some changes onto this opt-out provisions to ensure that we are meeting different needs of different stakeholders, I'll ask you then to support this bill out of General-- out of this committee onto General File. Thank you.

GROENE: Any questions? Dave-- Senator Murman.

MURMAN: Thank you. Do you have any ideas on how we could-- specific ideas on how we could encourage low socioeconomic groups and minorities to apply for FAFSA?

VARGAS: There are-- there are things I can get you in terms of strategies. Again, we-- we have the FAFSA completion initiative, where

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there's a lot of different things that both, I will say, districts have been doing in our state, coalitions of schools have been doing it. We have like national initiatives that-- that are pushing this. So we're happy to get that to you. But from our standpoint, what I-- what I'd like to-- to make sure the-- to focus on is one thing that we're able to do is this, and what we did see as a result of doing this was an increase in the completion of FAFSA for those specific disadvantaged or underresourced families. But we will get you some examples of what we've seen work in our state, because there are some bright spots that we-- we should elevate, and then some other things that we see in other states.

MURMAN: OK. Thank you.

VARGAS: Thank you very much, Senator Murman.

GROENE: Any other questions? Thank you, sir.

VARGAS: Thank you very much.

GROENE: Letters for the record: proponents, none; opponents, Nebraska Association of School Boards; neutral, Nebraska Association of Student Financial Aid Administrators. That's going to end the hearing on LB1089. Senator Hilgers.

HILGERS: May I, Mr. Chairman?

GROENE: Going to help her? Going to open now on LB1186.

HILGERS: Thank you, Chairman Groene. Members of the Education Committee, my name is Mike Hilgers, M-i-k-e H-i-l-g-e-r-s. I represent District 21, which is northwest Lincoln and Lancaster County, and I'm opening today-- this afternoon LB1186. I'll be fairly brief. There are some testifiers behind me. LB1186 is really intended to fix a-- a pro-- a small problem but one I think that's very meaningful for our teachers on the front line, and that is the instance in which those teachers are assaulted on the job. There is a seven-day window in-- before workers' comp kicks in which, if they have to leave because of that assault, they have to take their own sick or personal time, leave time, in order to miss those days. So how it currently works-- and this is not sick leave generally, it's not workers' comp generally, where you might slip or you might fall. It is in the instance of when you are assaulted. We actually took the definition from-- of assault, third-degree assault that's already existing in state statute. So if

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you are a teacher and you are assaulted on the job either by a student or someone else that's at the school, right now, you have seven days where if you take leave, after seven days workers' comp can kick in and pay some percentage of whatever you have been making as-- to compensate you for that time away. But for those seven days before then, you don't, you don't. There's no workers comp. There's no, there's no leave at all. And so what you have to do is you either to take your sick days or personal days. And so what LB1186 is intended to do is say, no, for those seven days, if you are assaulted on the job, that you should have-- you should not have to use your own sick and personal days in order to cover it. This bill has been cover-- modeled after a Maine bill that passed, I think, within the last year or so. It's also-- it's intended to be simple, straightforward. It's not intended to impact our workers' comp laws more generally. I know those are-- the Nebraska Workers' Compensation Act is very complex. There are a lot of moving parts. This does not impact that at all. It's meant to be a small change that will-- I think will have a great impact on teachers in Nebraska. I will share with you that we have had-- there will be some support behind me, but I'll share with you at least two stories, one, I think, open-- in my opening and one in my closing, from teachers who have been impacted by this. One I won't share the entire letter that I received, but I'll share portions of it. So this particular teacher writes that, in April of this year, 2019, one of my students, a large 14-year-old female student with severe autism, was in a manic mode. She has no concept of physical space or safety. She's running around the room. We're unable to get her to calmed down. I turned to do something and someone yells to watch out, but it's too late. She shoves me into the corner of the wall. I feel a pop and excruciating pain. She goes on to say that the next morning I feel awful. I go to school, but by noon I have to go home. I called the doctor and by Thurs-- if it's not better by Thursday or the next day, that there's nothing I can do about it. She spends the next two days throwing up, unable to eat. By Thursday, she goes to the doctor. She finds out she has an incarcerated-- or, I'm sorry, a lacerated hernia caused by the shove and she has to go into emergency surgery to avoid being dy-- avoid possibly dying. She's off eight weeks, but she had to use her personal sick days to cover the first seven days. She says, I urge you to support LB1186. In performing the duties of my job, I've been injured by students, requiring me to use my personal sick days until a workers' comp kicked in. I now have 14 fewer sick days that I can utilize if I become ill or if I need to take care for sick family members. Teachers should not

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be required to use their personal sick leave or personal days for time missed after being injured or assaulted at school by the students they serve. I think that last sentence is why I brought the bill. I agree with that. I don't think teachers ought to have to use their cert-- personal and sick days for assaults that might injure them while on the job. I'm happy to answer any questions that the committee might have, and I would ask for your support on LB1186.

GROENE: Questions? Senator Brewer.

BREWER: Thank you, Mr. Chairman. I don't know what's more disturbing, the fact that the students are assaulting the teachers and they have to have such a thing, but this seems like so common sense, you kind of scratch your head wondering how it fell through the cracks and we didn't already cover them. But thanks for bringing the bill because it looks like something that's overdue.

HILGERS: Thank you. Senator Brewer. I agree. And there's some school districts who-- that have-- that have-- in their contracts, have-- have covered this, but-- but not all.

GROENE: Senator Pansing Brooks.

PANSING BROOKS: Thank you for coming, Senator Hilgers. What-- you mentioned something about 14 days, but the bill talks about 7, so could you tell me what that--

HILGERS: Thanks for the--

PANSING BROOKS: --repeat what you were talking about again?

HILGERS: Thank you for the question, Senator Pansing Brooks. I-- if I said 14, I think I was reading from the story that I had received and they were out for a longer period of time.

PANSING BROOKS: Oh, OK. So the seven days, how long does it take for workers' comp to--

HILGERS: Seven-- there's--

PANSING BROOKS: It-- does it always take seven days?

HILGERS: I believe the answer to that is yes-- yes.

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PANSING BROOKS: OK. I thought that you were saying it takes 14 sometimes, so, OK. Thank you.

HILGERS: And-- and-- and to be clear, I'm not a workers' comp expert, so if I say that I don't think it takes 14 days, someone may correct me on that.

PANSING BROOKS: OK.

HILGERS: I do know that the bill is limited, Senator Pansing Brooks, to seven days.

PANSING BROOKS: OK, thank you.

GROENE: So they get harmed and they take seven days off and they come back to work. That's sick days then, isn't it?

HILGERS: If they get a-- so I want to make sure that the record's clear. I mean if they-- if they get assaulted. I mean this is-- this is meant to cover assault, not just a slip and fall, and they get-- and they get hurt up to seven days and there's no workers' comp, so they come back after seven days.

GROENE: They take seven days off because they're hurt recklessly by a child or they get hurt at the school, like assaulted by the janitor, but they take seven days off, or eight days. I mean, what happens then?

HILGERS: So if it's seven days under the bill and it's-- it falls within the scope of the bill, in other words, they were assaulted, then that doesn't count against their-- their sick days.

GROENE: But they never even got workmen's comp. They came back to work.

HILGERS: Yeah, I don't think that-- well, the-- after seven days, that's all they get under this bill. If they don't-- if they come back after-- on day eight, Chairman Groene, then--

GROENE: Then it's sick days.

HILGERS: Beyond the-- yeah, beyond the seven days, yeah. If they come back on day nine and there's two extra days of-- eight and nine would be sick days.

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GROENE: And they got work comp for two days.

HILGERS: Yeah, that's right.

GROENE: And then what happens if it isn't recklessly? I mean, who defines recklessly? You mentioned assault when you opened. But what if the child just-- there-- two children are fighting and they accidentally knock the teacher over a desk?

HILGERS: Well, I don't think that--

GROENE: Is that under the recklessly or--

HILGERS: That-- the-- that wouldn't be-- I don't think that would fall under the definition of assault. I don't-- that wouldn't be--

GROENE: That teacher would not get workmen-- even though she's got workmen's comp, or he did, they couldn't get the seven days.

HILGERS: You know, it depends on the circumstances of how they were-- let's say-- if they were-- I mean, if they're reckless-- I mean, if you're-- if you're fighting on a table, you probably could argue that that was reckless because there's pretty good likelihood that the table would fall or someone could fall and get hurt, so I think there's a good argument to be made that that should be covered under the scope of the bill and-- and if it's not precisely clear under the definition of recklessly, I certainly would be willing to modify that.

GROENE: OK. Thank you. Any other questions? Senator Pansing Brooks.

PANSING BROOKS: Sorry, I had one more question, Senator Hilgers. Is-- is "individual," on line 8, intentionally not defined? Because that's very broad, so in my reading of it, it could be injured by another individual outside the school or-- line-- line 8.

HILGERS: Yeah, so-- let me make sure-- you know, I see the-- "individual" is not defined elsewhere, so I don't think it's confined to-- but it-- so it's not confined to student versus janitor versus someone else. But it is with-- within the scope of the employee's employment, so-- line 10. So wouldn't be just that they were assaulted after school at, you know, a 7-Eleven or something and it was outside the scope of-- of their employment. But I think that's the only

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restriction. I don't think it's any assault that occur-- could occur anywhere. I think it's within the scope of their employment.

PANSING BROOKS: OK. Thank you.

HILGERS: Thank you.

GROENE: Thank you.

HILGERS: Thank you. And I'll stick around for closing.

GROENE: First proponent.

JENNI BENSON: Chairman Groene and members of the Education Committee, my name is Jenni Benson, J-e-n-n-i B-e-n-s-o-n. I am the president of the Nebraska State Education Association and I am here to support LB186, and I thank Senator Hilgers for introducing this bill. Through our advocacy work and survey our members that have been affected by violence in school, we learned that teachers who have been injured by assaults by students in school were forced to use their personal sick days to meet the seven-day waiting period prior to workmen's compensation starting. And so I'm just going to answer Senator Brooks's question. That was two separate incidents, so in two separate years, so she had-- she was saying 14 days she lost. Seven days were from a previous injury; seven days were from another. And so that's-- he didn't read her whole letter, which is attached to your-- to what I just passed out, and so that's why it was 14, so--

PANSING BROOKS: Thank you.

JENNI BENSON: You're welcome. This not only has and will likely continue to cause problems for teachers and school employees, it is just terribly unjust. To suffer injuries from assault while on the job and then being forced to use very limited personal leave because of that assault, literally adds insult to injury. Recently we heard from a teacher who was hit in the stomach by a student. This teacher was pregnant. She had to leave school to be checked for her injuries and for her unborn child, and she was docked a day of sick leave. When she gave birth, she had less than-- that one day less. Now did she need workmen's comp? Well, she had-- they, you know, sent her to the doctor to be checked out. It was workmen's comp. That teacher should not have been assaulted at school and she should not have had to use her limited sick leave when she was hurt by a student. Another student-- teacher was hurt by a student, suffered a severe knee injury that

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required surgery. It caused her to miss 28 days of work. The school district docked the teacher all of her sick days and her three personal days, and the district also docked the injured teacher's pay for the days of-- that she didn't have enough of accumulated leave and personal days, then the district attempted to make that teacher give the district the check she received from workmen's comp to cover what they said they were due for substitute fees. The district finally relented and let her keep the workmen's comp after an attorney was involved. The workmen's comp payments were minimal and they nowhere did-- nowhere close to what the teacher received if she had not been injured by the student. She wrote to me about this incident and said it was a significant hardship for her family: I do not agree with giving up all my days, take a pay cut, and make my family suffer because I was injured on the job. The student had a history of violence, and I was not supported by my administrators. There are very few Nebraska school districts that allow injury leave in contract language. I know specifically of one school district that allows assault and battery leave, and it is in their contract. We believe that no Nebraska teacher or employee should be forced to use personal in-- leave for injuries sustained from an assault while on the job. Further, current practice leaves open questions about options for teachers who are injured late in the school year when they have perhaps exhausted all of their personal leave. We believe LB1-- LB1186 would be a sound practice in law, and we ask you to bring this bill to the floor for further discussion. Thank you.

GROENE: Any questions? Senator Linehan.

LINEHAN: Thank you, Chairman Groene. So there are some school districts that don't do this, but not very many, is what you're saying.

JENNI BENSON: The only one I know, I-- I know because I was president of the Lincoln Education Association, and I know it's in our contract and is called assault and battery leave, and it starts with day one that you don't have to take your personal leave.

LINEHAN: But you don't know how many other school districts?

JENNI BENSON: I do not. I've never heard of any other school district, to be perfectly honest.

LINEHAN: OK. Thank you very much for being here.

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JENNI BENSON: You're welcome.

GROENE: Is this-- it reads almost-- it's almost the-- the physical injuries. Does this cover PTSD?

JENNI BENSON: No, no, this is--

GROENE: It doesn't.

JENNI BENSON: This is-- this-- we are just-- currently, in this language, we're just talking about actual medical need that were injuries that you went to--

GROENE: Physical damage, harm.

JENNI BENSON: Right. Right, which, you know, the situation that Senator Hilgers was talking about, I mean, that teacher just-- you know, if you had been assaulted by a student, she was just sore, right? She thought she was just sore and she waited for several days to go to the doctor, so-- and it turned out-- I mean, I know her personally and she was-- she was very, very sick.

GROENE: Thank you. Any other questions? So most teachers get assaulted, it's common practice, and they're used to it unless they--

JENNI BENSON: Well, the teacher that I read-- that I just said about, the district didn't even really-- they fought with her about the workmen's comp, so she literally used up all of her sick leave before-- even more than seven days because it was such a battle over workmen's comp.

GROENE: Yeah, so--

JENNI BENSON: And I'm not an expert on workmen's comp as-- either, but I am-- I do know how difficult it is when you're a teacher and you have young children and they are getting sick and you don't want to burn all your time, you know, for something like that.

GROENE: Thank you.

JENNI BENSON: You're welcome.

GROENE: Any other questions? Thank you.

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JENNI BENSON: Thank you very much.

GROENE: Any other proponents? Opponents?

MEGAN BOLDT: Good afternoon, Senator Groene and members of the committee. My name is Megan Boldt, M-e-g-a-n B-o-l-d-t, and I'm representing the Nebraska Association of School Boards as the director of their ALICAP insurance program. We are opposing LB1186. ALICAP is an intergovernmental risk pool insuring over 170 school dis-- public school districts and ESUs in the-- across the state, ranging from Bayard Public Schools to Bellevue Public Schools. NASB views that LB1186 is an unfunded mandate for school districts in the state for which we advocate. I'm aware of districts that provide the benefits mandated in this bill, and we feel school board policy adoption and negotiated agreements are a more appropriate place, rather than in statute, to implement these practices. School board members consistently balance the needs of their workforce with the resources they ask for from their taxpayers. LB1186 forces a policy that will increase costs and we'll ask-- and we ask the committee to not advance this bill.

GROENE: Thank you. Any questions?

MEGAN BOLDT: Thank you for your time. Take questions.

GROENE: Senator Linehan.

LINEHAN: Thank you, Chairman Groene. How often do you all think this happens?

MEGAN BOLDT: How often an assault-type claim?

LINEHAN: Um-hum.

MEGAN BOLDT: With my insurance pool, now we don't insure OPS or LPS, but the other 170 are from just the state of Nebraska, and from the '18-19 school year, there were 120 that fell into-- "struck or injured by" is the work comp code of cause that we had.

LINEHAN: So there were 120 assaults, not-- not even counting what may have happened at OPS or Lincoln Public, our two largest school districts.

MEGAN BOLDT: Right, because I don't have their data. Sorry.

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LINEHAN: One hundred and twenty claims, so you'd be-- at worst case, the cost would go up 120 times 7 times whatever the salary per day is. That would be your worst-case scenario?

MEGAN BOLDT: Well, and then the-- the sub cost would be the increase, right, on those employees. And there could be multiple claim-- claims per employee too.

LINEHAN: Hopefully--

MEGAN BOLDT: It would just be the un-- the lack of budget certainty.

LINEHAN: So do you-- do you have a dollar amount that you think this would cost?

MEGAN BOLDT: Absolutely not, only because there could be multiple per employee, right, in the-- in a school year. So if you look at a budget for an entire school year, I think it would be really hard to know that [INAUDIBLE]--

LINEHAN: But you know how many claims you have. I mean, that's what insurance companies do. They figure out what the claims are going to be and then they figure out how much that would cost, and then they charge premiums to cover that cost.

MEGAN BOLDT: But it depends on someone's injury, right, like what type of injury it is exactly.

LINEHAN: Well, it's pretty clear here. It's got to be-- they've got to be-- it's got to be reckless and it causes bodily injury and it has-- happens to happen-- has to happen in their-- under their scope of their employment. So it's pretty narrowly defined here. It's not if they get as--

MEGAN BOLDT: So you mean the cost to the school district, not the work comp claim itself. That's what you're saying--

LINEHAN: Right, the--

MEGAN BOLDT: --costwise.

LINEHAN: --what you insure.

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MEGAN BOLDT: A school potential-- well, I wouldn't pay the first seven days as the insurance company. Day eight is when work comp kicks in--

LINEHAN: OK.

MEGAN BOLDT: --at 66 and two-thirds of that person's pay.

LINEHAN: OK, maybe I don't understand then. Are-- what--

MEGAN BOLDT: So the school district would pay 100 percent of that employee's pay days one, two, three, four, five, six, seven, then the state stat-- the statute for work comp kicks in for-- on day eight, so the school would be paying the first seven days is--

LINEHAN: OK, maybe-- I'm confused who you're representing. You rep--you're representing the school board, so I get that.

MEGAN BOLDT: Yeah.

LINEHAN: And then what is ALICAP?

MEGAN BOLDT: Yep. All Lines Interlocal Cooperative Aggregate Pool, and we insure-- the school districts pool for their insurance coverage. One hundred and seventy school-- school districts in the state pool for their insurance coverage, and work comp is included as one of those lines.

LINEHAN: But this wouldn't cause your work comp cost to go up.

MEGAN BOLDT: Not me specifically, no. It would cost the school districts, is what we're saying--

LINEHAN: OK.

MEGAN BOLDT: --from NASB's perspective. I'm sorry if I confused you.

LINEHAN: OK. Well, maybe we can kind of figure out how much this would be. Thank you very much.

MEGAN BOLDT: Yes.

GROENE: Other questions? Clarify--

MEGAN BOLDT: Yes.

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GROENE: --how many work comp claims do you get a year? How many for this reported year?

MEGAN BOLDT: For the '18-19 school year, most recent fiscal year, we had 576--

GROENE: So--

MEGAN BOLDT: --work comp claims and 100-- roughly 120-- I think was 120-- 121 were of this classification--

GROENE: Were of-- of--

MEGAN BOLDT: --were struck or--

GROENE: Assaults.

MEGAN BOLDT: --struck or injured by--

GROENE: So--

MEGAN BOLDT: --is what we call it, yeah.

GROENE: So 28,000 teachers-- I believe that's what we have-- and 40 percent of those were from Lincoln and Omaha. The rest of those, we had 121 assaults that was-- that went--

MEGAN BOLDT: Struck-- struck or injured by, so it doesn't mean the language of--

GROENE: --that went to workmen's comp?

MEGAN BOLDT: Right.

GROENE: So we could add another 500 or 1,000 more that never even ended up at workmen's comp.

MEGAN BOLDT: Your best guess.

GROENE: That's-- as a statistic, this stuns me.

MEGAN BOLDT: OK.

GROENE: Anyway, thank you. We-- we got a fix for that--

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MEGAN BOLDT: OK.

GROENE: --coming to the committee, so thank you. Next opponent. Neutral? Senator Hilgers, would you like to close?

HILGERS: Just briefly, if I might. Thank you for the time this afternoon. I'll be brief. Couple of things: One, on the cost perspective, Senator Linehan, to your question, 120-- say it's 120-some-odd, currently, so just to be clear, those 120 people are already taking time away. Right? So their only out-of-pocket is the sub cost, but those sub costs are already being incurred. Right? So if I'm-- if I'm a teacher and I'm out because I got assaulted, currently, today, I'm still out. The only difference is I'm taking a personal day or a sick day. So that sub cost is there one way or the other. The real difference is, in the world in which LB1186 is law, now, whenever it is that I leave and I want to cash in my sick days, there might be some additional sick days that I may have or I might not have because I've used them because I've had a new child or I have-- was actually sick. Right? So I think that even-- even if you were to just look at the-- if you were to assume, which I don't think you can, that there's some additional, incremental year-over-year cost from 120, now we've got to pay additional cost in that year, it's not that much, but I think you can't assume that because this is all going to be sick leave over time that'll-- may-- may dissipate. So I don't think the-- the costs are very high. But to your question, I just wanted to clarify what I-- what I understand the cost to be. I think, more broadly speaking, look, I'm not a-- I'm not an unfunded mandate person. Right? But I kind of reject the framing here. I think this is a statement of priorities. This is a real issue that I think is-- it's not a large issue budgetarily, but it's a major issue for teachers, and I just don't think it's the right issue. When you're talking about somebody who's getting assaulted on the job, I think we ought to say you don't have to take your sick leave to be able to recover from being assaulted on the job. I just don't think that's the right framing. So I think as a statement of priorities, whatever the budgets happen to be, this ought to be near the top of that priority, in my view. Secondly-- second, Senator Groene, to your questions regarding scope, it is limited to bodily injury, so it's not PTSD or any sort of mental issues. It's bodily injury from someone that-- like the example I gave. I appreciate President Benson's testimony and her clarification. I was trying to truncate a long email and I-- I-- I missed that there was the-- the first-- that individual did have two issues, so that's why it was 14 days. I'll close. I had another letter that came to me

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and I'll just close with this and I'm happy to take any questions from the committee. Another individual out west, he said, I was working with a student, had-- had violent episodes many times during their attendance at school on-- I'll strike some of this information since this is on the record. On a day in the summer, this student requested a timeout. I was escorting the student to a timeout area and he tripped me at the doorway. I fell down and landed on the knee with him landing on top of me. I saw an orthopedic surgeon, had an MRI. I had follow-up surgery a month later and I was out for-- for 28 days that my district docked me all of my sick days plus three personal days. I don't-- I do not agree with having to give up all of my days and have my family suffer because I was hurt on the job. The student had a history of violence and I feel I that was not appropriately supported by my administrators. This isn't workers' comp, any injury of any kind, anywhere that might happen on the job. This is assault as defined in our statutes. It's narrow. It's limited. I think it's the right thing, and I'd ask for the committee's support. Happy to answer any other questions you may have.

GROENE: I could ask you all sorts of stuff [LAUGHTER] you think training might stop those assaults a little bit?

HILGERS: Training--

GROENE: A couple teachers, and they might have some backup.

HILGERS: Yeah, I think that could help, certainly. I'm not an expert in that area, but I think being able to avoid those, help mitigate those scenarios could help, sure.

GROENE: Thank you. Any other questions? Senator.

KOLOWSKI: I'll ask this just to kind of clear up where I am on it. Mike, when you-- when you said the teacher tripped over the student and-- and the student-- and-- and the-- and she went down, is that what happened compared-- is-- is that-- I don't look at that as an assault.

HILGERS: The way-- and I may have truncated it too much, Senator Kolowski. I-- the way that I interpreted it was that it was an intentional-- they-- they tripped her intentionally. It wasn't an-- accidentally tripped over a student. It was-- and then landed on top, so I don't think it was-- the way that I read it and the way that I

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understand the story from others was that it was an intentional assault so--

KOLOWSKI: OK. Thank you. Appreciate that.

HILGERS: I appreciate the clarity. I--

KOLOWSKI: Yep.

HILGERS: The story is meant to help bolster the case and not confuse it, so.

GROENE: Thank you, Senator. Any other questions for him?

HILGERS: Thank you.

GROENE: LB1186 letters for the record: proponents, Rita Bennett, Lincoln Education Association; opponent, none; neutral, none. That closes the hearing on LB1186, and we will go to Senator Kolowski's LB1168.

KOLOWSKI: Senator Groene and members of the Education Committee, greetings. And I'm Rick Kolowski, R-i-c-k K-o-l-o-w-s-k-i. LB1168 correlates with LB920 to direct how lottery funds for education are distributed beginning in the 2021-2022 school year. I want to thank Senator Groene and Nicole Barrett for working collaboratively on these two bills. The goal of the LB1168 is to increase availability of and enrollment in career and technical education and dual credit programs by: (A) Allocating funds to the Nebraska Department of Education in order to pay for a web-based career planning tool. This tool is currently available to all Nebraskans. The federal funding that previously supported this tool is no longer available. In the handout, you will find the latest report on this planning tool. Please note that the majority of the persons using the tool are high-- high school students, but it also-- is also used by the Department of Labor and Corrections, as well as the general public. (B) Creating the Access College Early Scholarship Cash Fund. The Coordinating Commission estimates turning down-- down around 500 applicants a year for the scholarship. There are-- are also students that don't apply because the funding has run out. Hopefully, our additional dollars will come close to fully funding that scholarship program. (C) Creating the College Credit Testing Fee Cash Fund and establishing the College-- College Credit Testing Fee Reduction Program. This program will enable districts to waive the testing fee for low-income students taking

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courses and testing for college credit. The program will be administered by the Nebraska Department of Education. The promulgation of rules and regulations is required, as well as an annual report to the Legislature. There used to be federal grants specific to this, but those funds are no longer available. Even with this small amount of money, we estimate 1,800 students will be able to take the course with the fee waived. (D) Creating the Career Readiness and Dual Credit Education Grant Program and related cash fund. There is a short-- shortage of teachers that are able to teach career and technical courses and dual credit courses. Working with the Nebraska Department of Education, the Department of Labor, and K-12 and postsecondary educational entities, the commission will put together a task force to develop educational pathways so Nebraska teachers will have a local resource where they can obtain the extra coursework needed to teach career and technical education courses, as well as dual credit courses. The grant program will provide scholarships to teachers taking the additionally required courses. The commission will also establish a directory of available teacher education pathways and provide an annual report to the Legislature. Since it is likely to be a multi-year process for teachers, we estimate that, over four years, this grant would fully fund around 600 teachers. Since some teachers already have part of the extra required hours, the real number will be more than that. With this relatively small amount of funding, I think we can make a big impact on the availability of career and technical education classes and dual credit classes. I also think that with the added scholarship dollars, more students will enroll. In turn, that will prepare students and increase the work available-- the available workforce for the jobs in demand in Nebraska, which is a hot topic these days in every economic development and educational forum. I ask for your support, and I'm happy to answer any questions. Thank you.

GROENE: Questions for Senator Kolowski?

KOLOWSKI: Just a reminder, this dovetails with the work that has been done by the committee, and it's an aspect that is very important for the funding and for the full impact for this-- this to go on. I think it's we're in the right-- the right direction.

GROENE: Senator Kolowski, do you know how much of the ACE, early college, early scholarship cash fund is-- that we appropriate-- appropriate to them now [INAUDIBLE]?

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KOLOWSKI: I don't-- I don't have that figure, I'm sorry, no.

GROENE: I'm sure Mike will have it.

KOLOWSKI: Yeah.

GROENE: All right. Thank you. Any other questions? Proponents?

KOLOWSKI: The material coming around to you is an example of the Career Connections, December of 2019, an overview of that, that is handy as far as all the things we're asking for here.

GROENE: Thank you. Will you be here to--

KOLOWSKI: Thank you very much.

GROENE: You're staying to close, I'm sure.

KOLOWSKI: Yes, sir.

MIKE BAUMGARTNER: Good afternoon, Chairman Groene. Members of the Education Committee, my name is Mike Baumgartner, M-i-k-e B-a-u-m-g-a-r-t-n-e-r. I'm the executive director of the Coordinating Commission for Postsecondary Education, and I'm here today to testify in support of LB1168, a multipronged, integrated approach to improving college and career readiness and increasing college affordability and timely degree completion. I will focus my comments on two areas: the Access College Early Scholarship Cash Fund and Career Readiness and Dual-Credit Education Grant Program. LB1168 would provide lottery funds for the Access College Early program for the first time. For FY '20, we have \$1.1 million appropriated from the General Fund, so this would raise that to about \$1.5 million going forward. As I've told you previously, 76 percent of the grades received by ACE recipients last year were B or better, and ACE recipients continue on to college at a much higher rate than low-income students who do not participate in dual credit and get ACE scholarships. ACE scholarships are, by statute, awarded first come, first serve and the commission limits the number of scholarships each student receives so that we can receive-- we can serve more students. In the past two years, we've had to turn away, as Senator Kolowski said, about 500 applicants per year due to funding, and that does not include students who do not apply because they have heard that the funding is out and then they do not submit an application to us. As of last week, we had awarded 95 percent of the current year, FY '20, funding. While we may not be able to meet all

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student demand as dual enrollment grows in popularity, as long as the General Funds are maintained for the program, this additional funding will allow us to serve at least 500 additional students and increase the number of scholarships per student. I have figured, based on the average scholarship award for the past year, that we could award 6,122 scholarships, which means 600-- 6,122 different courses. And if we did that two scholarships per student, we'd be at 3,060, so that would be an increase of about 600 students. And that-- that would be-- it depends if it's limited to two or three and how many the students are taking. But it's a big-- it's a big number. It's a big amount. It would be a big change for the program. While equity demands that low-income students are able to access the same dual credit courses as their non-low-income classmates, all Nebraska students need access to teachers who are fully qualified to teach the college courses and career technical ed courses if they're going to engage in dual credit. Without those teachers, colleges and high schools can't offer the courses that will allow students to gain college credits early or be workforce ready at graduation. Almost a decade ago, the Coordinating Commission and its collaborators produced the LB637 study of dual credit and career academies, which included a recommendation that the state create incentives for high school instructors to earn content-specific graduate hours for postsecondary instruction. In the intervening years, the Higher Learning Commission, which accredits nearly all colleges and universities in Nebraska, made a master's degree in a content-specific area, by which I mean biology, maybe, or computer science or statistics, or a master's degree in a different area, along with 18 graduate credit hours in the content-specific teaching area, the minimum requirement for teaching college-level courses, so you have to have a master's degree in the content area or a master's in a different area, along with 18 graduate credit hours in the content-specific area. A recent review-- review of dual credit policies and practices in Nebraska, jointly undertaken by the Coordinating Commission and the State Board of Education, identified these requirements as a continuing impediment to wider dual-- dual enrollment offerings. LB1168 would require the Coordinating Commission, in consultation and, I would say, partnership with the Department of Education, the Department of Labor, and an advisory committee, which would include colleges; universities; ESUs; teacher, counselor and school administrator organizations, to create teacher education pathways with Nebraska workforce demands, establish a directory of teacher education pathways, establish a grant program for teachers enrolled in the teacher education pathway. There's already

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good work going on in Nebraska along this line. For instance, at the University of Nebraska at Omaha, they have developed graduate certificates that meet-- meet HLC requirements in several fields. This funding will help push us over the finish line. I would add that many states in the HLC's region have undertaken these efforts with state funding as well, both in terms of developing programs and providing grants to teachers seeking the required graduate credit hours, which generally cost about \$6,000 for in-state tuition fees. These include Colorado, North Dakota, Wyoming, Minnesota, Kansas, Wisconsin, Indiana, and Ohio. A very recent example, last summer, the Illinois Board of Higher Education, Illinois Community College Board, and Illinois State Board of Education collaborated-- collaborating to create a new endorsement for nine dual credit options, including psychology, calculus, biology, history, speech, statistics, English literature, English composition, math. We're a little bit behind our Midwestern neighbors in this. They have moved a little bit quicker. But developing this program and providing the grants to teachers to use over at least the next five years, prior to the next Education review of lottery funds, will allow us to accomplish a great deal in this area. Thank you.

GROENE: Any questions? I haven't read the bill completely. So you will be tasked with the Access College Early Scholarship Cash Fund?

MIKE BAUMGARTNER: Yes.

GROENE: But you already are.

MIKE BAUMGARTNER: We already-- yeah, we already administer the Access College Early Scholarship, yeah.

GROENE: And what about the other two? Do you play a part in that--

MIKE BAUMGARTNER: We--

GROENE: --the Career Readiness and Dual-Credit 45--

MIKE BAUMGARTNER: In the Dual Credit, we do; in Career Readiness, that's really the Department of Education. And teacher certification issues, I mean, that's NDE, but you've--

GROENE: But the Career Readiness and Dual-Credit Education Cash Fund, you would administer that or--

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MIKE BAUMGARTNER: Yes.

GROENE: You would administer it, so--

MIKE BAUMGARTNER: Yeah. Yeah.

GROENE: --so then why on-- why on-- do you have any idea why on the-- the fiscal note-- you say it only is going to cost you \$85,000 to do 85 percent of it and Department of Ed said it's going to cost them \$302,000-- or \$357,000 to do 15 percent of the funds?

MIKE BAUMGARTNER: They are-- I-- I'm going to have to defer to them, but I think they're including the Nebraska Career Connections in that \$300,000 bill.

GROENE: Oh, the \$285,000, OK.

MIKE BAUMGARTNER: Yeah, I think that's in there, yeah.

GROENE: All right. That would make sense. Thank you for that clar-- I'll make-- \$282,500 [INAUDIBLE] Any other questions? Thank you. Next proponent.

JACK MOLES: Good afternoon, Senator Groene and members of the Education Committee. My name is Jack Moles. That's J-a-c-k M-o-l-e-s. I'm the executive director of Nebraska Rural Community Schools Association. Today, I'll also be speaking on behalf of the Nebraska Council of School Administrators and the Nebraska Association of School Boards and wish to testify in favor of LB118-- LB1168. The provisions of LB1168 provide for much-needed supports for school districts and their students, and we thank Senator Kolowski for introducing the bill and Senator Groene for working with him to fill these needs in our schools. We support the full scope of the bill, but I'd specifically like to address the portion of the bill that is designed to assist high school students in gaining access to college credits. Creating the Career Readiness and Dual-Credit Education Grant Program will help more teachers get the coursework and credentials necessary to provide early entry classes for high school students in which they may acquire college credits. In rural districts, high school students may not have the same access to career readiness or dual credit classes as in some of the more urban districts. There are many benefits for high school students to gain these credits. Chief among these, the first is students who graduate from high school with college credit are more likely to continue their college education,

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whether that be at a one- or at a two- or a four-year college; and second of all, it's just simply easier on mom and dad's checkbook. Of course, when students attend college, they to receive career training. This contributes to workforce development, which is a big need in-- in Nebraska. And this is one of the goals of the education coalition of which NRCSA, NCSA, and NASB are all members. So in closing, the three organizations do appreciate Senator Kolowski for bringing forth this bill and we encourage you to advance the bill.

GROENE: Any questions? I'd like to compliment the schools. One of the pages from my area is a sophomore and she will graduate college at the end of her sophomore year down here because she has enough credits from the dual credits that she'll be entering law college as a very young individual [INAUDIBLE] program--

JACK MOLES: Yeah, we-- we had-- at one time, a lot of kids were going on to college with, you know, over 20 credits, maybe upwards of 30. That number has dropped a little bit because of having to have the-- the master's in the content area. A lot of our teachers had gone and gotten a master's, for example, in curriculum assessment or educational technology. And so those master's don't exactly fill the need to-- for those kids to get dual credits in some of those courses, so--

GROENE: Thank you.

JACK MOLES: --this would help.

GROENE: Senator Murman.

MURMAN: Yeah, thanks a lot. I note, just skimming over on one-- the previous bill there on how many fill out the FAFSA, I noticed that-- since you represent NRCSA, I'm asking you this question. It seemed to me quite a few rural schools had a higher percentage of students that filled out the FAFSA compared to urban schools. Do you have, you know, when we're trying to figure out a way to--

JACK MOLES: Yeah.

MURMAN: --to get more students to fill out FAFSA, or-- or the parents, so that they qualify for the ACE scholarship and so forth, any idea why that might be true?

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JACK MOLES: You know, I-- I don't. I'm not really experienced with the larger schools. I-- I know, from-- from the school district I was at, at the time, the counselor did a really good job of having a school finance night in which they would-- they would fill out the-- they-- she would give them-- or they would provide instruction for filling out the form. They'd help parents with it. I-- I know this because the counselor was my wife, so [LAUGHTER]. But I-- I do know a lot of other districts, smaller districts, do have that. Like I said, I'm not experienced with the bigger districts.

MURMAN: Yeah, thanks a lot. And that's been my personal experience, too, by the way. It hasn't been too many years ago, as a parent, I--

JACK MOLES: Yeah.

MURMAN: --you know, I had to fill it out, and it was because the school counselor had some kind of a meeting, if I remember right, before school with the parents and-- and where--

JACK MOLES: Yeah, we-- we tried to do an evening one so parents didn't have to take off work to do it.

MURMAN: Yeah, this was early enough, too, that I think parents did it on the way to work, maybe, but--

JACK MOLES: Yeah.

MURMAN: -but, yeah, it worked out anyway. Thanks.

GROENE: Any other questions? Thank you.

JACK MOLES: Thank you.

GROENE: Next proponent.

JOHN SKRETTA: Good afternoon, Chairman Groene, Senators, members of the Education Committee. My name is John Skretta; that's J-o-h-n S-k-r-e-t-t-a, and I am the ESU 6 administrator, and I am here today on behalf of STANCE Schools. STANCE is Schools Taking Action for Nebraska Children's Education. It's a coalition of 19 midsized school districts that pretty much cover the geographic span of Nebraska from Ashland, Greenwood, east of us, to Chadron out west and a whole bunch of others that are listed there at the bottom of the letterhead on the written testimony that's coming around. We just want to express our

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full-hearted, unanimous support as an organization for Senator Kolowski's proposal as articulated in LB1168. We endorse the bill and assert that its passage would bring much-needed influx of support and resources to college and career educational opportunities for Nebraska students and our teachers. Specifically, there's, as-- as you know, there's two prongs to this bill. One of those would be the test reimbursement component. I just want to mention that-- that with the consistency with which Nebraska high schools offer dual credit enrollment possibilities, many of those carry with them an implication or a necessity for testing at the end. So an AP exam standard rate is \$94. If you get the fee reduction, it's still \$32. College-level examination programs are fee based, and so that component or that provision of the bill is substantial in that it would, I think, help fulfill the promise that the Nebraska Department of Education has pledged to, which is that we all need to be champions for equity, and that will help to level the playing field and ensure that students who are enrolled in these courses have the fullest opportunity to gain the acquisition of college-level credits. The second prong of that, in terms of credentialing for dual credit teachers and the qualification pathways for them and supporting that with funding, is something that we believe is absolutely essential if we want to ensure that we have as many students as possible accessing those opportunities, because we can't do that if we fall behind due to the more rigorous and very substantively changed requirements of the Higher Learning Commission around the credentialing of dual credit teachers in our high schools. This factors right into the teacher shortage areas that we have in career and technical education, also in language arts, mathematics, and sciences. One of the things that we researched and came across anecdotally described finding a high school math teacher with a graduate degree and being able to retain that person with a master's in mathematics is the equivalent of a unicorn in a public school anymore. So the-- the big problem is basically a pipeline of instructors who are qualified for, credentialed to teach those dual credit courses because of the advanced subject matter, content knowledge, expertise required. And so the number-one barrier to sustaining robust dual enrollment programing is almost certainly staffing. So in conclusion, we just want to articulate our support for Senator Kolowski's LB1168, and we really appreciate your consideration of it. Thank you.

GROENE: Questions? It was referred to earlier that in order to teach a dual credit or an AP class, the teacher has to have a master's degree?

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JOHN SKRETTA: Yeah, so here's what's changed, because this is really kind of fascinating. What happened for years is that-- because, as you know, like if you look at the list of STANCE school districts, many of those, if you were to look on the Nebraska education profile and see what percentage of the teachers possess a master's degree, it's pretty substantial. OK? In-- in fact, in many cases, it may be over, well over half of the teachers possess a master's degree. The difference is that what the-- the change in requirement has stipulated, it's not going to work to teach a dual credit course if you have a master's degree in curriculum and instruction. You need to be able to demonstrate your subject matter expertise, so you've got to have a master's degree in that area and 18 of those credit hours need to be very subject specific. So we have a situation now that we've encountered in our schools where many teachers who have previously taught these courses for years don't meet the credentialing requirements anymore, so you're within a window now where schools are really, really thrashing about to try to get those teachers credentialed to do so.

GROENE: Who changed the standard? Did this body?

JOHN SKRETTA: The postsecondary oversight groups did, yeah; no, not-- not the Legislature, no.

GROENE: It was a commission somewhere?

JOHN SKRETTA: Yeah.

GROENE: And most of these individuals would be-- when you were administrator, you might call a math teacher that you knew was going to stay around or-- and ask him to pursue this and you could help him with some scholarships.

JOHN SKRETTA: Yeah. So what some-- what some school districts have done has tried to rely on their foundations. If-- if they're affiliated with a foundation, then they'll do something like that to try and assist with tuition remission because, honestly, otherwise, you have situations where teachers are maxed out on a salary schedule already, as per negotiated agreement, so what's the incentive for them to go on and pursue additional graduate education, I mean, other than they love the content area or they want to keep teaching that teaching assignment. But it's a-- it's a real predicament.

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GROENE: So what you're saying is a lot of them already have a master's degree, been there-- been there 16 years [INAUDIBLE].

JOHN SKRETTA: Substantial numbers, yep, yep, ironically enough.

GROENE: And they took something that maybe someday they wanted to be an administrator instead of continuing to be a math teacher.

JOHN SKRETTA: God forbid. [LAUGHTER]

GROENE: It's called pay scale. But it-- so that makes perfect sense. I understand why you would need to incentivize them. Thank you. Senator Linehan.

LINEHAN: Thank you, Chairman Groene. So because the postsecondary commission has re-- requires-- now requires that they have a master's in the content, does that make it more likely that colleges are going to accept these dual credit programs for college credit? Because there's a letter in our stuff from a woman who spent a lot of-- she's very happy she did so, but spent a lot of money on dual credits and AP programs and then, wherever her daughter, or child went to college, they didn't accept the credits. So--

JOHN SKRETTA: Yeah.

LINEHAN: --since they're demanding that, does it change--

JOHN SKRETTA: If you-- so-- so typically what we've seen is if you attend school in state, there's likely articulation and acceptance agreements. And as soon as you move outside the boundaries of the state of Nebraska, so if the undergrad was pursued elsewhere outside of Nebraska, whether a private or a publicly funded university, it would be much less likely that the credits would transfer, not impossible, but less likely.

LINEHAN: But doesn't that kind of go against the idea that we're under this postsecondary commission that's multiple states and that's why we're having to do this, because they're saying we have to do it? Wouldn't at least--

JOHN SKRETTA: Yeah.

LINEHAN: --all the states that they're overseeing--

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JOHN SKRETTA: Um-hum.

LINEHAN: --be some effort that there was--

JOHN SKRETTA: One would think--

LINEHAN: That's not the situation.

JOHN SKRETTA: --that there would be a better effort to coordinate acceptance across all institutions, yes, but yeah, it is a-- it's--

LINEHAN: Well, why are we-- I mean, I'm sure-- excuse my ignorance, but how many states are in this commission, do you know? If you don't know, that's fine.

JOHN SKRETTA: I don't know.

LINEHAN: I don't know either, but it sounds like it's mostly Midwestern, because it's out of Chicago, right?

JOHN SKRETTA: I think so, from something I came across, Midwestern, yeah.

LINEHAN: OK. All right. Thank you for being here. Appreciate it.

GROENE: One more question, do you know the percentage of students who take an AP class or dual credit and then that's the end of it, they don't apply to take the test so it is accepted?

JOHN SKRETTA: Yeah. So that's-- that's one of the other things that's an interesting factor with this bill is, if you had testing reimbursement, you would substantially-- you could predict that you would substantially increase the rate at which students who take AP courses actually take the exam, because what's happening now is that due to the dual credit nature of it, if it's-- if it's set up as a dual credit offering AP course, they'll simply take the credits from, say, Wesleyan, if that's the sponsoring institution, with the hope that those credit hours will transfer. But actually, if you take the AP exam, first of all, the school districts have a better data set to work with over time; and second, you have a greater likelihood that the score earned on the AP exam will be transferable to any institution, depending on how well you perform on it, of course.

GROENE: Because that's a national test then?

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JOHN SKRETTA: Yeah, college board administered, yep, um-hum.

GROENE: Then a test on each subject matter?

JOHN SKRETTA: Yeah.

GROENE: But do you know what percentage of kids who take an AP class actually end up taking the college credit testing?

JOHN SKRETTA: I don't. I know in my prior experience at Norris it was very low--

GROENE: It was.

JOHN SKRETTA: --compared to the total number of students taking those courses, um-hum.

GROENE: So, curiosity, why did they take it, just because they wanted to be challenged?

JOHN SKRETTA: They wanted more rigorous content and they anticipated that, because it still had a dual credit agreement, they would be able to capitalize on the dual credits acquired through Wesleyan or whichever postsecondary institution was the--

GROENE: They checked and the school already told them they'd probably accept it.

JOHN SKRETTA: Yeah.

GROENE: --without spending \$95 for the test. Thank you. Senator Brewer.

BREWER: Just a quick question on the opening part you had. My son was a math teacher in Iowa, finished his master's and was stolen by Nebraska. Math teachers are that hard to come by?

JOHN SKRETTA: Yeah, we're always in the market to steal good math teachers. Absolutely. [LAUGHTER]

BREWER: Well, all right. Guess he picked the right field.

JOHN SKRETTA: Yeah, and-- and I think part of the challenge is that if you obtain an advanced graduate-- a graduate-level degree in math or science, those fields in particular, the demand from the private

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sector may make it difficult for a traditional salary schedule agreement within a school district to compete in terms of overall compensation, if that makes sense.

BREWER: I think they also said you have to coach girls' basketball.

JOHN SKRETTA: That usually-- other duties as assigned, yeah.

BREWER: Thank you.

GROENE: Any other questions? Thank you, sir.

JOHN SKRETTA: Thanks.

GROENE: Next proponent.

BRIAN HALSTEAD: Good afternoon, Senator Groene, members of the Education Committee. For the record, my name is Brian Halstead, B-r-i-a-n H-a-l-s-t-e-a-d. I'm with the Nebraska Department of Education. We're here as a proponent on LB1168. As I said on LB920 and LB998, this topical area is a priority of the State Board of Education. We're certainly willing to work with the committee and all of the parties involved to craft the language necessary to move this bill out. And I'll stop there and answer any questions. I do have the answer. There are 19 states who are part of the Higher Learning Commission, which is a postsecondary accrediting organization. They are not a Nebraska agency that created that requirement, so.

GROENE: Any questions? To clarify, in your fiscal note, the \$282,500 is involved-- included in that?

BRIAN HALSTEAD: That is the funding for the Career Connections, the Kuder system that I think you also got a handout as to what it does. Yes, that's the current dollar value of the cost of that system.

GROENE: And you added it in here into the fiscal note.

BRIAN HALSTEAD: I believe that's how the fiscal note was crafted, yes, to show--

GROENE: Because crafting this-- this bill, you-- well, I think we-- Senator Kolowski and his staff did work extensively [INAUDIBLE]--

BRIAN HALSTEAD: Oh, absolutely, absolutely.

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GROENE: --language that--

BRIAN HALSTEAD: Right, it-- it's just going back and looking at all the language in LB920, looking at the language in this, and making sure they consistently work or whether there's some tweaking, and LB998 also as a piece, so it's part of it. Sometimes staff who work on this piece don't know the other pieces, so when they do an analysis, they're only here. They haven't seen everything else, and that's part of the work we'll do with you and the committee to make sure this all works coherently for everyone involved.

GROENE: Thank you. Any other questions? Next proponent. Opponent? Neutral? Letters for the record: proponents, Millard Public Schools, Holland Children's Movement; opponents, none; neutral, none. Senator Kolowski, would you like to close?

KOLOWSKI: I want to thank the committee and all those who testified today for the-- the backing they've given to this particular bill and for the, again, with Senator Groene and his staff, working on a bill that can have great impact upon our state and the students that are working on this. One of the things-- here's an aside-- sidebar on one of the things that-- that's taken place in the state at the current time. Millard South High School in the Millard District is-- will be awarding a-- the junior college or the degree with their high school degree this particular next year, because of the dual enrollment program that has been in place with the juniors and seniors in the Millard schools, and those students will be way ahead of the curve, as they-- they worked very hard in high school to do that. They have a number of courses and they have all those credit hours added up. But it's a great advantage for those-- for those kids to-- to basically walk into college as a junior as they're leaving high school. So it's a very ambitious program, and I think we'll have more schools looking at that and doing that in the near future. And that's where the-- the dual enrollment and other opportunities for these students will come into play. So we're-- we're on the right path. We're doing some really good things, and I think we all need to take some pride in that as far as what our students are doing and the options that they have to be successful as they move on. Thank you.

GROENE: Any questions? For clarity, what you're saying is you-- Millard South will have--

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KOLOWSKI: Millard South is doing that.

GROENE: --have graduates walk across the stage with an associate's degree from the community college--

KOLOWSKI: Yes, sir.

GROENE: --and also a degree from the high school?

KOLOWSKI: Yes, sir.

GROENE: Do they have to attend both graduation ceremonies?

KOLOWSKI: No, I think they're-- they squeeze by with one. They get the certificates, though, and it's all there.

GROENE: Thank you.

KOLOWSKI: Thank you.

GROENE: Any other questions? Thank you, Senator Kolowski.

KOLOWSKI: Thank you very much.

GROENE: That ends the hearings for the day. We'll-- after the room is cleared, we'll have an Exec Session. I'm going to run to the restroom.