

Transcript Prepared by Clerk of the Legislature Transcribers Office
Education Committee February 25, 2020

GROENE: My name is Mike Groene from Legislative District 42, I serve as Chair of this committee. The committee will take up the bills in the posted agenda. Our hearing today is your public part of the legislative process. This is your opportunity to express your position on the proposed legislation before us today. To better facilitate today's proceedings, I ask that you abide by the following procedures. Please turn off cell phones and other electronic devices. Move to the chairs in the front when you want-- if you're gonna testify. Order of testimony is introducer, proponents, opponents, neutral and closing remarks by the introducer. If you will be testifying, please complete the green testifier sheet and hand it 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 to the page to distribute. If you're 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. First four minutes will be, we'll use the light system, will be green. Last minute it will be yellow, and then wrap up your comments. And you may take quest-- questions from the committee members. If you would like your position known but do not wish to testify, please sign a white form at the back of the room and it will be included in the official record. The committee members with us today will introduce themselves beginning at the far right. We're starting a half-hour earlier to accommodate another committee that wants to have some of the members of this committee at their meeting. But we'll start with Senator Dave Murman.

MURMAN: Hello, I'm Senator Murman from District 38: Clay, Webster, Nuckolls, Franklin, Kearney, Phelps, and southwest Buffalo County.

LINEHAN: Hi, Lou Ann Linehan from Elkhorn.

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

PANSING BROOKS: Patty Pansing Brooks from District 28, right here in the heart of Lincoln.

KOLOWSKI: Rick Kolowski, District 31, southwest Omaha.

GROENE: I'm sure Senator Walz will be joining us. I know she's in the building. And I think Senator Morfeld has a prior commitment. So to my immediate left is legal counsel Chris Jay. To my right at the end of the table is committee clerk Kristina Konecko. Pages are one, Nedhal.

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I butchered your name, but we do have a page. Please remember that senators may come and go during our hearing, as they may have bills to introduce in other committees. You might see committee members on their phones or their computers. Be assured that they are contacting their office or doing some research so they can make sure they're asking you pertinent questions. So we'll start with LB1156, Senator Vargas.

VARGAS: Good afternoon, Chairman Groene. I do have something to pass out. Members of the Education Committee, my name is Tony Vargas, T-o-n-y V-a-r-g-a-s, and I have the pleasure of representing District 7 in the communities of downtown and south Omaha in the Nebraska Legislature. In a second, I'll pass out-- I think I'll just hand this over to you. A one-pager. I'm here today to talk about LB1156. LB1156 creates a framework for the Department of Education to develop a statewide school panic button program for all public schools. We'll have the opportunity to talk more about the specifics of the bill. But before we do, I want to share with you a recent conversation that I had that should set the framework for our discussion today. Last week, I spoke with Lori Alhadeff. Lori's daughter Alyssa was one of the 17 people killed at Marjory Stoneman, Douglas High School in Parkland, Florida, two years ago. Lori was hoping to be here today to share this story with you, but is testifying on a school safety bill in Florida. So she couldn't make it. She wrote a brief message that asked me, and she asked me to share with all of you, so I'll read that aloud now. Dear committee members, good afternoon, and thank you so much for giving me the opportunity to share my thoughts with you today. My name is Lori Alhadeff. My husband and I lost our 14-year-old daughter, Alyssa, in one of the most devastating mass shootings in U.S. history. Marjory Stoneman Douglas English, English classroom in Parkland, Florida, is where our daughter lost her life after being brutally shot 10 times. Alyssa was everything. She was a bright scholar, talented soccer player, a wonderful friend to those who knew her, and the center of our family unit. Had a common-sense school safety measure been in place that day, there's a chance that Alyssa and some of the other 16 who were murdered would have survived the tragedy. Alyssa's Law already passed in my home state of New Jersey one year ago, which requires every public school building to be equipped with silent panic buttons directly linked to law enforcement. As I'm unfortunately well aware, time equals life. The faster we can get law enforcement on campus, the more likely we are to save lives. No matter your political party, the ultimate passage of LB1156 is of paramount importance to all students and teachers in the state of Nebraska. I urge you all to

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seek passage of Alyssa's Law, LB1156 in as timely a manner as possible. The lives of all students and teachers in the great state of Nebraska are at stake. Thank you so much for your time. Lori Alhadeff. Now, Lori has shared publicly that the pain she feels over losing her daughter was magnified in the weeks and months following the shooting when it became apparent that there were serious breakdowns in crisis communication and response between school personnel and first responders that contributed to the loss of her daughter and so many others. She firmly believes that if mobile panic buttons were in place in Alyssa's school, lives would have been saved that day. And in 2019, Lori was instrumental in encouraging New Jersey to pass Alyssa's Law, a bill mandating the implementation of panic button statewide. Now, as I said earlier, Lori couldn't be here today in person, but she will be traveling to Nebraska next week. And my office will be working with your offices to set up times for you to meet with her. And thank you in advance for taking that time. As a new parent and a former teacher myself, I recognize what Lori describes. I'm all too familiar with the various pressures that our educators face when managing their classrooms and supporting students of fulfilling the duties of being a teacher or a school administrator or counselor can be very challenging. I know that from firsthand experience. Having a mobile panic button could give our teachers real peace of mind and allow them to feel protected in a tangible way throughout the day, whether in the classroom or another part of the school campus, so they can maintain control and focus on educating their students. Since the tragic shooting at Sandy Hook Elementary in 2012 and continuing today, calls for school safety measures have never been louder. Since Sandy Hook, there have been at least 569 incidents of gunfire on school grounds that have resulted in 210 deaths and more than 400 injuries. Now, in 2020 alone, there have already been 20 incidents of gunfire on school grounds that have resulted in 7 deaths and 11 injuries. Yet, according to a recent survey, the National Center for Education Statistics, only 29 percent of our schools have panic buttons or alarms that directly connect to law enforcement in the event of an emergency. Now, one of the many benefits of law-- a mobile panic button system, is that teachers, faculty, and staff can maintain protection across the entire campus whether in a cafeteria, on an athletic field, or after regular school hours, during parent teacher conferences or meetings. In 2019, the group created to review the shooting at Alyssa's school, the Marjory Stoneman Douglas High School Public Safety Commission. And that concluded that the timeliest way to communicate on on-site emergency is direct reporting from a school staff member to everyone on campus and the 911 center simultaneously. Further, in December

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2018, the Federal Commission on School Safety found that during active assailant incidents, the calls to 911 usually occurred two to three minutes after the start of an attack. The Federal Commission on School Safety, the Sandy Hook Commission, and the Marjory Stoneman Douglas High School Public Safety Commission all recommended the implementation of simple communications technologies that simultaneously alert first responders and staff of an emergency situation while providing real-time information about assailant location and school floor plans. In essence, this is what LB1156 is designed to do. As Lori has told us all, time equals life. Currently, our state has a patchwork approach to school safety, with individual districts carrying out safety in different ways. This prevents the Department of Education and first responders from being able to view all incidents happening across Nebraska in real time. Having a statewide panic system, button system in place for schools to adopt, if they choose to, provides a single safety response platform for 911, public safety, and education which will improve communication. A statewide system also makes implementation of the system cost feasible and provides an opportunity for standardized training programs. This bill sets up a program framework but does not pick a specific vendor. It also does not prevent a local school district from purchasing a different product than the adopted state program or simply choose to not participate. This is not a state mandate. Schools that have a current system in place can continue to use that system without any consequence or penalty. We would not be the first state to adopt a statewide system. To date, I'm aware that Arkansas, Louisiana, Oklahoma, and Delaware adopting this approach. And in addition, the Florida and New York state legislatures are considering legislation, legislation similar to LB1156. We shouldn't have to worry about our kids' safety when they leave the school in the morning. But unfortunately, this is the world we live in. We need to ensure that our schools, teachers, first responders are armed with the best possible resources so that they are prepared if, and God forbid, when something does go wrong. I believe LB1156 is a big step in doing just that in the most effective, fiscally responsible, and efficient way that allows flexibility and choice for school districts. With that, I'm happy to answer any questions. I appreciate your time.

GROENE: Questions from the committee? Senator Kolowski.

KOLOWSKI: Thank you, Mr. Chairman. Senator, what is the update schedules for this technology that they have planned to keep ahead of the negative aspects of what someone could do? I worry about how the

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technology could be used in a different way and use it against the school and therefore provide maybe potentially more targets rather than less targets by securing down of a room or a wing or whatever else might be, might be done. I don't know this company. I don't know the-- I just heard about it today talking to the gentleman there in the audience. And what assurances do we have that they are on the cutting edge of not being mishandled by someone?

VARGAS: I'm gonna try to answer your question. I don't think I'll be able to fully answer it. So first is this is, this is going to be a contract that would be bid out. We're setting some parameters here to ensure that it's up to speed and up to date with standards that we're seeing across state wide school panic button programs that also ensure that it's accessible, it's cost-efficient. And so the standards that you see in the legislation are setting them. However, the bid and the contract and what capabilities come along with that will be determined on whoever wins the award. That may be a question that you want to ask if, if the vendors are testifying. But hopefully that, that answers some of your question. I can't answer all of the questions.

KOLOWSKI: Well, some of that. But what do you do then with high schools, let's say where I was a principal, that may have the policy that your handhelds are not to be used or open anytime during the day or maybe potentially not even on you during the day. Leave it in your car so it doesn't interrupt by doing some things in the, in the school, unless it's being used as a tool in a particular classroom, which could be taught that way too.

VARGAS: So I think the second part of your question is the one that I focus more on, that this is a tool and a resource. Any instance where this would be required, what policies are in place at the local level would be determined by a school board or might be determined by any sort of rules and regs that are in the program the Department of Ed puts out. But this legislation is not mandating anything other than the type of technology and the application that would, would create the sort of programmable components. So those are great questions that I think after, if implementation happens, we need to make sure that schools have answers and understand the flexibility and choice.

KOLOWSKI: Is there a price on updating every time the manufacturer gets a little better about an issue that they wanted to make sure that they had to take care of? Is there a price connected with that as well?

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VARGAS: I think that will be dependent on the bids. I don't-- I know you don't often hear, hear this, but in Appropriations we are often faced with a lot of renewing of contracts or potential costs, additions to existing contracts that does come to us. And whatever department, including the Department education is looking for more appropriations, they'll come ask for us and then it will, it will be, it will have to be coming to a vote on the Appropriations Committee. So if that happens, that's what will happen. But that's not in here in this bill.

KOLOWSKI: Thank you.

GROENE: Senator Brewer.

BREWER: Thank you, Mr. Chairman. I had a chance to call my brother, and he probably is uniquely qualified in that he was a school resource officer and now he's a county sheriff. So when there's a 911 call come in, comes in, he's the one that has to share that information with patrol, with local police in that particular town and coordinate whatever type of response there is gonna be. But when I ask him about this, he said, here's the problem, you can have whatever type of alert system you want. But if there's a person in a school with a gun, you're going to have to find someone to be in the school with a gun to stop them or they'll continue to kill until they run out of ammunition. So I guess the question is why wouldn't we be better off taking the \$2 million and investing it in school resource officer so we have someone physically in the school to protect the children?

VARGAS: Senator Brewer, I appreciate your question. I think we're in a politically charged time when we're talking about these issues. And there's a reason why I'm bringing a bill that's focused on response, and quite honestly is also a practice that we have here. We have panic buttons and we have a response system here in the Legislature. Instead of focusing on saying that this is the solution to everyone's problem, I think it's a solution to help bolster school safety that has come out of all these different commissions as a, as a, as a policy recommendation. I think what you're proposing, I understand the question, but as a separate policy recommendation that should we look into what school resource officers do, the training support? I know Senator Pansing Brooks had, had different bills on school resource officers, and I think anti-bias training. But I would say that that's a different bill that we would need to bring. And, but I'm not saying that this solves all the answers. But in terms of communication and

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response, that this is, this is one resource and tool that we're seeing states take on.

BREWER: And I'm not, I'm not going to, I guess, argue the issue with you. I agree that that would have to be a separate bill. And I think maybe we missed some opportunities to look at how to better provide resource officers to the schools. But \$2 million is a lot of money. And if this blast of notification goes out and yet there's no one who responds who can actually correct or end the situation, we haven't changed the dynamics, the things that happen. I mean, and even in your statement with Parkland that, that it could have made a difference. We can probably come up with a lot of scenarios that could have made a difference. But the real truth of it is, unless we have someone who can end the situation, these mass shootings are gonna happen. If there's someone who's crazy enough to do those kind of things, there has to be someone on the other side, whether it be a resource officer. You know, we've discussed arming teachers and the problems with that. But somehow we've got to figure out how to make sure that when this incident happens, there's a way to quickly end it, because time is our enemy on this. But I applaud you for trying to find a solution.

VARGAS: Thank you.

GROENE: Any other questions? Senator Linehan.

LINEHAN: Thank you, Chairman Groene. I'm just looking at the letters that came in, and maybe somebody from the North Platte Police Department is here. But do they have this in North Platte? Is that, is this, this kind of a system in place in some of the schools in Nebraska now?

VARGAS: Yes.

LINEHAN: And they've just, so I-- is the \$2 million, does that pay for everything or is it \$2 million plus whatever the schools have to spend, do you know?

VARGAS: It pays for everything.

LINEHAN: All right. Thank you, Senator Vargas.

GROENE: Senator Vargas, doesn't say in the bill who, who is equipped with this? Every student, every teacher, anybody, parents who-- whose phone is this panic button on?

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VARGAS: So this would typically be, I think it kind of operates similar to what we do here. We have the, the ability to download an application as all staff and senators. Some people do, some people don't. So this is ensuring that everybody that is a staff member can then have this, an administrator. We're not dictating who would have to download it or have it available. We just want to make sure that the application and the system is in place that any school can adopt it. We're not dictating how it's going to be rolled out in any school that takes on and opts into this.

GROENE: Well, do you know, in the states that are doing it in schools, who gets the panic button?

VARGAS: My, my understanding is it's usually teachers or an administration that have this on their either mobile phone, that they're the ones that are usually equipped with this in some of the statewide programs. Arkansas, for example.

GROENE: So they're in Florida on summer vacation and are getting mugged. And they go, I've got this panic button. What happens, do they get a reply to 911 locally there for something unrelated to the school?

VARGAS: I can't answer that question, that scenario, but there will be somebody that, here that talks a little bit about the integration and how responses with the actual application.

GROENE: Anybody can have the 911 on their, on their phone, right? Just hit the button. These calls for \$2 million end up at the same place, right? The 911 center?

VARGAS: They, yeah, there's a communication that has to go through a 911 system.

GROENE: So what's the difference? You can do that free. I got 911 on my--

VARGAS: So here's the one thing I'll say, and I think I said this a little bit earlier. Seconds. I understand, Senator Brewer, and that, you know, at least in terms of a policy recommendation, and I'm connecting these two, that time equals life. Anything we can do to speed up communication and make sure that information is, is streamlined across everyone, I think is a worthy investment. And I think this is about speeding up communication processes both within

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the school and with 911. And we're not just talking about active shooter. We're talking about any emergencies.

GROENE: With technology things move fast. There's going to be companies and pretty soon it's gonna be free. Most of these apps are free down the road because the technology is there and they put it-- you can go buy the thing for \$5. Why are we paying \$2 million for this?

VARGAS: We have many different technology that we utilize at the state level. I think that one benefit that we, I talked about, is if every single district has their own patchwork or separate system, there's a benefit to then having one statewide system to ensure that we're sharing information. We do that right now in terms of statewide data systems for a lot of different agencies. And we try to do this and it's a best practice that we're seeing across other states to go down the route of creating a statewide program versus smaller programs.

GROENE: I got two letters, Hershey Public Schools in my district apparently has a contract to do this, and so does a few of the buildings in the North Platte Public Schools. Apparently they got it in their budget. Do you know what it costs to that school district per school district if they do it themselves?

VARGAS: That's separate--

GROENE: And make a local decision?

VARGAS: Separate contract, that I can't speak to how much it costs to each of those different school districts.

GROENE: But isn't the safety of the children the responsibility of the local school board and the local public safety officials? So apparently a lot of them are already addressing it. So why do we need to get involved?

VARGAS: The percentage that we have is around 27 percent of schools. We don't have an accurate picture on what that is in the state of Nebraska. But nationally, 27 percent of schools have some sort of panic button program--

GROENE: In Nebraska?

VARGAS: No. That's the data that we have nationally. Across Nebraska, we don't have that data. We know that there are some and you see some

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letters of support, obviously. I don't want to wait until-- I think providing the option of having a statewide program is a prudent choice that we're providing to schools. We would not be mandating that they use it like other states. But there are cost efficiencies with having it at the state level rather than having, you know, separate, smaller contracts in every single school district.

GROENE: One of the requirements here is you have to prove that you have one in a school system already that, what, has a thousand schools or something. Well, that just gives one company a head start of everybody else in starting up, doesn't it?

VARGAS: Well, we want to make sure that whatever companies are qualified and have had a record of success of working within all across the state and many schools. So that's just to make sure that we are creating a standard. And there are, there are more than one different companies bidding for these type of projects across this country.

GROENE: But only one company selected. Is that correct?

VARGAS: Correct. Yes. Just like most of our contracting bids.

GROENE: So technology moves really fast and another company comes up with a better one tomorrow, we're locked into this, into this company?

VARGAS: I don't think this is any different than any contracts that we have. The Department of Ed gets to decide what the contract is and what the terms are and for how long and what the cost is. If we don't like a company that we contract with, we can then make a choice through another competitive bidding process to go with someone else once the contract is over. So that's still up to us. And again, little checks and balances, Appropriations still gets to then-- if we-- there's more of a cost associated with a new contract that is going to come to us.

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

PANSING BROOKS: Thank you. Thank you for bringing this, Senator Vargas. What I'm hearing is that this doesn't necessarily replace SROs, it doesn't-- it's just another tool in the tool box for schools to be able to communicate rapidly and keep kids safe.

VARGAS: Correct.

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PANSING BROOKS: Thank you. That's all I have.

GROENE: Senator Kolowski.

KOLOWSKI: Thank you, Mr. Chairman. The teachers would have this on their, on their cell phone, if they have a cell phone, and most do. Are students given the right to have a button on their phone as well? Or is it only, only to the teaching staff?

VARGAS: Only teachers, faculty and staff.

KOLOWSKI: Is that impregnable, it can't go anywhere else by contract?

VARGAS: That would be up to what the Department of Ed puts in, in the bid and what they're looking for. We do not dictate, dictate that further.

KOLOWSKI: OK. Thank you.

GROENE: Senator Murman.

MURMAN: Thank you, Senator Groene. The-- I assume the people that would have the app would be, like you said, faculty, employees in the school district and, and also local law enforcement and safety personnel would have it?

VARGAS: If they're in the school, you're saying?

MURMAN: No, I'm talking about like a county sheriff or city, city sheriff, whoever is law, whatever law enforcement is closest. In my district, it would either be the town sheriff or county.

VARGAS: If-- we don't have the parameters for necessarily them, since they're not school employees or staff or teachers. That's not covered in this. But if there are further guidelines or qualifications that the Department of Ed wants to put in to ensure that there is law enforcement somehow included in this. But this is specifically for all K-12 public schools, the school teachers and staff and faculty.

MURMAN: OK. So it doesn't include like the 911 center then?

VARGAS: In-- it's not requiring the 911 center to do anything, but the 911 center is connected to because the guidelines here dictate that it has to integrate with 911, it has to be able to integrate with the existing 911 system, and it has to be able to also allow for send-up

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and follow-up messages. So, so whatever entity wins the contract, it has to be able to integrate with our existing 911 system under, under this bill. So it would need to then be able to then communicate with them.

MURMAN: OK. So an advantage would be that you just push one button to contact, out in my area it would be probably 911 that would respond quickest, or the sheriff. You wouldn't have to call 911 and explain the situation. You would just push the button. But in, in, in my district it would be someone in the school that would have to respond quickly in most, most, all situations to end it quickly. Similar, similar to Senator Brewer.

VARGAS: Right.

MURMAN: Thank you.

GROENE: Senator Linehan, did you have your hand up?

LINEHAN: I'm just-- I did. I don't-- you're going to be here to close too, right?

VARGAS: Yeah.

LINEHAN: I think-- I'm sorry, I'll wait until we-- we're closing.

GROENE: Senator Brewer.

BREWER: And this might be more fitting for your closing anyway. But just, just so you make a note of it. The next question I'd have is because time is our enemy, we're adding another layer, and the 911 dispatcher takes the information from the teacher, the principal, superintendent, whoever, and helps them to develop the scenario. You know, whether they need to tactical team or, you know, what, what has happened? What is the, the emergency at the school? By having a push-button system, are we limiting the amount of information the dispatcher would have in a timely manner to pass it to the officer so that they can respond appropriately to the situation?

VARGAS: My answer would be that it's not creating more, more of a step. And you will hear from at least one of the entities that has done this in other states that there are thousands of, thousands of responses. And they're using it because it is a more timely manner and

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more efficient manner to integrate communication with 911. And again, within the school system as well.

BREWER: Well, let me just share this, this thought with you. We had a scenario, and they've had it for a while now. And it's, it's a broken arrow. And that just simply means that U.S. forces are in trouble and they're about to be overrun. And by notifying broken arrow, that brings every asset available within a reasonable range to bear on that situation to help them. The problem with the broken arrow is a lot of people come that you may not necessarily want. They do you more harm than good. I guess that would be the question is, and that may come out here is, is when you push the button, who all gets lit up and how do you coordinate that so that effort is done in a timely manner with the right people so that you don't make the situation worse, but you get to the right place at the right time?

VARGAS: I think you will be very pleasantly happy to hear the responses from people behind me that talk about ensuring that the communication is going to the right person. That's what the standards we're setting in this bill.

BREWER: [INAUDIBLE].

VARGAS: We want to improve communication.

BREWER: Thank you.

VARGAS: Thank you, Senator Brewer.

GROENE: Just one question, Senator Vargas. How many states have this now, did you say?

VARGAS: There's four states and others that are looking at more legislation in this area.

GROENE: Are there four different vendors, or is it the same vendor in those four states?

VARGAS: There's different vendors that are bidding for this across different states.

GROENE: The four that have it, is it the same vendor, is it--

VARGAS: I'll double-check. I don't know which vendor is for all those different states. But it looks different in different states. Like I

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told you, New Jersey required that every school has to use it. So it looks different in different states. So I'll look up and find out what the vendors are.

GROENE: Thank you. Thank you, sir. Are you staying for closing?

VARGAS: Oh, absolutely.

GROENE: Proponents.

ADAM EISENMAN: Chairman Groene and members of the Education Committee, my name is Adam Eisenman, spelled E-i-s-e-n-m-a-n, and I'm the director of government affairs for Rave Mobile Safety. I'm here today to testify in support of LB1156, and I would like to extend my gratitude to the work being done behind the scenes on the critical topic of school safety. I also want to praise the work that Alyssa's mom, Lori Aldaheff, is doing nationally in bringing attention to the issues surrounding school safety in the wake of the Parkland tragedy. Specifically, how a mobile panic button can deliver a faster, more effective response and ultimately save lives. Lori is part of the movement that we see taking place nationwide to address critical incident communication between schools and first responders. Legislatures in Florida and New York are also currently working through proposals like this one to bring enhanced technology in the form of panic buttons to their schools. However, these states join a growing surge of states in search of tools that address everyday incidents that occur after hours, on athletic fields, and in classrooms. As an organization, Rave has been in business for 15 years, working with more than 6,000 clients, including communities nationwide, to improve safety. Rave's ability to be at the forefront of safety innovation has led to statewide deployments of our particular panic button system in Delaware, Louisiana, Oklahoma and Arkansas, where the system has been utilized over 7,000 times for all types of emergencies, while also protecting local Nebraska communities such as Ralston, Hershey, and North, North Platte. Although, although we are here today to talk specifically about school violence, I'd emphasize to the committee that school personnel must prepare to confront a variety of emergencies on campus, from medical emergencies and assaults to fires and other crimes, and it is important to implement a system that can effectively respond to incidents of all kinds. We have examples across the country of the panic button being used to prevent a school shooting before it began in Arkansas, or being used to rally staff with medical training to provide aid to a young girl who suffered a seizure and head trauma in Alabama, to

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assisting with the search of a child that went missing from a school campus in Snohomish County, Washington. In each of these cases, communication and the immediate involvement of 911 had a tangible positive effect on the response. I'd also emphasize two keys to improving school safety in response for emergencies that we have learned through our conversations with communities that entrust their children's safety to us, and from professional policy groups researching and studying the issue of school safety. The first and most important is that any emergency response process starts with 911. 911 acts as the incident manager, gathers information, and dispatches authorized emergency personnel to the scene. Their involvement is key to a rapid response and faster reunification. The second is that providing notifications to teachers, faculty and staff at the school about the type of incident underway and the proper response can mean the difference between life and death, because we know that these tragic events typically last under five minutes. So every second lost to the confusion and chaos of the moment can increase the number of fatalities the community must cope with in the aftermath. Recognizing that fact, Rave places in mobile panic button app on the phone of every teacher, administrator, and staff member at a school so that the lifeline they rely on, rely on is always in their pocket. This has become increasingly important with the rise of incidents that have been occurring after hours at sporting events, dances, and meetings. When a teacher or staff member presses the panic button, two simultaneous actions occur. First, a voice call to 911 is made. This allows the professionals who are trained to handle these types of incidents properly diagnose the situation and send the proper personnel to the scene. At the same time that 911 call is made, messages are sent to all staff members through text, email, and app-based notification. These messages contain critical information, including the identity of the person reporting the emergency, location of the event, and most importantly, the type of emergency underway. While all of that is occurring, 911 receives the same information while also being presented with school floor plans, emergency response plans, class rosters, and other critical data that can be instantly disseminated into the field so that first responders have access to it. I do want to stress to the committee a program like Rave is in no way a replacement to the current 911 system. Rave supports Nebraska's migration from a legacy E911 environment to next generation 911. Rave has worked diligently with the National Emergency Number Association to assist in building out the standards of NG 911 over the last decade. Rave's school safety program is not a replacement or duplication to NG 911, but only enhancement that allows

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for a faster, more effective response to schools across Nebraska. Next generation 911 does not include a mobile, does not include a mobile panic button program. There is no cost for a 911 center to participate in the program or work without any technology installed in a public safety answering plan. I also want to describe and highlight why this bill is in line with national policy recommendations, including the FBI, Department of Justice, Federal Commission on School Safety, and the Marjory Stoneman Douglas Public Safety Commission. Communication was a major failure both in Sandy Hook and within Broward County during Parkland. Different pieces of technology were in place, none of them with the interoperability capability to communicate. The result was unnecessary confusion and delays. As an example of this, teachers were calling 911 several minutes into the event, asking if there was an active shooter. Time equals life, and a uniform school safety tool to communicate emergencies would resolve many of these disparate system failures. These are difficult, but unfortunately necessary, conversations to have. And I would like to extend my gratitude to each of you for allowing me to testify today. I look forward to continuing to engage with policymakers like yourselves who are committed to protecting our children, and I ask for your support on LB1156. I'll conclude by asking the committee members if they have any questions that I can answer for them today. Thank you very much.

GROENE: Questions. Senator Brewer.

BREWER: All right. Here are some of the questions I asked Senator Vargas. And after hearing your opening, or your presentation, I guess I don't have a warm and fuzzy that-- I understand it's a big system and that with the push of a button, they're going to send building plans and all this information. But if you're the police officer and you just got the call, your mission is gonna be to go from point A to point B in the quickest manner possible to close on the position where the threat is and neutralize that threat. He's not going to have time to digest or or use that unless it's a hostage situation. So my, my concern is we are adding that layer because it's not going via direct the 911 system. And how do you, through your push-button system, provide information to that officer that would be more timely and better information than what the dispatcher who actually talked to the human that's at the location-- how would it be more pertinent? Because we're gonna have X amount of money to spend on our schools. And my son's a teacher, my sister in law, brothers are teachers, and I don't want to-- I don't want to see us spend money on a system that's adding layers of bureaucracy when I can put a police officer in a school with

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a gun ready to react, as opposed to a lot of, of layers of stuff. So that's the part I'd like you to kind of walk me through.

ADAM EISENMAN: Senator, I think I should clarify, we in no way, shape or form go around the 911 system. So our application is actually placing a standard voice call to 911. So that allows the, the individual reporting that incident to communicate as they would today when they place a regular 911 call.

BREWER: OK, hold up just a second. So I'm at the school and I'm the principal and I call our-- am I hitting an alert button on my phone or am I actually physically calling some headquarters that you have?

ADAM EISENMAN: So I think you're bringing up actually a really important point. If you go around 911, which we, we as a program are adamantly against, that slows down the response time. Our point and methodology is that 911 is critical to the response. They dispatch the appropriate resources, they make sure it's done in a coordinated manner. I think our added value is, one, we work for all emergencies. So we have to recognize the fact that we could be talking about, you know, the student that has a seizure, the student that has a peanut butter-- a peanut butter allergy. So we need to prepare for more than just the worst-case scenario. But the app places a voice call to 911. It lets them, lets them, number one, gather additional information about the incident, and simultaneously folks on site are notified of that type of emergency. So you mentioned getting law enforcement there faster if, if it is a active shooter type of scenario. Completely agree with that. These events happen very quickly. So we could actually notify first responders associated with that campus, school resource officers immediately when that button is pushed through our system. So they're getting a notification, they know the location, and they know who pressed the panic button. But the also important component is oftentimes when there is an active shooter on campus, people in another part of the campus don't know that there's an active shooter. So we want them to be part of that early notification so they could take proper precautions like run, hide, fight, evacuate. That was one of the big challenges that we saw in Sandy Hook, in Parkland, in Santa Fe as well.

BREWER: But if they're in possession of a phone, I can take the 49 senators from the body, and I can hit one button and push a message to them. Boom, they get it and they all know, meeting, 15 minutes in the lobby, wherever. But now we're gonna, we're gonna have a system and, and this, this may work. I just need you to kind of slow-walk me

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through a few more issues. Because if you are responding, because whoever-- we'll just say the superintendent calls in your system, he's gonna take that information and he's gonna disseminate it through a text message or some system. So the teachers know. My question is, you're still going to 911 first, then that-- then 911 gets a hold of this, whatever we're going to call it that then distributes the information. Is that correct?

ADAM EISENMAN: So it's, it's automatic. So our button is actually more than just a button. So it's active shooter, police, fire, medical. So based on the type of event, what button you push determines who gets notified. It's always going to place a voice call to 911. So there's no additional action that that individual who's reporting the incident has to take. The voice call is automatic and the notification is automatic. Once 911 is aware of, of an activation, they can send follow-up notifications to those on site. So as they're gathering additional intelligence, they can push out follow-up notifications, all kit-- all clear, reunification point, even something like a physical description of a missing child. So it's a, it's a continuous communication loop beyond just an initial--

BREWER: Oh, it's a continuous communications loop. That loop is to the officer on the scene, to 911? Because if, for example, there's a bomb, you know, fire department are great. Except when they get in the way, when you're in the middle of firefight. That's, that's not a good scenario.

ADAM EISENMAN: Yeah.

BREWER: So you want to make sure the ones you have are going to be the most productive ones on the scene. But you also don't want to find a bomb and not have the right people to understand how to handle this. So I'm still a little bit confused as far as what this sequence of events and how communications is shared in a timely manner with enough detail to know the right thing to do. Because there will be a point you're almost going to have to blindly trust the officer on the scene to then work the follow-on things that need to happen. And I just-- the concept sounds interesting, but the mechanics of it is the part that's still a little, little gray. But maybe as we go through and hear some more, we'll have that gel a little better.

ADAM EISENMAN: I think one, one comment that might be helpful is we work with each local community to bring stakeholders together. We recognize that school safety is not just K-12 schools, but goes beyond

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that to other staker-- stakeholders like public safety, 911, even rolling that up to certain state agencies that might have a part of the response process as well. So we work with these stakeholders to ensure the right people get notified based on the right type of event.

BREWER: Thank you for your answers.

ADAM EISENMAN: Thank you.

GROENE: Senator Linehan.

LINEHAN: Thank you, Chairman Groene. I think we're-- I think I understand. I've read some of this stuff. This is just the system to notify people. It's not, you're not-- your system doesn't direct people what to do, right? You notify-- the system notifies 911 and they hopefully have a plan, if this happens. And then it notifies-- I think we're not getting to the major thing that this does. It notifies every other adult in the building.

ADAM EISENMAN: Correct. It will notify--

LINEHAN: So every adult, and if you get a-- if you're at Millard West, which is a huge complex. So every teacher would get an alert and they would know to lock their door, lockdown--

ADAM EISENMAN: Correct.

LINEHAN: --whatever their instructions are. The instructions is to who to do, who does what when this happens, that's still up to the school, up to the sheriff. You're not telling people what to do. You're just telling them we have a crisis, there is a shooter in room X, and then hopefully they're all trained, they know exactly what they're supposed to do. It's just the notification system.

ADAM EISENMAN: Correct. We're getting information to the right people at the right time as fast as possible. We're not changing local response protocols necessarily.

LINEHAN: That's fair.

ADAM EISENMAN: That's still up to the locals.

LINEHAN: OK. Thank you very much.

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GROENE: Sir, so Senator Linehan referred to some of these school buildings are pretty large. So I'm the teacher that hits the button. Does that tell the first responders, the second responders, because the teachers is the first responder, which room? Where at in the building?

ADAM EISENMAN: We do provide additional location information, including who is reporting the incident. We also provide GPS location off the cell phone to 911, which is an additional enhancement to what's available today. Typically the location that they get is from the cell tower and that could be anywhere from a few meters to a couple of miles, depending on where you call 911 in Nebraska. So we're providing a much better location--

GROENE: So it's to, to the cell tower. So it doesn't tell them which room?

ADAM EISENMAN: Where the GPS off the phone, so--

GROENE: What's that?

ADAM EISENMAN: Where the GPS off the phone. So it's a more precise location. We're not always going to--

GROENE: The phone, not the tower?

ADAM EISENMAN: Correct. Yeah.

GROENE: So the second grade teacher happens to be in the cafeteria, it traces it to the cafeteria, not just says this is a second grade teacher in room 104.

ADAM EISENMAN: We try to provide the best available location. So we would overlay the location that we're providing to 911 off the phone with additional things like floor plans that are provided by the school so--

GROENE: So is this--

ADAM EISENMAN: --the idea being first responders can move through the building with purpose.

GROENE: This a 3G or 4G system or--

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ADAM EISENMAN: We're not a carrier, we're not a net-- we're not a network carrier.

GROENE: But what does it take? I mean, I can get some-- sometimes I'm in the 3G area, I can't do certain things on my phone. If I'm in a 4G, I can do something different.

ADAM EISENMAN: OK. I think I understand the question. Yeah, so as long as you can access cell connectivity, the program will work. We also have the ability to work over Wi-Fi. So if you don't have cell connectivity, you can work on Wi-Fi.

GROENE: Are you claiming that if I have 911 on my phone and I push that button that you're going to get there quicker than if I just hit 911? If I say I got a problem here at Podunk High?

ADAM EISENMAN: I think from all the after action reports that we've seen and the recommendations from the FBI, the Department of Justice, one of the key things that's missing today is immediate on-site notification. So if you just place a regular 911 call, teachers don't know what's going on. And that's one of the big issues that we help solve.

GROENE: The teacher reporting it does it, but not the, not the rest of the people in the building.

ADAM EISENMAN: Correct.

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

PANSING BROOKS: Thank you for coming today. So I'm just clarifying. It seems to me that, I mean, well, wrapping SROs and, and this idea of the red button into the same conversation, they're really not the same conversation. I mean, one is an ability to communicate with all the, all the adults at that school, and the other is somebody who could provide protection in a case where there was an active shooter or something. So I just, I want to, I mean, there are many steps that can be taken. The SROs are also an expensive alternative or an expensive thing that a, a school system has to decide that they are going to pay for an SRO. And this is also an extra tool in the tool box to be able to allow schools to communicate with each other rapidly and let-- I don't think it necessarily tells law enforcement faster, but it certainly tells the other teachers in the school more quickly if there's something, any other adults. Is that right?

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ADAM EISENMAN: Yeah, I don't think the two are mutually exclusive.

PANSING BROOKS: No.

ADAM EISENMAN: I think from what, what we've heard from talking to our, our customers across the country is that there is a benefit to law enforcement because someone like a school resource officer or the local sheriff's office, especially in rural communities that have a long response time, sometimes over 10 or 15 minutes, if they can receive a notification that there's an event going on at a school, that would allow them to roll up on scene faster. So I do think we help produce a faster response.

PANSING BROOKS: Thank you.

ADAM EISENMAN: Thank you.

GROENE: Any other questions? Senator Kolowski.

KOLOWSKI: I was many years at Millard South High School before, and then I retired in 2008. About seven, eight years before that there was a shooting at Millard South that killed one assistant principal and shot, and the principal was wounded as well. One person dead, one person seriously wounded. What else do you do as, as far as physical plant of that large building with each door, each lock, all the combinations, what training do you provide so someone in a building gets out of the way, gets away from the door, seals up the window that might be prevalent on that door so the bad guys don't look in and see, oh, here's more targets in this particular room. When the, when the sound, the, the bell goes off and and the website is dinged, what else can you do for a district? Because not all districts are very good at doing what needs to be done with all buildings, because all buildings come in different sizes, shapes, and years of production?

ADAM EISENMAN: Senator, thank you for the question. I'm very saddened to hear about that incident. I, I think this program provides a baseline for the technology, and really a standard to get all schools really a level up in terms of their ability to protect their own classroom. You mentioned a couple of things that I wanted to expand on. Training was, was one of them. I believe there's actually a statewide training program today. And that is something that we would certainly tie into as we create and customize a potential training program for Nebraska. You also mentioned other systems locally, like access control and door locks and things like that. The, the benefit

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of our system is we're talking about scalable technology here, and we can touch every single classroom, every single athletic field. We have a component of our technology referred to as interoperability, where we can tie into, and this would be at no additional cost, if a local school system wanted to tie this into a PA system, [INAUDIBLE] system, door locking system. So when our system is activated, because we're kind of the starting point for all emergencies, these other downstream systems can then be notified.

KOLOWSKI: One of the things that has been mentioned was the immediacy of action, as far as the safety, security things you want to do in your building. When I was principal at Millard West, we had 2,600 kids at the maximum. That's not a small school, it's one of the biggest in the state, one of the top five. So you have all those kind of things that you're looking at at all times and making sure that doors are closed, things are locked. When you make that signal, you have complete obedience as far as the close down of the building. And so someone can get there and then go door to door, whatever they have to do to get things done. It was very tragic to lose those people. The, the one person we lost and the wounding of the other after I had retired from the district. But that, that's one thing that really hits home when you reflect on, because I know what at Millard South at that time, I know what wasn't done, because I'd been there a long time. What wasn't done was a crime. What can get done is what we have to do. Thank you.

ADAM EISENMAN: Thank you.

GROENE: Any other questions? Thank you. Next proponent. No further proponents? Opponents.

DAN SCHLEUSENER: Chairman Groene, members of the Education Committee, I am Chief Deputy Dan Schleusener, S-c-h-l-e-u-s-e-n-e-r, chief deputy with the Buffalo County Sheriff's Office. I'm here to testify in opposition to LB1156 on behalf of the Buffalo County Sheriff's Office, Sheriff Neil Miller, and the Nebraska Sheriffs' Association. We agree that communication during an active shooter event is key to schools and law enforcement response, but that communication doesn't start the day of the event. It begins with regular communication, coordination, and training between schools, law enforcement, and first responders, which we have in Buffalo County. We would like to have seen more communication and coordination with the stakeholders in a project such as this, and there needs to be buy-in from all parties involved to help ensure the success. The groundwork to get that buy-in needs to be

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done on the front end of the project, not the back end. Four years ago, for example, Buffalo County enacted a safe schools hotline that has been built on over the years. It started with an 800 number as a reporting mechanism for Buffalo County schools. It has been expanded to text and email. In 2018, I wrote a grant on behalf of the 15 county members of the South Central physical-- planning, exercising, training region under the Nebraska Emergency Management. The U.S. Department of Justice awarded a \$100,000 grant to the region to expand the Safe School hotline to the region to include an anonymous reporting mobile application for school violence. We are continually looking at ways, ways to improve that system. This teamwork didn't occur overnight. It took legwork to expand the already-existing relations between schools, cities, counties, sheriffs' offices and police departments. LB1156, from what we have read, defines what the vendor shall have done, and that is to have implemented the statewide successful system with a minimum of 1,000 public schools. Our thoughts is why is it being limited? Isn't more the better in this type of instance? This helps ensure what is being bought fits the way Nebraska does things and gives the biggest return on investment. There has been no communication that we know of with the communication centers and 911 centers. LB1156 requires their participation and what we assume is the eventual installation of software on their networks. We would like to see something more of like a grant system, which would be based on a per-pupil cost per school district to ensure equitable funding and allow these localities that already have proven and established relationships determine what fits best for them. One size does not fit all. The only thing worse than no statewide school system panic button program, and heaven forbid an active shooter event, is a program that spends \$2 million and has low acceptance across the state and utilization from the approximately 300 public school districts because there was no collaboration or coordination with the stakeholders involved. I welcome any questions from the committee.

GROENE: Senator Murman.

MURMAN: Yes, thanks, Senator Groene. And thanks for testifying. I realize in Buffalo County there's a lot of different sizes of schools. Would you agree that in an active shooter situation someone's got to be in the school to react within fractions of a minute to really make any difference in most all situations?

DAN SCHLEUSENER: Agreed. It is-- response is the key to ending and neutralizing the event.

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MURMAN: And so there is a plan, as far as you know, in most of the schools or all the schools in Buffalo County? Do you know?

DAN SCHLEUSENER: In Buffalo County, we regularly train and meet with the schools. We have active shooter training events through the sheriff's office, through the different schools in Buffalo County. But it also includes coordination with the other law enforcement agencies in the county, because in these type of instances, it's gonna be an all-hands-on-deck response. We have, and we'll use between the sheriff's office, Kearney Police Department, Shelton and Ravenna Police Departments that if an event were to occur somewhere outside of their jurisdictions, they would respond to assist us. But yes, that initial response is the, is the key to ending the event.

MURMAN: So in the schools in Buffalo County to, to react within fractions of a minute to stop a situation like that, are there schools that could do that? And how, how would they do it?

DAN SCHLEUSENER: Again, it would be the response time of the deputies, of the local law enforcement. It would-- it varies widely. Kearney, with their two to three school resource-- Kearney Police Department with their two to three school resource officers may not be at the, at the school that it's happening at. The Buffalo County deputies may not be at the school that it's happening at. So it's the response of the responding deputies or officers.

MURMAN: OK, thank you.

GROENE: Senator Brewer.

BREWER: Thank you, Mr. Chairman. You were in for most of the discussion I had back and forth on the earlier topics. And my, my issue is this, and I don't mean to confuse the school resource officer with the subject today, but you can't really not have them somewhat overlap in that one has to react to the other. Otherwise, someone pushes the button. There's emergency, someone has to deal with it. If there's a school resource officer, they're fine. That's gonna be him. If not, it's gonna be the nearest law enforcement officer who can, can deal with the situation. I was refreshed to hear your explanation on essentially the, forgive my military terms here, but the battle drills that you do to prepare for, for these scenarios. And the other part, you know, we have a limited amount of money that we're gonna be able to, to push toward this. And I still am kind of a believer that even if it costs more, which I understand the resource officers would, but

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if we spend \$4 million instead of \$2 million, and these are just numbers I'm throwing out there. But and you have someone who's there in uniform, he's not limited to that. And my brother, Jeff, used to say, well, you know, I wasn't just there to deal with truant children and that. But, you know, I met with teachers. If there was a problem student, I figured out who he was and I kept an eye on him. There are other issues that are happening in the parking lots at the games and things where he was at. And he said if someone, you know, had an issue with epilepsy or, or someone needed to do CPR, that law enforcement officer was there. And guess what, it was pretty much everything fits under their umbrella. So one of the hard decisions we're going to have to make here is if we have an unlimited amount of money, where's the better investment? And it goes back to the point trying to be made that if you're in the school and you're a resource officer, your ability to react and actually change that scenario where there's fewer casualties, is going to be considerably higher than the person who has to drive a distance to get there. Is that, am I tracking right, or am I missing something here?

DAN SCHLEUSENER: Senator, thank you. I can't disagree with anything that just, just stated. I would say that that's a discussion best held between the school districts and the law, and their local law enforcement as to what type of relationship or presence that they're wanting at their individual school districts.

BREWER: And that's point well-taken, because we tend to, on a lot of issues, micromanage from here when each community kind of knows what's best for them and how to handle it. And so point well-taken. Thank you.

GROENE: Senator Pansing Brooks.

PANSING BROOKS: Thank you for coming today, Deputy Chief-- or Chief Deputy, sorry. I am just trying to figure out a couple of things. So yes, it's good to leave local control up on the SROs. And this also would be a way to leave local control. It's not mandating that any school district use these buttons. I'm trying to figure out what your objection is to having a school have this ability to communicate with each other and with law enforcement. Even if, even if an SRO officer was at the school, the classrooms next to the place where the shooter is could immediately know what's going on and immediately should do things to shut down or to draw curtains or whatever it is that they do to protect the students on either side of the shooter. So why is it

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better to just have everybody unaware and wait for law enforcement to get there in 5 to 10 minutes?

DAN SCHLEUSENER: Thank you, Senator. We are not, we are not opposed to the concept of, of a panic button system. We're just opposed as to how this legislative bill is, is written. It seems that it's been written to limit the vendors that are able to put in what I foresee as possible bids for service. We in Buffalo County are currently looking at the Safe Schools hotline that I spoke about earlier. We are looking at implementing a active shooter panic button-type system. We've looked at three different vendors, and we do agree that that initial notification in response is, in conjunction with with training to know what, what law-- how law enforcement is going to respond, how the school and their staff and students are going to respond to their individual policies, and how the law enforcement's response once they get there. It all-- it's the collaboration and coordination that, that takes time. So we're not opposed to the, to the panic button itself.

PANSING BROOKS: OK, so if-- so, I can see why Senator Vargas, or I believe that I can think that he might have chosen one panic button across the state, sort of like we have one 911 system across the state. So I can see why he did that. So you wouldn't be opposed to this bill then if he hadn't described one, one panic button to be used and decided by NDE. Is that correct? You think that multiple panic buttons across the state would be better, if that's what-- I mean, that's what I'm understanding from what you're saying.

DAN SCHLEUSENER: Communication and coordination with, with those stakeholders that are involved, the school districts, the law enforcement, the first responders and what fits best for them. What may fit best for Omaha Public Schools or Lincoln Public Schools may not work best in communities or school districts in Buf-- in Buffalo County.

PANSING BROOKS: Yes. So you're just disagreeing with the format that the Department of Ed decides this or what are-- what, I'm just still confused. So it sounds like now you're saying, oh, you do the like the, the red button system and that you're looking at it yourselves, but you don't like the fact that it's one system for the whole state.

DAN SCHLEUSENER: Yes, more or less. Yes, the system--

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PANSING BROOKS: So if that were somehow changed, you'd be supportive of this bill?

DAN SCHLEUSENER: I would think if there would be the communication and coordination with everyone involved as to what would work best for them. Yes, we're not opposed. We agree that the system like this, the instant notification. But along with that, the training and coordination needs to occur so that when they do pull their phone out, they, they are knowing how to use it and operate it in a manner.

PANSING BROOKS: Absolutely. Yes. So I guess it was my understanding that, that Senator Vargas did reach out to some people. That's part of the problem with a bill, though, is that it comes and, and it's not always easy to call every single person that might be affected. And that's why these hearings are important or calls to your senators who are bringing the bill to say, here's some ways that you could improve it. So, and I think Senator Vargas would be happy to discuss those ways. So thank you very much.

GROENE: Senator Kolowski.

KOLOWSKI: Thank you, Mr. Chairman. Would you describe-- opening question. Do you have an SRO in every building or high school building? Let's start with high schools. A school resource officer?

DAN SCHLEUSENER: The sheriff's office, we currently, we, we have one school resource officer for the six public school districts in Buffalo County.

KOLOWSKI: What is the distance, the longest distance in miles from where the resource officer might be located to the farthest school?

DAN SCHLEUSENER: It could be anywhere from 30 to 45 miles. There would also, I mean, there would also be regular patrol, patrol deputies that would be on duty that have geographical sections within the county.

KOLOWSKI: Thank you.

GROENE: Can I ask one?

DAN SCHLEUSENER: Yep, go ahead.

GROENE: Everybody has but me. Anyway, so every sheriff in every county, 93 county, is working with their schools, are they not, right now? And they have some kind of process, something in place. If the

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administrators and the school boards worth a darn and the sheriff is, they have something in place, don't they?

DAN SCHLEUSENER: I would, I would hope so. In today's society and where we're at, I would-- in Buffalo County, we do. I would hope that all 93 counties--

GROENE: You mentioned that the whole association of sheriffs serves-- sheriffs have a-- have agreed that you don't think this is necessary. So was there any of your members say, no, we think this is a good idea?

DAN SCHLEUSENER: The, the concept of a panic button is, is agreed that it is, it is worthy of--

GROENE: Well, isn't it, on your phone if you have it on your front page you just hit the-- 911, isn't that the same thing? This panic button isn't any faster response than that. It's going to the same location, is it not?

DAN SCHLEUSENER: That--

GROENE: If I hit 911 right now, it's as quick as \$2 million system, is it not?

DAN SCHLEUSENER: In notifying 911?

GROENE: Yes.

DAN SCHLEUSENER: Yes.

GROENE: So does your deputies tour the schools, all the buildings, so they got a pretty good idea what how the buildings are laid out? Or do they just show at the front door having no idea where the second grade classroom is, or if there's two floors or three floors or where the students are congregated? Do you actually go into the buildings and have your staff get familiar with buildings?

DAN SCHLEUSENER: Yes. Regardless if they're assigned as the school resource officer or if they're just a patrol deputy, they are encouraged to stop daily into the schools and make an appearance. And also the, the yearly training and discussions on site where we'll have an actual active shooter drill at the school. The deputies also have at their fingertips in their patrol cars access on their in-car

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computer layouts to all the schools and blueprints so that they would have the familiarity or availability in the event.

GROENE: I should know this, but maybe you do. Dealing with the, meeting with the administration at the schools and stuff, what happens now? I mean, active shooter, how-- is their alarms go off. Is there a broadcast over the loudspeaker, lock your doors, we have a shooter? How are the staff notified that something is happening? Or there's a fire? Fire, I'm sure the fire alarm goes off.

DAN SCHLEUSENER: Each, each school that we're familiar with in Buffalo, Buffalo County, their procedures are just a little bit different. Some, and it depends on the, on the, on the event itself, it may be shelter in place or it may be run and hide and get out of there.

GROENE: How did they notify them to the run and hide?

DAN SCHLEUSENER: Either through the PA system or through the activation of an alarm within the school.

GROENE: So that's just as quick as get a notification on your phone. You're in the middle of the class and your phone is over here and you got a notification that somebody hit the panic button. Which is better, that alarm going off in the hallway or, or the PA system or, or this. You might have your phone off because you're teaching school.

DAN SCHLEUSENER: It's six one way, half a dozen the other.

GROENE: Well, thank you. But it is happening now. I mean, this isn't we're just walking into this, kids are not protected. Law enforcement and school officials are protecting our children now.

DAN SCHLEUSENER: In Buffalo County, from, from my, my experience, we do have active dialogue with our schools and local law enforcement.

GROENE: Thank you. Senator Linehan.

LINEHAN: You can--

MURMAN: I don't care. Go ahead.

LINEHAN: So I think in the case of the Sandy Hook shooting, because I've heard one of the mothers give a-- I've heard her a couple of times. The first thing the shooter did was take out the office with

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the PA, PA system. So for a PA system to warn anybody, wouldn't somebody have to be at the PA, control of the PA, public announcement system? They don't have one of those in every classroom, do they?

DAN SCHLEUSENER: I think it would depend on schools, on what their PA systems are. But that would be a safe assumption, I would say

LINEHAN: That it's--

DAN SCHLEUSENER: Someone has to--

LINEHAN: --generally in the office. And the shooter comes in, the first people they take out the office, you have no PA system.

DAN SCHLEUSENER: Unless-- I can't-- if, unless they may have remote sites or secondary sites.

LINEHAN: But the people at the remote site under this system aren't going to know that somebody just walked in the door and shot them, because they're remote. They're over here in the gym.

DAN SCHLEUSENER: I would say that's a fair statement.

LINEHAN: OK. Thank you.

GROENE: Senator Murman.

MURMAN: Thank you. I don't want to put you on the spot, but I want to be direct with the question, too. In most situations where an active shooter is, if there's not an armed SRO on campus, if it would be approved by the school board, the next best thing would be to have undercover personnel at school that could respond within seconds. Would you not agree with that?

DAN SCHLEUSENER: By undercover, you mean sworn law enforcement?

MURMAN: Well, I'm talking about school-- trained, extra-trained school personnel.

DAN SCHLEUSENER: So school staff that are armed.

MURMAN: With, with the approval of the school board, of course.

DAN SCHLEUSENER: With, with the approval of the school board and, and with solid policy and procedure and the accompanying training.

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MURMAN: Yes.

DAN SCHLEUSENER: Yes.

MURMAN: OK. Thank you.

GROENE: Anybody else? Thank you, sir. Any other opponents?

NICK PADEN: Good afternoon, Chairman Groene and Education Committee members. My name is Nick Paden, spelled N-i-c-k P-a-d-e-n, representing Diode Technologies, which is, which is a subsidiary of Diller Telephone Company. Diller Telephone Company is a southeast Nebraska-based company providing tech-- telecommunication services for over 120 years. Diode Technologies stands in opposition to LB1156. Diode Technologies recently began selling a security system called Staff Alerter. Staff Alerter was developed for the K-12 market. Cloud processing and advanced communication services assures any message for any person or group will be delivered regardless of the condition of the facility power or network, network infrastructure. Combined with Staff Alerter, another device sold by Diode Technologies called Threat Extinguisher, gives schools the ability to personalize its own security needs. Threat Extinguisher is a canister of military-grade pepper gel with a firing range of up to 20-plus feet. These canisters can be strategically placed where schools feel comfortable having them. When the canister is removed from its base, a transmitter activates communication with the Staff Alerter security system, which then notifies administration, first responders, parents, anybody the school wishes to notify. Staff Alerter can be integrated with existing overhead paging access controls and alarm systems. Diode Technologies currently has relationships with 30 nebraska schools. What they have found is that each school and each law enforcement requires different needs. Diode has successfully marketed these products because of their ability to offer custom solutions. Because of the varying needs of each school. Diode believes that when it comes to school security, one size does not fit all. Diode obviously believes in the importance of school safety. However, LB50-- LB1156 restricts Diode and companies like it from being considered for a statewide contract. The bill appropriates \$2 million to the Department of Education to implement a statewide school panic button program. With local companies already providing security services in Nebraska, Diode feels the bill is unnecessary and would create state, state-sanctioned competition. Thank you for your time and attention. I'd be happy to try to address any questions you might have.

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GROENE: Senator Brewer.

BREWER: Thank you, Mr. Chairman.

NICK PADEN: Yes.

BREWER: Let's go back to where you talked about the canisters that had the pepper gel. In Afghanistan, for less than lethal, we had a foam-like material that we'd spray. It rendered them pretty much incapacitated. Normally you try and focus on their face. Couldn't see, couldn't breathe very well, and were relatively unable to react to anything or, or continue the fight. I actually find that kind of interesting if you look at school scenarios, because you're not gonna have bullets going through walls, you're not gonna have some things that if you have people that are relatively untrained that are in the situation, but it does neutralize this. Is, is this something that the schools that you're carrying-- currently working with have asked to have available within the school, like a, I guess, like a fire extinguisher or something that's available to use?

NICK PADEN: Yep, it's a, it's a product that just became available in the last couple of years that they began selling, that that they've offered to schools that they already have relationships with. I think they've demonstrated some schools have opted, opted to purchase, some have not. But and it was funny, ironic, the example, the military example that you used. When I, when I initially drafted this testimony, I said, I, I had in there the word spray instead of gel. And, and I know you were talking with bullets and, and firing. But they said that's one of the, one the best parts of this product is that it's not a spray. It's not a cloud where it's going to affect multiple people. It is a direct shot. Correct. So hopefully that answers your question. But I know it's something they've been marketing here for the last couple years, and some school districts have chosen to sign up. Others have not. But that gives them the ability to strategically place it in the school where they want it to be.

BREWER: Well, and I think if you provided the opportunity for them to actually use it, you know, set up cardboard targets for everyone. So you can see how it works, what range you have. And then if they're game, go ahead and let them try a little of it to see how effective it is. My concern is an alert system is great, but we just heard testimony where it might be 45 miles to get to where it's at, depending on where you're at. In my district, that would probably be a

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low number. So you could stabilize the situation or process of possibly eliminate the situation through something that's less than lethal and available and not requiring us to necessarily arm teachers or do something that could possibly cause the situation to become worse. So if we could combine the ability to alert and the ability to actually react and do something positive to the situation, I think that's a great way of managing it.

NICK PADEN: Great. Thank you.

BREWER: Thank you.

NICK PADEN: And I wasn't sure if it was allowed, and I should have asked ahead of time, Chairman, but I did bring information on the products. And I could leave--

GROENE: Hold on. Hold on.

NICK PADEN: OK.

GROENE: You're not supposed to.

NICK PADEN: Yeah, but that's why-- that's why I didn't.

GROENE: Did you bring anything with you that you want to share with the committee?

NICK PADEN: I did bring information on Staff Alerter, and as well as the Threat Extinguisher products, which I'd be--

GROENE: Those are products you market?

NICK PADEN: My client does. Yes.

GROENE: All right.

NICK PADEN: Diode. Yes.

GROENE: That's Diller?

NICK PADEN: Yes. Subsidiary of Diller Telephone. So.

GROENE: You have a 911 system and you also market these project-- products as a background, so it's all tied together.

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NICK PADEN: Correct.

GROENE: It's all tied together as one package?

NICK PADEN: They, they work together. I know that's not a technical way of putting it, but they all work together.

GROENE: So for the free market system, and to make sure we get the best, wouldn't it be better a grant system, where if you have a school applies for a grant and says, and says we market-- we chosen this company and we, it works better for our area area because it-- we're a remote area. And then to mass produce it across the state and then take away any incentive for that company to improve themselves because we're locked in with them.

NICK PADEN: Yes. We, we-- yes, we would agree 100 percent for, for a couple of reasons. For-- from what they have, from what they've seen, from be, from marketing this product, it truly should be a local decision because the needs for communities and law enforcement are-- they vary.

GROENE: You're very rural area, right?

NICK PADEN: Yes, they are. Yes.

GROENE: And I assume this, this other product, that spray, you understand the response time in rural Nebraska, no matter how quick you make the phone call, it's a half hour.

NICK PADEN: Correct.

GROENE: I understand one school, individual in Omaha told me they have a panic button for school staff to show up and help, and it's 7 to 10 minutes even in Omaha in the building. So you're trying to not only notify, your company is also trying to close that gap of some type of response?

NICK PADEN: Correct. For the school chooses, yep.

GROENE: Thank you.

NICK PADEN: You're welcome.

GROENE: Senator Linehan.

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LINEHAN: Thank you, Chairman Groene. Can-- I think your Staff Alerter, is that through their phones then?

NICK PADEN: It is, it's, it's a security system that they can run. A phone system can be part of it. It's, it's Wi-Fi, Wi-Fi with, with backups, phone or cellular backups. But I believe-- I hope I'm not getting out over my skis, I believe it's Wi-Fi-based.

LINEHAN: So I'm in a school and something's going on in the gym. Do all the teachers and all the other personnel know right away what's going on in the gym with your system?

NICK PADEN: Yes, it's. Can I turn around for a--

LINEHAN: No.

NICK PADEN: OK.

LINEHAN: [INAUDIBLE] somebody, that would be--

NICK PADEN: I, I know--

LINEHAN: Because I-- of all the things that's going on here today--

NICK PADEN: Yeah.

LINEHAN: --that the, that's the thing. I can't imagine being in a building and you know something, and you're responsible for 30 kids.

NICK PADEN: Yep.

LINEHAN: And you know something's going on. You know, you don't know what to do or what's going on.

NICK PADEN: Yeah. I don't--

LINEHAN: Does your system tell the teacher, you know, across the building what's going on? You know? So they--

NICK PADEN: And what location?

LINEHAN: --know what's going on. Yeah.

NICK PADEN: Yeah. I'm sorry.

LINEHAN: OK.

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NICK PADEN: Well, maybe someone can--

LINEHAN: Yeah. You can just--

NICK PADEN: --jump up but--

LINEHAN: --committee, that would be good.

NICK PADEN: Yeah, I know, I know the notification goes out to whoever they design it to go out to. Like I said, parents, law enforcements, administ-- school administration. I don't know if he gets as specific as to what location on the campus. But I, I do know--

LINEHAN: All I'm asking, does every teacher get-- and maybe I don't understand the system we're talking here, the Rave system. And I hope, probably they're not the only ones that do this, but a system where everybody in the building is notified immediately what's going on. That's what I'm asking. So you just get back to us on that.

NICK PADEN: OK.

LINEHAN: Thank you very much, Mr. Paden.

GROENE: Any other questions? Thank you, sir.

NICK PADEN: Yep. Thank you.

GROENE: Any other opponents? Neutral?

MADDIE FENNEL: Good afternoon, Senator Groene and members of the Education Committee. My name is Maddie Fennell, M-a-d-d-i-e F as in Frank-e-n-n-e-l-l, I'm the executive director of the Nebraska State Education Association here to represent our 28,000 members to register a neutral position on LB1156. As you know, the NSEA has been working on several bills that will address the safety and security of students and staff. We appreciate Senator Vargas offering another tool for staff to use in the event of an emergency. We've spoken with several of our members who are already using an application like the one covered in LB1156, and they appreciate the ability to have ready access to assistance on their phones. In addition, NSEA President Jenni Benson and I did a Zoom call with the company to learn more details about this product. We've had several issues raised that would need to be addressed at some point in the process for successful implementation. First, using a personal cell phone device that is bought and paid for by an educator is an economic term and condition

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of employment that must be negotiated. It cannot be mandated that employees download an application on their personal device. It is also important to point out that not all teachers have cell phones that would support the app. In addition, some schools and programs limit the accessibility of phones by teachers or have limited cell phone and internet capability or signal. Finally, there is some serious liability concerns for teachers, even if the school district provides a device with an app, some do provide a district-owned i-Pad, which could result in disciplinary action being taken, job security issues, and/or members being sued. For instance, would a teacher be reprimanded if the teacher called 911 and the administration didn't agree with the need for the call? Or could the teacher be reprimanded or sued for not contacting 911 when someone felt that they should? We believe that a panic button app could be a tremendous tool for educators. However, before NSEA could give full support, we would need to know that the implementation in each district would be standardized so as not to cause unintended negative results. Thank you.

GROENE: Thank you. Senator Brewer.

BREWER: Maddie, thanks for coming in and testifying.

MADDIE FENNEL: You bet.

BREWER: And I think you, you brought up a lot of great points. And I would agree. Just as kind of a quick side note, if I read this, the Threat Extinguisher is a canister of military-grade pepper gel with a firing range of 20-plus feet. Canisters can be strat-- strategically placed where the school feels comfortable in having them. Do you see a value added to this or do you think this is something that potentially could be an option in schools?

MADDIE FENNEL: I think it could be in some places. I know it's been interesting as I've gone out and visited schools across the state, noticing the various things that they do. One shop class actually made like a little panic bar thing to put over their doors because they were older doors. They couldn't even buy something to fit over it. And so the shop class actually made it for the school. I think there's a lot of ingenuity out there. I think something like that, I would, I would definitely consider that over arming teachers in schools at any given time.

BREWER: Thank you, Maddie.

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MADDIE FENNELL: You bet.

GROENE: That brings up the question. Do teachers take pepper spray to school with them? And if they used it, would they be liable or could they be charged with assault?

MADDIE FENNELL: Good question. We've never had that brought up, to my knowledge. We've never had to deal with a teacher who has that. I do know-- well, I can tell you this teacher carried it because I would go walking and I kept it on my key ring. So I think sometimes, in fact, once I went to the airport and still had it on my key ring and had it confiscated. Actually, I hid it somewhere in the airport, but that was a long time ago. I picked it up on the way back in. But so, yeah, I, I'm sure that teachers do, sometimes not even thinking about having it through. Because it's a personal safety device.

BREWER: Statute of limitations.

GROENE: But you don't know of any incidents where it's been used by a teacher.

MADDIE FENNELL: No.

GROENE: In the state of Nebraska.

MADDIE FENNELL: Not that I know of.

GROENE: What-- some of the schools in Omaha and some schools have a panic button, button, do they not, that goes to the administrators' office or to the SRO officer?

MADDIE FENNELL: Yeah, you have an office call button. Yeah. And I don't know that I would necessarily call it a panic button. But many have an office call button. We actually had a situation where two teachers in a Lincoln school were beaten severely by a student because they were actually doing announcements at the time that it was happening. And so the teachers couldn't call into the office while they were doing announcements. So there was about a 12-minute delay for the teachers to get assistance, was my understanding. We see this actually as something that would be used more in situations like that, not in situations of an active shooter, but more if a kid got hurt on a playground, students were becoming violent. And the piece that we liked was that when you hit that, it immediately sends something not only to 911, but to your administration. And so that they know, the people right there know, immediately that you need help. So we can see

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that there are some benefits to this, but there could also be some negative consequences.

GROENE: The alarms would go off even if you had your phone. I would assume most teachers have their phone on silent and they probably have it off in their desk somewhere. But alarms go off anyway?

MADDIE FENNEL: I-- when we went through the demo, they told us that it would go to every phone. They didn't talk about whether or not it would be silent or not. We also know that some schools, as I believe Senator Kolowski mentioned, have policies that say you're not allowed to carry your phone. So when I visited the YRTC, they're not allowed to have their phones with them.

GROENE: So they're not-- they didn't say if it was an alarm went off or just a--

MADDIE FENNEL: I don't know if it buzzes or alarms or whatever. It is nice that it lets everybody know, but if your phone doesn't happen to be on--

GROENE: Well, if you're instructing the class, you're not--

MADDIE FENNEL: Right.

GROENE: --pulling this out of your pocket, like I'm doing all the time.

MADDIE FENNEL: Right.

GROENE: Most of us do. It's off over here, it's in a desk drawer.

MADDIE FENNEL: Right.

GROENE: Is that not true?

MADDIE FENNEL: Yeah. And mine quite often in my classroom was locked, because I didn't want it to suddenly walk away.

GROENE: So an alarm going across the hallway or a PA system is probably something that teacher would hear?

MADDIE FENNEL: Yes.

GROENE: Thank you. So there's faults in all systems.

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MADDIE FENNEL: Absolutely. Redundancy is important.

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

MADDIE FENNEL: Thank you.

GROENE: Any other neutral? We received letters of support from the Hershey Public Schools, North Platte Public Police Department. Opposed, NACO. And neutral, none. Senator Vargas, do you want to close on your--

VARGAS: Yes, I would. Thank you very much, Chairman Groene, members of the committee. I want to try to bring us back to the original intent. This bill is about classroom safety, and is also about ensuring that we are, we have adequate response time, that we have an integrated system that allows with one touch of a button notification and communication that could potentially save lives in many emergency situations, that is not just active shooter scenarios. I know there is a conversation about other resources or other potential ideas to ensure that there's classroom safety and there's conversation even about gun safety. I reserve those to be a separate conversation that this is one potential tool and resource and solution for schools. I do want to answer a couple different questions that came up. There was a, as Senator Groene brought up this scenario, that if, if somebody were to press this on their phone and they were outside of state or outside of the school district they would be notified. You'll see in the one-pager there is a reference to geofencing that is done within this application. So that would not notify anybody. We talked about SROs. Senator Pansing Brooks ref-- referenced. We need to make sure, and you also brought up, Senator Brewer, SROs. They are included in the notification chain. What really works about technology when we're trying to set standards here is that those that are in the school. There is applicability and there is some, there's a way to then ensure that everybody is notified and you can configure that within the school district and within the school. You can configure what type of notifications you have as well. That's, I think, part of what makes this work. And please notice that that's not in the bill, but that, that applicability exists within this technology. I do want to write one thing in the record because this is important. When this bill was originally being drafted in December, the supporters, the initial supporters of this bill did contact the Sheriffs' Association. I also myself called them last week. I don't want this to then come across that our office or any of the supporters of this bill did not engage with the Sheriffs' Association. We did. And I think that's what we do

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in these process. And I think what we heard is that their larger concern is their perspective, that they were not engaged or potentially not brought in as a partner on this. As you read the bill, and I encourage you to read the bill after this, we create programs in statute. We do this. We do this here all the time. We create acts. We empower agencies and direct our Department of Ed like, or Department of the HHS, to then set the rules and regs for programs to carry it out. Many of the concerns that were brought up in both neutral testimony and opposition can be addressed after this bill passes. They can be addressed in terms, not every single one, but a large majority of them can be addressed in how we carry out and some of the fine tuning of the bill in terms of the actual program being created. This sets guidelines and parameters, no different from, I think, the conversations we're having with YRTC right now. We're going to set guidelines and parameters for YRTC the Department of Health and Human Services will continue to carry out and then meet to those guidelines. The only difference here is we are awarding a contract to an unnamed entity, and we want to make sure that standard is up to a very basic standard of what we are seeing across the country, what the Department of Homeland Security is also certifying as is a good standard. And that's what we wrote into this bill. I understand that from some entities that, I think from Diller, that they might see this as a potential state-sanctioned competition. I want to remind everybody that this is a choice on whether or not anybody wants to be part of this program. School districts can continue to have their own separate panic button programs or whatever contracts they have with anybody, does not conflict or interact with that. We're simply making it available so that schools have a choice across the state. And again, as the Sheriffs' Association did mention, and I want to make sure that it is very clear that they're not against the panic button program. They're against some of the qualifications and what the standards are for the panic button program. But for the record, I want to make sure that this is really clear. The standard that we're setting for panic button program contract vendor, the vendor shall have demonstrated track record of deploying technology for a school panic button program on a statewide basis with at least one successful statewide implementation covering a minimum of 1,000 public schools. They must have demonstrated success. And I don't believe that that is an extremely high standard. Shouldn't we be setting a standard that they have been successful and have been implemented in other states? Colleagues, I ask you to work with me on this because we can disagree on what the right policy is to ensure that every school feels safe. And there are several bills, I think Senator-- Maddie Fennell from

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NSEA, I'm not foreshadowing anything, NSEA did testify that there are other bills about school safety. We're talking about a bill that provides a tool or resource to ensure that there is adequate response and resources available for teachers and staff. And this is enabling that. The last thing that I want to say is, and I want to bring it back to Parkland. There are a lot of different routes we can go with legislation. I think, and my hope is that you'll get to then meet with the mother that will be joining us here next week, is that we need to have a system that responds in real time with as much information as humanly possible. This is not going around the existing 911 system, it works directly with it. We're setting a standard that makes sure that-- that has a technological implementation that has been successful in other states. We also want to make sure that standard is meeting certain certification standards by the Department of Homeland Security. That's also in this bill. And we're empowering the Department of Education to also create any other guidance that would allow the program to be successful. And ultimately, it still needs to be bid. Still that part needs, still needs to happen. And then the Department of Education will then evaluate all the different contracts that come before them to decide what's available. And still then schools are not mandated to use this. They will then have the option to ensure that they have the data capability, the response capability through one-touch program that's going to make everybody feel safer in our schools. With that, I just want to remind us what Lori shared with us, that time equals life, and that this is what this bill is about. And I ask for your support for this bill. Thank you.

LINEHAN: Thank you, Senator Vargas. He already read the letters for the record, didn't he?

BREWER: Oh.

LINEHAN: Oh, I'm sorry. Oh, Senator Brewer, I'm sorry.

BREWER: OK. Thank you. All right, well, since we're putting stuff in the record here, let's, let's go back. Now, I agree with you that your bill is all about the ability to alert. All I'm saying is I wish that you had taken it farther because, again, between talking to my son, talking to my brother, talking to to, to the ones who are either teachers or affect teachers, I cannot imagine a more helpless feeling than having your iPad, your iPhone, your pager, whatever, all go off and say something is happening and to be sitting in a classroom of students and be able to do nothing but hope that you can lock the door and keep someone from walking in and emptying a magazine into your

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classroom. And that's why I still think-- I understand, financially it's not possible to have an SRO in every school. I'd like to see them in as many schools as possible. But if we have alert combined with ability to react, that's why I asked Maddie about the idea of this, this gel that incapacitates people, less than lethal way of neutralizing the situation as best as you can without bringing firearms into this scenario. And in many cases, you know, I'm the first to tell you, there's probably no one that's shot more rounds than I have, and probably few that have been shot at more than I have. And, and I think that we have to have scenarios besides just alerting the school that there's a problem and be able to react and actually help stop it. Because just as you said, time is life. And if we don't have a package to help, we will have notification and no way to bring some type of resolution to save the children. So I guess what I'm saying is, I think you have a good idea. I just think we need to go a little bit farther so that we don't limit our ability to, to have the situation end in a positive way.

VARGAS: Thank you, Senator Brewer. And that's the really good thing about being in this body. We all have our different perspectives and experiences that we bring to this. And I'll never refute what you just said is, is completely valid. My only ask is that if we can see that this is, if we can affirm that this is a good idea and that there may be, and that this is always stuff to be debated, other things that will help ensure school safety, that together, and you used the word sort of packaged together, it's not a reason to then not try to move forward if it doesn't have a complete package. Because each one of them will then help support school safety in our schools. And you're not going to hear me say in this testimony that there's not more that we can and should do. I think that's part of what we're, what we're tasked with doing here in the Education Committee and other committees. But your point is taken. I do want to make sure to share is there are, and you have the letters of support from school districts that have demonstrated in Nebraska that this program or some sort of a panic button program works. They would like to see it implemented statewide because it means that more schools would be able to access it. They have been able to then utilize the training and support. It also provides a communication mechanism within the school. They can set the parameters on notification. There is a lot of good that comes along with the technology that is supported through this bill and some law enforcement letters in support. And I know we have some law enforcement that said they're opposed because they weren't brought in, but there is some law enforcement that have stated that

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they're supportive of these programs. It has worked in their jurisdictions because the schools have good communication and it's, and it's been working. So I just want to make sure that's also clear, because I think if we go down-- if we, if we go down a route of not doing something like this, enabling every single school district and just, and just letting it play out to have patchwork, and I've mentioned it several times, of different systems, if every single school did have their own system and it was all somewhat different, and even use Diller as an example, if there is a concern about integrating that in the state, it's going to be much, much more difficult with a bunch of different systems. So I think this is in line with what we tend to do in state government. But the difference here is we're not mandating it.

BREWER: Thank you.

GROENE: Senator Kolowski.

KOLOWSKI: Thank you, Mr. Chairman. Senator Vargas, I simply want to thank you for bringing this forward today. The, the safety and security of our kids in every classroom in every school across the state is extremely important to us. And no matter what direction we might go with this or what you're bringing together, we can't forget the big picture of the safety and security of every student in every classroom. It's paramount for us. Thank you for your diligence and bringing this forward.

VARGAS: Thank you.

GROENE: Any other questions? Thank you, Senator Vargas. That ends the hearing on LB1156. We now go to LB967, Senator DeBoer.

DeBOER: Good afternoon, Senator Groene and members of the Education Committee, my name is Wendy DeBoer, W-e-n-d-y D-e-B-o-e-r, and I represent Legislative District 10, which includes Bennington and northwest Omaha. I'm here today to introduce LB967, which would expand, expand school policies relating to bullying prevention and education. I'll note that this is the second of my two lame duck bills in this committee, so I express interest to you now that I would like to work with anyone who's interested in helping me over the summer to work on this and see where we can go with it. We know that bullying is a problem for many of our Nebraska students. A 2017 release by the CDC found that 22.4 percent of students in Nebraska report-- reported being bullied at school compared to the national rate of 19 percent.

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Students who face bullying are more likely to have poor academic performance, miss school, or drop out of school entirely, use alcohol or drugs, and attempt suicide. Another study found that youth who are bullied are 19 times more likely to experience suicidal ideation than youth with no history of bullying. Nebraska has already taken some steps to address the issue of bullying in schools that LB967 would expand upon. In 2008, the Nebraska Legislature passed LB2000-- or LB205, which required schools to adopt a bullying policy and to review the policy-- policy annually. However, the existing statute regarding bullying policies does not include specific guidance for districts when drafting these policies and could result in school districts leaving out key provisions. LB967 would expand the existing anti-bullying statute and require districts to include certain important provisions. Under LB967, the schools' bullying policies would have to include clear procedures for reporting bullying, investigating acts of bullying, and requesting a review of the response to an act of bullying. The bill would also require that schools notified the parents or guardians of any student involved in an investigation of bullying and make its anti-bullying-- bullying policy available to all parents, guardians, school employees, and students. At this point, the page has AM250, which would replace the requirement for a prompt investigation of a report of bullying with a reasonable report of a-- reasonable investigation and would require that parents or guardians simply be provided notice if their child was involved in an act of bullying, instead of prompt notice. This amendment addresses concerns that were brought to me by the school administrators on timing. Thank you all for consideration of this bill. I'm happy to answer any questions you have. And I should note that I will not stay to close because I'm needed in another committee.

GROENE: Any questions? Thank you, Senator DeBoer.

DeBOER: Thanks.

GROENE: Proponents.

MADDIE FENNELL: Thank you, senators. My name is Maddie Fennell, M-a-d-d-i-e F as in Frank-e-n-n-e-l-l, still the executive director of the NSEA, representing our 28,000 members. Bullying is a significant and destructive problem in our society. Just yesterday I was told of another Nebraska student who recently committed suicide after suffering from continued bullying and negative comments from peers. It is crucial that school districts have policies in place that address what bullying is, the procedure for reporting, investigating, and

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disciplining for bullying behavior, and procedures for protecting both targets of bullying and those who come to their aid by reporting these incidents. Social media has unfortunately become a tool of violence for some who would never say the things in person that they say from the safety of an impersonal device. Sadly, it is some of our elected leadership, thankfully, none of them in this room, who have modeled the use of social media cyberbullying. It is crucial that our school districts have comprehensive policies that include cyberbullying as behavior that can and will be addressed by schools. Senator DeBoer's bill has commonsense language that should already be in every school district policy. LB967 will ensure this statewide, as well as access to the policy, so that it may be fully utilized. LB967 is good policy. We believe this bill should be advanced to General File. Thank you.

GROENE: Senator Brewer.

BREWER: Thank you, Mr. Chairman. Again, Maddie, I appreciate your words here, because I think you're pretty close on target. I committed last week to work with Senator Morfeld on suicide prevention. And it looks like we can't honestly do that if we don't throw this in the mix of things that contribute to it. And I agree with you on the, the brave individuals that you have on social media that when you get face to face are not quite as brave. I had someone the other day tell me I need to put my attitude in check, which didn't sit well with the old colonel. So I said, well, why don't we discuss this? And I was informed that that would never happen. So, you know, I, I sometimes wish we could just have a normal, common conversation. And I think we could take a lot of these issues and diffuse them. Unfortunately, it's easy to hide behind a screen and send messages that can be hateful and mean and devastating in how people, you know, are able to, to see themselves. And there's a point where you can only do that so long and someone kind of gives up on life. So anyway, thank you for your comments.

MADDIE FENNEL: You bet. We do see it rampant among kids today. And it is, it is really terrifying what's happening and what we see. One of our reservation schools just recently declared a state of emergency because they've had three suicides recently. So, and while it's not all caused by bullying, we do know that it fuels a lot of these things. And it's very concerning.

BREWER: Agreed. Thank you.

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GROENE: So it says, school district prohibits harassment, intimidating, bullying, bullying and cyberbullying on school grounds and any vehicle owned, leased, or contracted by the school being used. So I just wait till 4:30 and then I send my text bull-- or my post bullying somebody then?

MADDIE FENNELL: And, and there could be some more work on this. We have to understand that what happens off school grounds on social media greatly impacts kids. And so we have to be comprehensive in how we look at that.

GROENE: I would assume that most schools, with what's going on, do not allow bullying. If a teacher sees bullying in the hallway or in the classroom, it, it is stopped immediately.

MADDIE FENNELL: That's true. If you see it. Quite often, though, you might not hear it, you might not see it. Sometimes kids are afraid to come forward and report on somebody else for fear of what will happen to them. So it's important to have policies that clearly tell everybody, here's who you report this to, here's what they should do when it happens, here's what you can be assured of should you be the person who does the reporting. And for what's done on social media, a lot of times, you know, kids are on apps we don't even know exist yet. And so it's important to try to keep ahead of that stuff.

GROENE: Thank you. Any other questions? Senator Linehan.

LINEHAN: Thank you, Chairman Groene. So school policies, it's been even a long time since I had kids in school, but you're held accountable as a student, aren't you, generally, for what you do when you're not in school too? The only thing I can think of is, like, if you get picked up for minors in possession, way back when I was a kid, you got suspended from school activities. So it wasn't just what you did at school. You're res-- you're responsible for what you do all the time because it reflects on your school. Is that not the way it's done anymore?

MADDIE FENNELL: Well, not necessarily. Not necessarily. I think it depends on what kind of school you go to. I went to a Catholic school, and that was definitely--

LINEHAN: Well, I went to public school, and that--

MADDIE FENNELL: Yeah.

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LINEHAN: --was definitely--

MADDIE FENNEL: But I also know that in our handbook it's stated that should you even be, like, in a physical altercation on the way to or from school, even if you were walking, you could be held accountable for that. So I do think that we can hold kids accountable. I think we also have to look at the impact on the school day. Many of these things flow into the school day because kids are picking up their phones and maybe they're read-- maybe somebody tweeted it last night or they posted it last night. But I'm reading it today in school and it's disrupting the classroom today.

LINEHAN: So that's my question, though. Is that-- is that child, just because he did it at home at 10:00 at night, does he still not have some accountability to his whole-- to the school and to the system and to his social peers?

MADDIE FENNEL: I think you--

LINEHAN: Just because you do it at home, it's OK?

MADDIE FENNEL: No, I think they should. But I think your school district policy needs to make that clear ahead of time that they're going to be held accountable for that. If they try to go back later and hold them accountable and they haven't put that in writing somewhere that they're accountable, that's when you get into trouble. That's when the lawyers get called.

LINEHAN: So you're agreeing that it's, the school should be able to hold students accountable for their behavior outside the school day or outside the school environment?

MADDIE FENNEL: That which impacts the school, and bullying does.

LINEHAN: OK. All right, thank you.

GROENE: Any other questions? Thank you.

MADDIE FENNEL: Thank you.

GROENE: Any other proponents?

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

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support LB967. The NCSA Legislative Committee supported this bill, the efforts to prevent, to prevent bullying, basically because it's already being done in most schools and it's best practice. So we greatly appreciated Senator DeBoer's willingness to talk to us about the bill, some of the language in the bill. But it is incredibly important to have an environment that is supportive of students, of all students, and addresses inappropriate behavior, whether that's intimidating or uncomfortable. You cannot learn if you don't feel safe and secure in a place. So that's essentially my testimony.

GROENE: So your policies, most schools, do they expel somebody for bullying or what, what--

KYLE MCGOWAN: So the definition of bullying also includes the frequency. So not everything is bullying, right? And with every sort of misbehavior you, you take into account, you know, a variety of factors. And start at the lowest level. So could a student eventually be expelled that wasn't listening, that had multiple incidences of not responding to the consequences that, yeah, absolutely.

GROENE: Thank you. Senator Kolowski.

KOLOWSKI: Thank you, Mr. Chairman. Kyle, we had two very interesting bills today. If you stop and think for a second, what is the physical plan that we're looking at or dealing with in case there's an emergency in our facility? And how do we lock it down? How do we make everyone secure, all those kind of things? Now take it beyond that. Put kids in there, and all of a sudden you got all the interaction between kids of X number, whatever the size of the building might be and all the rest. So from the physical plan, nobody there, to a physical plan with-- filled with kids, and all that interaction that takes place. If we don't have a keen eye, put it that way, and a keen ear to listen to and see the things that are going on, then we're missing out on some of the things that are negative about the school, or if positive things are happening, how you gonna pat somebody on the back from doing the right thing. It's just, I just find it really interesting that we-- how these two items today are mutually exclusive-- inclusive about everything they're trying to do and we're trying to do in schools. If that makes sense.

KYLE MCGOWAN: No, it does. And I think something that maybe is overlooked from early on is really educating our kids. Part of being young is testing the limits, experimenting. And it's really important for us to have adults that are teaching right from wrong and then

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hopefully getting to a point with our students that they also help us with the whole environment that's taken place and respecting other people and their rights to be here.

KOLOWSKI: Thank you.

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

ANDREW ALEMAN: Good afternoon, Chairman Groene and committee members. My name is Andrew Aleman, my pronouns are he, him, his, and I reside in District 9. I would be remiss if I didn't specifically say hello to Senator Kolowski, who was my principal. So, hello, Dr. Kolowski. I'm a social worker in Omaha, Nebraska. While I work at the univers-- while I also work at the University of Nebraska at Omaha, I am not here to represent the university, and my testimony today does not represent the views of the university. Today, I'm representing my role as co-chair for GLSEN, Omaha. GLSEN Omaha is the local chapter of a national organization, GLSEN. Every day, GLSEN works to ensure that LGBTQ-plus students are able to learn and grow in an environment free from bullying and harassment. It is the reason that we are in support of LB967. Lesbian, gay, bisexual, transgender, and queer students experience concerning rates of bullying and harassment due to their sexual orientation, gender identity, and gender expression. Every other year, GLSEN conducts a national climate survey serving LGBTQ-plus youth across the United States. In 2019, GLSEN released the 2017 findings, which for the first time we were able to get Nebraska-specific data, and each of you have a copy of that today. I just want to point out a few different facts within that data. First, the vast majority of LGBTQ students in Nebraska regularly heard anti-LGBTQ remarks. This reflects comments from staff, as well as comments from their peers. Secondly, most LGBTQ students in Nebraska experience anti-LGBTQ victimization at school. This is a combination of verbal harassment, physical harassment, and physical assault. On the topic of physical assault, 14 percent stated that they experienced physical assault due to sexual orientation, 13 percent due to gender expression, and 10 percent due to their gender. As a reminder, these happened on school grounds. Additionally, because we understand that people are complex and hold multiple identities at once, students surveyed also stated that they experience victimization at school based on religion, disability, and race-ethnicity. Most felt that they were unable to report, which further shows the importance of clearly defined policies and procedures when bullying is present and reported. The full National Climate Survey report shows that transgender and

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gender-nonconforming students that are in schools with supportive and inclusive policies are-- face less discrimination, are more engaged in school, which includes missing less days of school. That shows-- that's on this other document that I provided you here, shows what is it like for students to thrive in schools where they have safe and environments free from bullying and harassment. I ask that you show Nebraska students that all students deserve to receive an education and an environment that is safe and free from bullying and harassment. Thank you

GROENE: Any questions? Thank you.

ANDREW ALEMAN: Thank you.

GROENE: Any other proponents?

ROSE GODINEZ: Good afternoon, my name is Rose Godinez. Pronouns, she, her, hers. Spelled R-o-s-e G-o-d-i-n-e-z, and I am here to testify on behalf of the ACLU of Nebraska in favor of LB967. We thank Senator DeBoer for introducing this legislation, which adds critical updates and protections to our current anti-bullying law in line with emerging trends adopted across the country to ensure students can attend bully-- can attend school free from bullying and harassment. This legislation further assists school districts meet their obligations under federal and state law. Numerous intakes received by the ACLU each year involve bullying left unaddressed by the school. The complaints arrived from all corners of the state, from a diverse set of families, from small districts to large districts, indicating that Nebraska continues to have a problem with bullying. One of those intakes was from a young African-American student in a middle school who, for confidentiality purposes, I'll call Margaret. Margaret experienced bullying from her peers, including being threatened with the calling of police officers, death threats, being called names and racial slurs. Her mother reached out to the teacher, the principal, and all the way up to the superintendent to try and resolve the issue with no success. As a result, Margaret has had to eat lunch somewhere other than the cafeteria because her peers will not even let her sit down. The bullying at school has affected Margaret so much that she has been diagnosed with PTSD and now has psy-- suicidal ideations. Because of the frequency of these stories, the ACLU decided to investigate how Nebraska's anti-bullying policy measures up with other states and best practices, and that is contained in the white paper that I circulated along with my testimony. Our review of these best practice provisions adopted in other states demonstrates that LB967 is

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in line with those emerging trends across the country to further protect our students' rights, promote school accountability, and improve student safety by, primarily by, number one, providing a clear, transparent bullying policy and complaint policy. It also provides students the option of anonymously reporting bullying. And third, it incorporates an anti-retaliation protection for students who report bullying. None of those protections were included in the current statute. We look forward to working with the committee to discuss some potential amendments to include provisions on expanding the protected classes to other vulnerable children, a collection and publishing of statewide bullying data, data that's already being collected and wouldn't be too difficult to create such a report for Nebraska-specific data, and incorporating restorative disciplinary measures for bullying students. And for those reasons, we urge you to advance this bill to General File. Happy to answer any questions.

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

PANSING BROOKS: I have a question.

GROENE: Oh, you have your hand up? Sorry.

PANSING BROOKS: Thank you for coming, Ms. Godinez.

GROENE: Senator Pansing Brooks.

ROSE GODINEZ: Sure.

PANSING BROOKS: I have attempted to bring some bullying bills in the past, and I'm just interested in your take on it, is there an effort to make sure that the schools don't necessarily-- I presume you don't want necessarily charges brought against these kids that are bullies because often the bullies have been bullied themselves.

ROSE GODINEZ: Yeah.

PANSING BROOKS: Right? So is there some attempt to look at that? And, you know, not just trample down hard necessarily, but to try to teach and expand knowledge and have some, some focus on the trauma of bullying kids also.

ROSE GODINEZ: Yeah, I completely agree, Senator Pansing Brooks. We definitely don't want to exacerbate the school-to-prison pipeline. And we think there are restorative measures, including getting more counselors into schools and even not necessarily drastically going to

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suspension and expulsion, and seeing what the bullying student actually needs and what support services the school can offer.

PANSING BROOKS: OK, good. Thank you.

ROSE GODINEZ: Yeah.

GROENE: Any other questions? Thank you.

ROSE GODINEZ: Thank you.

GROENE: Any other proponents? Opponents? Neutral? She's gonna waive closing, I think is what she said. I can find my list of letters. Do you have another copy of it? Letters for the record. Support, School Social Work Association of Nebraska, YWCA, GLSEN Omaha, John Carl Denkovich of Omaha. Opposed, none. Neutral, none. That closes the hearing on LB967 and our hearings, final one for the year for the Education Committee.