

**MURMAN:** [RECORDER MALFUNCTION] public hearing. My name is Dave Murman. I'm from Glenvil, Nebraska. I represent eight counties pretty much along the southern tier of the middle part of the state, including Clay County that I'm from is just off the southern tier, and Holdrege is also off the southern tier and all the way from Sutton, Superior, out to McCook. I serve as Chair of the Education Committee. The committee will take up the bills in the order posted outside of the hearing room. The list will be updated after each hearing to identify which bill is currently being heard. Our hearing today is your public part of the legislative process. This is your opportunity to express your position on the proposed legislation before us today. We do ask that you limit or eliminate handouts. This is important to note: If you are unable to attend the public hearing and would like your position stated for the record, you must submit your position and any comments using the Legislature's online database by 12 p.m. the day prior to the hearing. Letters emailed to a senator or staff member will not be part of the permanent record. You must use the online database in order to become part of the permanent record. To better facilitate today's hearing, I ask that you abide by the following procedures. Please turn off your cell phones and other electronic devices. The order of testimony is introducer, proponents and opponents, neutral, and closing remarks. If you will be testifying, please complete the green form and hand it to the clerk-- the committee clerk when you come to testify. If you have written materials that you would like distributed to the committee, please hand them to the page to distribute. We need 11 copies for all committee members and staff. If you need additional copies, please ask a page to make copies for you now. When you begin to testify, please state and spell your name for the record. Please be concise. It is my request that you limit your testimony to five minutes. If necessary, we will use the light system; green at four minutes, yellow when one minute remains, and red please wrap up your comments. If there are a lot of people wishing to testify, we will also use the three-minute testimony limit. If your remarks were reflected in previous testimony or if you would like your position to be known but do not wish to testify, please sign the white form at the back of the room and it will be included in the official record. Please speak directly into the microphone so our transcribers are able to hear your testimony clearly. I'd like to introduce my staff; to my immediate right is research analyst Jack Spray; to my left at the end of the table is committee clerk-- actually, to my right is committee clerk Laurie Vollertsen. The committee members with us today will introduce themselves beginning at my far right.

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

**LINEHAN:** Good afternoon, I'm Lou Ann Linehan. I represent Elkhorn and Waterloo, District 39.

**ALBRECHT:** Hi, I'm Joni Albrecht, District 17: Wayne, Thurston, Dakota, and a portion of Dixon County.

**WALZ:** Hi. Lynn Walz. I represent Legislative District 15, which is all of Dodge County and Valley.

**BRIESE:** Tom Briese. I represent District 41.

**WAYNE:** Justin Wayne, District 13.

**CONRAD:** Good afternoon, I'm Danielle Conrad, representing north Lincoln's Fighting 46th Legislative District.

**MURMAN:** And our pages are Trent and Payton. Please remember that senators may come and go during our hearing as they may have bills to introduce in other committees. Refrain from applause or other indications of support or opposition. For our audience, the microphones in the room are not for amplification but for recording purposes only. Lastly, we use electronic devices to distribute information. Therefore, you may see committee members referencing information on their electronic devices. Be assured that their-- that your presence here today and your testimony are important to us and are critical to our state government. And with that, we will start with LB225. Senator Dungan.

**DUNGAN:** Good afternoon, Chair Murman and members of the Education Committee. I'm Senator George Dungan, G-e-o-r-g-e D-u-n-g-a-n. I represent the people of northeast Lincoln in Legislative District 26. Today, I'm introducing LB225, which changes provisions relating to the committee on American civics. The first change in this bill is to the makeup of the committees. Currently, the school board of each district shall appoint from its members a committee of three to be known as the committee on American civics. This committee is given enumerated responsibilities including, but not limited to, reviewing social studies curriculum to ensure its compliance with statewide standards and allow for public access and comment on that curriculum. LB225 would change this to three members from the school board and one student, increasing the committee size from three members to four. Students are uniquely positioned to evaluate the impact of curriculum changes made by the committee on American civics. This allows them

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another opportunity for civic engagement, which is the committee on American civics' ultimate goal. Secondly, LB225 would create an additional avenue for fulfilling graduation requirements as outlined in Section 1. Currently, Nebraskan high school students must fulfill a civics requirement in order to graduate. School boards can incorporate one or more of the three options that currently exist into their curriculum to fulfill that requirement. Currently, first, students may take the United States Citizenship and Immigration Services naturalization test in eighth grade and again in twelfth grade. Second, they may attend and complete a project or paper on a public meeting they attended between eighth and twelfth grade or, third, they may do a project or write a paper on the subject of a certain civic related holiday. LB225 would add a fourth option where students could fulfill graduation requirements by serving as a poll worker at an election location for students 16 years of age or over and completing then a project or paper about that experience. This does a number of things. It helps, first of all, address Nebraska's statewide poll worker shortage. Many poll workers are currently in their sixties and seventies and have been a regular poll worker for decades. This will help replenish the poll worker pipeline by getting young people involved at an early age. Additionally, it is our hope that LB225 fosters a sense of civic engagement that lasts throughout their lifetimes. Hands-on experience with the voting process will help educate students about our electoral process and solidify the importance of participating in that voting process moving forward. That concludes my introduction of LB225. I appreciate your time and attention. I'm happy to answer any questions the committee may have.

**MURMAN:** Thank you, Senator Dungan. Does anybody have any questions at this time? Yes, Senator Conrad.

**CONRAD:** Thank you so much, Chairman Murman. Thank you so much. Welcome to the Education Committee, and congratulations on introduction of your first measure, Senator. Quick question. As I was looking over the proposal and, you know, as a mom with two elementary school kids who's pretty involved with curriculum issues in our school, etcetera, I was just wondering a couple of things about the composition or expansion of the committee that you've identified in your, your legislation. Are there any other models that guarantee a spot on curriculum review for students and/or parents? Do you know?

**DUNGAN:** To the best of my knowledge, no.

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**CONRAD:** OK. So this is not necessarily modeled after another existing structure that works for curriculum development or review. This would just be kind of a, a new idea to bring students into the process.

**DUNGAN:** I know there are some other avenues that can involve parental input and can certainly--

**CONRAD:** Yes.

**DUNGAN:** --involve student input as well. The intention here is to make sure that students have an active voice on that committee. Certainly, they don't get to decide what happens, obviously. But along with the three school board members, that student would then have input into whether or not the curriculum, the social studies curriculum addresses what is enumerated and required by the statute. And so it is sort of an intention to try to get the student's voice heard. Given that, I think they understand how this affects them more than anybody else. But it balances that with the other board members who are also on the committee who currently exist as well, the three school board members.

**CONRAD:** OK. And then the other questions I had, it just says one student from the district. So there's no age limitation on that. So it could be a kindergartner or a twelfth grader that could potentially be selected for that position. Is that your understanding in terms of how it's currently written?

**DUNGAN:** I believe that, yeah, there's not an age limit on there. To the best of my knowledge, in talking to individuals who have been involved in this kind of selection process, I don't think that would happen. But certainly we didn't want to put an age limit on there because social studies curriculum affects people from all across the gamut.

**CONRAD:** Absolutely.

**DUNGAN:** You know, what we're talking about here are eighth graders to twelfth graders. And so I think it's important to have that diversity of opinion. Somebody in eighth grade is going to be looking at different social studies lessons than somebody in twelfth grade. And whoever is selected to be on that committee brings with them their unique perspective and experience. And so we wanted to make it as expansive as possible. But I do trust school boards that they would probably select somebody who has the capability and means to actually handle the obligations and opportunities from being on the board.

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**CONRAD:** Great. Thank you. And then can you let me know if you had a chance to contemplate whether or not student participation in this committee would be considered like an excused absence or how that would kind of work in terms of our attendance policies.

**DUNGAN:** I think that would depend on when the actual committee met. I think that's going to be different depending on the school board. And given the fact that this doesn't necessarily dictate when the meetings happen, I think the school board would hopefully have those meetings in such a way that it didn't inhibit or impair a student's ability to learn, given that that's the number one goal in school. But I would hope the school boards would work with teachers to make sure that is an excused absence. But I'd imagine the meetings would take place outside of school hours.

**CONRAD:** OK. And then I just have two more questions related to the poll worker component. Do you anticipate then that the student serving in this capacity would be paid for their service as a poll worker?

**DUNGAN:** My understanding from speaking with people from the Secretary of State is they'd be treated like anybody else that was acting as a poll worker. Currently, our laws permit individuals 16 and up to be poll workers, and so they would go and fulfill that role the way anybody would. They simply now can use that if this was adopted as a way to complete that civics obligation for their graduation requirements.

**CONRAD:** So, yes, they would be paid.

**DUNGAN:** I believe so, yes.

**CONRAD:** Yeah. OK. And then the, the-- I was just kind of also trying to think through kind of the recruitment retention piece, because I, I think you're right that there can be a lack of engagement or interest for poll workers from time to time. But say, for example, if a county already had enough folks who would step forward to serve as poll workers, this wouldn't in any way, like, allow the students to, like, leapfrog over that kind of citizen engagement for existing poll workers or how does that work if the county is already full up?

**DUNGAN:** That's a good question.

**CONRAD:** OK.

**DUNGAN:** And in conversations we've had with the Secretary of State, we've addressed that. So, no, this would not allow the student to

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circumvent any other civically engaged citizens' desire or ability to step in as a poll worker.

**CONRAD:** OK.

**DUNGAN:** If the poll worker jobs are full, the student could go elsewhere to a different area to serve as a poll worker. But if they can't serve, then they would have to fulfill their graduation requirement utilizing one of the other options that are currently allowed by the statute. So it would just be another option. We're trying to expand the opportunities for students to meet those requirements while still getting them civically engaged. But it wouldn't affect whether or not other individuals who currently serve as poll workers would have those jobs or have them taken from them.

**CONRAD:** Very good. And then the school or the Election Commissioner would not be responsible for providing transportation or other things like that to facilitate a student serving as a poll worker or how does that work if a student doesn't have access to participate because some of those kind of barriers?

**DUNGAN:** Correct. Yeah. Under the current writing of this, there's no obligation of the school to fulfill that requirement. I certainly would hope that the individuals helping work those poll locations would assist in any way they could, but this would be upon the student or their family or those in charge of deciding their educational options to get them there. So it's just another option for them. It'd be on them to figure out how to do that.

**CONRAD:** OK.

**DUNGAN:** And again, I hope they'd be accommodating of whatever barriers might exist.

**CONRAD:** Thank you so much. Thank you.

**MURMAN:** Any other questions? Yes, Senator Linehan.

**LINEHAN:** Thank you, Chairman Murman. So-- thank you for bringing this bill-- on page 4, the first paragraph, which is-- I just have a question. It says, "Completion of a project or paper." When you say project there-- what, what I'm trying to avoid or what-- and I think you are too, is they just get a slip and it's signed by somebody and they're done. You're actually expecting some kind of report. Is that-- am I reading that right?

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**DUNGAN:** That is correct, yes. So as I understand, the original intention of this was not just for people to, yeah, check a box and be done with it, it's to actually learn and engage in the civic process. And so that's where we have the paper or project requirement.

**LINEHAN:** OK.

**DUNGAN:** It's to have the student demonstrate that they actually learned something from that or what their, their process taught them. So that would be the intention.

**LINEHAN:** Thank you very much. Appreciate it.

**MURMAN:** Any others? Senator Wayne.

**WAYNE:** Mine will be short. One-- I actually served on this committee for OPS. Are you OK with the odd number? I just hate even-numbered committee anything.

**DUNGAN:** I understand that concern. I think that I'm fine with it as it would be established. And we're just trying to make sure that student has a voice. But I do understand that concern.

**WAYNE:** So my second or I guess my-- you may not know the answer to this. But when you get your civics requirement, social studies requirement, the first three and the last-- or the first two and the last one, anybody can do regardless of a background. My question is, can you be a poll worker if you have a criminal conviction?

**DUNGAN:** I don't know the answer to that off the top of my head. I, I believe there might be some other folks testifying here who might have that information. But I would-- I'll look that up and get that to you afterwards, because I do think that's an important thing to keep in mind.

**WAYNE:** Thank you.

**MURMAN:** Any other questions? Thank you, Senator Dungan. Ready for the first testifier. Good afternoon.

**HEIDI UHING:** Hello, Chairman Murman. Good afternoon. Hello, members of the Education Committee. My name is Heidi Uhing, H-e-i-d-i U-h-i-n-g, and I'm the public policy director for Civic Nebraska. I'll provide testimony in support of LB225, which will provide two new civic engagement opportunities for Nebraska's high school students. As you heard, first, the bill would allow a student representative on each

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school district's committee on American civics. This committee meets only twice annually to ensure that civic curriculum stresses the services of the men and women who play a crucial role in the achievement of national independence, the establishment of our constitutional government, and the preservation of the union in order to instill a pride and respect for the nation's institutions and not be merely a recital of events and dates. We know of no civics committee in Nebraska that includes a student representative currently. State statute allows Class 3 and Class 4 school districts, school boards and boards of education to include at least one nonvoting student member who serves a term of one year. The student must be elected by the entire student body as the student council president is. They are able to attend all open meetings of the board but are excluded from executive sessions. According to the National School Boards Association, at least 31 states can similarly choose to have student board representatives. But just 14 percent of the country's 495 largest districts actually do have a student member on boards and committees. We know that real-life opportunities for young people to engage with our government make for more engaged, civically engaged adults. This bill is part of a national trend to broaden students' opportunities to be represented on the boards and committees that make their decisions about their education. Having students on school committees and boards also provides an important diversity of experience for the adults serving on those boards. It's a direct line of communication for us to hear about students' experiences in the schools and about learning from this curriculum. The additional provisions of LB225 would allow students to serve as poll workers. This would expand an existing list of civic activities that students can choose from to fulfill their civic education requirement. Of course, it may otherwise be met by attending a meeting of a public body and writing a paper on it, writing a paper on a person commemorated by a holiday or passing the civics portion of a U.S. citizenship test. At least 15 other states have programs to provide poll working opportunities for students. We think Nebraska students should have this opportunity as well. Some of us look back on our time in high school and can't imagine having interest in these types of activities. But for those students who do, the ones who are running for student government and going to summer camps that simulate the legislative process, these opportunities are very meaningful. They can foster and shape a person's interest in providing an important background and perspective as students decide which careers to pursue. We can do more to support civic education in our schools. We understand there are certain realities in terms of graduation requirements and workforce needs. But if we're going to be serious

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about fostering civic education, students need to be present for those discussions. We need more civic leadership opportunities in our schools. Some enlightened schools are doing these things now in Nebraska, so we know it can be done. We need to make it the norm. If these opportunities are not a requirement, it won't be a priority. If we're going to foster meaningful civic engagement, we have to allow students to be a part of that. Thanks.

**MURMAN:** Thank you very much. Are there any questions for Ms. Uhing? OK. Thank you very much.

**WAYNE:** Mr. Chair, can I fix something real quick? The camera, I believe, is over here so the bill number has to be on this side. Sorry, Mr. Chair.

**MURMAN:** Thank you. Good afternoon.

**JAYDEN SPEED:** Good afternoon, Chairman Murman and Senators. My name is Jayden Speed, J-a-y-d-e-n S-p-e-e-d. I am a student school board member. I serve as the student member on Conestoga Public Schools Board of Education and I have since spring of this year. Last year, actually, last school year. I am a proponent of this bill because I've seen what student involvement on school boards looks like. Students currently have the opportunity under a Nebraska statute to have their district opt in to including a student on the school board. This legislation requiring that a student sit on the American civics committee, I think, is a step in the right direction and bringing student involvement to our school boards, our local governments, and instilling in students the values of civics and democracy at an early age. Thank you for this opportunity to testify today, and I urge you again to support this legislation.

**MURMAN:** Thank you, Mr. Speed. Does anybody have any questions for him? Senator Walz.

**WALZ:** Thank you. First of all, thank you for serving on that board. Do you know how many other students across the state are serving on a school board as is?

**JAYDEN SPEED:** I'm, I'm actually not sure. I'm the first student at my district to serve on our school board. I approached our school board during my junior year to ask them to opt into this, and they kind of had this search for other districts for a model of how student involvement on the board works. So I'm excited to be the first, and I

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really hope the districts around our state starts incorporating students more.

**WALZ:** Yeah. Thank you so much.

**JAYDEN SPEED:** Thank you.

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

**JAYDEN SPEED:** Thank you.

**MURMAN:** Good afternoon.

**JOSEPHINE LITWINOWICZ:** Good afternoon, Chairman Murman and members of the committee. My name is Josephine Litwinowicz, J-o-s-e-p-h-i-n-e L-i-t-w-i-n-o-w-i-c-z, and I represent the Higher Power Church. And I just wanted to say I, I really support this bill because I had a great civics teacher and to have people-- these kids actually work at a polling place and, you know, kind of, you know, really fleshing out, make sure specifically that they know the chain of command up to the Election Commissioner. And so, so they come and they kind of get that sense, you know, and all the while of who put these people here. And there's that. And I really like-- if, if-- I would put a mandatory requirement to, to study, you know, how, how tyrannies form. Because during the course of history, you know, my, my civics teacher included how to recognize when an autocrat takes over, you know, how the changes, you know, look at past examples of how, of how it can be up to insurrections and we think about the fact that they stormed the Capitol to stop the transfer of power. I mean, that's a mother of a sweating Jesus. And so I would really like that to be specifically put in there as part of the civics, because that makes-- that'll make sure that we can keep teaching civics in the, in the future. What grade do, do you take civics here in Nebraska? Is there a-- eighth, ninth? I'm sorry, I don't mean to ask questions, but anybody know? OK, I guess you don't ask questions. OK, well, great. Thanks and, and have a good day.

**MURMAN:** Thank you very much. Anybody have any questions?

**JOSEPHINE LITWINOWICZ:** I probably missed something. So if you ask, I'll probably-- you'll probably be back. Anyway, you take care.

**MURMAN:** Thank you. Good afternoon.

**GAVIN GEIS:** Chair Murman, members of the committee, my name is Gavin Geis. That's spelled G-a-v-i-n G-e-i-s. I'm the executive director for

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Common Cause Nebraska. Common Cause is a nonpartisan nonprofit dedicated to upholding the key tenets of American democracy. And of course, we rise in support of this bill. There are many good reasons to support LB225, and I believe they're all related to the underlying purpose of the committee on American civics. I'm taking this next section straight from current statute. It is one of the first duties of our educational system to conduct its activities, choose its textbooks, and arrange its curriculum in such a way that the youth of our state have the opportunity to become competent, responsible, patriotic, and civil American citizens. LB225 would aid in fulfilling that underlying goal. If we want to raise youth that are competent, responsible, patriotic and civil, civil, there's no better way than to involve them in the decisions being made about their civic education. To that end, to that end, adding a student member to the committee only makes sense. And there's no doubt that the youth of today that today's rising electorate, if you will, have interest in our elections. Over the last several election cycles, we have seen increased participation from the youth in our elections. If we start back in 2018, 28 percent of youth across the nation voted in that election cycle. That doesn't seem huge, but it's a 14 percent increase from 2014, the previous. Going to 2020, 50 percent of youth participate in our election. That's an 11 percent increase from the prior general election. And then just last cycle, 27 percent of youth nationwide participated in our elections. That is a-- between 2018 and 2022, those are the two highest over the last 30 years participation of youth in our elections. Today's youth care about our elections. They care about voting. They want to participate. And so involving them in how they're educated on these subjects is only the, the best course of action. And then at the same time, as was noted across the nation, we are seeing a shortage of poll workers. This was already hit on, I won't belabor it, but counties like Douglas and Sarpy County had to turn to drafting poll workers simply because there were not enough people to go around to run our polls. Involving youth at that stage early on will hopefully make them lifelong participants in volunteerism when it comes to our elections. The final point I want to, I want to make regarding this bill is we add to both of those concerns, the interest, the right-- the rising interest of the youth, the lowering number of poll workers, we add to that the concerns about the integrity of our elections. And there may be genuinely no better time to show students how we run elections in Nebraska, to give them the opportunity to fill their education requirements by serving on the front line of our democracy. Then they can see for themselves the work that goes into making sure every vote is counted in our state. Hopefully that experience, the experience of serving as a poll worker

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will boost their confidence in our elections, which are run fantastically and encourage them to continue serving in their communities as poll workers in future elections. Overall LB225, the overall goal, and I go back to this, this section of statute of making our students more competent, responsible, patriotic, and civil American citizens, I think LB225 would fulfill that goal. And as such, I would encourage you to advance this to the floor for full debate. Thank you.

**MURMAN:** Thank you very much. Does anyone have any questions for Mr. Geis? OK, thank you.

**GAVIN GEIS:** Thank you.

**MURMAN:** Good afternoon.

**DUNIXI GUERECA:** Good afternoon, Chair Murman, members of the Education Committee. My name is Dunixi Guereca, that's D-u-n-i-x-i G-u-e-r-e-c-a, and I am the executive director of Stand for Schools. We're a nonprofit organization dedicated to advancing public education here in the state of Nebraska. Stand for Schools is here to support LB225. Current Nebraska law requires that all school boards appoint members to a committee on American civics to examine, review, and approve social studies curriculum. Nebraska Revised Statute 79-724(g) outline requirements that school boards might implement, including the administration of citizenship tests, attendance and participation in a meeting of a public body, or complete, complete a project. LB225 would mandate a student representative on the four member American civics curriculum committee and add completion of a shift as a poll worker as a potential curriculum requirement. Research around curriculum development has long recognized the importance of elevating student voices. Listening and learning from student voices necessitate a shift from the ways in which students are engaged and how they perceive their own learning practices. Across research, we see teachers and students improve their relationship, communication, and learning that are noticeably improved. Students had mostly expressed a stronger commitment to learning, developed a sense of identity as learners, and a qualitative impact on consultation on students' learning, enhance and improve their motivation, attendance, positive attitudes towards learning, capacity for responsibility, new rules, and perception of teachers. For those reasons, we're proud to support LB225, and we would like to thank Senator Dungan for introducing this bill, and I'm happy to take any questions.

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**MURMAN:** Thank you. Any questions for Mr. Guereca? If not, thank you very much.

**DUNIXI GUERECA:** Thank you very much, Chair.

**MURMAN:** Good afternoon.

**MORGANN FREEMAN:** Good afternoon. My name is Morgann Freeman. That's spelled M-o-r-g-a-n-n F-r-e-e-m-a-n. I am testifying in support of this bill that Senator Dungan has brought. And to specifically answer your question, Senator Wayne, on whether or not individuals that are under the age of 18 would be prohibited from serving as a poll worker, they would not technically be prohibited because of the way that Nebraska law is currently codified. It specifically states that a youth who would like to be a poll worker has to qualify in all other ways other than their age to be a registered voter. And so while a youth may be able to be a poll worker, there is a specific statute from 2006 that says they have to be of good repute. That could potentially be a way that they can be inhibited from participating. But other than that, any youth, especially, for example, youth that have experienced throughout their lifetime some sort of criminal interaction where they or may-- may or may not be liable, would be theoretically allowed to participate as a part of this council. One thing that I would say as an individual that did have a very interesting youth and upbringing, I don't know many of you, but I am very civically engaged. And when I was a youth, I had experiences with bullying that drastically could have affected my life and opportunity to engage in situations like this here today. If I would have had the opportunity to be a poll worker in 2008 during the presidential election, that would have drastically changed my life. If I could have been a poll worker in 2006, that would have drastically changed my life and likely would have contributed to me going on to different opportunities later in life when it came to education, when it came to my career, when it came to my lived reality. So please keep in mind that something that's as small as this, so an opportunity that is that, that you're giving youth the opportunity to, to participate civically within their own decisions, within their own day-to-day lives, that actual autonomy can be absolutely life changing, not just for those individuals, but also for everyone that they come into contact with. So thank you for the opportunity to testify and I'll take any questions that you may have.

**MURMAN:** Thank you very much. Anybody have any questions? If not, thank you.

**MORGANN FREEMAN:** Thank you.

**MURMAN:** Good afternoon.

**HARRIS PAYNE:** Good afternoon. Thank you, Senators, for the-- I sincerely appreciate the opportunity to testify before you today. My name is Harris Payne. That's H-a-r-r-i-s P-a-y-n-e. I am a retired educator and I'm here to speak today in support of LB225. I have two comments to make regarding the two sections of 79-724 that is going to be changed if LB225 is enacted. The first comment is regarding the proposed change to the statute found on page 4, lines 2 through 6. Currently, instead of a state test like those used for math or reading, social studies in Nebraska is not assessed in that type of manner. Basically, the current version of statute 79-724 gives school districts three options, which the Senator has alluded to very well, I might add. Basically, have students take the 100-question naturalization test, have the students write a paper on one of the historical figures listed in the statute, or students can attend a public meeting and write a paper about it. As I understand it, the change would basically add a fourth option to school districts to have to measure their curriculum. The option would be for all students age 16 or older to serve as a poll worker during elections. I support this section of the proposed bill for several reasons, and I'm not going to go through the 32-223 section. I think you've heard from other speakers about how that works, that we do allow kids 16 or older to be poll workers. But I will skip to my second point, which is one might ask what impact has there been on students that have served as poll workers in other states? According to research conducted by Tufts University, the Center for Information and Research on Civic Learning and Engagement, known as CIRCLE, when youths are in public leadership positions such as serving as poll workers, they can encourage other youth to get civically involved. Students are oftentimes group types of activities, they like to get involved with what other groups are doing. In a survey conducted by CIRCLE of youth that were poll workers, this was done in Minneapolis in 2016, 76 percent of those students stated that working as an election judge or poll worker made me feel that I helped ensure every eligible voter felt welcome and able to vote. It added to bonding between students and older folks that had come to vote. Sixty-seven percent of the participating students stated the activity made me feel I was making things better for my community. So it got students involved in community, not only affecting themselves but their whole community. And 59 percent said the experience gave me practical skills that will help me in the future. They felt as though they grew in self-confidence from this. The, the Tufts's study in Minneapolis found the number of youth

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election judges at a given precinct was significantly correlated with estimated voter turnout among 18- to 24-year-old students. So the idea is that it not only affected kids at that younger age, but it got them to vote later on. They found a direct correlation between that. Adding the poll workers' option to the list of ways school districts can assess students becoming responsible and engaged students is a good idea. Options are good for students, districts, and support local control. The other section, LB225 is, to me, somewhat problematic. Referring to page 2, lines 25 through 26, the proposed change is to move away from the three elected school board members on the American civics committee to two elected school board members and a student member. It does not say things like is the student a voting member of the community or just an advisor? Will the student then be a member of the regular school board? How will that student be selected? Will there be qualifications to be a student member? Do they have to have a certain grade point average? Will the student miss class if the meeting is during the day? And telling you from-- coming from Omaha Public Schools, I used to have a report to that committee and they met at 10:00 on Monday morning. So that is something to be considered with this. I'm not against student engagement in state or local school boards. I think that is a wonderful idea, what this young man is, is doing it in Conestoga is outstanding. Indeed, according to the National Associate of State School Boards [SIC] as of 2022, students served as members of state school boards of education and advisory council in 33 states. Input from students as perspectives to the education picture, the student perspective. All of us, we didn't go to school during a pandemic, but these kids did. This gives them a chance to have their perspective heard and factored into decisions. Hopefully, local school boards are engaging students as a valuable resource and source of information for decisions. It is more that this part of the proposed bill is, to me, ambiguous and, therefore, I'm not supporting that particular part of the bill. But I think the rest of it is just fantastic. I thank you, Senators, for listening to my testimony and would welcome any questions that you have.

**MURMAN:** Thank you. Do you have any questions? Does anybody have any questions for Mr. Payne? Thank you very much.

**LINEHAN:** I just--

**MURMAN:** Oh, Senator Linehan.

**LINEHAN:** It's not really a question, just would you make sure that the-- please, Senator Dungan has a copy of your testimony?

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**HARRIS PAYNE:** Yeah, I was one short. Sorry.

**LINEHAN:** OK.

**HARRIS PAYNE:** I asked them to, to make another. They can have mine now if they need it.

**LINEHAN:** He can just have mine.

**MURMAN:** Any other questions? Thank you very much.

**HARRIS PAYNE:** Thank you.

**MURMAN:** Any other testifiers in support? Good afternoon.

**LACY SMITH:** Good afternoon. I'm Lacy, L-a-c-y, Smith, S-m-i-t-h. I'm in LD21. I have a child that's currently opted into Malcolm School-- Public School District, and we're building in Malcolm as well. My son has been part of our fight to get him special education. We fought for three years in LPS, it took us three years and two lawyers to get an MDT after written notice. It took us two years to get a copy of our rights. It was an unmitigated nightmare. But he took-- he went to every meeting with us. He-- and so then he knows and he feels incredibly guilty that we've had to sell our home and move to get special education in another district. My, my soon to be 13-year-old has taken on the shame and the pressure of the burden of building a home and what it costs to get a proper education. He would want to be on something like this. And I know this because last year in fifth grade, his social studies book was from 1993 for American History, pre 911. This year, his teacher for the first two semesters of the year did not teach from the standardized textbook approved by the school district. She instead used religious handouts. I'm going to have them make a copy of one of them and I'll be sharing that later. It describes the Jewish biblical text as the Old Testament. It explains Judaism through the view of-- viewpoint of Christianity. It says things that are historically accurate-- inaccurate. One night he and his father got in a fight because he couldn't figure out how to do his homework. And the reason he couldn't figure out how to do his homework is he had to come up with an image to represent the Jewish Messiah who has not come yet. The only guess for them is that maybe they should put a crown because it would be in the line of the King of David. But it was very obvious that it was intended to be something about Jesus. I've spoken with the principal within the last two weeks. They've been able to get the teacher to switch to the standardized text. The parents have not been alerted that their kids were not taught out of

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the standardized text for six months almost. And there is currently no plan in place for those kids to make up that education. Last year, I had to reteach American history to my son and pay a tutor. This year I'm going to reteach ancient history to my child and pay a tutor. I know for him, he's written-- and lots of kids write about, like, what they want in the world, and he's written about wanting peace. But he's talked about wanting peace in depth via the cost of food, the impact of inflation. He's 12 years old. He would love the ability to have a voice in the room when it comes to his education. And now he-- honestly, he no longer trusts what comes home if religion is mentioned because he doesn't know if it's true or false. And so even the approved text, he's now coming to me and saying, look, they're talking about the Bible. Is this something where we should be? And thankfully, I've got a minor in history, and so I can sit down with him and say, OK, historically we talk about religions and here's why. But he needs to get the right information, the historically accurate information, and information that is theologically accurate and from a document that's not written by a Baptist theologian in school right now. Thank you.

**MURMAN:** Thank you very much. Does anyone have any questions for Ms. Smith?

**LACY SMITH:** Thank you.

**MURMAN:** Thank you. Any other proponents? Is there anyone would like to testify in the neutral position? Are you--

**COLBY COASH:** Opponent.

**MURMAN:** OK. Any other-- any opponents? Thank you. Good afternoon.

**COLBY COASH:** Thank you, Senator Murman, members of the Education Committee. My name's Colby Coash, C-o-l-b-y C-o-a-s-h. I represent the Nebraska Association of School Boards. We do appear in opposition today. As you've heard, there are two parts of the bill. The first part relates to the poll worker component. We don't have a comment on that given that the Legislature has kind of enumerated all of the different types of things that a student can do to meet that requirement, expanding that and giving more options to students seems to, seems to make sense. With regard to the mandate of a student onto the civics committee, we would simply say that that, that is not needed as the student from Conestoga illustrated, and I've spent some time talking with him, he does a great job. And what's happening in Conestoga certainly happens across the state. I won't tell you that

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244 districts have a student representative on their school board, but many do. And I'm trying to find out a more accurate number, however, those are decisions that districts make and they find students. I spent a lot of time going to school board meetings. It's very common to see, like the class president of the junior class or the class, you know, participating as a student member and boards across the state really do value that input. As it relates to the civics committee however, I think that there could be some consequences that, that we'd want to avoid by, by this mandate. For example, if a-- if there is a mandate the student be on there and the student doesn't show up is the meeting valid? Does the, does the committee then get to do its, its statutory obligation within the current law if the student has a basketball game or some other and can't make that? And that's an important committee. It's been around in the statute, as you all know, since the '50s, and school board members take that committee and their responsibilities very seriously and wouldn't want to have the absence of a student that should be there be a barrier to completing that meeting. And so we would simply ask that you allow school boards to continue to work with students. One of the things that I will share with the committee that I did is I talked to Civic Nebraska. We'd be happy to partner with them and, and I think more school boards would probably engage students if they had some kind of a playbook and some resources. And I think that's a good organization that can help us with that. I think the Legislature can be a part of that as well, but we would simply ask that the, the mandate part of that be, be left to the discretion of the districts.

**MURMAN:** Thank you, Mr. Coash. Is-- are there any questions for, for him?

**CONRAD:** I have a quick question.

**MURMAN:** Yes, Senator Conrad.

**CONRAD:** Thank you. Thank you, Chairman. Good to see you again. Just a quick question, just to make sure I maybe understand the gist of the School Board Association's position on this measure. There's really nothing in current law that prohibits this kind of engagement from happening, whether it's working as a poll worker or engaging with your school board in talking about the importance of curriculum or civic education, etcetera. Is that your understanding?

**COLBY COASH:** Well, with regard to the poll worker,--

**CONRAD:** And--

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**COLBY COASH:** --I'm not aware of any. I couldn't speak to barriers on that. I can tell you if there's a statutory barrier to student involvement at the board, then we've got a lot of boards who are out of compliance--

**CONRAD:** Yeah.

**COLBY COASH:** --with that particular statute because there are-- it's very common to see the, you know, the, the class president participate--

**CONRAD:** Right.

**COLBY COASH:** --and, and those kinds of things. And they serve obviously not as an elected official, but as that student voice. And I think boards value that and they use that student to get input on everything from band uniforms to curriculum to the date of the school prom. Right? So those are always important conversations. And I think they happen more than, than you might think across the state, certainly not uniform. But there's, there's certainly room for student engagement. Districts are taking advantage of that. And I, and I think-- this bill alone is going to increase engagement, and I think that's a good thing.

**CONRAD:** Sure. Thank you so much.

**MURMAN:** Thank you. I do have one question. So there are quite a few boards around the state that do have student, for lack of a better term, student members.

**COLBY COASH:** Um-hum, there are.

**MURMAN:** But they are nonvoting members.

**COLBY COASH:** Yeah, of course they're nonvoting. Yes.

**MURMAN:** OK. That's my question. Thank you. Any other questions? Thank you very much.

**COLBY COASH:** Thank you.

**MURMAN:** Any other opponents? Does anyone want to testify in the neutral position? Good afternoon.

**ELIZABETH DAVIDS:** Good afternoon. Hi there. My name is Elizabeth Davids, E-l-i-z-a-b-e-t-h, Davids, excuse me, D-a-v-i-d-s, and I am

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from District 46, and I, I just have some questions and I don't exactly know the protocol, so I don't know if you can answer questions or if they're more rhetorical questions. But on page 2, again, in the section talking about the meetings, so lines 28 and 29, the board will hold no fewer than two public meetings annually, at least one, one public testimony, one public testimony is accepted. And as I understand, this is the current situation. So this is what school districts should be doing. And I have a child in Lincoln Public Schools, and I, I have not heard of this. And I-- as I would assume if public testimony is accepted, this would be a publicly announced meeting. So I guess I'm just curious about that. And if also we're adding one student to this committee as a requirement, what happens if small town school districts say no one is-- there isn't a student who's interested? There's problems with the student not being able to attend at different times. If this is a law, are there, are there requirements for it? And then if those requirements are not met, are we-- is a school district breaking the law if they cannot fulfill these requirements? So as an average citizen, I'm just asking some questions that I noticed.

**MURMAN:** Thank you very much. Are there any questions for the testifier? And if, if not, maybe Senator Dungan can answer them at the end. But there is one question. Yes, Senator Conrad.

**CONRAD:** Not really a question. I just wanted to say welcome to a constituent from north Lincoln and I appreciate your engagement in the process and looking forward to visiting with you in greater detail later.

**ELIZABETH DAVIDS:** Sounds good.

**CONRAD:** Thanks.

**MURMAN:** Any other questions? Thank you very much.

**ELIZABETH DAVIDS:** OK.

**MURMAN:** Any other neutral testifiers? Good afternoon.

**ELAINE MENZEL:** Good afternoon, Chairman Murman and members of the Education Committee. For the record, my name is Elaine Menzel, E-l-a-i-n-e M-e-n-z-e-l. I'm here today on behalf of the Nebraska Association of County Officials, otherwise known as NACO. And I'm here with respect to the poll workers' aspect. I'm not generally a person who testifies on elections, so please bear with me if there's any questions. We are appearing in neutral capacity, but we would like to

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thank Senator Dungan for purposes of introducing this bill to engage young people in the process and become involved in poll workers. As was relayed, I missed that portion of the meeting, but at our legislative meeting last week, apparently many counties, not just the Douglas and the Lancaster's, turn to their students to assist with poll workers during the COVID period of time frame to assist in that process. One thing that we would ask you to consider is to harmonize the provisions of the statutes related to the 16-year-olds. In LB225, it's on page 4, line 2, it refers to over 16 years of age. However, in the other two statutes that are referenced, 32-223 and 32-230, it says at least 16. So we would ask that those provisions be harmonized and that you include those that are 16 and over, not just those over 16. So with that, if there's any questions, I'll attempt to answer them. But more than likely I'll have to say I'll get back to you.

**MURMAN:** OK. Thank you very much. Are there any questions for Ms. Menzel?

**ELAINE MENZEL:** Thank you.

**MURMAN:** OK. Thank you. Any other neutral testifiers? If not, Senator Dungan, you're welcome to close. And while he's setting up, for the record, we have one proponent, one opponent, and two neutral comments.

**DUNGAN:** Thank you, Chair Murman and members of the committee. I appreciate the testifiers we've had today. I think we've had a, a lively and interesting conversation. I just want to clarify a couple of points here. First of all, from the testimony we just received from NACO regarding the over 16 versus 16 or over, it was the intention to include 16-year-olds in this statute. I think that's a language oversight that I'd be happy to try to amend and work on that. We would want to make sure that obviously every provision of this is harmonized so it could include the most students that it was able to rather than limiting that. A couple of other points I'd like to clarify, and I'm sure those paying attention here obviously know this, but we are talking about a specific committee. We're not talking about putting a student on the school board as a voting member or a nonvoting member. It's just a subcommittee, essentially, of that board. I think that some of the questions that have been raised here today regarding the perceived ambiguity in the statute can be answered by the fact that this entire intent behind this lends itself towards local control. School boards in Lincoln are different than school boards in Omaha are different than school boards in Ogallala. And I think that every school board has their own way of working. They have their own mechanisms and procedures, and I trust the members of the school

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boards to make the decisions that work for them. And so ultimately, what this statute does is it requires the appointment of that student. How and when they meet can be addressed by those individual school boards. And again, I would point to the specific requirement that they meet no fewer than two times a year, I believe. So we're not talking about a lot of meetings. And if a student has a basketball game or something like that, my hope is that the school board would accommodate that student that was on that conflict and they would have an ability to find a meeting time that worked for everybody. I don't know right now that the statute addresses what happens if one of the other appointed members of the committee, one of the adults, is unable to be there. Again, I think that ambiguity or perceived ambiguity lends itself towards that local control. So I trust our school boards to make those decisions. I understand that this might be a little bit of a change up, but the intent behind this law is to amplify and enhance the voice of students. We want to make sure that kids stay involved, both in their school, in their educational decisions and in civics. And so the entire intent behind this law is to amplify and support those students and give them an additional opportunity not just to graduate high school, but to participate in the civic system. And I hope that you will consider that addition to the required law. Thank you.

**MURMAN:** Thank you, Senator Dungan. Any other questions? Senator Linehan.

**LINEHAN:** Thank you, Chair Murman. So just for the record, you would-- these would be voting members on the subcommittee, the student or their advisors that would be voting?

**DUNGAN:** It'd be a voting member. Correct. Yeah. And so it would be a member of-- they would be an active member of that committee. So the committee would be made up of three of the adults and then one student who would be able to actively participate in the decisions that are being made.

**LINEHAN:** That's where I think you might run into a hiccup about how they're selected. But we can talk about that.

**DUNGAN:** Yeah, we can. And I'm happy to address it.

**LINEHAN:** But if, if you're going to make them a voting member, then how they become selected becomes pretty important, I think.

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**DUNGAN:** And again, my intention was to leave that up to the school boards. I'd be happy to talk about maybe putting in procedures or ways that decision could be made. I think it can become difficult, again, with the, the varying array of school board makeups we have across the state. And certainly I don't want to tell individuals how to make those decisions, but I understand the concerns, and I'd be more than happy to try to come up with mechanisms or procedures that might assist in that.

**LINEHAN:** Thank you very much.

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

**BRIESE:** Thank you, Chairman Murman. Thanks for bringing this, Senator Dungan. But just so we're clear on this. School boards are not bound by the votes or recommendations of their subcommittees, are they, to your knowledge?

**DUNGAN:** Not to my knowledge, no.

**BRIESE:** OK. Thank you.

**MURMAN:** Any further questions? Thank you very much.

**DUNGAN:** Thank you.

**MURMAN:** We'll wrap up the hearing on LB225 and we will move on to LB188. Senator Hansen. Good afternoon, Senator Hansen, you're free to open.

**HANSEN:** I just got this letter of support like 5 minutes ago. So that's why it's-- handing them out now and they weren't in the records beforehand, so. Good afternoon, Chairman Murman and members of the Education Committee. My name is Ben Hansen. That's B-e-n H-a-n-s-e-n, and I represent Legislative District 16. I'm here today to introduce LB188. This does two things. It expands career opportunities for veterans and provides options for the teacher shortages we are feeling across the state. Just last week, in a press release from the Department of Education, we found that out of 402 public and nonpublic school districts and Educational Service Units who responded to their survey said that the number of unfilled positions, positions that were either left vacant or filled by someone other than a fully qualified teacher was up significantly from 482 last year or 2-- 2021, 482 to 768 in 2022. The number of positions left vacant also rose from 68 in 2021 to 208 in 2022. According to the Vacancy Survey report summaries over the last four years, there have been a steady increase in the

number of positions not filled because of lack of applicants. In the 2019-2020 year, the lack of applicants was the reason for 25 percent of the unfilled positions, while this year that percentage is up 46 percent. So 25 percent up to 46 percent. As for reasons teachers are leaving, the American Psychological Association released a report last year that surveyed a sample of almost 15,000 participants last year, including 9,300 teachers, 860 administrators, 1,500 school psychologists and social workers, and 300-- 3,237 other school staff members. That's a big survey. It resulted in 49 percent of all teachers reporting a desire to plan or quit or transfer their jobs due to concerns about school's climate and school safety. These problems are not limited to Nebraska and throughout the country. States have realized the resources available in our veteran communities, whether it is allowing for emergency and temporary certificates for military spouses, adjusting the timeline for certification requirements for military veterans, expediting the licensing process for military personnel, increasing starting pay for veterans entering the teaching force, or waiving fees for initial and renewing teacher-- teaching licenses. States have policies in place that recognizes the positive impact veterans and their spouses bring to the classroom. They have spent years in selfless service to our country, and oftentimes the skills gained through military experience result in leadership, initiative, excellence, and integrity. Their ability to thrive in environments that are constantly shifting make them a natural fit for the classroom. I also see a benefit for schools who have veteran teachers due to safety and de-escalation expertise. LB188 identifies the workforce potential in veterans as teachers who have served on active or reserve, reserve duty in the armed forces or in the National Guard and who have been honorably discharged. It addresses the teacher shortage Nebraska is experiencing by requiring the Commissioner of Education to grant a five-year nonrenewable and temporary teaching certificate to veteran applicants who have at least 48 months of military service, a minimum of 60 college credits and a grade point average of 2.5, and who have passed both the appropriate subject area examination designated by the State Board of Education and a criminal history record information check. Veterans who receive a temporary teaching certificate and who are hired as educators will be assigned an experienced teaching mentor for at least two years. Last year, Florida passed legislation similar to LB188, receiving unanimous bipartisan support with a 39-0 vote from the Senate and 111-0 vote from the House. While veteran applicants would be granted a temporary teaching certificate, this does not guarantee employment as educators, The same job screening process will apply as with anyone else, their resume, reputation, work ethic, personality and character would be

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considered by potential employers. But individuals with military service, the diligence to complete 60 college credit hours with sufficient grades, the determination to pass subject area exams and the desire to work as an educator while completing their teaching degree is a good indication as to the values they stand by. Many of them have finished their military careers with specialty training and experience, whether it be engineering, management, administration, medical, transportation, law enforcement, the list is all encompassing and leaves veterans highly qualified to serve as educators in Nebraska. The main qualification, of course, is can they work with our students? And in addition to passing subject exams designated by the State Board of Education, mentors who are seasoned teachers will monitor and determine capability of the applicants to ensure a continuation of elevation standards. Just like the other new teachers who have never run a classroom, the main experience will come in real time. Like student teaching, this will be a sort of apprenticeship situation as the temporary certificate holders will be kept consistent with school policy and procedures. I agree with the Department of Education when they say Nebraska is committed to preparing and supporting quality teachers and other professional educators. Temporary teaching certificates for our respective veterans is one way to do this. I appreciate your time and ask for your vote and support and moving us out of committee and on to General File. Thank you.

**MURMAN:** Thank you, Senator Hansen. Are there any questions for Senator Hansen? OK. Thank you very much.

**HANSEN:** Thank you.

**MURMAN:** Are there any proponents for LB1188 or LB188, excuse me. Good afternoon.

**KEVIN NAUMANN:** Good afternoon. Good afternoon, Senators. My name is Kevin Naumann, and I'm speaking to you today-- oh, my name is K-e-v-i-n N-a-u-m-a-n-n. I'm speaking to you today as a Catholic school administrator in the city of Lincoln, a former educator in Lincoln Public Schools, and as a retired member of the Nebraska Air National Guard. I'm the proud father of four sons, three of which have served or are serving in the 155th Air Refueling Wing themselves. I am speaking to you in support of LB188 that would allow honorably discharged veterans who feel they may be called to the mission of education to make that transition and gain experience in the classroom under the watch of a mentor teacher in an expedited, expedited basis based on their faithful service to our country and recognizing the discipline, patriotism, and work ethic that are instilled in them

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during their service. First, from a personal perspective, I was fortunate to both serve my unit and serve my school district in tandem for 23 years. I felt there was much reciprocity that occurred between these professions and that the experiences and expectations of one did much to serve the requirements and demands of the other. While LB188 does not require a principal like me to hire a veteran, I am confident that the skills and experiences of these veterans will make them attractive candidates. Next, from a global perspective, as you may be well aware, the number of teacher candidates each spring has dwindled. Having been in education for 34 years as teacher and administrator, I am concerned. Last year, we had to start earlier and go later and have many more interviews to fill the same few positions than in years past. As in many fields and professions, there has been a definite shift in supply and demand in the teacher market. In short, I believe that any initiative considered by this body would serve to increase that stream of interest to professionals into the classroom as a service of our students would be one worth careful consideration than prayerful discernment. I wouldn't trade my time of service as Wing Chaplain Assistant for the 155th Air Refueling Wing, my tenure [INAUDIBLE] 200 schools, Lincoln Public Schools, or now the Catholic Diocese of Lincoln for anything. I entreat you to consider providing potential separating retiring members of the armed forces the possibility of accelerated service to our state, nation, and children as well. Thank you for your time and consideration.

**MURMAN:** Thank you, Mr. Naumann. Any questions for Mr. Naumann? Thank you very much. Any other proponents for LB188? Good afternoon.

**MICHAEL DAVIS:** Good afternoon, Senator. My name is Michael Davis, M-i-c-h-a-e-l D-a-v-i-s, and I am here to testify in support of LB188. I myself am a veteran of the United States Army for 14 years. During that time, I deployed to Afghanistan, Iraq, Africa. Oh, and I even spent a year in Korea. I got out as a staff sergeant. And I'll tell you right now what NCOs do, noncommissioned officers do in the United States Army, we teach. That is our job. We are to teach the younger soldiers how to, how to carry on the mission. When I got out of the Army, I decided to go to University of Nebraska at Omaha to pursue a teaching degree. Unfortunately, the GI Bill didn't pay all the bills. I had to get out and find another job, which I love, and I don't have any regrets. But this, this opportunity was not there while I was going to school. But I can tell you I was able to do student teaching at McMillan Middle School in, in Omaha and dealing with teenagers and junior soldiers are pretty much the same. We, we bring, we bring different skill sets to the table in dealing with, with, with problems with, with, with teamwork. We can, we can identify soldiers or excuse

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me, students that might not be able to express to a normal teacher what they, what they're going through. And it, it really, it, it touched me a lot. I really wish that I could have finished it out, but unfortunately, it didn't work out that way. I apologize. I didn't realize I would be testifying on this day. I just came to the, to the Capitol because I'm a political nerd. And I saw that this was up and I could not stay silent on this when I saw just, just what this bill did, I had a chance to review it. But, but, yeah, this-- and I can tell you that when we were going through school, there was a group of us veterans that, you know, we were older and we were going to these teaching classes and we were just a group and we were looking at these younger, these younger students who were just 19, 20 years old and we're older and we're just-- we could deal stuff so much differently and, and, and so much better. I know that I, I loved every, every moment that I had there. And I really wish that, that I could have had another opportunity to get into the classroom. And it would have-- it could have made a big difference. And there are teacher shortages. I can tell you right now at McMillan Middle School, teachers can't even take breaks. I mean, when you have a teacher has to take out, there goes your planning period because now you have to cover for somebody else. And I know for a fact, Senator Walz, you probably experienced that in Fremont and, Senator Sanders, on your time on the board in Bellevue, you probably had those come up, so. And I know Senator Wayne has been personally involved with this as well. So this is just-- this is a very issue close to my heart. And, and I'm not here to represent any organization. I'm just here to represent myself and my fellow veterans. So with that, thank you so much for your time.

**MURMAN:** Thank you, Mr. Davis. And thank you also for your services. Is there any questions for Mr. Davis? Senator Walz.

**WALZ:** Thank you, Chairman. Since you love being here, I'm just going to let you be here a little bit longer. You, you talked about you went to school--

**MICHAEL DAVIS:** Um-hum.

**WALZ:** --to-- did you get through two years of classes or what was that?

**MICHAEL DAVIS:** Basically, I have everything except for the final three classes,--

**WALZ:** OK.

**MICHAEL DAVIS:** --which take 18 months to complete with your student teaching and everything.

**WALZ:** OK. So did you get to-- you did get to go to student teaching?

**MICHAEL DAVIS:** Yes, I did my first semester of student teaching, I passed the Praxis. I was ready to go, but unfortunately life came in the way, so.

**WALZ:** You passed the Praxis, that's a big deal.

**MICHAEL DAVIS:** Yeah, it was a very big deal.

**WALZ:** Can you just tell me a little bit about your student teaching experience?

**MICHAEL DAVIS:** Well, I can--

**WALZ:** What kind of things you learned through that experience.

**MICHAEL DAVIS:** I learned that there are, that there-- there's two groups of students. There's the students that want to learn and the students that don't care. And unfortunately, the teachers only focus on the ones that want to learn from my experience and the ones that-- and so I did everything I could to help the, the, the ones that just didn't-- I hate to say didn't care, but they just didn't see any benefit. And I did everything I could to help them to help come along as my, my teaching mentor focused on the other ones. And it-- so-- but, yeah, I, I did learn how to, how to relate with, with teenagers a lot better because it's been a while since I've been one, so. And I'm raising a preteen right now, so.

**WALZ:** And you wish you had a class for it, right?

**MICHAEL DAVIS:** Yes. Yes. But they don't offer parenting classes.

**WALZ:** Yeah.

**MICHAEL DAVIS:** You just learn as you go.

**WALZ:** So overall, you thought that the teaching, the student teaching experience was beneficial for you?

**MICHAEL DAVIS:** Oh, absolutely. And with this program that Senator Hansen pointed out, you're assigned a mentor, so you get-- so it's not like-- and, and, yeah, you're assigned a mentor that will help you

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through all of this. And, and, and you get-- and you can learn the ropes as you go, so.

**WALZ:** Yeah. All right. Thanks. Thanks for being here today.

**MICHAEL DAVIS:** Oh, yeah. Thank you, Senator. Any other questions?

**MURMAN:** Any other questions? OK. Thank you very much. Any other proponents? Good afternoon.

**ELIZABETH DAVIDS:** One spontaneous testifier emboldens another. Elizabeth Davids, E-l-i-z-a-b-e-t-h D-a-v-i-d-s from 46th District. And I'm just a mom. I-- thank you, Senator Hansen, for introducing this bill. I cannot tell you how many parents I've talked to, how many teachers I've talked to who are just at the end of their rope. There are so many lack-- there's a lack of subs. There's a lack of teachers. I have a dear teacher friend who teaches English as a second language, and so she has to leave her very small group of children who don't speak English yet, and they have to wait while she teaches a class she's never taught before. She's covering for someone else. We have a middle school teacher here at LPS who is on social media calling on our superintendent, saying, hey, there's nine substitute positions here on this Friday that aren't covered. What are we supposed to do? So it is a huge teacher shortage. And as I think of the groups of demographics that aren't teachers but could step in for teachers, I can't think of anyone else that I would trust more than someone who's been in the military and who has served our country. So I'm very grateful for this bill. I hope the support will come in and I think this is a wonderful-- one of the wonderful solutions that we can offer to teachers who are at the end of their rope and parents who are there, too.

**MURMAN:** Thank you very much. Any questions? Thank you for testifying. Any other proponents? Any opponents? Good afternoon.

**LACY SMITH:** Good afternoon. I'm Lacy Smith, L-a-c-y S-m-i-t-h, LD 21. I'm the proud wife of a Marine Corps veteran. Honorably discharged, 100 percent disabled, still working in his field with his degree. We homeschooled through part of COVID, and I have watched my very calm, very patient, wonderfully hearted husband say, oh, my God, this child needs to go back to public school time and time again, because my husband commanded adults and he commanded and he commanded largely neurotypical, not neurodivergent adults. He doesn't have the specialized training for children with autism. He hasn't taken courses on special education. I would be terrified sending he or I even into a

classroom without some foundational teaching courses on top of our degrees already, because there's also a large amount of manipulation in new teachers and to bend the rules. And he-- I've seen teachers not know that they are violating their ethical-- their codes of ethics because of pressure of school boards. And I would be concerned that if he didn't have foundational teaching courses, he wouldn't be able to teach at a level that is ethical in the state, honestly. Watching them do math is awful, and I understand that it's also the person. But my husband taught grown adults. I taught adults for a living. Adults and children are very different. There is a level of patience. There is a piece to special education. There is a piece to time and patience that you need to see if you have. But you also need to learn the skills of creating a lesson plan, being able to make your classroom accessible that, that I think are foundational before you step in, even with someone guiding you. And I want to say thank you.

**MURMAN:** Thank you very much. Any questions? Thank you for your testimony. Any other opponents? Good afternoon.

**NICOLE HOCHSTEIN:** Good afternoon, Education Committee, Chairman Murman. I lost my voice this week teaching or last week teaching so I'm going to try my best. My name is Nicole Hochstein, N-i-c-o-l-e H-o-c-h-s-t-e-i-n. I am a former full-time special education teacher, current substitute teacher, and a 20-year spouse of a veteran of the United States Air Force. I'm here to oppose LB188. Although I understand and truly appreciate the need for this bill, I have some concerns that lead me to oppose this bill as written. I started my education at the University of Nebraska Omaha in 2001. I double majored in elementary education and special education and received my degree, degree in 2005. I soaked up all of the knowledge that was presented to me. I had months of classroom experience through practicum hours, work study, two semesters of student teaching. I was trained, eager, and yet I still felt ill prepared for having my own classroom. I was responsible for the emotional and academic success of all students assigned to my caseload. I was legally responsible for writing, implementing, and monitoring legally bound documents for, for services for multiple students. It would have been impossible for me to complete these tasks without the education I received through my teaching degrees and the experience I had in classrooms prior to my employment and sole responsibility for the students. I met my husband in high school. He joined the Air Force immediately after graduation because he didn't have a plan and needed to escape home-based circumstances. We are a proud military family and so grateful for the experiences and friendships we have gained. My husband retired as a senior master sergeant with three associate's degrees, a bachelor's,

and a PMP certification in business management. The military is an excellent source for mature, disciplined, and experienced individuals who can serve as positive role models for students. It is also full of those in need of discipline, mental stability issues, poor work ethic, authority complexes, and trauma issues. Having the title of veteran doesn't necessarily mean you're upstanding and trustworthy. We've met plenty of veterans from both categories. My husband was selected for the position of instructor of technology in his career field. Even the military values and demands training before teaching. This teaching position required an advanced knowledge of his career field, an associate's degree, and a completion of an intense six-week instructor course. He was taught how to effectively draft a lesson plan, create objectives, identify student needs to advance their understanding, modify lessons, and proper voice and public speaking skills. This bill would give immediately-- immediate access to our children to someone who has served nearly-- merely four years, four years, has 60 credits with a GPA of 2.5 or higher. When my husband was active duty, he was able to CLEP or DSST, which is taking tests to give you the ability to not have to complete the course. You get the credits just by taking the test. He was awarded the college credits upon passing these tests. Essentially, we could have service members discharged with other than honorable designation, barely passing GPAs, and no experience with children attempting to manage dozens of students with varying needs. Without training and knowledge of how to plan lessons that target specific skills or concepts, managing classroom behavior to keep all students engaged in the lessons, and providing individual support and feedback for their students, we are essentially saying anyone off the street can teach. A teacher is responsible for supervising, educating, and supporting students to help them accomplish learning benchmarks. The teacher shortage in America is a major issue and needs to be addressed. The mass exodus of teachers should be examined and problems addressed. Putting bodies in classrooms only creates more issues. A teacher friend of mine shared a situation at her school and has allowed me to share it with you. A teacher was hired at my school with no training, experience, or student teaching. She was an awful teacher and terrible for her students' mental health. It took months of teacher complaints, students' accounts of situations, and meetings with administration before she was later fired. The children and other teachers had to suffer. It was honestly debilitating. The teacher had no idea about IEPs and accommodations, so kids were failing too. That's wrong from administration. Teaching is an undervalued and overworked job. This bill would propose a mentor be assigned to the veteran. This assignment could be for multiple years, adding more work to the overworked teachers already in buildings. Would there be any

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compensation for this newly assigned task? We would be putting the responsibility of training teachers on our teachers. Can we honestly say that adding more work to our teachers who are leaving the profession in droves is going to solve this problem? I would love to support a bill that provides proper education and support to incoming teachers. However, as written, this bill does not provide that.

**MURMAN:** Thank you, Ms. Hochstein. Is there any questions? If not, thank you. Good afternoon.

**RACHELE WALTER:** Good afternoon. My name is Rachele Walter, R-a-c-h-e-l-e W-a-l-t-e-r, and thank you for letting me speak, Senator Murman and Education Committee. I am speaking in opposition to this bill. I think that we-- again, it was already mentioned, we need to examine why student-- why teachers are leaving in droves, and we understand that it's pay, it's resources. When you look at what we're doing here in this state, we are one of the most underfunded school boards nationwide. And the student-- the teachers already are overworked here. They're already underpaid. They are working long hours for, in many cases, a fraction of what they could be making in other states. What we need to be doing is looking at ways to retain teachers, looking at ways to assist the teachers we already have, and how to get people who are interested in teaching adequately and correctly certified in those things. Just being a veteran doesn't automatically make you an expert in anything except what you studied while you were in the military. I studied forensic science. Does that make-- no, no. Things have changed quite a bit in the 20 years since I got my master's degree. I never worked in the field, so I would be terrible to be working on a criminal case, even though my education is there. Just because I have the education, just because I have the experience that people think it's needed does not make me the qualified candidate. And in this case, what we need is we need qualified candidates, people with the education, people with the drive, not just people who need a job. We can give those to homeless people if that's what we're looking for. If we're just looking for bodies to fill up a room that have no experience, there are plenty of people in this state who can fill that requirement, but that is not going to help our Nebraska students. That's not going to help us retain the youth that are leaving the state in record numbers. The brain drain we have going on is because of a lack of resources for teachers and schools, and that is where we need to start. Just putting bodies in the classroom to teach is an oversimplification of a very complex problem. Thank you.

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**MURMAN:** Thank you very much. Any questions? If not, thank you. Good afternoon.

**ISAU METES:** Good afternoon, Chairman. Can I--

**MURMAN:** Go ahead.

**ISAU METES:** Thank you, Chairman Murman, members of the Education Committee. My name is Isau Metes, I-s-a-u M-e-t-e-s. I am here to speak in opposition to LB188 on half-- on the behalf of the Nebraska State Education Association. As written, the NSEA opposes LB188. I myself am an Army veteran and a certified English teacher, high school English teacher. I served in the 407th Quartermaster Detachment in Sioux City, Iowa. My military occupational specialty, or MOS, was 77 Whiskey, a water purification specialist. I served six years as an Army reservist and served two years in active-- individual reserve ready. And I am not alone and many teachers in classrooms across the state that proudly serve-- have served this country and continue to serve. We recognize there is a teacher shortage not only in Nebraska, but also nationwide. And to be clear, we're not opposed to veterans receiving temporary certificates for up to five years. But there are some things within the proposed language that is concerning. In general, for someone to receive a temporary teaching certificate, one must complete a teacher education program, already hold a certificate from another state, or already have a bachelor's degree. Since the traditional enlistment for a military term is a 4 by 4, which is 4 out-- 4-- excuse me, 4 years or 48 months of active service and then 4 years in IRR or Individual Ready Reserve. We have no problem granting a veteran as defined by this proposal with tempor-- with a temporary certificate for up to five years. But just keep in mind, committee members, that four years in a reservist is different than four years in an active duty. In active duty, you could possibly reach noncommissioned officer training, which is leadership training, but you really can't reach that in a reservist-- as a reservist or in the National Guard. NSEA's concern is really two proposed requirements. The first is to hold-- for the temporary certificate first. As the proposed language states, a veteran must have 60 credits with a minimum cumulative point grade-- grade point average of 2.5 on a four-point scale or otherwise a C average. On average, completing 60 credits is about two years of four-- or four semesters depending on the institution. The language does not define what those 60 college credits are supposed to be in, or does it require that that person proceed in an educator prep program or already hold a certificate from another-- or, or already have a bachelor's degree. Four years of soldiering is not the same as pedagogy, depending on your MOS. As you

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heard from the previous testifier, a couple testifiers ago, her husband was trained in, in his MOS to do instruction. The proposed language suggests that an Eleven Bravo or an infantry soldier for four years could take 60 credits in any college credit courses and completely unrelated to each other, not only unrelated to education, would be able to teach up to five years. And there's no, like I said, there's no requirement for a teacher prep program. So in essence, that person could serve-- could teach for five years and then walk away again and not be a certified teacher. So it doesn't-- it may answer the, the problem in the short term, but what about the long term? The other concern is that the proposed language in LB188 defines a veteran as a person who has served on active or reserve duty in the armed forces of the United States or the National Guard who was discharged or released from service under conditions other than dishonorable. Other than dishonorable does not-- is not the same thing as honorable. There are, there are lots of different discharges, very-- lots of different levels of discharges. Some of those would be red flags to employers, such as bad conduct, general discharge other than honorable discharges. And those would-- could really reach-- those are issued for levels of misconduct that would violate things like Rule 27, which is the teacher's code of ethics as defined by the Nebraska Department of Ed or raise to the levels of just cause as defined in current state statute for just cause. I ask the committee to raise these concerns before considering LB188. Thank you for your time and I would entertain any questions if you have any.

**MURMAN:** Thank you very much. Any questions? Senator Linehan.

**LINEHAN:** Thank you, Chairman Murman. Thank you very much for being here. I just have-- this is very helpful. So in the third paragraph of your testimony, it says: In general, for someone receiving a temporary teaching certificate, one must either complete a teacher's education program-- that's obvious, hold a certificate from another state or already have a bachelor's degree. Are those all ors?

**ISAU METES:** That's correct.

**LINEHAN:** So that's one of your points. So if they have a bachelor's degree, you're just not happy with the 60 hours--

**ISAU METES:** Right.

**LINEHAN:** --if they had a bachelor's degree? OK. Then the other thing-- and it's very good of you to point this out. So you're saying that

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four years of active duty service is different than four years of reserve?

**ISAU METES:** Right. Right. And, Senator, when it comes to reservists, it's different in one-- in moving up ranks and your, your opportunities. Also, it's different in that you're doing it for 48 months straight, whereas in reserves you're doing it once a month, two weeks a year.

**LINEHAN:** Unless you're deployed.

**ISAU METES:** Unless you're deployed. That's correct.

**LINEHAN:** So in that situation, let's just give you a-- because it's very compli-- let's say you've been in the reserves or the Guard for 20 years, and in those 20 years you've had four years of deployment.

**ISAU METES:** Right.

**LINEHAN:** Would that count as full-- four years then?

**ISAU METES:** Of-- that is a good question for the, for the senator, for Senator Hansen. I think what you're asking, Senator, is that whether or not 20 years of reservist is the same as four years active.

**LINEHAN:** Well, it would depend on, it would depend on what they did in those 20 years.

**ISAU METES:** Absolutely.

**LINEHAN:** Because you obviously have reservists or National Guard people who have been running for 20 years and they've been deployed more than four years.

**ISAU METES:** Absolutely.

**LINEHAN:** Which is full time. Then there-- so wouldn't they be on active military service then when they're deployed?

**ISAU METES:** No, they're still reservists, they're just in active reserve.

**LINEHAN:** Yeah, but they go under a different title, right? If you're, if you're deployed-- if, if you go-- the President assigned you to go to Iraq.

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**ISAU METES:** Right. When, when you're-- when you say-- and I'm only talking about the Army, because that's all I know, but when I'm in the Army, we call-- everyone's in Army-- serves in the Army. I'm an Army person. So reserve is just another way of saying we're the support. If we get activated, we're still considered reservists and we're not necessarily-- we're on active duty as a reservist.

**LINEHAN:** And that you-- we can figure this out.

**ISAU METES:** OK.

**LINEHAN:** But I think you are then under a different title and you're paid-- you're considered, you're considered, in lingo, real Army then because you're under the title. I can't think which title it is, but--

**ISAU METES:** Yeah.

**LINEHAN:** OK. All right. But you do see a need.

**ISAU METES:** Absolutely.

**LINEHAN:** There is a way to get there. You just don't like exactly the way this is written.

**ISAU METES:** Absolutely. Like I said, I myself am a veteran. I have a bachelor's degree. I did a master's degree. And like I said, I taught secondary high school English. So I taught grades 7 through 12. And I actually subbed one time. And just so you know, when you go through teacher prep, there's different endorsements. So I couldn't teach-- I'm not certified to teach elementary school. And I only bring that up because I have all that training. I was a veteran, but I got put in a fifth grade classroom one time and they made me work for my money, like, I was not prepared.

**LINEHAN:** Those are fifth graders.

**ISAU METES:** Right. It's very different.

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

**ISAU METES:** You bet.

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

**WALZ:** Yeah, I'm just going to follow up on something that Senator Linehan said. What, what kinds of things could be added to a piece of legislation like this that would make you feel more comfortable?

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**ISAU METES:** Sure. Sure. Because along with the teacher shortage, we're not just talking about recruitment. We're also talking about retention, right? So what those 60 credits matters. What's, what's taken matters and whether or not they actually have the ambition to go on. Like the gentleman before who is a proponent, he went on to student teaching because he must have been in a teacher prep program. The administrator before him was a full administrator and was in, in the school. I mean, they're, they are-- again, like, I feel like recruitment is one thing, but the retention is the other thing. So after five years and they're all gone and they can't go back and renew a temporary certificate, that doesn't really solve the problem. The other part that's alarming for us is also the discharge language, the definition of what a veteran is. Other than dishonorable, there's a lot of other discharges that may be concerning-- that are concerning.

**WALZ:** OK.

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

**ISAU METES:** Thank you for your time.

**MURMAN:** Thank you very much.

**ISAU METES:** Thank you, committee members.

**MURMAN:** Good afternoon.

**CARINA McCORMICK:** Hi. My name is Carina McCormick, C-a-r-i-n-a M-c-C-o-r-m-i-c-k, and my salutation is Doctor. Thank you. I'm here to testify against this bill, LB188. And I really think we all need to admit that what this bill is, is lowering standards for teacher certification for a single demographic group. And that is not something that we would consider doing for any other demographic group. I have nothing wrong with programs that want to make veterans into qualified teachers. I do have something extremely against putting, putting people as unqualified as this bill would allow into a classroom just because of a job they had beforehand. And you see, I made a little graphic organizer. I've been a teacher before, and I really want to make sure all of you have had it sink in how much this lowers requirements compared to the existing language of the law. So this bill is an amendment to an already existing law about alternative teacher certification. So the people who didn't need to go necessarily through the teacher education program. So another person in the existing language, section (b), they already needed a bachelor's degree or another degree from an accredited institution. For the

veterans, this amendment, they'd only need 60 college credits, and it doesn't even need to-- it doesn't even say what it needs to be from. It doesn't even need to be accredited, specifically just says a college credit. For the test for subdivision (1)(b) for nonveterans-- so there's a basic competency skills test. I actually took it as a teacher. It's so extremely easy. I would really encourage if you're thinking about supporting this bill to take some practice questions from that basic skills test. So sorry-- that for veterans they wouldn't need to take it. I would really encourage you to go and take some of those practice skills tests and ask yourself if you'd be comfortable with your child being taught by somebody who couldn't pass that test? There's no reason that veterans wouldn't-- shouldn't need to take that very, very, very basic skills test that's intentionally omitted from that. Both of them need to pass the subject area test, but a lot of content areas for teaching don't actually require any subject area test for the practice. I looked it up online, it's available online if you're curious. And then the duration for the other route, the existing route, that certificate is only valid for two years, but the one for veterans is valid for four years. So basically we cut the requirements in half and we give them twice as long to do it. So if we made a mistake in giving somebody unqualified the certificate, they get to have it for five years. That's five cohorts of students who had an unqualified teacher. Now I said, you know, my salutation is Doctor, my Ph.D. is in a field related to assessment, and part of my field of expertise is licensure and certification tests. So when a state issues a license or a certification, that's telling the public that they've determined that, that that individual has the skills required to safely practice. And so it's to some extent irresponsible and perhaps even deceptive of the state to issue these certifications to a small select group of individuals with much lower qualifications than is required for anyone else. And I do ask myself, why do we make these standards so much lower for soldiers? Do we think they're not good enough to pass a really, really basic test? Do we not, not think they're good enough to pass college? The GPA requirement, as I put in the graphic that I forgot to say, it's 2.5. That's a B minus or C plus. I've never gotten a B minus in my life. And teaching was still really hard. Why do we make-- like, it's offensive to teachers, yeah, to lower the standards for somebody else. But it's also offensive to veterans to say that these are the best standards that they can pass. I don't believe that. I believe that veterans are completely capable of meeting the existing requirements in the section and that what the Legislature should focus on is things like Troops to Teachers that increase supports for veterans to actually become qualified to serve the-- to fulfill the

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problem of getting qualified people in the classroom for all students to have excellent teachers.

**MURMAN:** Thank you very much. Any questions? Senator Briese.

**BRIESE:** Thank you, Chairman Murman. Thanks for your testimony here today. Thank you for this one pager. I noticed as well that the basic skills competency requirement was omitted from the proposed language. But you're telling me that that's a very simple test to pass. And so the inclusion of that in the proposed language arguably wouldn't make a whole lot of difference anyway? And that's if--

**CARINA McCORMICK:** So if you're saying that the test is so easy that we assume most people would pass it so it doesn't matter, I would not be comfortable saying that. No. I mean, I would say that it's so easy that the sort of people we would want teaching should be able to pass it, but they shouldn't need to prove that. Yeah.

**BRIESE:** Thank you.

**MURMAN:** Thank you. Any other questions? Thank you for your testimony.

**JUDY KING:** I didn't really write anything up for this today. My name's Judy King, J-u-d-y K-i-n-g, and I'm opposed to this, but I can say I have the greatest respect for the military. And my husband's a Vietnam vet, my brother was a Vietnam vet. Several other people in our family are, are with the military or were with the military. I just think that we need to hire teachers and I think we need to pay teachers and I think we need to make sure that their-- the public school is funded and, and have the teachers in there instead of the military. I-- like I said, I have the greatest respect for the military, but we need educated teachers in public school. And that's basically all I have to say, so.

**MURMAN:** Thank you. Any questions? Any other opponents? Anybody to testify in the neutral position?

**RYAN McINTOSH:** Good afternoon, Chairperson Murman, members of the committee. My name is Ryan McIntosh, M-c-I-n-t-o-s-h, and I'm here today as a registered lobbyist on behalf of the National Guard Association of Nebraska, which includes the current commissioned officers and warrant officers of the Nebraska Army and Air National Guards, as well as a number of retired officers as well. We thank Senator Hansen for bringing LB188 as an outside-the-box approach to addressing shortfalls in our teacher workforce. We believe that LB188 provides appropriate constraints on eligibility and follow-through

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requirements by virtue of minimum military service, college credits, requirement of a teacher mentor. And there was comments on with the last testifier that it waives the basic exam. If you look at the text of the bill, it does require that the Department of Education establish a standards test. So there must be an examination, potentially that examination or some other examination so that the bill does require some level of examination to be established by the Board of Education. It also provides an appropriate pathway to a full certificate. The challenges of vacant teacher positions in our state is real, and by establishing criteria that is beyond requirements for substitute teachers, we hope that this will be an effective measure that will benefit many classrooms. I will address a couple of other points of testimony. I do take issue and disagree with a comment that was made that there's different progression skills, the initial entry training, all training along the way between the reserve component and the active component are the same. And in my experience, at least within Nebraska National Guard, promotion is on par with that of the active component. So I do disagree with that testimony. And also, Senator Linehan, to answer your question, yes, when activated for federal missions, there's a transfer to Title 10, and there is no distinction between reserve component, National Guard, or active component. When serving on active duty for training or otherwise, we remain on Title 32. But when activated for federal service, it is Title 10. We have not yet determined our legislative priorities as an association, and therefore I'm here on a neutral capacity. With that, I'd be happy to answer any questions, but I thank you for your consideration and support.

**MURMAN:** Thank you very much. Any questions for Mr. McIntosh? Yes.

**ALBRECHT:** Thank you, Chair. Thanks for being here for the National Guard. Can you tell me if they're dishonorably discharged, what other things would we want to take into consideration?

**RYAN McINTOSH:** So there's a whole number of discharges. Generally, the highest would be in the best and in most situations is honorable. There's also discharge, a general discharge under honorable conditions, and then a whole slew of, of discharges beyond that. So if you are going to increase that level, I would suggest honorable in general under honorable conditions being the, the stopgap for that.

**ALBRECHT:** So, so if that were the case that we only take honorable and nothing below that, would, would you, if we were to ask about that particular individual. If the bill's written that it has to be

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honorable is one thing, but if there was anything below that, are you able to express that if we were to contact the National Guard?

**RYAN McINTOSH:** So we, we have not--

**ALBRECHT:** Have you had any other issues?

**RYAN McINTOSH:** Yeah. We don't have a, we don't have a specific position on, on this bill yet. And that's why I'm here in neutral. I would think that-- I can give you some examples of, of what would result in a general under honorable conditions, which isn't, you know, conduct of illegal activity or anything like that. But there can be medical issues and other training issues that might lead to a general under honorable conditions. But I'll note that LB188 still requires four years of, of service.

**ALBRECHT:** Thank you.

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

**RYAN McINTOSH:** Thank you.

**MURMAN:** Good afternoon.

**BRAD DIRKSEN:** Good afternoon, Senator Murman and committee. My name is Brad Dirksen. I am the administrator of the Office of Accountability, Accreditation, and Program Approval with the Nebraska Department of Education. And part of my department or part of my office includes educator--

**MURMAN:** Can you spell your name, please?

**BRAD DIRKSEN:** Oh, my apologies.

**MURMAN:** Sorry.

**BRAD DIRKSEN:** B-r-a-d D-i-r-k-s-e-n.

**MURMAN:** Thank you.

**BRAD DIRKSEN:** Part of my office includes educator certification and the approval of educator preparation programs. The Department of Education is neutral regarding LB188. The department does want to make you aware that there are currently multiple options for current military personnel and veterans to enter into the teaching profession. Those alternatives include the alternative teaching permit. There are four different pathways that a person can go through and obtain an

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alternative teaching permit. They have to have a bachelor's degree to go and pursue any of those pathways through the alternative program teaching permit. Also, there is a transitional teaching permit which also requires a bachelor's degree. There is a military teaching permit. You have to have a, a teaching certificate or a permit within another state to transfer into Nebraska and hold that permit or certificate for a year. It also applies to spouses of military personnel. And then there's also a career education teaching permit that is another pathway for military veterans, military personnel, or veterans to enter into the teaching profession. And those do not require necessarily a bachelor's degree to enter into the teaching profession. It is currently available to, to veterans to try to obtain those teaching permits. And they are-- they do require the request of a local school district to hire that individual, request that certificate or permit type. The department is also willing to work with the Education Committee or Senator Hansen with regarding any technical changes to the bill. We're always open to those discussions and technical amendments and how we can make things better.

**MURMAN:** Thank you. Any questions? If not, thank you very much. Anybody else testifying--

**LINEHAN:** Can I ask-- I'm sorry.

**MURMAN:** Oh, I guess we have questions. Senator Linehan.

**LINEHAN:** I'm sorry. So thank you very much, Mr. Dirksen, for being here. Are these, are these changes or these abilities for veterans are they more recent? Like, what have they been? Have they changed in the last ten years?

**BRAD DIRKSEN:** I don't--

**LINEHAN:** It's OK if you don't know, you can--

**BRAD DIRKSEN:** Yeah, there are some changes that happened in the Legislature a couple of years ago around the alternative program teaching permit that were, were codifying regulations and Rule 21 around those options. So those are, are fairly recent changes. With the career education teaching permit, I'm not sure the, the length or when that was actually instituted, but I know it's been around for at least eight or so years. I'm not sure exactly when that was.

**LINEHAN:** Could you provide the committee and Senator Hansen with what changes that were made and when on these with the veterans--

**BRAD DIRKSEN:** With those certificate permit types.

**LINEHAN:** Uh-huh.

**BRAD DIRKSEN:** Yeah, we can outline those-- the different changes.

**LINEHAN:** Thank you.

**BRAD DIRKSEN:** Certainly.

**LINEHAN:** Thank you very much.

**MURMAN:** Any other questions? Thank you very much.

**BRAD DIRKSEN:** Thank you.

**MURMAN:** Any other neutral testifiers. If not, Senator Hansen, you're welcome to close. And we have presented comments on the hearing record: two proponents, five opponents, and zero neutral.

**HANSEN:** Thank you, Chairman. A hearing that was actually productive. This is great. I actually appreciate all the testimony for and against it. And firstly, I'd also like to show my appreciation for their, their service to our country. I think that's probably more important than what we're trying to pass here. But a lot of the recommendations that we heard for and against it, actually a lot of it makes sense. A lot of it, I think, can be incorporated into the bill and does make this better. One thing I just want to reiterate and I said this in my opening, that this does not mean the school is mandated to hire a person who qualifies under this. The school has every right to say we don't think you're qualified or we would like to see you get your bachelor's degree or we'd like to see you get your teaching certificate before you can come here. But there-- I bet you are a lot of schools are like, we will take you. We need help. Our teachers aren't just underpaid, but they are overworked and a lot of them are leaving because they feel unsafe. And so I have to push back on a little bit on some things that some of the testifiers against us said that we're just-- yes, this is, this is not lowering the teaching, teaching certificate for just one specific group, but this is a specific group that has a unique set of qualifications that fit the teaching type of skills, I think, that are especially needed nowadays to maintain a classroom, to have leadership. And so I think those skills, it's, it's not like-- I just want to make sure we're not, we're not misconstruing this bill, that where somebody who's just graduating high school, they're getting two years of education and they're going-- we're, we're sticking it in a classroom. These are

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people who have served in the military for four-plus years who get a lot of skills from those four years that can pertain to what they're doing now. So it is a unique, specific group of people. But those people who have qualifications, I think this-- that fit this, this profession very well. One of the things that I'm kind of more interested in is a career-- teaching permit. So I'm glad, Senator Linehan, you brought that up. I would like to get some more information about that and how that might pertain to this. But I think-- this bill, I think, fits the times, especially now, and where it's not just kind of a teacher shortage, it's a crisis now. And we need some help. We need some outside-the-box thinking. You know, I know teachers want to be paid more and I'm not completely against that. But I think there are some other things that we can do to make sure that we get qualified individuals in there and start teaching right away. And I think that's what this bill does. So with that, I'll take any questions the best that I can.

**MURMAN:** Any questions for Senator Hansen? Senator Sanders.

**SANDERS:** Thank you, Senator Murman. Not a question or statement, someone had asked about why not go for Troops to Teachers program. And I want to tell you, I've been working on that, but it's a five-year cycle, so we'll be in that cycle probably next year. But this is a faster path, right? So thank you for bringing this bill forward. We've got to do something. And I appreciate you bringing this forward.

**HANSEN:** Thanks. I think the more options we have, the better, right? And so then we can decide what maybe works better and what doesn't.

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

**CONRAD:** Thank you so much, Chairman. And so sorry I stepped out and couldn't be here, what I'm sure was a comprehensive opening statement, Senator.

**HANSEN:** That's all right. It was probably the best statement you're ever going to hear, but it's OK, it's all right.

**CONRAD:** Oh, gosh. OK. We'll have to go back and watch the tape then. So I apologize if, if you already covered this, but I did just want to affirm for the record, I, I think that there's a lot of shared values inherent in this proposal and recognizing the service and sacrifices of those who, who serve in our military and recognizing the challenges we have in education and trying to think about, you know, how to address some of those, those kinds of big picture issues through maybe

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some models that Senator Sanders has noted or that have been in place in other states. But I did just want to clarify two, two pieces if you know, and if not, we can follow up afterwards, of course. But are you aware, Senator, and you, you know that I think Senator Ebke kind of started down this path, Senator Briese got some measures before us this year. But kind of looking at, you know, there's a-- there's scores of different professional licensures or certifications in our statute books. Are you aware of any other certification or licensure program that would have different standards available for otherwise qualifying veterans, kind of like you're proposing here for temporary teacher-- teaching certificates?

**HANSEN:** You mean to get, like, a veteran into a profession sooner?

**CONRAD:** Yeah, or just any of the other professions that are subject to certification or licensure. Is-- are there other professions that have different standards for, for qualifying veterans? I'm, I'm not aware of any, but--

**HANSEN:** I can't think off the top of my head, so I'm just kind of-- yep.

**CONRAD:** Yeah. OK. Just wanted to, to kind of note that. And then the other piece I just wanted to think more about because, of course, it plays into the, the teacher shortage and some of the education issues. But, you know, the, the pairing with a mentor teacher. Is there any sort of thought about how to work with the districts to make sure, you know, that's funded, to make sure that it doesn't provide additional duties to senior teachers that might hasten burnout or having them cover more duties when they're already stretched so thin? Just kind of want to think through the logistics of how the mentor teacher pairing would work, perhaps. I don't know if you've had a chance to have greater conversations with stakeholders about that, but just trying to get up to speed on it.

**HANSEN:** Some, yeah, not so much the financial aspect of it, I mean.

**CONRAD:** OK.

**HANSEN:** But I know there's some concern about this might potentially put more burden or stress on a teacher. Also, I think having not enough teachers puts a lot of burden--

**CONRAD:** Sure.

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**HANSEN:** --and stress on teachers. So I think we can kind of look at it from kind of both ways. But I think that is something that maybe each school district can kind, can kind of determine for themselves maybe what a teacher mentor might mean to them if they want to reimburse them or not. I don't know for sure how restrictive I don't want it to be. You know what I mean? So that's one of the avenues I haven't really gone down yet, so.

**CONRAD:** OK. Thank you so much.

**MURMAN:** Any other questions? I guess I have one. I don't want to put you on the spot and I should have--

**HANSEN:** Oh, thanks.

**MURMAN:** --asked this to the Department of Ed or some-- one of the other testifiers, but there are certification tests specific to certain subjects, correct?

**HANSEN:** Um-hum.

**MURMAN:** So-- but that is not required in this bill.

**HANSEN:** It is.

**MURMAN:** It is required?

**HANSEN:** Yeah, each one must take subject area examination.

**MURMAN:** OK, so the, the test specific to the subject is still required that the applicant would be able to pass that test?

**HANSEN:** Yes.

**MURMAN:** OK. Thank you very much.

**HANSEN:** OK.

**MURMAN:** And other than that, the bill pretty much leaves it up to the local administrators or school board to determine--

**HANSEN:** Yep.

**MURMAN:** --who they would want to hire, at least temporarily.

**HANSEN:** Exactly. Every school in the state of Nebraska may not like this bill, and they may not hire any veteran that only has two years

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of education. There might be 80 percent of the schools who would love to have people like this and help mentor them. And there might be teachers who want to mentor them and help bring them along and, you know, help, help the shortage that we're dealing with. So don't know until you at least give them an option to try. Right? But don't force them to either. Right? So that's what hopefully we're trying to do with this bill.

**MURMAN:** More local control. Thank you.

**HANSEN:** Yeah, if I'm going to say anything to that one, yes.

**MURMAN:** Any other questions? Well, thanks a lot.

**HANSEN:** Thank you.

**MURMAN:** That'll close the hearing on LB188 and we'll move on to open the hearing on LB141. Senator Briese. Welcome, Senator Briese.

**BRIESE:** Thank you and good afternoon, Chairman Murman and fellow members of the Education Committee. My name is Tom Briese, T-o-m B-r-i-e-s-e, represent District 41, and I'm here today to present LB141. It's a very straightforward bill. It simply requires the Department of Education to provide guidance to school districts that choose to implement a moment of silence during the school day. I would envision adoption of a policy by the NDE describing best practices for such districts who wish to utilize such a moment of silence. Personally, I'm a believer-- I'm a believer in the importance of what a moment of silence can do for our schoolchildren to begin the day. And I've always felt fairly strongly that way, and I'll go into some of those reasons later. But again, this is not a mandate to our school districts for I believe local school boards would much prefer to make this decision on their own. It should be up to the local boards. And so if we're going to make this a discussion about the benefits, the pros and cons of a moment of silence, well, we really need to make those to our local board. But this is an area that clearly has to be navigated carefully. You know, we can implicate First Amendment considerations. So I think it would be helpful to those districts that wish to implement a moment of silence to have guidance at the state level to look to. The guidance could encourage implementation of a moment of silence. And why do I think that's important? Again, I've always believed in the importance of it, and then I read the literature that really reinforces my thoughts on that. And I've handed out a couple articles relative to that and you can read them at your leisure, but I'll, I'll try to highlight a couple, a couple of what I

think are important points there. In one of the articles, the author Izzy Kalman advocates for a moment of silence. Kalman, I understand, is a nationally certified school psychologist and an international authority on bullying, and he makes several key points. He points out that really silence can be a powerful experience, and a moment of silence can promote self-control. And, and to quote him, he said, When children practice silence for a minute or two every school day, they learn self-control. Unquote. He further maintains that when a moment of silence is practiced at the beginning of the day, it tends to set the mood for the rest of the day. He likens it to a form of meditation, and he really advocates for instructing kids to ask their parents what they should think about during that time. In the article, he spends considerable time explaining the importance of that parental involvement. He suggests that, quote, For one or more effortless minutes per day school atmosphere improves, kids and staff become happier, aggression declines, staff waste less time trying to keep students on task and dealing with aggression problems and academic achievement goes up. Unquote. He concludes that a moment of silence, quote, may be the single most effective way to improve schools and society at essentially no expense. Unquote. The second article I've passed out is written by Dr.-- Rabbi Dr. Michael Shulman. And even though he's a rabbi, he does take a secular approach to the issue in this article. Some of his key points include, quote, It has been proven through psychological testing that this brief period of time is the most rewarding and profitable one, and its effects last the entire day through. Unquote. He also is quoted as saying, This moment of contemplation, which is remarkably helpful in the classroom setting, additionally achieves positive outcomes on the student lives on the whole. Unquote. So I, I do think that a lot can be said for implementing a moment of silence in our classrooms. But again, this bill, rather than mandate it, will provide some uniform guidance at the state level on best practices in this arena. And I do note that several states out there mandate a moment of silence and don't want to go down that road. I think it ought to be up to school districts with input from their administration, teachers, staff, whether they want to implement a, a time period like this. And again, these waters they do have to be navigated carefully and, and guidance at the state level can be reassuring and helpful to those districts contemplating such a move. And so with that, I'd be happy to answer any questions that I could.

**MURMAN:** Thank you, Senator Briese. Does anyone have any questions on the opening?

**CONRAD:** I-- oh, go ahead.

**MURMAN:** Senator Albrecht.

**ALBRECHT:** Thank you, Chair Murman. You know, I guess I was going to have a lot of questions for you as to give me some examples. And you've provided those for us. I could give you an example on the floor of the Legislature that's happened before with Senator Wayne with a moment of silence to calm everyone down. So if this can happen in a school with a lot of the mental health issues that we have, I think that would be an excellent program to be considered. So thanks for bringing the bill.

**BRIESE:** OK. Thank you.

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

**CONRAD:** Thank you so much, Chairman, Chairman Murman. And welcome, Senator Briese. Appreciate the opportunity to kind of get up to speed on this proposal. Can you just share a little bit more about the impetus for the legislation because it was just not clear to me and I know that our office received some inquiries from constituents and other stakeholders is this, you know, essentially related to prayer in school, is this related to silent protest that students are involved in for a variety of different issues? I was just trying to-- and, and the measure itself is very brief, which is not necessarily a bad thing, but I was just hoping that you could help me understand a little bit more about kind of what, what, what boosted you're thinking to bring forward the measure?

**BRIESE:** No outside impetus for this. As I look at society today, I, you know, what-- I look at the problems that we have in society and I wonder if this is one of those small measures we can take that can help the classroom setting, help the educational experience, and help get our kids off to a good start. Now there are others that might disagree with me on that, but I, I personally believe that way and I have for some time and that's why I brought the thing. I didn't go out looking for cosponsors or anything like that. I just-- this is personal to me. And I, I, I am a believer in it. As far as prayer in school, yes, this, this is a, a secular approach because obviously you go down that path, you run into headwinds and you implicate First, First Amendment establishment concerns. And so one has to be careful. And that's why I said earlier, you know, these are treacherous waters when a school district wants to do that, they have to be cautious how they do it. And I think this guidance at the state level and, you know, the guidance I would envision is, you know, a minute or two, perhaps, at the beginning of the school day, a moment of quiet

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reflection or meditation. You know, I think some state laws, they say medica-- meditation, reflection or prayer. But when-- and whenever that gets brought into it, that gets a little more of a gray area. So you have to be cautious with that. And that would be one of the importance, I think, of at the state level the NDE could utilize their legal team to ensure that what they set out as, as options would pass muster or they could point out, well, this is how you're safe doing it, this might be a gray area,--

**CONRAD:** Right.

**BRIESE:** --be up to the local school districts to do that. And personally, I would encourage parents to be involved with their children in that decision. I think that can be very helpful. And one of the authors in their makes, makes a very good case for that. And again, you have to stay away from the prayer issue or you're likely going to have problems.

**CONRAD:** Sure. No, I appreciate that. And I'll, I'll tell you again, maybe it'll be a constant refrain, but having two little kids in elementary school here at LPS, I've been really impressed by how their staff utilizes, you know, a mindfulness approach to help address behavioral issues or just encourage kids to develop, you know, smart skills for developing emotional intelligence for themselves and in the community. So I do see perhaps it sounds like this might be kind of a mindfulness kind of approach that you're looking at it from more so than an establishment kind of clause issue or a prayer in schools kind of issue, or perhaps during that, that moment, of course, it could be, you know, a personal reflection for the student or the, the staff to figure out, you know, how they want to utilize that time with their thoughts.

**BRIESE:** Yeah, I would say great, great point. And I think, I think the options are fairly endless as to what could be done to utilize that moment of silence. But, but again, what the teacher says, what the teacher suggests, you know, that's, that's, that's where we have to be cautious and, and understand that some things cannot be coerced or encouraged or discouraged for that matter.

**CONRAD:** Right. I appreciate that. Thank you.

**MURMAN:** Senator Linehan.

**LINEHAN:** Thank you, Chairman Murman. So you were on a school board at one point weren't you Senator Briese?

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**BRIESE:** Yes, I was.

**LINEHAN:** So do you-- from your service here and on the school boards, do you feel like even if schools wanted to do this right now, they feel like they can't because there's no guidelines out there how to do it?

**BRIESE:** Yes, I, I think that could be a, a common perception out there. I don't know that, but that's my perception of that.

**LINEHAN:** Because we don't have any guidelines, we've, we've basically said-- taken the local control away because I assume their lawyers will tell them that they can't do it without running into trouble.

**BRIESE:** Yes.

**LINEHAN:** Because there's no guidelines.

**BRIESE:** Yes, I, I think that's a, a fair assessment. I'm not sure of that, but it's a reasonable assessment anyway.

**LINEHAN:** Thank you very much.

**MURMAN:** Senator Walz.

**WALZ:** Thank you, Chairman Murman. Well, first of all, I-- I'm just wondering if on a really bad day as a teacher we could expand that to maybe an hour. [LAUGHTER] That might be helpful if we could do that, guidelines for that. I just have a quick question. Is this, is this something that you're thinking should be done once a day, multiple times a day? I mean, where does it-- where's the stopping point as how many times per day you can stop?

**BRIESE:** I, I guess I would leave that up to the NDE and try to receive some input maybe from experts in the field as to what the best approach is. But I think from what I've read at the beginning of the day, one, maybe two minutes is, I think, one of the more desirable approaches. But that would be up to them. That would be up to the experts, I would think.

**WALZ:** But--

**BRIESE:** And then it would be up to local school boards--

**WALZ:** Sure, yeah, from what Senator Linehan--

**BRIESE:** --to say, well, we want to do it this way or--

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**WALZ:** --asked, you don't think there's anything that's preventing a school district from doing that right now?

**BRIESE:** No.

**WALZ:** OK.

**BRIESE:** Except concern over how it could be implemented without creating some problems for people.

**WALZ:** Do you know if that's being done right now?

**BRIESE:** I don't know--

**WALZ:** OK.

**BRIESE:** --the extent to which it is done.

**WALZ:** OK. Thank you.

**BRIESE:** I spoke to the School Board Association this morning. I thought about asking for a show of hands, but I didn't go that far.

**WALZ:** Thank you, Senator Briese.

**BRIESE:** Sure.

**MURMAN:** Any other questions? Thank you, Senator Briese. Any proponents for LB141?

**JOSEPHINE LITWINOWICZ:** I just thought I was going to stay and [INAUDIBLE]. But anyway, good evening-- good afternoon, Chairman and members of the committee. My name is Josephine Litwinowicz, J-o-s-e-p-h-i-n-e L-i-t-w-i-n-o-w-i-c-z. And first of all, I just want to make a comment on asking a question. I don't have much to say because I'm in favor of the bill. But, you know, you know, it's kind of if you can't answer a basic question that's relevant or even say you can't or, you know, I think that's not personal, but it is vulgarity. And it would be nice that heaven forbid that a dialog get started that's relevant to the topic at hand with people, obviously on the Education Committee, that might be good to discuss. You know, I'll drink the hemlock. Let's just do it. And then secondly, I co-taught a course in college and I'm not good at it, so I really admire those people. Yeah, yeah, as you might imagine, I'm the most articulate person. And then, and then finally, I just, I hope we can increase pay for the teachers because this more with less Governor Pillen small,

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small government communism, it's a chip off the old block where you expect to do more with less and there are no free lunches. Anyway, I, I really support this bill as long as it doesn't go parochial. And it's not that I don't like parochial, I went to a parochial school and I think the Brothers of the Sacred Heart, New Orleans, I think they did a great job. And a moment of silence, well, we prayed. And so-- but a moment of silence, I think, especially with our polyglot society, I think is, is wonderful. I mean, you know, you just might want to do it after lunch. But, yeah. And so I just wanted to say that because I really do think it's a good idea as a person that went through where we prayed. But I mean, you can do the same thing and I understand not stepping on toes. So I think it's a, a super idea. And there was one other thing. Well, I don't know, but my friend, he was in the military and we always thought, man, you're, you're not going to do anything. And, you know, he had the second highest grade point average in high school, good friend, you know, childhood buddies. And then he goes to the Army, he goes to LSU and now he's a 25-year English teacher in the Triangle in North Carolina. It's just-- it's kind of funny. Anyway, you guys have a good one and I'm looking forward to LB169. Have a good day.

**MURMAN:** Thank you very much. Any questions? Thank you very much.

**JOSEPHINE LITWINOWICZ:** Have a good one.

**MURMAN:** Any other proponents? No other proponents. Any opponents for LB141? Good afternoon.

**RACHELE WALTER:** Good afternoon, Senator Murman and the committee. My name is Rachele Walter, R-a-c-h-e-l-e W-a-l-t-e-r, and I am with-- I'm the president of Lincoln Atheists, the vice chair of Secular Democrats of Nebraska, and I'm the state director for American Atheists for Nebraska. And we vehemently oppose this bill. Moments of silence were first introduced in February of 1912 in Portugal for the passing of a fallen leader. Later that same year, the United States kept ceremonial silence for the sinking of the Maine and the Titanic. Those true moments of silence were for specific purposes tied to singular tragedies, but not part of a school, a daily school routine. Moments of silence were never part of the regular school day until after 1962, when the Supreme Court of the United States of America-- I'm sorry, the Supreme Court of the United States agreed public school prayer as led by teachers, administrators, or school officials to be unconstitutional. To this day, students can pray at any point of the day in a nondisruptive manner. The fact that moments of silence were never introduced prior to the removal of prayer led-- school-led

prayer inherently makes a moment of silence a religious observance in schools. Had there never been a prayer and only a moment of silence prior to the rescission of the prayers that were going on in schools, this would not be a problem. However, the fact that so many of these observances are at the root of trying to force a religious moment into a secular environment is why it is problematic. I would have the same problem if we were doing yoga before the school, if we were having a teacher-led meditation. I would have the same problem because there is no reason to do it. Students are there to learn. They are not there to pray. Senator Albrecht, you mentioned a moment of silence on the floor. That was a time-out. That's completely different. Teachers can have a time-out at any time. A moment of silence is a completely different thing. For example, if a student sees their teacher holding a crucifix, a star of David, or a pentacle. During this moment of silence, it is a subconscious tell that the student needs to perform the activity that looks more like prayer in order to be treated better or to get a better grade. I was a secular student at Lincoln Public Schools. Lincoln Northeast High School was my tenth public school in four different states. I have been part of schools where there was prayer, moments of silence, and there was nothing. At the Lincoln Northeast High School, there was no moment of silence. That did not stop students from mercilessly, one student in particular teasing me, hollering baby killer and heathen at me down the hallway telling me that I was going to go to hell loudly down the hallway. Not one school administrator ever stopped that. But when I confronted the student, I was told if you just were silent, this wouldn't be a problem. So the fact that I was not a churchgoing student caused the bullying. A moment of silence enhances that propensity and that possibility for students to be bullied for having alternative or different beliefs than the majority. Not participating in an organized prayer-like event ostracizes secular students like me because of the religious connotations are clearly evident even when a different label is used. In the state of Nebraska, a minimum of 25 percent of people in the state are nonreligious. Those are people who are spiritual but not religious, atheist, agnostic, humanists, etcetera. The largest number of people in this country that identify as nonreligious are Gen Z. Those are the kids in school today. When you add in those who are of a minority faith, those of Islamic, Jewish, Hindu, even Christian faiths that do not push their religion out there, such as I know that we had a student who is a Jehovah's Witness who was not allowed to say the Pledge of Allegiance. He was bullied for that. We were in the second grade. So when you take all of this into account, you are creating a recipe for religious discrimination. And there is absolutely no reason for this to be in public schools, as any student

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already has a provision that they can pray should they wish to. And if a teacher needs a time-out for all the students, hush, that's fine. But a mandated moment of silence is inherently religious. And you can tell by the facts that I laid out, it was never a part of the lexicon or part of the school day until after prayer was removed. Thank you.

**MURMAN:** Thank you. Any questions for Mrs. Walter-- Ms. Walter?

**RACHELE WALTER:** Thank you.

**MURMAN:** Thank you very much. Good afternoon.

**JUDY KING:** Hi. My name's Judy King, J-u-d-y K-i-n-g, and I'm an opponent of this bill. First of all, a moment of silence has always meant to me that somebody just died. And we were quiet for that event. Every time there's death, there's a moment of silence. Many children have been exposed to active shooter drills in school or who have lived through an active shooter at their school. Just a second. That moment of silence only reminds them of the loss of friends and teachers. They see adults doing nothing to protect them from the gun epidemic. What a great way to start each child's day to think about death. That's really great. A moment of silence isn't a time to think about the breakfast their parents couldn't afford, or maybe their warm clothes or their coats or school supplies their parents couldn't afford. Some of these children have real needs and are not spiritual awake-- and they are not spiritual awakening needs which they can get from the church of their choice. Ever since everyone knows that I am such a deeply religious person, I would like to quote Jesus. He starts out with: Thou shall not be as the hypocrites are, for they love to pray standing in the synagogues and in the corners of the streets that they may be seen by-- seen of men. Then he adds: But thou, when thou prayest, enter thy closet, and when thou hast shut the door, pray to thy father which is in secret. From Matthew 6. If the children can't go to their own home and into their own closet and shut the door and pray in secret, then they are hypocrites according to Jesus. Pray to yourself in private. No need for a closet. Not on the Legislature floor or lest ye can be called a hypocrite. Which means to me that arrogant Christian nationalists need to follow their own Bible and our constitution, our constitution. Keeping church and state separate and pray in private as you have already tried to put "In God We Trust" in school, your moment of silence bill along with the use of prayer meetings in our State Capitol, along with the illegal lobbying of your minister that preaches to you every morning, it'll make a great precedent for the fighting of this bill. Another way to waste time and money. Cutting money from public schools is not the best interest of

our children or our grandchildren. There's no source-- there's no such source and cause, and cause of strife, quarrel/fights, malignant of pit-- of opposition, persecution and war, all-- and all and evil state as religion. Let it once enter our civil affairs, our government would soon be destroyed. Let it once enter our common schools, they would be destroyed. That's the Supreme Court of Wisconsin. Leave the matter of religion to the family at the altar, the church, and the private school, supported entirely by private contributions. Keep the church and the state forever separate. Ulysses S. Grant, the President's speech. I don't trust any of you that are, are religious right in the Legislature. You push and-- you've pushed into everything. You've lowered the funds for public school. You have-- you've got bills in now to ban women and you've got your, your religion in our Legislature, Governor's Office, and your prayer meetings. And I don't trust you that this is going to be a minute of silence. That's just BS. And that's all I have to say.

**MURMAN:** Thank you. Any questions for Ms. King? Thank you very much. Any other opponents?

**LACY SMITH:** Kind of just need you to scoot it along sometimes. My [INAUDIBLE]. I don't think you guys want me on the floor.

**MURMAN:** Good afternoon.

**LACY SMITH:** Good afternoon. I'm Lacy Smith, L-a-c-y S-m-i-t-h, from LD 21, and I firmly oppose this, honestly. I'm going to start from a different section in what I wrote-- sorry, that's there for that-- because I heard something in the opening that was exactly my fear in life. I attended parochial school from K-8, and I was frequently punished by having to write the Bible and silently reflect and pray to God because of my school errors like failed spelling tests, bad grades, being easily distracted, having echolalia, which is making noises out loud to help with your information processing, shaking my leg, all of these things. It wasn't until I attended public high school that I learned that I was not a bad Christian. What I was was dyslexic, autistic, and I had ADHD. I've seen prayer misused in both public school and private school venues, and I don't doubt that a moment of silence would be as well. I'm firmly opposed to any silent reflection as punishment. The mental problem you're looking to solve comes in training teachers on neurotypical-- neurotypical teachers on social skills that they do not possess because their neuro-- of neurodivergent social skills that they do not possess. The school's own ability to provide special education is what's needed in this place. If we are truly wanting to create a calm space for autistic

children like myself, we should be providing this via an IEP. Silence should never be used to punish children. We also teach executive functioning skills via an IEP. Part of the teaching of executive functioning skills have a reflective and calming nature. I'm concerned that we're pushing this on kids who have developmental skills that require special education. But at the time-- but also being a parent fighting for special education, I know it is near impossible to get that class. We still haven't gotten it for my kid, so. We're on year five asking for that class for an autistic kid with ADHD. I also wanted to say at Columbus High School, I attended an all-school assembly, a Christian prayer was initiated by an adult and all students were asked to join in. A non-Christian student asked to leave and was denied. I have attached for you one of the public school lessons that my son was taught this month in social studies at Malcolm Public Schools. This lesson was written by a Baptist theologian currently in school. The information is historically and religiously inaccurate and explains other religions via the Bible. It refers to the governing text of the Jewish religion as the Old Testament. It isn't the Old Testament, just so we all know. His class has been taught from these worksheets, not the approved texts for an entire semester. The school got the teacher to begin teaching from the approved text within the last couple of weeks, but there's no plan yet to make up the knowledge loss and misinformation these kids have been taught for a semester as-- or the-- and the other parents have not been told about this. I will be spending this summer teaching ancient history since one of the questions he was asked in his homework this year was to choose an image to represent the Jewish Messiah, yet the Jewish Messiah has not yet come. Knowing that prayer and religion-- knowing that prayer and religious teaching-- teachings have been and are currently poorly kept from secular public school settings, I worry how much worse it could get. I don't think a moment of silence will stay that way. It will create an unsafe atmosphere for my atheist child because he is subject to these religious pressures of adults. He's already had incidences where other parents have corrected him for not folding his hands when they are praying in environments outside of school. Inside of school, I also want to mention that he receives fliers for events happening at local churches. They advertise within the school and the church picks the kids directly up from the school every Wednesday and takes them to church for the evening. They're getting plenty of religion. I promise you. It will be obvious, it will be obvious to everyone in his classroom that he is different. And it already is. He's been called out for using the Lord's name in vain, except he doesn't believe in a lord, not folding his hands. And I don't know what he would do with silence that he does not need or

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want. Moments of silence have no place in public schools. Students are already able to pray in schools and do not need a coordinated time. Thank you for your time.

**MURMAN:** Thank you. Any questions for Ms. Smith? If not, thank you very much. Good afternoon.

**CARINA McCORMICK:** Hello again. My name is Carina McCormick, C-a-r-i-n-a M-c-C-o-r-m-i-c-k. This time I am sharing some thoughts on behalf of the Nebraska Legislative Study Group. We have several key principles, one of which is keeping public schools public and strong. This is a very short bill, only 46 words. We oppose all 46 of them. We discussed it very thoroughly. I don't know how closely you've read the bill, but we also have a particular problem with the first sentence that the Legislature finds students can benefit from an opportunity for a moment of quiet reflection. The Legislature didn't find that. You guys didn't, like, do a study about whether students can benefit from a moment of quiet reflection. There was no literature review about whether or not students can benefit from this. And it's dangerous to be slipping these terminologies into law about schools, about what is good for students, that these-- that putting into law that these prayer-like moments benefit students when there is no research to back that up. This is a pretty weird bill, actually, because it's not saying that school should have a moment of silence. It's forcing the Department of Education to take it upon themselves to tell schools how to do moments of silence. But there's not really good research for that either. So it's like shifting the burden for doing this potentially bad thing on the Department of Education without giving them input on how to do it. There was a fiscal note along with this that said there's no fiscal impact. That's purely not true because the state-- maybe you guys aren't going to pay for it, but the state Department of Education staff has to have a committee, have groups, have maybe hearings even about what should go into this guidance in order to provide that guidance, which is supposedly the point of the bill. As a bigger issue, we also have major concerns with these national groups having input into state legislatures in ways to slip prayer in. And I know you've heard of Project Blitz. It's also called the Congressional Prayer Caucus Foundation. I have not been able to find their current year legislative playbook. I've tried. There is a way online for state senators to, to request it, like specifically the religious freedom measures toolkit, but you have to be a Legislature-- a legislator. And I'm very curious about the impact of groups like that into what are supposed to be independent state legislatures. And I'm also very concerned about the secrecy with which they're doing that. To pretend like it's just some senator who had

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this idea in the shower and brought a bill when really it's this very top down, scary way for a small group to push these bills into state legislatures. And like every-- all the other opponents are saying even though this doesn't say it's a prayer, like, what else is it? What else are they going to do? And I would just-- I would really say a prayer by other-- any other name is just as pernicious. And in fact, the fact that it is so vague really creates a lot of opportunities for students to be influenced by people other than their parents, because there-- you know, there's these whispering, what are, what are you doing? It doesn't give students and parents enough time to have conversations about what, what their family believes. You know, it's one thing for adults to be giving a moment of silence after they know what their beliefs are. But for children just sitting and not knowing what they're supposed to do and they realize, oh, all my classmates are praying, I guess I should pray, too, when that's not necessarily what their families want for them or even know it's happening in their schools. That's very dangerous, so. Thank you.

**MURMAN:** Thank you very much. Any questions for Ms. McCormick? Senator Albrecht.

**ALBRECHT:** Thank you, Chairman Murman. And thank you for being here. You said that you're a doctor. Are you working for the state Education Department or are you a teacher in public schools or you said you're taking care of legislative issues so help me understand that.

**CARINA McCORMICK:** OK. So my Ph.D. is in educational psychology related to assessment. I took a few months off during this current period right now, but my field is educational testing. I mentioned in an earlier bill about licensure and certification tests, so things like that. So that's my professional field, but it's anchored within education from the College of Education here.

**ALBRECHT:** So you're, you're looking at legislative bills for--

**CARINA McCORMICK:** Oh, so the--

**ALBRECHT:** --an organization or for yourself?

**CARINA McCORMICK:** --so the Legislative Study Group is just pure volunteer. It's not incorporated. We just-- it's very grassroots where we help individual Nebraskans learn about the different bills and also learn about their opportunities to testify. And like, for example, the changes you made for public comments, how to do that, when are the

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deadlines, making sure people are using the comment tool and not emailing all of you like it used to be.

**ALBRECHT:** And I appreciate you doing that. That's wonderful.

**CARINA McCORMICK:** Yeah.

**ALBRECHT:** But when I hear from a lot of the testifiers, it's about prayer. I mean, when I first read the bill, I was concerned if that maybe is what we were doing or if it was-- but the, but the way they're orchestrating the comments is, is not what the bill is saying. The bill is saying that the parents will decide when there's a moment of silence. I have 14 grandchildren and sometimes these poor teachers, it takes everything they have to calm a class down. They shut lights off and when the lights are off, everybody is quiet, you know, until, until everyone's quiet, they won't start in on anything else. But, you know, anything that we can do, any tool that a teacher can have in her toolkit to help calm the children down and make them think about something different than what was going on when she had to calm them down. So I, I guess I look at it like, you know, that's why we have this public comment. I appreciate you being here. I appreciate what you do and what you've done. It's just important that, that I, as a legislator, making a decision on whether this bill comes to the floor or not is that everyone understands the bill like we all have to, and to make it the best bill possible. And we're not making, making any schools do this. We're just suggesting that it's something that they can consider.

**CARINA McCORMICK:** It's important to distinguish between a time-out and a moment of silence. Teachers already know how to use time-outs. This is different.

**ALBRECHT:** Thank you.

**MURMAN:** Thank you. Senator Linehan.

**LINEHAN:** Dr. McCormick, you said the Legislative Study Group. There's lots of legislative study groups. Do you have a name beyond that?

**CARINA McCORMICK:** Just-- we call ourselves "Nebraska Legislative Study Group" that's on Facebook. One thing we do is, like, stream the hearings for recordings, just getting people being able to access it, especially if they're busy during the day when it's streamed.

**LINEHAN:** Are you a registered lobbyist?

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**CARINA McCORMICK:** No. Nobody receives or transfers any money through our work.

**LINEHAN:** Well, that-- that's, that's not what [INAUDIBLE] rules are about. But that's OK. Thank you.

**MURMAN:** Any other questions? Thank you very much. Any other opponents to LB141? Anyone want to testify in the neutral capacity? Good afternoon.

**ELIZABETH DAVIDS:** Good afternoon. Elizabeth Davids, E-l-i-z-a-b-e-t-h D-a-v-i-d-s, from the 46th District. And I have to say, Senator Briese, I was, I was kind of just questioning this bill-- the purpose of this bill. I'm so glad I was here today because I guess I thought it seems kind of silly, this brief bill about a moment of silence. I appreciate Senator Linehan's clarification that school districts may feel like they legally don't have the right to have a moment of silence. And so that's the difference for me as I sit in the, in the audience realizing that some school districts may want to have a moment of silence for all the reasons we've talked about, for calming the, the classroom down, I think for unity. I remember being in public school my entire childhood and we did have moments of silence in the morning, and I think that's a unifying thing. So I can imagine a lot of benefits from this. And I think as I understand it, the conversation is can school districts do this? And this bill would allow that if a school district wanted to, the Department of Education would be able to counsel them on how legally to do that. So it seems a very secular, a very governmental institution allowance for school districts who want to do that. It doesn't seem based on prayer at all. It doesn't seem based on religious, religious sway at all. And so I appreciate that this would allow public school districts to have counsel from the Department of Education. And as they have 500 employees, I'm sure someone can help them figure out what legal counsel they need to do that. So I appreciate this discussion.

**MURMAN:** Thank you very much. Any questions for Ms. Davids. Thank you for your testimony. Any other neutral position testifiers? If not, Senator Briese, you're welcome to close. And position comments for the hearing record: one proponent, seven opponents, one neutral.

**BRIESE:** Thank you again, Chairman Murman and members of the committee. I appreciate all the testimony here today. It's great to hear from everyone and thank you for being here. And the testimony today mostly equated this with the imposition of religion into our public schools. And, and to me, that really reinforces the need for some NDE guidance

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here, because a well-designed policy or well-designed template, you know, will help to ensure that if schools choose to do this, they don't implicate First Amendment considerations. And a well-designed template can ensure that the concerns of many of those testifiers behind me are, are addressed if schools choose to adopt these policies. And so with that, I'd be happy to answer any questions.

**MURMAN:** Thank you, Senator Briese. Any questions for Senator Briese? I've got one question. What do you, what do you think a, a teacher would do if a student wouldn't participate in a moment of silence, say, they'd sing or talk or whatever?

**BRIESE:** Yeah, I, I think that's going to be up to the teacher and the administration how to handle those situations. I, I assume those kind of situations can arise, and that's probably one of the considerations that a school board's going to want to take into consideration when they address this.

**MURMAN:** Thank you.

**BRIESE:** You bet.

**MURMAN:** Any other questions for Senator Briese? If not, that'll close the hearing on LB141 and the hearings for the day. Thank you very much.