

Transcript Prepared by Clerk of the Legislature Transcribers Office
Education Committee February 21, 2023

MURMAN: [RECORDER MALFUNCTION]-- and I represent the 38th Legislative District. I serve as Chair of this committee. The committee will take up the bills in the order posted outside of the hearing room. Our hearing today is your public part of the legislative process. This is your opportunity to express your opinion on the proposed legislation before us today. We do ask that you limit 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 e-mailed 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 committee clerk when you come up to testify. If you have written materials that you would like distributed to the committee, please hand them to the page to 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 3 minutes. If necessary, we will use the light system. Green, 2 minutes; yellow, one minute remains; red, please wrap up your comments. If your remarks were, 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, 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 committee staff. To my immediate right is research analyst Jack Spray. Also to my right at the end of the table is committee clerk Kennedy. The committee members with us today will introduce themselves beginning at my right.

LINEHAN: Good afternoon. Senator Lou Ann Linehan from Legis-- Legislative District 39.

ALBRECHT: Senator Joni Albrecht, District 17: Wayne, Thurston, Dakota, Wayne-- Wayne, Thurston, Dakota and Dixon County. And it's Tuesday and [INAUDIBLE].

CONRAD: We're all feeling that way.

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ALBRECHT: Sorry about that. Welcome.

BRIESE: Good, good afternoon. Tom Briese, I represent District 41.

CONRAD: Good afternoon. Danielle Conrad, north Lincoln's "Fighting 46th" Legislative District.

MURMAN: And I'll ask the pages to stand up and introduce themselves and tell us what they're studying and where at.

TRENT KADAVY: I'm Trent, I'm studying political science over at the University of Nebraska-Lincoln.

AUDREY MAHONEY-FLAKUS: I'm Audrey, I'm also studying political science at the University of Nebraska.

MURMAN: Thank you. 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 ampli-- amplification, but for recording purposes only. And with that, we will begin with LB222, Senator-- welcome, Senator Fredrickson.

FREDRICKSON: Thank you.

CONRAD: Welcome.

FREDRICKSON: Thank you. I was worried we wouldn't have a quorum for a minute.

ALBRECHT: So were we.

FREDRICKSON: So good afternoon. Thank you, Chair Murman and members of the Education Committee. For the record, I am John Fredrickson, J-o-h-n F-r-e-d-r-i-c-k-s-o-n, and I represent District 20, which is in central-west Omaha. I'm happy to be here today to introduce LB222, a bill that will help adults and juveniles with criminal histories get the education and training they need to move on from their mistakes and contribute to our workforce. LB222 provides that no publicly funded university-- college or university in Nebraska shall, as part of its student application and admissions process, inquire about the criminal history of an applicant except as required by state or federal law, when such information-- or when such information is offered voluntarily. LB222 covers only the admissions process and does not cover other administrative applications, including on-campus housing or athletics. Nebraska law currently prohibits public

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employers from asking an applicant's criminal record or history until the public employer has determined that the applicant meets the minimum employment qualifications. Fair chance hiring is good public policy because it provides opportunities for people to get their foot in the door, rebuild their lives and contribute to our workforce. Pivotal to these employment opportunities is the ability to receive education and job training. The national unemployment rate among formerly incarcerated folks is 27 percent, according to the National Conference of State Legislatures. About two-thirds of job postings require some level of post-secondary education, including certificates, associate's degrees, bachelor's degrees and other degrees. The U.S. Department of Labor projects that just over 5 million entry-level job openings annually over the next decade will require some form of post-secondary education. A recent report from NCLS shows that more than half of formerly incarcerated people hold only a high school diploma or GED, which is twice as high as the general population. This is all especially significant in Nebraska because of our state's prison overcrowding and the importance of successful reentry. Approximately 95 percent of state prisoners will be released from prison at some point, so we need to ensure opportunities are available for them to get the education they need to contribute to our workforce. Nebraska also consistently has been one of-- one of the lowest unemployment rates in the country, currently at 2.6 percent. Governor Pillen has spoken of the need to ensure people exiting our prisons join the workforce and live productive lives. LB222 will help that happen by removing a barrier to employment and allowing more employers to fill-- find skilled workers that they need. Perhaps one of the best examples of the opportunities that can happen when we increase access to college is the story of Shon Hopwood, a native Nebraskan who has, who has been featured naturally-- nationally. His journey took him from robbing banks in small towns in Nebraska to spending 11 years in federal prison, to writing of a legal petition for a fellow inmate so compelling that the U.S. Supreme Court heard the case. Hopwood went on to earn his undergraduate and law degrees. Today, he is an esteemed professor at Georgetown Law School and an appellate lawyer. In terms of the current landscape, we don't have a measure on how many people might be missing opportunities in the workforce because of the criminal history question, but there is no doubt that the existence of the question itself certainly provides a chilling effect for someone seeking to better their lives. More than 1,000 higher education institutions currently use what is referred to as the Common Application. This Common app does not ask people about an applicant's criminal history, but not every Nebraska college or university uses the Common app. So there are some institutions that

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are still asking the questions. Many institutions have already removed the criminal history question from their admissions process. Others I have spoken to, including state colleges, tell me that removing this question will not be a problem as long as they can continue to ask the question for other purposes, including campus housing. We all want to make sure that colleges can continue to keep everyone safe. LB222 will continue to allow colleges and universities to ask about criminal history and background checks beyond the admissions process. You will notice a fiscal note on the bill from the University of Nebraska. I'm happy to say that I have worked with the university to amend the bill and remove the fiscal note. AM91 clarifies that this bill does not apply to inquiries occurring subsequent to the admissions and application process as part of the professional licensure process or an academically required clinical or field placement. I have a letter from the university vice president for external relations, Heath Mello, making clear that AM91 removes both their concerns and the fiscal note. With that, I ask you to advance LB222 from the Education Committee. I'm happy to answer any questions you might have.

MURMAN: Thank you. Any questions for Senator Fredrickson at this time? OK, thanks a lot.

FREDRICKSON: All right. Thank you.

MURMAN: Proponents for LB222.

COURTNEY WITTSTRUCK: Good afternoon, Chairman Murman, and members of the Education Committee. My name is Courtney Wittstruck, C-o-u-r-t-n-e-y W-i-t-t-s-t-r-u-c-k, I am the executive director of the Nebraska Community College Association and I'm here today on behalf of my member colleges to provide testimony in support of LB222, which would prohibit higher education institutions in Nebraska from inquiring about a prospective student's criminal history or juvenile court record during the application and admissions-- admissions process, except as required by state or federal law. Nebraska Revised Statute 85-962 requires Nebraska's community colleges to be open access-- to be open-access institutions that promote the success of students who have been traditionally underserved in other educational settings. Accordingly, as open-access institutions, our colleges are always supportive of initiatives that would remove barriers to people seeking higher education. Currently, about 58 percent of Nebraskans aged 25 to 34 have a post-secondary degree, certificate, diploma or other industry credential. Last session, many of you were involved with legis-- legislation that passed LR335, which set a goal to increase that percentage to 70 percent by 2030. A key to achieving

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this lofty goal is to provide more Nebraskans with access to higher education, which LB222 would do. Our colleges' policies and practices already align with this proposed legislation as it pertains to general acceptance. There may, however, be specific situations in which criminal, criminal justice history could potentially be considered, such as those pertaining to housing, admission into a particular program, etcetera, but those situations are few and far between. In summary, the Nebraska Community College Association member colleges stand in support of this bill, as it would provide more Nebraskans with greater access to the life-changing benefits of higher education. Thank you for your time today, and I'll be happy to take any questions.

MURMAN: Thank you. Any questions for Ms. Wittstruck? Senator Albrecht.

ALBRECHT: Thank you, Chairman Murman. Thanks for being here with your testimony.

COURTNEY WITTSTRUCK: Thank you.

ALBRECHT: In the beginning, you said you would agree, except that if something's required by state or federal law.

COURTNEY WITTSTRUCK: I believe-- oh, sorry.

ALBRECHT: What would those requirements-- give me some examples of what they might ask you to do that we wouldn't. The federal government.

COURTNEY WITTSTRUCK: So it was stated in the bill: except as required by state or federal law. So if something would come up that we discovered was prohibited by state or federal law, obviously we would follow that [INAUDIBLE].

ALBRECHT: Do you have any examples that may have happened at your colleges?

COURTNEY WITTSTRUCK: I do not. I just was taking it directly from the bill language.

ALBRECHT: OK. So you don't have any situations on campuses today that would prevent this from happening?

COURTNEY WITTSTRUCK: As it pertains to general admission, none that I know of, but there are certain situations where it could come up in, like the senator mentioned housing, maybe a particular program. For

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instance, if someone was studying early childhood education, for instance, and had a background that would not be conducive to someone working with children, then something like that

ALBRECHT: So at that time you would inquire--

COURTNEY WITTSTRUCK: Yeah, but--

ALBRECHT: --what their background would be?

COURTNEY WITTSTRUCK: Correct.

ALBRECHT: Thank you.

MURMAN: Any other questions?

CONRAD: Yeah.

MURMAN: Senator Conrad.

CONRAD: Just to follow up on that point. Thank you so much. Good to see you again. And I think Senator Fredrickson did cover it in his opening, but I just want to follow up on Senator Albrecht's question to make sure if we have kind of a clear understanding. What this measure does, it says you can't have a blanket rule, but it does prohibit an institution of higher education from complying with other requirements that may exist in other areas of law, more narrowly tailored approach versus kind of a blanket--

COURTNEY WITTSTRUCK: Correct.

CONRAD: --kind of approach. Is that kind of a fair--

COURTNEY WITTSTRUCK: Correct.

CONRAD: OK.

MURMAN: Any other questions? OK, thank you.

COURTNEY WITTSTRUCK: Thanks so much.

MURMAN: Other proponents.

ANAHI SALAZAR: Good afternoon. Thank you, Chairperson Murman and members of the Education Committee. My name is Anahi Salazar, A-n-a-h-i S-a-l-a-z-a-r, and I am representing Voices for Children in Nebraska. Education can be an important key to successful reentry.

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Every Nebraskan should have the same access to higher education, no matter their past circumstances. Eliminating barriers for individuals who are justice-involved and are seeking to attend public colleges and universities is good for all of Nebraska, because a successful reintegration back into this society for justice-involved individuals benefits the individual, their families and our communities. For these reasons, Voices for Children supports LB222 to increase access to higher education for young people seeking to move forward in their lives. When colleges or universities ask about criminal history and applications, individuals are less likely to finish the application once they come across the question, which poses a significant barrier to enrollment. At the same time, research also shows that previously justice-involved individuals who pursue education cut the likelihood of returning to prison within the first three years by over 40 percent. Simultaneously, research suggests that collecting applicants' criminal history doesn't make campuses safer. Excluding individuals, colleges and universities can reaffirm their commitment to equal opportunity and contribute to a stronger future by welcoming every otherwise-qualified student. Currently, there are seven states that have passed legislation termed "Beyond the Box" or "Ban the Box", which eliminates the question about past convictions. Opening up pathways for higher education to every Nebraskan impacted by the legal system can have a positive aftermath, not only for the individual, allowing them an opportunity to lead productive lives, but also for the greater community. LB222 will help Nebraska foster campuses and classrooms with more diversity and inclusion, enrich-- enriching overall educational experiences. I want to thank Senator Fredrickson for bringing this important issue forward and the committee for your time. We urge you to advance it, and I'm available to try and answer any questions. Thank you.

MURMAN: Thank you, Ms.-- any questions from Ms. Salazar? Thank you very much.

ANAHI SALAZAR: Thank you.

MURMAN: Other proponents.

JASMINE HARRIS: Good afternoon, Chair Murman and members of the Education Committee. My name is Jasmine Harris, J-a-s-m-i-n-e H-a-r-r-i-s, and I'm the director of public policy and advocacy for RISE. I request that our testimony be part of the public committee record that shows RISE is in support of LB222. RISE is the largest nonprofit organization in Nebraska focused solely on rehabilitative programming in prisons and reentry support, and our overall mission is

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to break generational cycles of incarceration. Many of our program participants, who we refer to as "builders", are seeking higher education credits and certificates while incarcerated in the Nebraska Department of Corrections. There are college courses already being offered, many of which are offered by Metro Community College and University of Nebraska at Omaha. The proposed legislation of LB222 will offer people like our builders coming out of incarceration the opportunity to continue their higher education aspirations without having to bear the guilt and shame of checking a box on an admissions application that they have a criminal history, especially since they started these programs while already incarcerated. When someone enrolls in these courses, they are participating in a pro-social activity, which is one of the keys of reentry well-being. Another key to reentry well-being is meaningful work trajectories. With many colleges and universities qualifying for the Second Chance Pell Grant across the nation, Metro Community College being the only Nebraska college to have received that funding, it is quite clear that higher education attainment is critical in providing skills and the opportunities for people coming out of incarceration to maintain meaningful and gainful employment. The Vera Institute of Justice reported that people who were incarcerated that participated in higher education programs were 48 percent less likely to recidivate than those who did not. We should not make it harder for individuals to continue their education once returning to the community. If checking a box on an application for admissions to college prevents an individual who was formerly incarcerated from moving forward with something they started while incarcerated, this would be highly regarded as a continuation of their punishment, if not cruel and unusual, and can have a negative impact on their reentry journey. Currently, there are two bills that have been introduced this session that will go hand in hand with this bill to ensure that we are removing barriers for people's access to meaningful career trajectories: LB16, introduced by Senator Briese, to have clear eligibility requirements around professional licensing, and Senator Conrad, LB367, which will remove this same question from job applications in the private sector. Nebraska Statute 48-202, which Senator Fredrickson referenced in his opening, talks about how public employers had to remove this question from their applications. So in keeping with this statute, this section should be extended to include when people are submitting applications for admission to public colleges and universities, and it should be extended to private colleges and universities as well. And for these reasons, RISE supports LB222 and asks that committee members vote the bill to General File. Thank you.

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

CONRAD: Thank you, Chair Murman. Thank you, Jas-- Ms. Harris. Jasmine. It feels so formal. It's good to see you again [INAUDIBLE]. Just a couple of quick questions because we don't always have an opportunity to go a lot deeper on some of the other areas related to criminal justice and smart justice policies to address mass incarceration and racial injustice in Nebraska due to the jurisdictional nature of this subject matter committee. But that's one thing that I'm actually really excited about with this piece of legislation. I know it's been introduced in the past and gone to the Judiciary Committee, but maybe it's good to have a fresh look at education and to show the intersections about how some of these policies do impact our mass incarceration and racial injustice problem in Nebraska. I was just hoping that you could use this opportunity to educate us on the Education Committee a little bit more about the front lines work that you and RISE does, and how access to education and meaningful employment helps to break those cycles of incarceration and recidivism and how that really advances our, our shared public safety goals. So like, just help us to kind of get a better understanding, when you're working with folks inside or returning citizens to our community, like, what are those very, very top challenges that you're helping them deal with in order to, to be more successful?

JASMINE HARRIS: Most definitely. So with RISE, we are operating a program in seven of the ten Nebraska Department of Corrections facilities. And our program really focuses on employment readiness, character development and entrepreneurship. As Senator Fredrickson referenced earlier, about 95 percent of individuals will come back home after incarceration from our facilities, and we have to prepare them to gain whatever skills that they possibly can, right? So as our individuals who are in our program are working through that piece of it. We'll break it down into two sections. That first half really focuses on that employment readiness and character development. So people start to deal with inside things that a lot of people don't touch, so guilt and shame, how to make apologies. You know, things like that, that if you don't really work on, it won't-- no matter what you do in life, if we don't work on the inside, it's going to come up anywhere we go. And the employment readiness piece, we are really fortifying partnerships with like the Nebraska Department of Labor in figuring out how do we ensure that we're getting people the skills that they need for the high-demand, high-wage, high-skilled jobs. And so when we're talking about these other pieces of legislation like fair chance licensing a fair chance hiring, what barriers are we able to remove to ensure that people are able to advance as they move

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forward? The entrepreneurship piece is all about entrepreneurial mindset growth. When you look at how you break down, most people have an idea, but then being able to analyze, to build from a foundation, to be able to present it is what we're giving the people the skill set to dig into. Letting people know that they have strengths and they are worth something to-- for people to hear who they are and what they have in store. And the whole thing about entrepreneurship is when a lot of people struggle with getting jobs when they come out, when they get those jobs that we call "survivor jobs", where they're not able to pay bills, they want to be able to make money to take care of themselves and their families. And entrepreneurship is a big key to that. So we really focus in on that, which we've started our business academy. So we are helping people in the community who have been impacted by the justice system, start their businesses, get those business plans created and connecting them to funding opportunities. So that way it is job creation through entrepreneurship. So there's, there's a big thing-- we do, we do a lot.

CONRAD: Yeah, you do. Absolutely. And you know, I definitely had a different point of view on some things from the past director of Corrections, Director Frakes. But I know that we all-- all stakeholders regarding the criminal justice system really admire the work that you and your organization do to bring positive programming to Nebraskans who are incarcerated and returning citizens to our community as well. So, you know, when I'm looking at this, I think the time is right to revisit it because it checks a lot of box-- boxes. Our number one challenge in Nebraska: workforce development and pipelines. You know, low-cost alternatives to addressing our mass incarceration and racial injustice kind of, kind of problems that we're grappling with year after year here in Nebraska. So I think it's, it's, it's very exciting. And I really appreciate you giving us a little bit more information.

JASMINE HARRIS: Thank you.

MURMAN: Any other questions for Ms. Harris? Thank you very much.

JASMINE HARRIS: Thank you.

MURMAN: Other proponents.

ROSE GODINEZ: Good afternoon. My name is Rose Godinez, spelled R-o-s-e G-o-d-i-n-e-z, and I'm here to testify on behalf of the ACLU of Nebraska in favor of LB222. We thank Senator Fredrickson for introducing this legislation. One of the long-term impacts of having a

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criminal record is that many Nebraskans find it nearly impossible or are deterred from obtaining a higher education. Higher education institutions are regularly asking about an individual's criminal record, which then has a chilling effect. And research shows that asking about a criminal record at admission does nothing to protect public safety, but seeing the box for sure deters individuals from applying. According to the Prison Policy Initiative, every year, at least 30,000 different people are booked into local jails in Nebraska, and those numbers are continuously increasing, particularly for black, Latine and Native Nebraskans. Nebraska has already begun cutting the tape on employment, and I believe we can continue to do that with this piece of legislation. So for those reasons, we urge you to advance this bill to General File.

MURMAN: Any questions? Thank you very much.

ROSE GODINEZ: Thank you.

MURMAN: Other proponents for LB222. Any opponents for LB222. Anyone want to testify in a neutral position for LB222. Senator Fredrickson, you're-- he waives clothing-- closing. That ends the hearing on LB222 and we will move on to LB231, Senator Dungan. Afternoon.

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 LB231. This bill addresses the issue of excessive absenteeism from school and truancy referrals to the county attorney for prosecution. Current law requires school districts to have a policy regarding excessive absenteeism and a process by which students address excessive absences. School districts must provide certain services and notices to parents or guardians when children experience absences. Current law allows for schools to refer an instance of excessive absenteeism to the county attorney for truancy prosecution after a student has 20 days of absence in a year. When a school refers a case to the county attorney, they're required to provide written notice to the refer-- of the referral, rather, to the parent and/or guardian. LB231 does a number of things. LB231 first would direct school districts to provide written communication to parents or guardians as to excessive absences well in advance of referral to the county attorney. This is to provide for a collaborative plan to improve attendance and provide certain services in order to do so. LB31 would-- I'm sorry, LB231 would also require that these services are to be provided to students before or upon the 20 days of absence. The services shall include, if agreed to by

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parents or the person in charge of making the educational decisions of the student, an educational evaluation to determine whether any intellectual, academic, physical or social-emotional barriers or contributing factors to the lack of attendance. The bill also makes a minor change in calculating the 20 days in a school year. Some districts and county attorneys interpret year to mean calendar year. This specifies 20 days within a school year. What this bill is trying to minimize or prevent is a process whereby a referral for prosecution occurs simply upon a student having 20 days of absence. The intent is to provide for a process whereby a school provides services to encourage attendance prior to referral. This will minimize referrals to county attorneys. Nothing in this bill interferes with the ability of the county attorney to be involved at any stage in the process to address excessive absenteeism. A couple of other points I'd like to make beyond just my written remarks here, I've had an opportunity to speak with some school districts about this. Specifically, I talked to Omaha Public Schools, Lincoln Public Schools, just to kind of gauge where they were at with some of the requirements in here. For those who don't know, I did work with juveniles who were justice-involved when I was a public defender. So I've done truancy cases, I've worked on truancy cases. And I want to just take a second to say I know that LPS and OPS in particular, just because those are the ones I'm most familiar with, do a fantastic job of trying to establish these collaborative plans ahead of time. And my intent here was not to add any kind of overly burdensome language. I believe these schools currently have plans in place that do a really good job of addressing a lot of the issues. The goal here was to essentially say the current language says you have to have a plan, it doesn't say you have to do anything about it. And that's part of my problem, is that as of right now, schools on their own have decided to implement these plans positively and had an impact on affecting students who are dealing with truancy. But if they chose not to utilize all of the services upon hitting 20 days, they wouldn't necessarily have to in the way they would under LB231. So our intention is to say, great, you have this plan, we're just saying that you must implement it or have written documentation of the implementation of that plan prior to referral to the county attorney. And if you've already been doing that, wonderful. In addition to that, we spoke about the language surrounding the evaluation. And I just want to point out that in the current law under-- on my LB231, it's page 3, line 10, educational evaluation is already something that is considered in the collaborative plan. We crossed that out and just sort of extrapolated or made it a little clearer what we wanted included in that plan in the language above that. In conversations I've had with some of the

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schools, I think there were concerns that using the word "intellectual" in there maybe was going to trigger special ed evaluations or things such as that. I do think that there are certain issues that should have an IEP that absolutely do affect truancy. But that being said, I understand that the vast majority of schools currently are analyzing these on their own, and there's a lot of federal language that determines when and where those evaluations have to be done and what they're supposed to determine. So I am open to and I'm going to continue working with the school districts to make sure that the language we added in there regarding the educational evaluation is not a barrier to implementing these services. And so I'm definitely going to continue in contact with Omaha Public Schools, Lincoln Public Schools and anybody else who wants to reach out to me regarding what all an educational evaluation includes. But I do just think it's important to note that was already something that could be considered in this plan. We're just trying to clarify that we want it to essentially look at all the various factors that could be affecting whether or not a youth is truant. And so I wanted to make those points. And with that, I would urge the committee to consider LB231, and I'm happy to answer any questions anyone may have.

MURMAN: Thank you. Any questions for Senator Dungan? Senator Conrad.

CONRAD: Thank you, Chairman Murman. Good to see you, Senator. Welcome back to the Education Committee. Senator Wayne and I were just kind of looking at each other during your opening because we had truancy day in Judiciary just last week. So I understand that some of your ideas in this bill are kind of related to some other bills that we have pending for his committee as well. And I don't want to put you on the spot, or maybe some other folks who follow behind can help us to figure out kind of how these bills work together or kind of with their separate approaches are. I kind of see them as complementing each other rather than in contrast to each other, but just wanted to give you a chance to maybe connect the dots on those, if you know.

DUNGAN: Yeah, so I--

CONRAD: I don't expect you to know everybody else's bills.

DUNGAN: I was-- thank you, I appreciate that. I was fortunate enough to be in there that day, so I did hear some of the testimony regarding your bill pertaining to truancy that, that's come this year. I think you're right. They definitely complement one another. And I think the overarching theme that all the bills try to address, which I think is incredibly important to note, is that what we're trying to do is

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provide youth the services and the care and the rehabilitative efforts they need to ensure they're getting proper assistance for whatever's causing that truancy without just diverting them into the juvenile justice system and assuming that's going to take care of it. Like I said, I used to work in these cases. I think the Lancaster County Attorney's Office has actually done a really good job of trying to divert more youth away from the juvenile justice system by using truancy diversion and other sort of quasi-problem-solving courts at a juvenile level to try to help address a lot of these issues. And so I think that that's the thread and the theme we see between all these, is the acknowledgment that placing a juvenile on probation just for truancy, while in some cases may be helpful, can also, in other cases, not solve the actual underlying problem. And I have personal anecdotal experience that I don't want to necessarily get into here because we're talking about kids' lives, but you definitely see it when you represent juveniles in the truancy system that they're not bad kids. They deal with oftentimes familial issues, substance use disorder from parents, maybe, or other guardians, houselessness. I mean, there's a-- monetary issues and socioeconomic problems. I mean, we could go on and on about it forever. But the goal here is to say the school board has a plan in place and we just want to make sure it's being implemented effectively and we want to make sure those students are having that help. And I think obviously some of the language in your bill was trying to make sure those additional services are provided and we're not using a blunt instrument to address a really nuanced problem. And so I think all of the bills kind of work together to do that.

CONRAD: No, that's really helpful. And I agree. I mean, I've heard from parents across the political spectrum about how the current truancy laws are really being weaponized against parents, whether that's for religious purposes or sports purposes or illness or poverty or a host of, of other things. I think that the approach that we have today really is frustrating to a lot of our shared goals about education, about public safety, about family integrity. And I'm hopeful that we'll be able to maybe put our heads together with our friends on Judiciary Committee and come up with maybe some sort of package, perhaps to maybe take a second look at reforming some of these truancy issues, because I think we're seeing a lot of unintended consequences about how these rules play out. And unfortunately, no one's accountable, which is the other thing that I'm frustrated about. The schools are kind of pointing at the county attorneys and the county attorneys are kind of pointing at the schools. And families are stuck in the middle. So I don't know if you'd like to respond to that, but--

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DUNGAN: I don't want to take too much time, but I definitely would agree. I mean, I think that obviously the goal I think that we all share is making sure students get a proper education and they have their issues they're dealing with addressed. And I think that's something we're all trying to work towards. A concern that I have oftentimes as youth who are, for example, sick but don't have an opportunity to go to a doctor's office, that counts as an unexcused absence. And that's something that we see across the board where the-- for, for those not familiar, Lincoln Public Schools has a system where if you miss five days, you get a letter. You miss 10 days, you get a letter. You miss, I think 15 and then 20, they send out these letters and each letter has a different set of steps, essentially, that you have to follow. And so if you have a kid that gets strep throat or maybe has a cold and you don't send to school, but you don't go to a doctor and get a note specifying that, that counts as an unexcused absence. And I know that that is there for a reason, because we obviously, on the flip side of things, don't want parents abusing this to take kids out of school unnecessarily. But it is problematic, because then you see the county attorney and the collaborative plan being implemented at times for students who don't need it. And I think that that's just one small issue that we see there. And I think you're right, it does disproportionately affect marginalized populations. I mean, we see on a regular basis, whether it's students of color or from a lower socioeconomic status or whatever it is in rural areas, too, we see these laws, again, kind of a blunt instrument, trying to effectuate a nuanced solution, having a somewhat negative impact. And so I share some of those concerns. It's really complicated. Truancy is a really difficult issue to address. But I just hope that this is one building block in that potential solution that we can have moving forward.

CONRAD: Yeah, I liked how a testifier last week described it as it's not your grandfather or your father's truancy. This isn't just like kids acting out and skipping school for the fun of it. It's become a much different kind of dynamic and we need to kind of update our laws to address kind of the current situation so thanks.

DUNGAN: Yeah.

MURMAN: Any other questions? Senator Linehan.

LINEHAN: Thank you, Chairman Murman. So back to your example you just-- thank you for being here.

DUNGAN: Yeah.

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LINEHAN: So you-- to get an excuse for being ill, you have to have a slip from a doctor?

DUNGAN: As of right now, that's how it's interpreted in a lot of jurisdictions.

LINEHAN: So it's, it's the law, not the schools' standard.

DUNGAN: Correct, yeah. I believe there's a Supreme Court case that when the law was modified with regard to truancy around 2013-14, I don't remember the exact year, it was argued at the Nebraska Supreme Court, what is an excused absence and what isn't. And part of the reason behind that is when we would get-- again, I worked at the juvenile unit, so we'd get these packets of discovery, and in that packet of discovery it contains their attendance record. And what I would do is go through and highlight what counted as an, as an unexcused absence and what didn't. And they would put little notations for what's an excuse-- or for what each absence was. So like parental excuse, I think, would be one; doctor, like DR meant doctor's note. Some were just unexcused with no explanation. And the only ones that didn't count towards the 20 days were doctor's notes. And so all of the other excused absences, even if a parent called in, still technically is an unexcused absence with regards to truancy.

LINEHAN: OK. Thank you very much.

DUNGAN: Um-hum.

MURMAN: Any other questions? I've got one. And I don't remember this real well, but I think I have it right. A superintendent from somewhere in Nebraska told me that the best way to stop truancy, and maybe this is already allowed, I'm not sure, but you said it typically goes to the-- or now it goes to the county attorney, is that right?

DUNGAN: So upon reaching 20 days of, of unexcused absences, the school can, may file with the county attorney that they've reached that point. And then the county attorney can file 3B, a truancy charge, to put it simply, against the juvenile to sort of start that process. There are sort of off-ramps, I know, that individual jurisdictions have tried to build. Like I said, the county attorneys here in Lancaster County have implemented various diversionary programs and things where they're trying to work with youth on that. But that's all county attorney and jurisdiction-specific. And a lot of that depends on schools and operating procedures around there. But they are allowed

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to send to the county attorney after hitting 20 days of unexcused absences.

MURMAN: OK. And I may not remember this right. But he said in Iowa, they have a law, I guess, that if they're truant, if a student is truant, that they can take away their driver's license. And his suggestion was, if we did that in Nebraska, that it would pretty much end to truancy. So I'm just wondering, you know, you said you'd had experience with that.

DUNGAN: Yeah.

MURMAN: What's your opinion on that?

DUNGAN: I mean, I would say most of the students that I represented didn't have their driver's licenses yet, which I think is also interesting. And I think that goes towards some of the points that were made earlier. We're not-- sometimes there are students who just skip school to skip school. But a lot of the people who end up referred for truancy are students with ongoing medical conditions or chronic medical conditions, or possibly undiagnosed or untreated mental health or behavioral health issues where they struggle to be in school for anxiety reasons or things like that. And so I think that that may work in some of those cases. But I would be-- I would be nervous to assume that would be the only solution, just given that it does affect a wide population of people. And again, in my personal experience, you see folks dealing with truancy who do have a lot of other things going on, who ultimately admit in juvenile court or plead guilty, essentially, but they admit to the truancy charge because they acknowledge that based on the law, yeah, there's 25 days of unexcused absences here. But if we have a daylong trial on this, it's going to be the same outcome, and so they sort of speed it up. And so I think that's part of the issue is, you know, we may be able to sit here and explain, well no, this kid was actually sick. He wasn't just skipping school. But the way that it's currently being interpreted, there's really no avenue to address that. And so I think that's part of the problem.

MURMAN: OK. Thank you. You mentioned, I think that most of the kids you worked with were younger than that. That would, I would think quite often truancy would start sooner than 16 at least. But I guess you can have a school permit at 14, so then you're getting down there.

DUNGAN: Yeah.

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MURMAN: But OK, thank you. Any other questions? Thank you very much.

DUNGAN: Thank you.

MURMAN: Proponents for LB231.

ELIZABETH McCLELLAND: Good afternoon.

MURMAN: Good afternoon.

ELIZABETH McCLELLAND: Members of the Education Committee, my name is Elizabeth McClelland, E-l-i-z-a-b-e-t-h M-c-C-l-e-l-l-a-n-d, and I'm a senior attorney at Education Rights Counsel, also known as ERC. We're a nonprofit whose mission is to remove legal barriers to education equity. Prior to my work with ERC, I practiced in our juvenile justice system in Douglas County for well over ten years in private practice as a guardian ad litem and defense attorney, and also as a deputy Douglas County attorney. As a county attorney, I prosecuted truant juveniles and worked with the Juvenile Assessment Center, which was our juvenile diversion program as the assigned attorney to screen charges. I also worked with the Juvenile Assessment Center in their crossover youth panel from time to time for children that were facing charges and were also wards of the state due to parental neglect. I'm here today on behalf of ERC to testify in favor of LB231. My experience tells me that we need to first look to schools to be accountable prior to referring students for truancy. LB231 asks schools to ensure prior to referral that a student's excessive absences are not actually a result of an underlying disability. Often it is a disability like anxiety, depression, post-traumatic stress disorder, or other trauma that stands between a child and school attendance. Currently, school districts are not actually assessing or seeking consent to assess the child to figure, figure out the underlying cause of absences prior to referring them to our system. Right now, children with disabilities are being punished from truancy filings. LB231 would help put the work up front instead of having to figure out only after a truancy filing has been filed that actually there is a disability and then having to go back to the school districts to request an evaluation and further services. The children that I am, that I am here today advocating for are not, not that your typical naughty kids, as we were-- as was being discussed earlier. These are not the kids that are just skipping class that we classically think of as truant. I'm here on behalf of a child that has been so bullied that they are physically ill at the thought of attending school. I'm also here for the child who hasn't been taught to read. They cannot understand the work, and they are so far behind

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in school that they feel there is no point in going and they are not attending. I'm also here for the child that has ex-- that is extremely overwhelmed by the sensory overload in a general education classroom. The child with autism who needs a smaller setting. LB231 simply asks school districts to ensure that every effort has been made and exhausted before criminalizing absenteeism. In the past three years, ERC has directly represented over 600 children in our juvenile justice system. Far too many of these children have unmet school needs and LB231 that would help alleviate this problem. LB231 has no fiscal note, there's no additional cost to the state, and the school districts already receive funding to engage in what is called child find, which is what LB231 asked them to do. Please understand that I'm not suggesting that filing truancy charges is never appropriate. Unfortunately, however, much of the time I see years of educational records indicating social and behavioral concerns without the appropriate interventions required by law. Excess-- excessive absences is a behavior that can be an indicator of something larger, something we need to identify and something we need to address before referral to the county attorney's office. LB231 simply asks school districts to consider this and to request consent by parties-- excuse me, by parents to evaluate for additional services if the evidence supports it. Thank you for your time, and I urge you to move this bill out of committee. I'd be happy to take any questions you have.

MURMAN: Thank you. Any questions for Elizabeth McClelland? Yes, Senator Conrad.

CONRAD: Thank you, Chairman. And thank you for being here. And then if you could help me understand. When were you practicing in the county attorney's office generally?

ELIZABETH McCLELLAND: About-- I practiced there for about seven years.

CONRAD: About seven years, OK.

ELIZABETH McCLELLAND: Yeah, 2013 to 2020.

CONRAD: Oh, OK. Perfect. Because that-- I was just trying to get my head around the time frame here. And I think Senator Dungan mentioned it a bit in his opening, or in his conversation with Senator Linehan a little bit. So I'm trying to think back and kind of run through the mental Rolodex. In my my last go-around there was-- truancy was kind of this Wild West kind of aspect of the juvenile justice system, and there wasn't a great deal of uniformity to how it was playing out in different schools. And it was causing all kinds of disparities and

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inequitable results. So Senator Ashford, as part of juvenile justice reform, kind of tried to use this 20-day kind of standard to bring some clarity and uniformity to it. And so I think that was kind of a general thinking about kind of how we got to that policy. But do you know during your time when you were prosecuting that ca-- those cases after the juvenile justice reform efforts, you know, what, what did you really see in terms of, like, how people showed up in, in your case file, in your stacks? I mean, was it your classic, like, kind of kids goofing off or acting out and skipping school? Maybe sometimes, but was it really more a lot of these these other kind of factors?

ELIZABETH McCLELLAND: You know, a lot of what I saw then is still what I'm seeing now--

CONRAD: OK.

ELIZABETH McCLELLAND: --and even in my different roles, right? But I think there was always cases where we had our classic truant kid that was, you know, goofing off, skipping class, whatever. But there was a tremendous amount of kids with mental health needs, extreme anxiety, typical to what I had referred to earlier, that just weren't having their needs met. They perhaps weren't being assessed through the school district, didn't have special education services in place. So a lot of that is what we saw or what I saw in my years in the county attorney's office.

CONRAD: OK.

ELIZABETH McCLELLAND: And I think it's very similar to what Senator Dungan had been talking about earlier as well.

CONRAD: The other question I had, just wanted to quick to follow up, is one thing I'm concerned about with these truancy laws is that say it does bring a kid or a family into the system and then they can get the support or services that they might need to address the problems at home and kind of reset their trajectory and get back on track. One thing I am worried about is that some of the feedback that I'm hearing is that once an individual basically utilizes an opportunity for diversion, they don't have that later if they come into contact with law enforcement for something else. So say they were to perhaps miss, you know, school and end up utilizing a diversion program for truancy. And then, I don't know, later they get an MIP or something of that nature, then they don't have the same availability to, to kind of utilize the diversion program. Do you know how Douglas County does that, or have you seen any sort of kind of unintended consequences

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from, from that that may impact people if they have, you know, future issues? And I just would like to know more about how the diversion program works.

ELIZABETH McCLELLAND: Yeah, I think I can definitely speak to when I was there.

CONRAD: OK. OK.

ELIZABETH McCLELLAND: I don't know, you know, if things have changed currently. But I, I think that that is based on the kid and it's based on the county attorney individually.

CONRAD: OK.

ELIZABETH McCLELLAND: And I think a lot of you know, when I was making those decisions in my cases, I was considering how close this charge was, the severity of the charge, how well that child did, how engaged they were when they were in diversion, because typically we would get some sort of report showing, you know, they have met with us on these days, they've done these services, etcetera, etcetera, and, and they're being successfully discharged. Obviously, if they didn't utilize the Juvenile Assessment Center--

CONRAD: Right.

ELIZABETH McCLELLAND: --you know, that was a different story. But I don't, I don't know what the current stance on that is, but I can say that if they were successful once, I don't know that it would always be off the table in the future, just depending on the circumstances.

CONRAD: That, that's helpful. Did most of the kids or families that you were working with in truancy cases have lawyers on the other side to represent them?

ELIZABETH McCLELLAND: Yeah. So even as it stands today, kids are appointed attorneys. And yes, as ERC counsel, we're typically working with the parents, the education decision-maker. And then as a prosecutor, I was working with the defense attorney to work with that family and see if we could alleviate that problem.

CONRAD: No, that's super helpful. And I think that everybody is committed to accountability and personal responsibility. I think that the concern for me in what I'm hearing from my constituents is just how that system interaction can provide sometimes lifelong consequences in the wrong direction. Instead of resetting the

trajectory, it kind of sends the family into a tailspin. And it's hard to get out.

ELIZABETH McCLELLAND: And hopefully with this bill, we would alleviate the need for diversion, right? I mean, hopefully we could alleviate and address these concerns upfront in the school setting, rather than county attorney receiving a referral and getting-- moving down the road so.

CONRAD: Very good. Thanks.

ELIZABETH McCLELLAND: Thank you.

MURMAN: Any other questions? Senator Linehan.

LINEHAN: Thank you, Chairman Murman. So in your second page of your testimony, LB231 has no fiscal no, there's no additional cost to state school districts receive funding to engage in what is called child find. I don't know what that is.

ELIZABETH McCLELLAND: Federal law for the schools to ensure that they are making sure that their-- that their students are receiving services if necessary. If they're aware that a child has a diagnosis, they're holding a 504 meeting. If they're aware that a child has a medical diagnosis, perhaps screening for the multidisciplinary process to see if they would verify for an IEP, those sorts of things.

LINEHAN: So you're, you're talking about the funding then is IDEA funding? Is that the funding, or is there other funding?

ELIZABETH McCLELLAND: I believe so, yes. IDEA.

LINEHAN: IDEA.

ELIZABETH McCLELLAND: IDEA, sorry.

LINEHAN: That's OK. OK, thank you very much.

ELIZABETH McCLELLAND: Absolutely. Thank you.

MURMAN: Any other questions? I have one.

ELIZABETH McCLELLAND: Sure.

MURMAN: I don't know if I heard you right. You said the truant individual is, is always represented by a lawyer?

ELIZABETH McCLELLAND: In juvenile court. Yes.

MURMAN: OK, and that's--

ELIZABETH McCLELLAND: In my early days in the county attorney's office, they were not always appointed-- status offenses were not always appointed attorneys. It's my understanding that that is not the case anymore, at least in Douglas County, I can speak to that. But yes.

MURMAN: And that's provided by the county then?

ELIZABETH McCLELLAND: Typically court-appointed, yes, if the family meets that need.

MURMAN: OK. Thank you.

ELIZABETH McCLELLAND: Yes, absolutely.

MURMAN: Any other questions? Thank you very much.

ELIZABETH McCLELLAND: Great, thank you.

KYLE MCGOWAN: Good afternoon, Chairman Murman and members of the Education Committee. My name is Kyle McGowan, K-y-l-e M-c-G-o-w-a-n, and today I am representing the Nebraska Council of School Administrators. We support LB231, as it describes what is best practice regarding student attendance issues and probably is already taking place in most schools in Nebraska. Student attendance definitely has an impact on learning, and research certainly shows that it makes a difference. Under the current law, all school boards are required to have a written policy on attendance and developed-- it's developed annually and reviewed in collaboration with the county attorney. The policy must include provisions indicating how the school district will address cases in which excessive absences are due to illness. Policy must also state the circumstances and number of absences or the hourly equivalent upon which the school shall render all the services to address barriers in attendance. LB231 stipulates that the-- such services must be provided after the 20 days of absences, and must include written, not verbal-- not only verbal communication by the school officials with the person or persons who have legal or actual charge of the child. The results of the meetings would be developed in a collaborative plan to reduce the barriers identified to improve regular attendance. Under LB231, the plan must include, if agreed to by the person who is responsible for making these decisions on behalf of the child: an educational evaluation to

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determine whether any intellectual, academic, physical or social emotional barriers are contributing to the lack of attendance. This additional accountability by the school to require written communication assures clear messaging and may actually assist if further action is needed by the district or the county attorney. We are all about having kids in school. Thank you, Senator Dungan.

MURMAN: Any questions for Kyle McGowan. If not, thank you very much. Any other proponents for LB231?

ANAHI SALAZAR: Good afternoon again, Chairperson Murman and members of the Education Committee. My name is Anahi Salazar, A-n-a-h-i S-a-l-a-z-a-r, and I am representing Voices for children in Nebraska. Education is necessary for children's development into healthy and productive adults. Attending school is one of the several factors that impact children's educational success. Efforts to ensure attendance are important, but most focus on resolving obstacles to attendance for children and families in a supportive manner. For these reasons, we support LB231, which creates a more extensive plan for students and families when they are absent for 20 or more days. Student success and positive educational outcomes are important to the future of Nebraska, and research support-- supports the association between high rates of absenteeism and poor educational outcomes. Nebraska statute currently states that if the child has been absent more than 20 days, the school shall notify family and the county attorney. In order to better help students and families, LB231 adds an additional educate-- adds an educational evaluation with permission of the educational decision-maker to better help schools identify if intellectual, academic, physical or social, emotional barriers are adding to the student's excessive absences. Social anxiety is one of the biggest reasons students are absent from school. Close behind are academic struggles and being bullied. If students feel like they are not understanding content or are afraid of their peers, their enthusiasm for school dwindles and they may try to stay home. Students with ADHD, autism or developmental delays are twice as likely to have excessive absences. By conducting an evaluation, schools are better able to help students by providing opportunities for intervention, identifying any disabilities that can be accommodated to resolve the attendance and allowing for reteaching and enrichment. For all these reasons, we thank Senator Dungan for bringing this bill and thank the committee for considering this important matter. We respectfully urge you to advance LB231, and I am available to try and answer any questions.

MURMAN: Any questions for Anahi Salazar? If not, thank you very much.

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ANAHI SALAZAR: Thank you.

MURMAN: Any other proponents for LB231? Any other proponents? Any opponents for LB231? Anyone wish to testify in a neutral position? If not, Senator Dungan, you're welcome to close. And he waives closing, so that will end the hearing for LB231. Well, first I should say we have one proponent letter, seven opponent letters, zero neutral. And that will end the hearing on LB231, and we'll open the hearing for LB386, Senator Linehan.

LINEHAN: Good afternoon, Chairperson Murman and members of the Education Committee. My name is Lou Ann Linehan, L-o-u A-n-n L-i-n-e-h-a-n, and I'm from Legislative District 39, which includes Elkhorn and Waterloo and Douglas County. Today I am introducing LB386. LB386 would prevent changes to the TEEOSA base limit and local effort rate recalculation. The bill would affect school districts and political subdivisions other than-- I don't know, I think it affects school districts. That's what happens when you don't read this before you start. This act will also require that the Legislature make no changes to the base limit and local effort rate calculation. I'm concerned that TEEOSA could be abused, that it would increase funding for schools without going through so. New staff and I took the weekend off. Here's the reason I introduced this bill. There has been, when I first got here, and historically there has been a lot of tinkering with, the LER and the base limit. So when you hear schools concerned that they don't know about trusting us on funding is because in times past, the LER has been at a dollar. And when we were short on money, we moved it up to \$1.02 or \$1.03 and we messed with the other lever. I'm just saying that we shouldn't mess with the levers. They are what they are, and we should fully fund TEEOSA.

MURMAN: Thank you. Any questions for Senator Linehan? Senator Wayne.

WAYNE: Did you just say fully fund TEEOSA?

LINEHAN: Yes.

WAYNE: Oh, OK. Just caught me off guard.

LINEHAN: Which we have done for the last, I think, five years.

WAYNE: Thank you.

MURMAN: Any other questions for Senator Linehan? Any opponents for LB38-- or proponents for LB386? Any proponents for LB386? Any opponents for LB386? Anyone wish to testify in a neutral position for

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LB386? Senator Linehan, you're welcome to close. She waives closing. We have one proponent letter, zero opponent, zero neutral. And that will close the hearing on LB386, and we'll move to LB455, Senator Wayne.

WAYNE: Good afternoon. Chairman Murman and members of the Education Committee. My name is Justin Wayne, J-u-s-t-i-n W-a-y-n-e, and I represent Legislative District 13. While my hearing won't be as short as the last one, it will be just as exciting. [LAUGHTER] Nebraska, "The Good Life." You know, those actually start with one thing and one thing only, that's really to be able to read. Like, in order to read is, is a requirement for us to live in the Nebraska "good life." LB454-- I mean LB455 is intended to help provide a positive educational experience for K-12 students that impact reading scores and literacy rates and improve lifelong learning skills and potential of Nebraska youth and their families. Last September, I was shown copies of printed grade publications that our envelope was handed out with some of the same material, with the goals of improving reading scores and lit-- literacy rates in Nebraska, published monthly by the Nebraska Press Association. And over 12,000 copies are distributed to 600 classrooms, grades three, four and five in nearly 100 school districts in 27 counties in Nebraska. It is now funded by private donations and fundraising, but this type of publication should be at all grade school statewide. It is very important that this nondigital-- this is a nondigital product. It is a printed publication that is colorful, creative, interactive and draws on the intention and focus of the students. It means less screen time and less chances that we have to redirect people from learning and not learning and being on the internet. LB455 would appropriate \$1.17 million of general funds for the fiscal year 2023-24, \$1.17 million of general funds for the fiscal year '24-25 to get the statewide distribution in place by September of this year. With the trend of reading scores and literary scores-- literacy scores in Nebraska declining, which is also disturbing, I think this is one way that we can help improve reading by getting kids excited about reading. We all know what happens when young kids can't read. Life, life outcomes are strained and sometimes can end up in what I have to deal with in Judiciary. We know prison is kind of directly related to reading scores. So there will be people behind me who will speak in more detail about the publication and how they distribute it. But I just-- you all have copies of, of this material. I just think it's a low-cost bill that can impact a lot of, a lot of kids. With that, I will answer any questions.

MURMAN: Thank you. Any questions for Senator Wayne? Senator Linehan.

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LINEHAN: Thank you, Chairman Murman. I think you were here, Senator Wayne, when it was Senator Dungan's bill that was introduced a little bit ago, LB231, and Ms. McClelland said that one of the problems with kids who don't go to school-- I'll read just from it. The child who hasn't been taught to read cannot understand the work and is so far behind in school that they feel there is no point going on.

WAYNE: That is 100 percent. So actually, she was one of the better prosecutors that I always worked with in Douglas County, so I wanted to give her a shout out. In case she goes back over there and have to [INAUDIBLE] people. But no, she was-- many of the kids that we dealt with in truancy also had reading problems. And so reading is one of the fundamental things that we have to have.

LINEHAN: Thank you.

MURMAN: Any other questions for Senator Wayne? If not, thanks a lot. Proponents for LB455.

TERRI SANDERS: Good afternoon, Chairman Murman and members of the Education Committee. My name is Terri, T-e-r-r-i, Sanders, S-a-n-d-e-r-s, and I am the publisher of the Omaha Star newspaper located in north Omaha. We're the only African American newspaper in the state of Nebraska, founded July the 9th, 1938. To date, we have never missed a publication date since our first issue 85 years ago. Our community-published newspaper shares global news, not just north Omaha information. The Omaha Star is a member of the Nebraska Press Association and the National Newspaper Publishers Association. I am here today to testify as a proponent of LB455. The key is to help improve reading scores and to increase literacy in our communities statewide, for both children and adults. Everyone who can read will have a better outcome in life. We know that minority students have lower reading scores than nonminority students and that students living in poverty are more likely to be illiterate than students living in above-poverty-level areas. These challenges are all across the state of Nebraska, not just in one county, city or community. Senator Wayne's bill, LB455, helps to take publications statewide and addresses reading scores and literacy rates for all Nebraskans. Currently, the Omaha Star receives and distributes 1,000 copies of Kid Scoop News and distributes those copy-- copies to schools in north Omaha of both public and private elementary schools. When received at the schools, it is a welcome addition to the curriculum. It is enjoyed by both teachers and students. The Omaha Star also distributed copies of this publication during the Christmas in the Village community celebration, which meant that that publication went straight into the

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homes of students. A continual improvement in the reading scores and increased literacy rates in my community means a better prepared citizen in the state of Nebraska and not just north Omaha. Reading scores and literacy rates in north Omaha area were some of the lowest in the state pre-COVID. The disruption caused by COVID has widened the gap even, even further, and LB455 helps with programs and efforts on the front-end of the learning spectrum where the biggest positive impact on learning and life skills can be made. We know the current path and trajectory of Nebraskans who are illiterate are not positive and can lead to other social issues attributed to illiteracy. Senator Wayne's bill, LB454 [SIC], is one small step to help address the problem of illiteracy so our youth have every opportunity to break the cycle, so they learn and lead productive and better lives. I would like to thank you for your time, and it is my hope that this bill will move out of the committee to be passed.

MURMAN: Thank you. Any questions for Terri Sanders? Senator Sanders.

TERRI SANDERS: No relation.

SANDERS: Maybe.

TERRI SANDERS: Yeah, you're right.

SANDERS: Thank you for your testimony. I think I saw you featured on Black History Month. And the history of the newspaper so [INAUDIBLE].

TERRI SANDERS: Yes. On KMTV on Monday.

SANDERS: Congratulations. Yes. Thank you for that. Is there an online version and/or an app that would be available?

TERRI SANDERS: Well, for the Omaha Star, there is an online version. I am not sure about Kid Scoop. You'd have to address that with the Nebraska Press Association.

SANDERS: Thank you.

TERRI SANDERS: Um-hum.

MURMAN: Any other questions? Senator Briese.

BRIESE: Thank you, Chairman Murman. Thanks for your testimony here today. So currently, Nebraska Press Association publishes this?

TERRI SANDERS: Publishes Kid Scoop. Yes.

BRIESE: Kid Scoop, yeah, and distributes it to yourself and other--

TERRI SANDERS: And other publications.

BRIESE: --newspapers, and they distribute it to the schools?

TERRI SANDERS: Correct.

BRIESE: Would this bill-- currently Nebraska Press stands the cost of this, apparently?

TERRI SANDERS: Yes, they do.

BRIESE: Would this bill expand the reach of, for example, Kid Scoop News or simply help out Nebraska Press to--

TERRI SANDERS: No, it would expand the reach because it is my understanding that this would, would then be distributed throughout the state with the support of this bill undergirding the cost of publication, which can be expensive. Paper and ink is not cheap.

BRIESE: OK. What percent of the state or what percent of students have access to this now? Do we have any idea? Is somebody saying [INAUDIBLE]--

TERRI SANDERS: Someone else will be able to answer that. I just know how our paper distributes it in the city of Omaha.

BRIESE: OK, Very good. Thank you.

TERRI SANDERS: Thank you. Anybody else?

MURMAN: Any other questions? Thank you very much.

TERRI SANDERS: Thank you.

HEATHER GILL: Thank you. I just would like to answer your question. Hello and thank you, Chairman Dave Murman and members of the Committee. Good afternoon. My name is Heather Gill, it's H-e-a-t-h-e-r, Gill, G-i-l-l. I'm here to speak on behalf of LB455 and the possibility of monthly publication distributed to classrooms across Nebraska. Currently, we've been working this-- this past year, we have 12,000 students, third through fifth grade, that are receiving it. To fully represent Nebraska, it would be 80,000 copies, and that's what we've been working towards. I've spent the past 28 years learning from kids, families, providers, teachers and community leaders as an educator, pastor, home visitor, community developer and systems coach

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to public and private schools, childcare and state agencies in Nebraska. Being in dozens of classrooms and schools and hearing the experiences of teachers and families across our state has given me kind of a unique perspective, I think, on honoring Nebraskans and a very strong belief that engaged families and communities partnering with teachers and schools, they will do whatever it takes for the children in their community. Saying all of this, raising readers, learners and critical thinkers is essential for all of our future in Nebraska. And currently we know that our reading scores need to be improved. Recognizing the need for improved reading scores in Nebraska, I think right now it is a prime opportunity to provide really practical resources and strategies for our state. We know that what we practice grows stronger. And the more we read, the better we read and the more competent we are. We also know that our kids need a large variety of print material that is interesting and that they want to read. Kid Scoop News is very adaptable, flexible and open-ended. It gives families and schools an opportunity to be able to utilize it in a way that's best for it. I can tell you kids are coming to school right now without print experience, with very limited print experience, with very limited, limited access to a book. So many of the homes that I worked in when I was a home visitor, they didn't have any print material available for the kids to explore, play with, manipulate. The other thing that I'm really concerned about, I've just moved to the east. I was over in Ogallala, Senator Murman, and something I was thinking about is I was in a second grade classrooms, kids were not able to turn the paper pages because they have had such limited exposure to print material, books, reading material. Which, in fact, that's a pre-literacy skill that needs to happen before kids ever enter school. Many students lack essential fine motor skills experiences within, within their schools. Our OTs and PTs are very concerned about this because we know that kids learn to read because they want to learn to read, because they're experiencing all of the material. We also know that teachers' lives and days are filled with required activities due to increased mandates. We know that we can partner with them, not as one more thing to do, but a way to come alongside with them and help them, give them pre-- ready-made, if you've looked at the document that we've shared with you, the publication, they can use it for a large variety of things that they can do with this document. My daughter-in-law teaches here, and one of the things she uses it for is just different ways for different learners to read and be interested in the paper. It's more experiential, hands-on for some of our kids, that makes, makes a bigger difference. Secondly, I think Kid Scoop News will provide us an opportunity for family and community engagement. I believe strongly

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that family and community engagement remains the key to all of our academic and social success. I also believe that engagement is the key to motivation. It takes engagement for people to want to do this, and so engaging our students and families is going to help motivate us to read. I think bringing people together is, is a very important part of Kid Scoop News. I was at Custer County Fair and spoke with hundreds of people going through the fairgrounds around this. And many, many people are concerned about literacy and they want to know what they can do, some practical strategies, some practical resources that we can just give them and help them begin to know what to do. One thing that our--

MURMAN: Excuse, excuse me. You do have the red light, but I'll let you continue a little longer.

HEATHER GILL: Sorry, I knew that was going to happen. OK. One last thing-- five minutes is a very short time. OK. If afterwards, if you'd like to know some of the ways that we've been partnering with communities to this point, ask me. Conversation is a way that we come together to make changes happen, change isn't going to happen with conversation. And I believe that newspapers have been that voice for us. I've listened to our community voices, they share information. And I believe they're the perfect bridge to, to bridge that literacy and engagement gap. I've been working in schools, working with truancy, working with kids involved in the system for a very long time. I know that reading and bringing families together around reading will impact our state in a very powerful way. If you have questions. Sorry, knew I was going to do that. I even brought my phone to set a timer.

MURMAN: Any questions for Heather Gill? Senator Albrecht.

ALBRECHT: Thank you, Chairman Murman. And thanks, Ms. Gill, for your enthusiasm for reading. This is exciting. I did receive these, the Scoop quite a while ago. I have 14 grandchildren. They do love to read. And one of them, I can just kind of tell you, he hit a million words. I mean, again, turning those pages in a book, turning them in a-- and I, I also say up in the rural areas of our state, I mean, people read these papers front and back. I mean, they know everything that's going on in their communities. And but, but you're saying third through fifth grade is where you're kind of concentrating right now?

HEATHER GILL: We've been targeting third through fifth grade with-- we're exploring looking at some younger levels. Some of our smaller schools did do just experiential and took it into some of the younger lev-- grades as well.

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ALBRECHT: Yeah, so--

HEATHER GILL: But they get it monthly.

ALBRECHT: --what were you referring to, with the 80,000 copies?

HEATHER GILL: So in Nebraska, there's 80,000 students that are third through fifth grade.

ALBRECHT: Oh, 80,000, but you're only at 12,000 at this point.

HEATHER GILL: We have 12,000 at this point. And we've got-- we've been visiting schools all the way across Nebraska, Scottsbluff, up to Chadron, all the way across Nebraska. And it's, it's very needed. It's a monthly publication. If you've looked at it, it's great.

ALBRECHT: And just real quick, the content, where do you get the content for these papers?

HEATHER GILL: We have Kid Scoop News is written, developed by a person out of, out of California, and her name is Vicki. She develops our content for us with in collaboration with the Nebraska Press. And then they've worked out all of the demographics that I don't understand.

ALBRECHT: It's exciting. And any, you know, \$1,500 that the Governor would like to give every child, it would be nice if they could pay for their paper with that, but that's just me. So thank you for being here first. So much enthusiasm for reading, warms my heart.

HEATHER GILL: Well, and if you have questions or you'd like more information on what we've done to this point, we've done some exciting things.

MURMAN: Any other questions? I'm just going to comment too. When, when I was a young fellow, a long time ago, I think we had a "Weekly Reader", if I remember right, is what it was called. And I really liked that, that little paper. I liked reading it. And it does engage families because I think, counting electronic papers and old newspapers across my large district, I think I get at least ten or dozen, you know. And it engages families because my wife really gets upset with me, she thinks I spend too much time reading the newspapers. [LAUGHTER]

HEATHER GILL: Yes, that's--

MURMAN: Any other question? Sorry, do you want to make a comment?

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HEATHER GILL: I could talk all day about this subject and how it would impact our kids.

MURMAN: I appreciate your enthusiasm.

HEATHER GILL: Thank you.

MURMAN: Good afternoon.

DENNIS DeROSSETT: Good afternoon, Senator Murman, members of the Education Committee. My name is Dennis DeRossett, that's D-e-n-n-i-s D-e-R-o-s-s-e-t-t, I serve as the executive director of the Nebraska Press Association and the Nebraska Press Association Foundation. Nebraska Press represents all 150 newspapers across Nebraska, and our foundation, which is a 501(c)(3), is-- its mission is focused on education and scholarships. We're here today, obviously to be a proponent, strong proponent of LB455. We want to thank Senator Wayne for taking the time last September to meet with us just to learn about our efforts to reach and help students across Nebraska with the publication that we had been publishing called Kid Scoop News. We especially thank him for his vision that spurred LB455, which again, we strongly support. In 2021, we were looking at how we could engage our newspapers across the state with their communities and their schools. Traditionally, newspapers have had newspaper and education programs. Those have sort of waned over the years, and we wanted to find a way, again, to connect the newspapers with the schools. We were aware of Kid Scoop News as a product. The creator and owner of this product is from Nebraska and happens to live now in Sonoma, California. This project, we were the first state to do this project as a, as a tabloid statewide-- excuse me, in the state. We don't go statewide. Some newspapers, I think there's about 300 newspapers who run a feature in the pages of the paper once a month. But in September of '21, we launched this monthly publication targeted strictly to grades three, four and five. We learned that third grade is a pivotal year for literacy development. It's known that it's time when students transition from learning to read to reading to learn, and also from that point forward, over 80 percent of the curriculum is taught by reading. So I hope each of you had an opportunity to see the publication and to look through it. Since we started it, we've heard continual positive feedback from teachers and students. Teachers tell us they love anything that encourages reading, especially in students who are reluctant to read. A large part of that is because Kid Scoop News is a printed product, not a digital format. It's useful in the classroom and it can be taken home and shared as a family activity. The family aspect is one of the primary reasons the content is in both

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English and Spanish. The purpose of our program is to awaken the magic of reading in students by making reading fun and enjoyable, to have a long-term positive impact on reading scores and literacy rates in Nebraska. This translates to higher rate of literacy and, as we know, improved lifelong skills, abilities and accomplishments. So I'll go over some of the stats again that have been stated here, but we started with about 12,000 copies and most of that is in northeast Nebraska now. So I think we cover Senator Briese's district, Senator Albrecht, Senator Murman, some of your area. I'm not sure that we're too much in Senator Sanders, Linehan yet. And we're just, we're not in Lincoln yet. The idea is to go statewide, but we've done this so far with funding from our own foundation and from private gifts and gifts from other foundations. We target those. Like I say, it's about 16 to 24 pages a month. There's a parent's guide that is published at least quarterly to be taken home, so it's showed how to be used in the family. And we also have a teacher's guide that's available to the teachers to where it basically gives them lesson plans for using the content in, in their classroom. Current distribution, again, 600 classrooms, 100 school districts, 27 counties, mainly in the northeast. Part of that was logistics. But we also go down into the Falls City area, we go into McCook, we go into Broken Bow, and that's because of enthusiastic publishers who just had to have this in their area. Their schools saw it, they wanted it, and we, we put it there. So the goal is to be statewide, which LB455 would enable. We'll have a special statewide issue, by the way, in May, thanks to a private donation. And the special content in that one will be an eight page section of the 24 pages will be a history of the Homestead Act and all about the Homestead National Monument in Beatrice. So a couple of the things I wanted to point out. So instead of newspaper in education, we actually see this as an education outreach program. Parents and teachers are looking for activities to get their children-- I'm sorry, sir. I didn't see the red.

MURMAN: Oh, no, that's all right. If you can--

DENNIS DeROSSETT: I'll sum it up.

MURMAN: --continue kind of quickly.

DENNIS DeROSSETT: OK. One of the things that got our initial interest in this was-- it was an article in Forbes Magazine that gave-- said that in a certain state, when they projected the number of prison beds they needed ten years down the road, they looked at fourth grade reading scores. Now, that has been refuted as a statistic, but this was in Forbes Magazine. But there's no question that illiteracy and

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the rates of incarceration are connected. So we are trying to help reading. Reading is fundamental to all of us, to our industry. These kids are going to be not only our customers, our readers, but they're our community leaders and they're the future of Nebraska. So we think this bill helps. This is a tool. It's not the answer, but it's one of the tools. And again, we appreciate the testimony from Terri Sanders, Heather Gill, and appreciate Senator Wayne. So I'm happy to answer any questions.

MURMAN: Any questions for Dennis DeRossett? Senator Briese.

BRIESE: Thank you, Chair Murman. Thank you for your testimony here today. So you would anticipate trying to access this potential grant program that we're talking about putting in place here. Do you know how many dollars you would need annually to make this work or what, what-- how many dollars would you want to access?

DENNIS DeROSSETT: We would need more than this bill would provide because we would be going not only to the schools, but we want to go to public schools, but private schools, afterschool programs, wherever we can get this into the hands of students. Right now, it would be nine months out of the year, but we would look at going 12 months out of the year. So it would go in the nonschool months to possibly libraries, afterschool programs just to keep the activity in front of the students. I don't have a final number yet.

BRIESE: Sure. But you would anticipate accessing this entire amount and still relying on private sources or your foundation?

DENNIS DeROSSETT: Yes, the amount that we would get from other sources would help with the scope of what we would be able to do. Yes.

BRIESE: OK. Thank you.

DENNIS DeROSSETT: Yes.

MURMAN: Senator Albrecht.

ALBRECHT: Thank you, Chairman Murman, and thank you for being here. So this publication only comes out once a month?

DENNIS DeROSSETT: Once a month.

ALBRECHT: OK. And could you get us a number before we would exec on something like this, on the dollars that you would see if you were to be able to do all that you wanted to do?

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DENNIS DeROSSETT: Yes.

ALBRECHT: Just give us an idea.

DENNIS DeROSSETT: Yes.

ALBRECHT: Thank you.

DENNIS DeROSSETT: I can do that.

MURMAN: Any other questions? Thank you very much.

DENNIS DeROSSETT: OK. Thank you.

MURMAN: Any other proponents for LB455.

KORBY GILBERTSON: Good afternoon, Chairman Murman, members of the Education Committee. For the record, my name is Korby Gilbertson, it's spelled K-o-r-b-y G-i-l-b-e-r-t-s-o-n, I'm appearing today is the registered lobbyist on behalf of Media of Nebraska, Inc. in support of LB455. Media of Nebraska does not publish newspapers. We don't-- we represent both print and broadcast media across the state, mainly in First Amendment issues, public records, open meetings laws. But we looked at this piece of legislation and thought it was something that was really important for the Legislature to consider, given the fact that it opens students' eyes to other ways to get information. I think we can all agree that there's a lot of people that get most of their information from social media, and this maybe gives kids and their families a time to take a step back and look at different ways to gain that information. So with that, I'd be happy to answer any questions.

MURMAN: Any questions? If not, thanks a lot.

KORBY GILBERTSON: Great. Thank you.

MURMAN: Any other proponents for LB455? Any opponents for LB455? Anyone wish to testify in a neutral position? And online we have two proponents, five opponents, zero neutral. And that'll close the hearing for LB455, and we'll open the hearing for LB705.

ALBRECHT: Senator Murman will open on LB705.

MURMAN: Good afternoon, Vice Chair Albrecht. My name is Dave Murman. I'm here to L-- introduce LB705, the lottery bill. The lottery fund is the only fund that the Education Committee has to spend at its discretion. This committee is tasked with relocate-- reallocating the

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funds from the lottery towards educational grants, services or programs, in conjunction with the proper administrators. I must caution members of the committee that there are a lot of good pieces in this bill, but this bill does need a lot of work. The draft before you does not include the appropriate funds for the Coordinating Commission on Postsecondary Education to carry out the administration of these duties as assigned, so we will be working in Executive Session to amend this. Mike Baumgartner, the executive director of the Coordinating Commission, reached out to my office and we will continue to work with the Commission to fix this issue. I have also had contact with Lincoln Public Schools about LB705. They have requested an amendment that would allow them to use some of these funds for an after-school program, which we are continuing to look into. If you take a look at the handout I have provided, you can see where the funds are going as the bill is currently written. Undoubtedly, we will have to make some adjustments, but I emphasize that all of these programs are for the benefit of Nebraska schools, teachers and students. We have several people here that are going to testify to the benefit of many of these programs. I want to thank Senator Walz and her former education legal counsel, Elsa Knight, for their diligent work on this project. I welcome any questions, and I'll be here to close.

ALBRECHT: Thank you, Senator Murman. Any questions from the committee? Seeing none, thank you. Well take proponents. Hi.

MIKE BAUMGARTNER: Hello. Good afternoon, Chairman Murman, Vice Chairman Albrecht. Thank you for bringing this bill, Senator. My name is Mike Baumgartner, M-i-k-e B-a-u-m-g-a-r-t-n-e-r. I'm the executive director of the Coordinating Commission for Postsecondary Education, and I am here today to testify in support of LB705. College affordability is a defining issue of our time as we seek to build up the knowledge and skills of our workforce to match the needs of the economy. Lottery funds for postsecondary education are a crucial source of support for Nebraska's multipronged affordability strategies, and LB705 directs lottery funds in a strategic manner to improve affordability and meet workforce needs in Nebraska. I'll go over several of the programs that are administered by the Coordinating Commission. The Nebraska Opportunity Grant provides need-based financial aid to Nebraska undergraduates attending Nebraska colleges and universities, Although comparatively small nationwide, the Nebraska Opportunity Grants is a succ-- is a successful program that serves Nebraska students across all sectors. In '21-22, 13,188 students received awards averaging \$1,721. Unfortunately, 15,655 eligible students did not receive an award because there's not enough

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funding for the program. Total appropriations for FY '23 are \$24 million, \$7.6 million from General Funds and \$16.4 million from lottery funds. Maintaining the 62 percent distribution of lottery funds for NOG is the Coordinating Commission's highest priority for lottery fund. That will provide between \$13.5 (million) and \$14 million per year. We are currently spending above what we take in each year to reduce a balance, but we are only able to maintain that level through about FY '27, so the 62 percent will remain very important. Community College Gap Assistance Program is targeted to 13 occupational fields that have been identified as in-demand in statute. It can only be used by Nebraska resident-- residents with incomes at or below 250 percent of poverty level for noncredit or short-term programs that are not covered by other financial aid programs such as Pell Grants and Nebraska Opportunity Grants. Today, there are 326 approved programs at our community colleges in the 13 demand occupational areas. The gap program currently receives about \$1.9 million each year from the Education Improvement Fund, which exceeds annual expenditures, which have been about \$1.1 million per year. Under LB705, the gap programs will receive 7 percent of lottery funds or approximately \$1.5 million per year. While the gap program is still reaching its potential, it is an important addition to the state's affordability arsenal. Career readiness and dual credit education: Nebraska recognizes the importance of dual enrollment courses for promoting early access to college in career and technical fields and in general education, and it's currently providing \$8 million per year to reduce tuition for dual enrollment courses. The reduced tuition is having a strong impact on demand. However, there are issues with the numbers of instructors available to teach the courses. The Higher Learning Commission, which accredits colleges and universities in Nebraska, requires a master's degree in a content-specific field or a master's in a different field and 18 graduate credit hours in the content-specific field to teach college-level courses. That leaves many potential dual enrollment instructors on the sideline. This new grant program would have a significant issue on teacher preparation as we address that issue by providing funding for them to get those graduate credits. The Door to College scholarship would provide about \$5,000 to students who graduate from an accredited high school program at a YRTC or graduate from a Nebraska high school within one year of discharge from YRTC. It's a good day to have that program in front of you, given the number of bills you've listened to already. The program recognizes that justice system-involved youths often have additional barriers to overcome to achieve a college credential, a degree. The state will benefit greatly from helping these students prepare for high-wage, high-skill and high-demand jobs in Nebraska. Finally, I

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conclude with Excellence in Teaching, critical for our teacher preparation programs, as Senator Murman mentioned. Right now, the bill would transfer administration of that program to the Coordinating Commission. We are willing and able to take that administrative responsibility, but the-- it's-- there's no funding for it currently in the program. So I will commit to you for the rejiggering that will need to be done at that point.

ALBRECHT: Thank you. Mr. Baumgartner. That's a lot of information that we'll have to go back over, but you did a good job putting it all together. Does anybody have any questions? Senator Linehan.

LINEHAN: Thanks, Vice Chairman. Albrecht. On page 3, and I know we've discussed this before, but do you have-- how could we speed up the number of instructors who could do dual course?

MIKE BAUMGARTNER: We need to help them out with getting those graduate credit hours because there is not much of an incentive, other than wanting to be a great teacher, to get those hours after you've gotten a master's degree. If you don't climb up the salary schedule for that and the hours are-- are outside of a graduate degree you've already gotten, then-- then it really falls-- falls on you or on your school district to do something about it. So I think that UNO, for instance, has a number of certificates that are oriented to the most high-demand programs. They already offer those online. The teachers still need to pay for those credits. I know that OPS right now has some programs using their federal stimulus funds to help their teachers get those credit hours, but that's certainly not statewide, so taking a look at what they're doing, building on that, building more of those programs in areas, like English or math or physics or computer science or in health, and-- and finding quick ways to get the students to those-- to those graduate credits, to the 18 credits, or incentivizing them to get the master's in those particular subject areas. Right now, you can get a curriculum and instruction master's degree, but it won't have the 18 graduate credit hours in a specific field, so that would be like getting a master's and getting more. But if those can be combined into specific programs, or if we can get them into these shorter-term, six-course sequences, then we'll be able to get teachers prepared for after--

LINEHAN: Could you put that in writing?

MIKE BAUMGARTNER: Yeah.

LINEHAN: OK. Thank you.

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ALBRECHT: Thank you, Senator Lienhan. Thank you for answering. Any other questions? OK, I have a few--

MIKE BAUMGARTNER: OK.

ALBRECHT: --because this is my first year on Education. So nice to meet you. I've never met you face to face, heard your name a lot. So can you talk about what you also provided for us?

MIKE BAUMGARTNER: Yeah.

ALBRECHT: And you're saying you don't have any money for 2023 to fund just a certain program or to--

MIKE BAUMGARTNER: The money for-- the money that I mentioned that is not included in the bill would be for the Excellence in Teaching Act.

ALBRECHT: OK.

MIKE BAUMGARTNER: That program is currently administered by the Nebraska Department of Education. There are two components to it, the Attracting Excellence to Teaching and the Enhancing Excellence to Teaching. One is a pre-teaching loan, forgivable loan; the other is a forgivable loan for teachers who are teaching, who want to get a master's degree. Those programs currently get 8 percent of the lottery funds, but in the bill, as it's written, that was unfortunately left out and needs to be added. So that-- that's the one that's not going to be funded--

ALBRECHT: OK, so if it's--

MIKE BAUMGARTNER: --unless it's fixed.

ALBRECHT: --left out and needs to be funded, how do you get the money into the--

MIKE BAUMGARTNER: It would need to come from--

ALBRECHT: A request from--

MIKE BAUMGARTNER: --some of the other programs.

ALBRECHT: OK. So they have to find it and--

MIKE BAUMGARTNER: Yeah.

ALBRECHT: --get it covered.

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MIKE BAUMGARTNER: Yeah.

ALBRECHT: So this other sheet that you gave us is just--

MIKE BAUMGARTNER: Yep.

ALBRECHT: --information only?

MIKE BAUMGARTNER: Information on the Nebraska Opportunity Grants and information on the Community College Gap Assistance program. I didn't provide you with anything on the Enhancing-- or the Excellence in Teaching Act, because that is administered by the Department of Education right now. They do have handouts for that and I don't-- and see if there's-- oh, yeah, they'll be able to take care of that. So that's not our program--

ALBRECHT: Perfect.

MIKE BAUMGARTNER: --yet at this point.

ALBRECHT: OK, very good.

MIKE BAUMGARTNER: So this is inf-- background information on the ones that we have.

ALBRECHT: Very good. Thank you. Appreciate it. So any other questions? Seeing none, thanks for being here.

MIKE BAUMGARTNER: Thank you.

ALBRECHT: Proponents.

HEATH MELLO: Good afternoon, Vice Chair. Albrecht, Members of the Education Committee, for the record. My name is Heath Mello, H-e-a-t-h M-e-l-l-o. I serve as the University of Nebraska System vice president for external relations and I'm appearing today as a registered lobbyist on behalf of the University System in support of LB705. We want to thank Chairman Murman for introducing and Senator Walz for co-sponsoring this proposal to reauthorize lottery funding for the Nebraska Opportunity Grant, or better known as the NOG program, and other key higher education and training programs. The Nebraska Opportunity Grant Program is our state's only need-based financial aid program that provides direct assistance to qualified Pell-eligible Nebraska residents to attend the college or university of their choice. Close to 6,000 students enrolled at the University of Nebraska System, including the Nebraska College of Technical Agriculture,

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received a NOG grant out of roughly 13,000 students statewide in 2022. The NOG program's state lottery funding is vital in ensuring that accessibility and affordability remain a cornerstone of Nebraska's higher education systems. However, there is still a significant need from students, specifically first-generation students who are otherwise limited in their ability to pay for higher education. In 2022, the University of Nebraska System had roughly 5,000 students who qualified for the Nebraska Opportunity Grant program, but were unable to receive an award due to the lack of available funding. While this data reinforces the need for additional need-based financial aid funding, without the Nebraska Opportunity Grant's lottery funding in LB705, the impact would be considerably worse, both for the university and the 6,000 students at our campuses who do receive this critical assistance. Lastly, while we support the reauthorization of lottery funding for the NOG in LB705, we do have serious concerns about the complete elimination of lottery funding for the Excellence in Teaching scholarship program. This program provides loans to postsecondary students who are pursuing a degree in shortage areas to complete a teacher education program and commit to teaching at a Nebraska public or private K-12 school. We encourage the committee to find a sustainable funding-- funding stream to maintain this critical teacher workforce development program. On behalf of the University of Nebraska System, our four campuses and nearly 50,000 students, I'd like to once again thank Senator Murman for introducing LB705 and the Education Committee for their past support of the NOG program and reiterate that we look forward to working with the Committee on moving forward with the needed lottery reauthorization package. I'd be happy to answer any questions you may have.

ALBRECHT: Thank you, Mr. Mello. Any questions? Senator Linehan.

LINEHAN: Thank you, Vice Chairman Albrecht. You read that so fast. I'm trying to find-- you didn't talk about the Nebraska Promise, even though it's in your--

HEATH MELLO: I-- I-- I timed this sli--

LINEHAN: [INAUDIBLE]

HEATH MELLO: I timed this slightly at a little longer than three minutes--

LINEHAN: Thank you.

HEATH MELLO: --so I had to cut a paragraph, Senator.

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LINEHAN: So would you go to that paragraph?

HEATH MELLO: I would. You know, the-- my-- the formal testimony here says from the establishment of the Nebraska Promise in 2020 to our recent two- year tuition freeze through the end of the fiscal year, the University of Nebraska System remains steadfast and committed to the-- a mission of accessibility and affordability through strong leadership and public private partnerships.

LINEHAN: So-- so the Nebraska Promise program, which waives tuition for under-- I can't remember--

HEATH MELLO: \$65,000.

LINEHAN: --\$65,000. But then do you use-- do you use these programs to help pay for that tuition?

HEATH MELLO: So the Nebraska Promise program is a last dollar in tuition assistance program after a student receives Pell funding--

LINEHAN: OK.

HEATH MELLO: --as well as Nebraska Opportunity Grant funding, as well as another private scholarship. The university covers the remaining amount of their tuition bill after-- after other financial aid is considered.

LINEHAN: So how many students in this-- I don't expect you to know this, but how many students do you think are attending the UN system now under Nebraska Promise?

HEATH MELLO: About 7,500.

LINEHAN: And do we know the number of those that are first-generation students?

HEATH MELLO: I can get that-- I can try to get that information to you, Senator. It's-- first-generation data is self-reported, so it's not a standardized thing, but we can get you the self-reported data we do have on those students.

LINEHAN: And then on the-- your concerns about the Excellence in Teacher scholarship program, is this the one that they use to go back? OK, they've already got their bachelor's and they go back to get their master's?

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HEATH MELLO: It's the same-- our-- our concern was the same concern raised by Dr. Baumgartner at the end of the day. It's a program that attra-- it's an attraction program for undergraduate students to go into teaching, as well as existing teachers who are looking to get their master's degree. So the reality is, both programs are utilized by-- by students, graduate and undergraduate students. Once again, similar to what Senator Albrecht's question was, I'm not here to suggest the funding stream. We just hope that you continue to find a way to fund that, that teacher recruitment and retention program.

LINEHAN: If they're willing, for grad school, to get their master's, is there any-- does it help to-- sorry, I'm trying to follow up. You get your master's, but you could still-- which-- how many hours do you have to have to have a masters?

HEATH MELLO: Usually it's about 36.

LINEHAN: So couldn't 18 of those of hours be so they could be a dual credit teacher?

HEATH MELLO: I-- I-- I would be remiss. I probably shouldn't speak to that specific aspect.

LINEHAN: That's OK.

HEATH MELLO: I can look into it, but I know the dual credit component in the bill, LB705, is a new concept to provide teach-- K-12 teachers their ability to get their endorsement.

LINEHAN: Right, and we have a lot of high school kids, but we don't have enough teachers.

HEATH MELLO: Um-hum.

LINEHAN: So could you, working with Mr. Bumgartner, try and help us figure out how we can help shrink the shortage of dual education teachers if we use these programs?

HEATH MELLO: Absolutely.

LINEHAN: OK. Thank you.

ALBRECHT: Thank you. Any other questions? None? Come on. No, just-- OK. Thank you for being here.

HEATH MELLO: Thank you.

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LINEHAN: Well, if you want to tempt fate.

ALBRECHT: All right. Next proponent.

CONRAD: Actually Senator Linehan beat me to it. I was going to ask about Nebraska Promise.

ALBRECHT: Hi. Welcome.

BEN WELSCH: Hello. Vice Chairman Albrecht, members of the Education Committee, my name is Ben Welsh, B-e-n W-e-l-s-c-h. I'm here today to speak on behalf of the Nebraska State Education Association and represent the 28,000 NSEA members in support of LB705. Senator Murman suggested edits to LB705, so our support is contingent on funding being fully restored by committee amendment to the Excellent [SIC] in Teaching Cash Fund. So again, what's been brought up earlier about this part being missing from LB705, hopefully I'll also be able to answer Senator Albrecht's question about how should the funding be allotted, because you'll notice in my testimony we have a sample set up for percentages that we would suggest the committee look at to try to reinstate that Excellent [SIC] in Teaching Cash Fund from the past. Funding is currently set in statute to be 8 percent of the lottery proceeds, but in the green copy of LB705 this funding was stricken. We hope this was just an oversight when the bill was drafted and I'm here today to discuss the need for such funding for our educators. We have a continuing teacher staffing crisis in Nebraska. There's a shortage of teachers in the state. More than a thousand teachers have left the state's two largest school districts since the pandemic began in 2020. Omaha Public Schools reported 239 teachers left in '19-20, while 320 teachers in '20 and '21. Lincoln Public Schools saw 251 teachers leave from '19-20 and 241 in '20-21. In order to reserve-- or to reverse this trend, we need to incentivize young people to enter the teaching profession. We need to provide more scholarships and loan forgiveness programs for students being trained in our teacher colleges. Currently, there are two active state-sponsored educator loan forgiveness programs in Nebraska. The first one, Attracting Excellent to the Teacher Program [SIC], provides for-- forgivable loans to eligible students who are enrolled in an undergraduate-- undergraduate or graduate teacher education program at an eligible Nebraska institution, working towards his or her initial certificate to teach in Nebraska. Eligible students may apply on an annual basis for the AETP loan in an amount of \$3,000, and can apply for and receive these loans annually for up to five consecutive years. In return for receiving these loans, the student agrees to complete the teacher education program that he or she is currently enrolled in and commits

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to becoming certified and to teach full time in an accredited or approved public or private school in Nebraska. And the-- if the student meets the loan forgiveness obligations, loans will be forgiven, beginning after the first two years of full-time teaching, in the amount of up to \$3,000 for each year of teaching and to an amount up to \$6,000 for each year of teaching if they are in a school district that's been classified as very sparse or in a school building for which-- with which at least 40 percent of students qualify for the poverty factor. This program was expanded just last year by the Legislature in LB1218 from 2022 to provide a thousand in loan forgiveness for student teachers, but that has not been implemented yet, so we are still looking for ways to continue these programs. The EETP provides forgivable loans to Nebraska teachers enrolled in an eligible graduate program. And with these two loan forgiveness programs, they're well worth the funding being allocated through the Excellent [SIC] in Teaching Cash Fund. So both the programs provide young Nebraskans an incentive to enter the education profession and to continue their educational development through coursework that leads to much-needed endorsements in the shortage areas of special education, early childhood, math, science, counseling, speech pathology, reading, English language arts, and career education. And I see I have a red light, so I just want to end my testimony with saying we have allocated a-- tech-- technically a proposal for the percentages. So you'll notice in the current LB705, there are seven allocations on page 5. We are proposing to add an eighth allocation that includes the Excellent to [SIC] Teaching Cash Fund at 8 percent and then readjusting the rest of the percentages as follows. I'd be happy to answer any questions anybody has about the teaching-- Excellent [SIC] in Teaching education fund.

ALBRECHT: Thank you very much. Questions? Senator Linehan.

LINEHAN: Thank you very much, Vice Chair Albrecht. Don't-- if-- if you graduate today with student loans and you work for a nonprofit or a public institution for ten years, aren't your loans forgiven? They're pushed off. You don't have to pay them as long as you're working there. And then if you work for ten years--

_____ : You have to pay.

LINEHAN: I'm getting different answers. I'm getting shakes back and forth, But I-- I know of people where that's happening, so there are programs. I just don't know if-- if they're not connecting to them or all our-- maybe our public schools aren't accessing them?

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BEN WELSCH: Well, I guess, you know, in-- just in relation to LB705, if it's one of those where we are saying other people are going to take care of these things, we're just focused on-- you know, in the past we've had this program in place. And so when we see, like in LB705 that now cancel it-- because, you know, in my testimony, these teachers are already in the program. They can go up to five years in the program, you know, consecutively. And so what we would see is if somebody is in the program for two or three years now and this ends, then they're totally cut off from, you know, continuing the program, so.

LINEHAN: I'm not ar-- I'm not arguing that this needs to be fixed at all. I'm just trying to figure out where I can find if the schools are accessing the programs, if there's new teachers, know if they have student loans, that there is a federal program, that if they register for, their loans will be paid off if they stay in public or nonprofit institutions after ten years and their payments are pushed off. I mean--

BEN WELSCH: So-- so you're saying--

LINEHAN: That's OK if you don't know.

BEN WELSCH: Well, I'm just saying you're--

LINEHAN: If you don't know--

BEN WELSCH: So you-- you wouldn't care if this got added back or not because you're saying other people should be able to go other places to--

LINEHAN: I just want to know all the options.

BEN WELSCH: Oh.

LINEHAN: That's what I'm looking for. And it's fine.

BEN WELSCH: Got it.

LINEHAN: I-- I just-- I don't know if it's-- maybe I'm completely wrong. But I know-- thank you very much for being here.

BEN WELSCH: OK.

ALBRECHT: Thank you, Senator Linehan. Senator Conrad.

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CONRAD: Thank you, Senator Albrecht. And just a quick question and develop on Senator Linehan's line of questioning. Would NSEA feel willing to work with the committee to kind of figure out how some of the existing programs, like the Public Loan Service Forgiveness Program on the federal level, kind of interacts with some of these state-level programs, just so that we can figure out where the gaps are, where we can best make investments, kind of thing?

BEN WELSCH: Yeah, we-- we'd be happy to be in those-- in those conversations. And I also want to, you know, bring to everybody's attention, in-- in 2019, when you did the Education Committee lottery study, there's a 154-page document that you guys created in 2019 because it was the five-year review renewal from lottery funds. One of the items that they said that needed to be recommended to continue was the Excellence in Teaching Program. So that was already a recommendation from this committee in the past, and so to see that not continue in this bill was a little bit disheartening, since that was something that has been a continuous piece--

CONRAD: OK.

BEN WELSCH: --over the course of-- of the last five years since they've started, so.

CONRAD: OK. Thanks.

ALBRECHT: Other questions? I have a quick one. So you are representing the NSEA?

BEN WELSCH: Correct.

ALBRECHT: Is that right? Are you a lobbyist for them or--

BEN WELSCH: No, I'm just a member.

ALBRECHT: Just a member, OK.

BEN WELSCH: Teacher.

ALBRECHT: And tell me-- you are a teacher?

BEN WELSCH: Um-hum.

ALBRECHT: OK. So when you closed, talk about what you just said, because I thought I heard you say something about 80 percent, but maybe you said 8 percent.

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BEN WELSCH: Yeah, it-- yeah, so-- so essentially, the-- my-- my testimony document, the seven pieces below, so essentially starting with the Nebraska Opportunity Grant Fund, everything else I think is in LB705. We just knew that the Excellent [SIC] in Teaching Cash Fund is not explicitly a line item currently in LB705. So we just wanted to put that back in.

ALBRECHT: Put that at the top.

BEN WELSCH: That 8 percent is also what was recommended by the committee's lottery study report from 2019, so we just kept the 8 percent as essentially--

ALBRECHT: Eight percent [INAUDIBLE]

BEN WELSCH: --what the lottery fund, you know, committee came up with when they did their report back in 2019.

ALBRECHT: OK. Thank you very much. No other questions? Thank you for being here.

BEN WELSCH: Yep. Thank you.

ALBRECHT: Any other proponents? Hi.

BRYCE WILSON: Hello, Education Committee. Chair-- Vice Chair Albrecht. I'm Bryce Wilson, the finance officer for the Department of Education; that's B-r-y-c-e W-i-l-s-o-n. NDE is a proponent for LB705. We do recognize there are some provisions that we think could be improved. We look forward to working with Senator Murman and the other members of the Education Committee to address those concerns and appreciate all the hard work that's already been done on this bill. I'm just going to quickly run through the four points that we have for consideration on this bill that we'd like to see addressed. Number one on that is to maintain the sunset date that's currently in statute of July 1, 2024. We already have several contracts in place that extend past the June 30 date that LB705 changes the allocations on right now, so that would cause some issues there, including the expanded Learning Opportunity Grant programs for the before- and after-school, for-- that are primarily used for a lot of low-income families. Those programs are already being put in place and I've had parents sign up for those programs, so that would be a big issue if that sun-- if the current date in LB705 was left intact of changing all this on-- on June 30 of this year instead of 2024. Number two is to ensure the Excellence and Teaching Act is funded. I think you've heard quite a bit about that one already. We are also in support of making sure that

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that funding is brought back and made sure that it's in the-- in the amended version, that that-- that gets in there. But I don't think-- I don't have-- necessarily have anything more to add to that since it's already been covered by several people so far. The third thing is maintaining the expanded learning grant funds, That 1 percent that's currently used for that program is about \$250,000 per year. That is currently the only state appropriation for the summer and after-school programs there, so we'd like to see that continue forward. Again, that is in the current version. It's not in the LB705, first version of that bill. And then the last thing is we'd like to see the Innovative [SIC] Grant Funds, which are-- which continue in the LB705 version at 17 percent, we'd like to see that reframed a bit so that it is changed from being innovative focused to being evidence-based practices and interventions focused so that it allows for build-out of programs that have already been identified through the innovative program-- or grant process that occurred initially with this; kind of, we did the work, we did-- we went out and worked with schools and issues to develop or find those innovative processes. And we-- now we're working to build those out, and so we'd like to see that flexibility added in there. If the expanded Learning Grant Fund is not decided to be funded at that 1 percent level, we'd like to see the opportunity, have the language in there under the Innovative [SIC] Grant Funds to do that in that area, as well as we feel like that is a very important piece of the lottery funds. So I guess I've got the red light. So with that, I would take questions.

ALBRECHT: Is there anything else you wanted to finish on yours?

BRYCE WILSON: I hit it quick.

ALBRECHT: Thank you. Any questions? Senator Albrecht-- or-- jeez. Senator Linehan [INAUDIBLE] Albrecht.

LINEHAN: Long-- lot of hearings today. Thank you, Senator Albrecht. Go over this first one again, can you? Maintain July 1, '24, sun date [SIC].

BRYCE WILSON: Yes. So the-- the current lottery funds were allocated out and through June 30, 2024.

LINEHAN: OK.

BRYCE WILSON: So contracts were written as such, anticipating that we would have those funds under the current allocation through the June 30, 2024, time frame.

LINEHAN: OK.

BRYCE WILSON: LB705, under its first version that was-- that that bill was originally dropped, changes that date to June 30, 2023, so this June coming up.

LINEHAN: So--

BRYCE WILSON: But we have contract-- we already have contracts and stuff in place that goes past this June 30 timeframe, ex-- including those expanded Learning Opportunity Grants and programs.

LINEHAN: OK. Give me an example, a couple examples, if you can.

BRYCE WILSON: The examples of the contracts or what that expand Learning Opportunity Grant--

LINEHAN: Expanded Learning Opportunity.

BRYCE WILSON: So I'm not the expert in it, but what it does is it provides school districts-- there's a list-- there's a list, I think, of about seven or eight school districts that were approved by our board for projects that, again, I think they said-- I think the number I saw was 74 percent of the students that use those are low-income students for before- and after-school programs. And they're-- they're identified-- or they're targeted to supplement school activities and be more, kind of, hands-on learning opportunities for those kids in those before- and after-school programs.

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

ALBRECHT: Any questions from the committee? I have one.

BRYCE WILSON: OK.

ALBRECHT: OK. So going into your second-- key improvements, on the last one, you say one option would be to pull the 8 percent from the Excellence in Teaching from the Behavioral Train-- Training Cash fund, which would be created by LB705. So are you saying to do away with? When you say pull it--

BRYCE WILSON: Not necessarily. That-- that's just one of the new areas that come in. We're not-- not against that, just trying to figure out where that 8 percent. The point, I guess, probably shouldn't have included that. The-- the key would be, is we feel that that 8 percent

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needs to go forward and not sure-- not sure where exactly that comes from.

ALBRECHT: So what the last testifier-- I'm wondering, because I'm trying to follow all this, so Attracting Excellence in Teaching programming on his, if you just cut it off, you know, they're expecting to have this money come to them. So we don't fund something that they're already expecting to have--

BRYCE WILSON: Counting on.

ALBRECHT: --and it sunsets-- you're wanting certain things to sunset at a certain time. But is this part of the sunset, the second part of your-- the second paragraph that you have down here, when you-- when you want to pull that? Is that the sunset?

BRYCE WILSON: Un-- under the Excellence in Teaching?

ALBRECHT: Yeah.

BRYCE WILSON: We're not wanting that to sunset.

ALBRECHT: You're not wanting it to sunset.

BRYCE WILSON: No. We want the Excellence in Teaching to continue.

ALBRECHT: To continue, OK.

BRYCE WILSON: Yes.

ALBRECHT: OK. Thank you.

BRYCE WILSON: Yes.

ALBRECHT: Any other questions?

WAYNE: I have questions.

ALBRECHT: Senator Wayne.

WAYNE: So what's the difference between behavior training and mental health training?

BRYCE WILSON: I don't know that I can answer that question. I don't-- I don't have an answer for that question.

WAYNE: OK.

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BRYCE WILSON: We could go back and we could provide something for you but--

WAYNE: So are these the same-- one, two, three, four, five-- six categories you had the last ten years or-- expanded Innovation Grant, Community College Grant, Nebraska Opportunity Grant, and distant ed?

BRYCE WILSON: The-- the-- in the new proposal one there's the difference. The behavioral training is different.

WAYNE: Right. I'm asking, the Initiative 9, dash, whatever, 8-- is this---- did you hand this out? Yeah, you did, right?

BRYCE WILSON: Yeah.

WAYNE: So--

BRYCE WILSON: Those--

WAYNE: --the last ten years. five years, these other six buckets--

BRYCE WILSON: Yes. I've got your question now. Yes, those-- so those were-- those have been the same for the last eight years at least--

WAYNE: OK.

BRYCE WILSON: --because the fi-- it was five years and then they extended it three more.

WAYNE: So what's your KPIs on these? What's your performance indicators that you actually are-- that this is actually working? An-- any one of those categories.

BRYCE WILSON: We have to go back-- we have that information, but it-- I would have to go back and get it from the people that are in those programs, but we do have that information available.

WAYNE: I would like to know like what works and what doesn't work.

BRYCE WILSON: Well, we've built-- so for like the Innovative [SIC] Grants, for example, we went out and per-- the very first, when the first round of the Innovative [SIC] Grants were released in 2017, '15, somewhere around there, we went out and opened it up for innovative ideas. The top ones, as selected by the State Board, were selected. Those ideas came back and we determined if they were successful ideas or not. I'd have to go back and see what the metrics were that were used for that work. But then the ones that were determined that-- to

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be successful were then in the next round of Innovative [SIC] Grants, built out and put into statewide forms so that they could be used by more schools in a way to make those efficiencies be expanded, not just to the schools that originally came up with the ideas or the-- the groups.

WAYNE: I-- I guess my problem is, is just-- like we give the university money, then we also come back and provide Nebraska Opportunity Grant. Are we doubling up on the same people?

BRYCE WILSON: That one, I can't speak to.

WAYNE: I mean, if we are, then why not just say, here goes this to have a free education? Like I don't-- I guess I'd rather just call it what it is instead of having braided streams of incomes or revenue when it's all coming from the same pot, I mean, General Funds and lottery funds, whatever, but--

BRYCE WILSON: Yeah.

WAYNE: --I guess that's where I'm really-- I'm really struggling with this idea of these streams are still here, but nobody-- I-- I guess I don't under-- I mean, we have tons of funding streams. And-- and this Community College Gap Assistance, don't we give univ-- the community colleges a bunch of money too? Like I'm--

BRYCE WILSON: I'm probably not the right guy to speak to the-- the postsecondary parts to this bill.

WAYNE: And then-- and then why-- this is just a little-- why would we sign a contract through 2024 without guarantee of the money, like who-- who's legal counsel? Like I don't-- I'm confused.

BRYCE WILSON: Well, we--

WAYNE: Like, we-- we're signing contracts and hoping the Legislature may continue to fund lotto funds.

BRYCE WILSON: Well, it was in statute through two-- June 30, 2024, so we were following--

WAYNE: That's the current statute.

BRYCE WILSON: --current statute.

WAYNE: OK. That's [INAUDIBLE]

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BRYCE WILSON: Right, so those contracts are entered into with the understanding--

WAYNE: That's--

BRYCE WILSON: --that it wouldn't be changed.

WAYNE: Well, that's-- that makes more sense now. Phew, saved me there.

BRYCE WILSON: Yeah, we-- we-- we--

WAYNE: All right. So we got bigger problems if you're entering into contracts though.

BRYCE WILSON: Yeah, we don't do that.

WAYNE: OK. OK. I-- yeah, I'm-- Ok. Thank you.

ALBRECHT: Other questions?

WAYNE: I don't.

ALBRECHT: So it would be nice if you could provide to the committee when we're making these decisions on which programs are working and the number of people that are engaged in them, and that would help-- be helpful.

BRYCE WILSON: Yep, absolutely.

ALBRECHT: Thank you. OK. Next proponent. Thanks for being here. Hello.

TREVA HAUGAARD: Hi.

ALBRECHT: Thanks for being here.

TREVA HAUGAARD: Senator Albrecht and members of the Education Committee, my name is Treva Haugaard; it's T-r-e-v-a H-a-u-g-a-a-r-d. I am the executive director of the Council of Independent Nebraska Colleges, also known as CINC. The Council of Independent Nebraska Colleges is supportive of LB705 and appreciates Senator Murman for introducing this bill that, if passed, would extend the sunset on programs funded by the distribution of lottery funds used for education. Specifically, CINC is supportive of the extension of the Nebraska Opportunity Grant program. CINC represents all 13 of Nebraska's private colleges and universities. Collectively, the private colleges in Nebraska enroll over 30 percent of students who are Pell Grant eligible, in addition to a strong percentage of

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students who are first-generation college students. LB705 provides critical funding specifically for Nebraska students to attend college and reduce their college debt by applying for and receiving scholarships from the Nebraska Opportunity Grant. According to the Coordinating Commission for Postsecondary Education, as it's already been mentioned here, students received an average award of \$1,721 during the '21-22 academic year. These funds are crucial for students who may be struggling with paying tuition, room and board, books and other necessities to attend college. CINC also appreciates the initial discussion in regards to looking at and reconsidering the Excellence in Teaching Act, so I will skip over a little bit of my testimony there for you. CINC member schools award more than 30 percent of the education degrees in Nebraska. Students who attend our member institutions utilize the loan forgiveness programs under the Excellence in Teaching Act. These education-specific programs provide a financial source of support that is important to students in Nebraska. In closing, in the nine-- in 2019 and 2020, Nebraska ranked 35th in the country in the amount of state-based aid provided on a per- student basis. Nebraska's students need the Nebraska Opportunity Grant program funding included in LB705, as well as the inclusion of the Excellence in Teaching Act. These are critical funds for our students who will soon graduate, obtain go-- jobs and contribute to our state's economy. Students will be in a better position to live the good life if they have less debt upon graduation. It is simple. This bill will help students and will help Nebraska. For these reasons, CINC supports LB705 and is appreciative of the further discussions to include the Excellence in Teaching Act.

ALBRECHT: Thank you. That was quick. Any questions from the committee? I have just a quick one here. So would you say that the Nebraska Opportunity Grants, 62 percent of the program does go to the community colleges and-- and/or the-- the groups that you're representing?

TREVA HAUGAARD: Yes. So a share of that 62 percent is allocated to the 13 private colleges.

ALBRECHT: OK.

TREVA HAUGAARD: Those-- those dollars, those Nebraska Opportunity Grant dollars, follow the student.

ALBRECHT: OK.

TREVA HAUGAARD: So it's not about a percentage, per se, that goes to an institution. It follows the student, and so the student has a

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choice how they utilize their Nebraska Opportunity Grants as to which institution they attend--

ALBRECHT: OK. Very good.

TREVA HAUGAARD: --if that makes sense.

ALBRECHT: That makes sense. Thank you. No other questions? Thank you for being here today--

TREVA HAUGAARD: Thank you.

ALBRECHT: --and your testimony. OK. Any other proponents?

JOHN SKRETTA: Thank you.

ALBRECHT: Hi.

JOHN SKRETTA: Good afternoon. Senators, members of the Education Committee, my name is John Skretta; that's J-o-h-n S-k-r-e-t-t-a. I'm the administrator of Educational Service Unit 6. We're headquartered in Milford, serve 16 school districts across a five-county area. I'm here today in that capacity, as well as for Nebraska's Educational Service Unit Coordinating Council. That's the umbrella organization representing Nebraska's ESUs. I'm providing proponent testimony on behalf of a number of educational organizations today, including ESUCC, NCSA, NRCSA, NASB, as well as LPS, Lincoln Public Schools, so I am your alphabet soup testimony today.

ALBRECHT: All right, thank you.

JOHN SKRETTA: So first we want to thank Senator Murman for all the work on this bill, and also kudos to Senator Walz for the prior significant time, energy and work put into getting the bill to this point. Overall, as the handout references, we're very supportive of changes outlined in LB705. There are some concerns that you've heard, I think, some ample testimony about regarding timing, just the timeline of the implementation of this and the adverse impact that it could have. Just want to share a few more words about what Bryce Wilson referenced in the NDE testimony. A little bit of information and context from LPS, for instance, the expanded Learning Opportunity Grant funds have already been identified by the state of Nebraska to local entities for the '23-24 school year. Those funds are \$1.16 million statewide and \$158,000 for Lincoln Public Schools alone. Those go to support things like community learning centers, extended school day learning supports for children who need them and benefit greatly

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from them, so just wanted to mention that. Research has shown that providing those additional supports and expanded learning opportunities have a big impact on enhancing academic achievement. Also want to point out that the bill addresses a small amount of funds allocated for distance education. It's on page 7. There is no sustainability plan and currently that would expire, meaning the 3 percent allocation for DL funds in Nebraska would disappear. We would urge the committee to consider amending that to incorporate distance learning supports. You've got a handout referencing that from ESU 5. As a final note, there's a 1 percent set-aside for the Door to College Scholarship. As a parent of four college guys, if you could add a DoorDash or Uber Eats scholarship, it would really help the family's bottom line. Thanks, and appreciate all your work on the lottery bill fund and would be happy to take any questions you might have.

ALBRECHT: Well, thank you very much, Mr. Skareeta [PHONETICALLY], right? Skreeta [PHONETICALLY], am I--

CONRAD: Skretta.

JOHN SKRETTA: Skretta.

ALBRECHT: Skretta. Was that your teacher from-- of relation?

CONRAD: I think perhaps.

ALBRECHT: Perhaps?

JOHN SKRETTA: Yeah. My wife Sara--

CONRAD: Yes.

JOHN SKRETTA: --was a former teacher and coach in the Seward Public Schools.

ALBRECHT: That's [INAUDIBLE]

CONRAD: I knew her as Ms. [INAUDIBLE].

JOHN SKRETTA: --now the University of Nebraska.

ALBRECHT: You've had her present here.

CONRAD: Yes.

ALBRECHT: But thank you for your testimony. Any questions? Seeing none, thank you for being here today.

JOHN SKRETTA: Great. Thank you. Appreciate it.

ALBRECHT: You bet. Any other proponents?

EDISON McDONALD: Hello. My name is Edison McDonald, E-d-i-s-o-n M-c-D-o-n-a-l-d. I'm here representing The Arc of Nebraska. We're Nebraska's largest membership organization, representing people with intellectual and developmental disabilities and their families. We support LB705 as a tool to decrease the usage of improper restraint and seclusion. The type of training this can help to fund decreases the use of restraint by instead providing training that focuses on de-escalation over the use of force. LB705 provides for the following: behavioral health-- or behavioral awareness training for school employees, including trauma as a source of behavioral concern, PBIS, verbal intervention, and de-escalation techniques; creates a behavioral awareness contact person facilitating mental health and counseling services, community resources for families, and Innovation Pro-- Grant Program teacher grant-- recruitment/retainment, school improvement, reading and math skills improvement. We are concerned because Nebraska has some of the weakest protections against restraint and seclusion in the nation. When st-- restraint and seclusion is used, 40.4 percent of the time it's on students with autism; 2.3 percent of the time on students with a learning disability; 2 percent on a student with a speech-language impairment; 1.8 percent on a student with another intellectual disability; and the non-disabled categories include 28.3 percent of students with emotional disturbance; 16.8 on a student with another health impairment; 7.6 on other; and 1.2 on a consent to evaluate. We are seeing this current special education crisis with significant increases in the usage of restraint and seclusion. We see understaffed and undertrained teachers and other staff, in particular paras, who don't have the ability to focus on those healthy de-escalation techniques and instead go straight to physical action in which they're untrained in how to do safely; therefore, we believe that the funding provided in LB705 is key. I did want to address-- specifically it sounded like there might be some considerations around cutting either the behavioral health or the mental health funds, and we would be very opposed to that. And in terms of the difference between the two, I really saw the two-- the behavioral health really focusing more on that physical intervention, whereas the mental health focusing more on kind of those suicide, depression, anxiety pieces. And with that, any questions?

ALBRECHT: Thank you for your testimony. Any questions? Seeing none, thanks for being here. Any other proponents? Hi, there.

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COURTNEY WITTSTRUCK: Good afternoon, Vice Chair Albrecht and the senators of the Education Committee. Again, my name is Courtney Wittstruck, C-o-u-r-t-n-e-y W-i-t-t-s-t-r-u-c-k. So I wanted to kind of go off this, off script a little bit, because I had so many predecessors here that already covered everything pretty much that I was going to talk about. But I do want to go on record to say that Community College Association, we are greatly in favor of this bill, especially as it pertains to NOG, dual credit, and Gap Assistance. And I wanted to address a few of the questions that you had earlier, Senator Wayne. So community college credit-- or Community College Gap Assistance, it's designed to address literally the gap between like NOG and Pell Grants and students that would otherwise be eligible but for their program of study. So if someone is studying, say, concrete finishing, John Deere tech or something like that, that wouldn't be eligible for Pell because it's, you know, not enough credit hours for Pell or for something else-- for some other reason, then they would be eligible to fill this gap in their funding. So it's designed specifically to address high-need fields. So there's a whole list of them on the CCPE web-- website that you can go to, but it's everything that we always talk about in education, the healthcare, transportation logistics, construction, manufacturing, a whole list of all of the things that are discussed here pretty much every day. So they're in high-need fields, but the key is, is there credit or no credit? So there are some, like, you know, maybe industry certifications or things. They have to have a recognized credential and they have to-- whether it's local or federal or state, they have a recognized credential, but it-- but the students there aren't eligible for Pell or NOG, so it literally is that gap filler. It also is-- yeah, it-- it's designed to be identified-- for identified skilled workforce shortages, so that's why it's got specific fields assigned to it. And again, it's for those same low-income students that just aren't eligible for Pell.

ALBRECHT: Thank you. Any other questions?

COURTNEY WITTSTRUCK: Oh, sorry. Thank you. Did that answer your question?

WAYNE: I mean-- can I?

ALBRECHT: Go ahead.

WAYNE: Well, I mean, the issue is even under that scenario, you got the Perkins Grant, you got-- I mean, there's-- the Perkins Grant is for CTE. It's all the-- I think every metro-- I mean, every community

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college has it and including-- I think some funding goes to high school. So I'm just-- I just feel like we are tripling, quadrupling up on different funding sources for the same kids, and it just doesn't-- it doesn't make-- it doesn't make a whole lot of sense to me. And I'm not trying to figure it out today, and it's probably going to be here after I leave in two years so I don't-- yes, you answered partly the question, yes.

COURTNEY WITTSTRUCK: Can I respond to your point? So, first of all, I just want to make clear, on the CTE Perkins funding, so, yes, community colleges receive federal Perkins funding, but Nebraska is actually the only state in the country that did-- does not receive a state funding match for CTE.

WAYNE: Right.

COURTNEY WITTSTRUCK: So that will be coming up in another bill, LB610. But in addition to that, so when you talked, you said earlier about doesn't-- don't community colleges receive state funds? And they do. We do, but it's for operations. It doesn't take the place of the grants, like the NOG or the Pell Grants. It's for the operation of the college.

WAYNE: I-- I'm going to have a debate today about it because it's really-- but these are the same kids that we pay for in high school, then they go to coll-- community college. We're paying for them again. We have multiple funding streams on top of that. If they happen to have a criminal background, we have a whole Nebraska Crime Commission that gives out dollars for CTE and multiple education. It's like we spend a-- we spend a lot and I'm not seeing a bang for our buck. And I'm just-- so maybe I'm just the one here on the committee wondering. But we're-- if we spend time on education and if this bill comes out, there's going to be some serious conversations about all of our funding streams and-- and what that looks like, because, again, I can go to Nebraska Crime Commission, I-- it seems like we're all targeting the same kids in multiple different ways, but there's a whole lot of people making a whole lot of money off of this because they all got jobs and they're all older and they're-- it-- it ain't getting to the kid. That's my problem. So I don't expect you to solve that today. I don't expect me to solve it today. So we'll just keep having conversations.

COURTNEY WITTSTRUCK: And when it comes to work force, I know that's definitely a question because we have a big problem in Nebraska, and at least I know from-- I can speak from the community college side. As

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you all know, our tuition is very minimal compared to the benefits to the workforce that our-- that our employees-- or our students bring, so.

WAYNE: Agreed.

COURTNEY WITTSTRUCK: Yeah.

ALBRECHT: Thank you, Senator Wayne. Any other questions?

CONRAD: [INAUDIBLE]

ALBRECHT: Senator Conrad.

CONRAD: Thank you, Vice Chair Albrecht. And I think-- thanks for your information and patience. And I think, you know, Albrecht mentioned that it's a new member of the committee, and I fall in that vote as well. And just to echo maybe some of the concerns or your frustrations that maybe your folks are feeling from the committee here today, I know that I'm kind of grappling with it in my head, too, is just to get a better understanding about, like, how these revenue streams work together with General Fund or tuition and like-- and probably a better question for the Postsecondary Coordinating Commission folks that were here, but, like, what's the plan and the vision and how does-- how do these component parts kind of work to advance or effectuate that, because I think we all kind of want to move in the same direction and be good stewards of the taxpayer dollar and making sure that we're helping create pathways to education and opportunity for-- for students, whether they're at community college, state college or university, but just trying to just figure out how the pieces work together to-- so that we can have a better understanding about how to accomplish some of those goals, like I know that's something that I've been kind of frus-- kind of struggling with in the course of the debate and today and-- and is definitely bigger than just the-- the communications on this bill. So I-- I'd just really appreciate some time after-- after the hearing to just kind of walk through those things with state colleges, university and community colleges.

COURTNEY WITTSTRUCK: Yeah, we-- we absolutely would be open for that.

CONRAD: OK.

COURTNEY WITTSTRUCK: You know, one thing I can say is when you say it's kind of confusing to figure out where these funds will be best used and how to best use them--

CONRAD: Yeah.

COURTNEY WITTSTRUCK: --I will say when it comes to knowing where these funds need to be used most--

CONRAD: Right.

COURTNEY WITTSTRUCK: --and could be best used, the local communities are the ones that really have that, that understanding. So I know we have some other bills--

CONRAD: Yes, yeah.

COURTNEY WITTSTRUCK: --you know, coming up and that are in process. But, you know, that's why when it comes to looking at local control and that local decision-making power from the community-- community to decide what programs they need--

CONRAD: Right.

COURTNEY WITTSTRUCK: --that's why it's such an important issue for us now.

CONRAD: No, I-- and I don't disagree that it's striking the right balance so that the local folks can be nimble and meet community-- be responsive to community needs. But I also think it's our job to kind of chart a statewide plan and vision and provide resources to-- to kind of help people kind of grow in the same direction in that regard while balancing local control considerations, which is always a challenge. But, like, yeah, I-- I think that's helpful and it's probably just a much bigger conversation than this bill.

COURTNEY WITTSTRUCK: We're happy to be a part of it. We--

CONRAD: Very good.

COURTNEY WITTSTRUCK: We supply a lot of the rowers, so.

CONRAD: Yes. Yes, very good. Thank you.

ALBRECHT: Thank you, Senator Conrad. Any other questions? Seeing none, thanks for being here. Thanks for your testimony.

COURTNEY WITTSTRUCK: Thanks, everyone, appreciate it.

ALBRECHT: You bet. Do we have any other proponents wishing to speak? Any other proponents? Hi. How you doing?

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JEFF COLE: Afternoon.

ALBRECHT: Good afternoon.

JEFF COLE: Thank you, Senator Albrecht and the members of the committee. My name is Jeff Cole, J-e-f-f C-o-l-e, and I'm network lead for Beyond School Bells. That's a public-private partnership housed at the Nebraska Children and Families Foundation. So I apologize in advance. I submitted a letter on Friday and didn't bring copies, so it's in the--

ALBRECHT: OK.

JEFF COLE: --in the file somewhere, but a lot of the issues that were raised earlier today I'll be pointing out, as well, but I didn't realize as an opponent to it that so many people who were proponents were also pointing out areas, so I was glad to hear that there's some openness to amendments. And mine really focus around the expanded learning opportunity element. So expanded learning opportunities are a crucial part of the educational experience for so many Nebraska youth, and the funding provided through the ELO Opportunity Grant, to Senator Wayne's point, this is not one you'll have to ferret out all the different funding sources. This is the only state-level support going to out-of-schooltime programs in Nebraska, so it's not one that's combined with lots of other funds. This is-- this is it, so this cut will mean that there will be no direct state funding for after-school programs specifically focused on out-of-schooltime programs in Nebraska. So that's a concern of ours. We know that the data on after-school programs is rock solid. When young people regularly participate in high-quality after-school and summer programs, good things happen. Their attendance goes up, their behaviors improve, and ultimately their coursework improves. So we have decades of research pointing that out, and it's something we feel really strongly about. And we know it's helping children in 144 programs that are supported across Nebraska, using federal funds that are leveraged by local dollars. And the leverage piece is the second thing I wanted to focus on. The-- the grant awards that were made during the-- the last cycle that-- yeah, the last legislation said was going to be paid through 2024, that \$1.1 million that were allocated to those two-year grant programs were leveraged by another \$1.1 million per legislative mandate in private funds to create a pool of \$2.2 million to support these efforts that are going on by programs across the state. And those efforts are underway now and, as a couple speakers, I can talk, you know, that specific point about the types of programs that are being funded that would face some critical, critical challenges in

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100-- in over 100 buildings across the state serving thousands of kids in a number of different communities. And then the last piece was the-- the question about the innovation network that-- that we're partnering with the Department of Education on to support expanded learning opportunities, also highly leveraged, so we're trying to leverage those with a three-to-one match of private-to-public dollars that will again be directly invested in programs across the state, as well as organizations across the state, groups like the Nebraska Farm Bureau association's group. We're working with the foundation to develop more ag-based after-school programming. So it would have pretty significant impacts across the sector of out-of-schooltime programs, so that's why we're opposed and are glad that you're open to amendments.

ALBRECHT: OK, so you're opposed to the bill, you're saying--

JEFF COLE: Absolutely.

ALBRECHT: --not a proponent, OK, so I--

JEFF COLE: Yeah, I'm sorry. I thought I--

ALBRECHT: No, that's OK.

JEFF COLE: --thought I heard the opponent call.

ALBRECHT: Well, you're-- that's OK. We're-- we're on opponents then. Here we go.

JEFF COLE: OK, good.

ALBRECHT: All right. Appreciate the testimony.

JOHN SKRETTA: Sometimes-- yeah.

ALBRECHT: Any questions? Senator Linehan.

LINEHAN: Thanks, Vice Chairman Albrecht. You said that you leveraged federal funds for the program, too, but then you went to private. So how much federal money is involved in this program?

JEFF COLE: Right, so the-- every year the Department of Education gets an allocation from the program called the 21st Century Community-- Community Learning Center grant program, and that's \$6 million a year that the Department of Education grants out, and currently they're funding programs in 144 schools across the state.

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LINEHAN: So After [SIC] School Bells is only where the State Department of Ed is sending federal dollars?

JEFF COLE: No. No, the-- the-- the funding in LB705 going to the opportunity grants, those are the dollars that you guys are sending out to communities across the state, then they're being matched on the local basis. With us at Beyond School Bells, we're partnering on one of the opportunity grants that the department is able to give out around innovations. So we're the Nebraska ELO Innovation Network, so we receive \$250,000 from the lottery funds and then match that with \$750,000 from Nebraska and other private sources.

LINEHAN: So you don't get any of the federal funds?

JEFF COLE: No, we don't.

LINEHAN: OK. Thank you very much.

JEFF COLE: Sure.

ALBRECHT: Thank you, Senator Linehan. Any other questions? Seeing none, thank you for being here today. Any other opponents to LB705? Any other opponents? Seeing none, anyone in a neutral capacity? Hi.

J. RITCHIE MORROW: Good afternoon, Senator Albrecht, members of the Education Committee. My name is J. Ritchie Morrow; that's J. R-i-t-c-h-i-e M-o-r-r-o-w. I am the financial aid officer with the Coordinating Commission for Postsecondary Education. I was not planning on testifying. I was going to let Dr. Baumgartner handle all this, but as Senator Linehan was asking about the Public Service Loan Forgiveness Program, I was one of the people that was shaking my head back there, so I thought I'd come up and try to explain it just a little bit so you have some information on it when you go into Exec Session to talk about it. The Public Service Loan Forgiveness Program is a federal loan forgiveness program. It assists students in forgiveness of their student loans, of their federal student loans, I should specify. It does not assist with private student loans, just federal student loans. You do have to make payments on the loans while you are in the forgiveness program. You must first make 120 payments, or over ten years a payment each month, and then you could qualify to have those loans forgiven. The qualifier is that you must work in a non-- nonprofit organization, so like a 501(c)(3), state government, federal government, public institutions, private institutions, whether they're college or K-12. So that is a program out there that's available to teachers that teach in public or private nonprofit

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schools. So it is another program that's out there to assist our teachers in getting their student loans forgiven. So I didn't want to take up much time. I know it's been a long afternoon for you, but I did just want to give you a little bit of that information, and I'd be happy to answer any questions that you might have.

ALBRECHT: That was very good. That was helpful. Any questions from the committee? Senator Linehan.

LINEHAN: Thank you, Vice Chairman Albrecht. So somebody else sent me some information. It says that the payment you have to make over those 120 months can be based on your income?

J. RITCHIE MORROW: Yes.

LINEHAN: So--

J. RITCHIE MORROW: Go ahead.

LINEHAN: No, you go ahead.

J. RITCHIE MORROW: Well, there-- there are different repayment options for federal student loans. The standard loan, which everybody is set up with once they graduate from college, is over ten years. So if you're in the standard loan repayment process, you're not going to get any loans forgiven because you'll have all your loans repaid in ten years. But--

LINEHAN: But there's a minimum payment.

J. RITCHIE MORROW: There-- there-- there are different options. You can do an extended repayment plan. You can do a repayment plan that's based on income. Some of those can be extended out to 20 or 25 years. So if you apply for the Public Service Loan Forgiveness Program, you'd want to do one of those extended repayment plans so you wouldn't have your loan balance at zero when you come to ten years to be forgiven, because there wouldn't be anything to be forgiven.

LINEHAN: Have they-- has the federal government started repayment of loans again?

J. RITCHIE MORROW: Not until July.

LINEHAN: July.

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J. RITCHIE MORROW: Yep. The-- the plan is right-- right now, there's the-- the blanket forgiveness program. It's in the Supreme Court, and so they have said either two months after the Supreme Court rules or in July, whichever comes first.

LINEHAN: OK. Thank you.

ALBRECHT: Thank you. Any other questions from the committee? Seeing none, thank you for being here, appreciate it.

J. RITCHIE MORROW: OK. Thank you.

ALBRECHT: Any other neutral testimony? Seeing none, we had five proponent letters, one opponent, and one neutral. And that'll close LB705 and we will open with--

LINEHAN: He wants to close.

ALBRECHT: Oh, you want to close? I'm sorry. Thought you waived. Sorry, sorry, sorry. Hello, Senator Murman. It was nice of you to come back and close for us. Thank you.

MURMAN: Well, I just wanted to say, these-- these programs that were-- that are set up with the-- paid-- paid by the lottery, they were originally meant to be pilot innovative programs, and that's why we're looking at them every five years. So ideally, I guess they would be moved-- if they're doing what they should be doing, they should be moved into the General Fund and we should probably look at other innovative programs, pilot programs, but that's not always the case. I just wanted to mention the Behavioral Training Cash Fund, I do have a bill that will-- will use that fund, LB811, and there was an article, the front page of the Sunday World-Herald, this week that talked about the need for behavioral training and the problems with behavioral-- behavior-- behavior in our schools in Nebraska. It was a survey by the NSEA. So we do need to do a lot of work on these-- these different funding amounts, but that'll just be another challenge for the committee.

ALBRECHT: Very good.

MURMAN: So that's all I've got, unless anybody's got a question that--

ALBRECHT: Any questions from the committee?

WAYNE: I have a question. So are you planning on moving--

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ALBRECHT: Senator Wayne.

WAYNE: --these programs to-- sorry.

ALBRECHT: No, go ahead.

WAYNE: I just started talking.

ALBRECHT: Yep.

WAYNE: Are you planning on moving these to-- to General Fund? I mean, is your recommendation to move these [INAUDIBLE]

MURMAN: Well, that's the ideal, but, no, no, won't-- we probably won't be doing that right now. But that was the original intention of the lottery.

WAYNE: Right. I guess that's what I'm-- OK.

ALBRECHT: Thank you, Senator Wayne. Any other questions? Seeing none, thank you. And you can-- we'll close LB705 and we'll get started with LB702 by Senator Murman. Does anybody need a break? Everybody good? OK, these won't take long. Sit still.

CONRAD: He's going to set a land speed record here.

ALBRECHT: That's right. Everybody is leaving. Yes. Very good. Senator Murman, LB702.

MURMAN: Yes. LB702 is only a placeholder bill for the ESUs.

ALBRECHT: OK. Any questions from the committee? Seeing none, thank you very much. Do we have any proponents for LB702? LB702, any proponents? Any opponents? Seeing none, anyone in neutral? Senator Murman, would you like to close?

MURMAN: I'll waive close.

ALBRECHT: You are going, you're going to waive closing. We had zero letters of-- for proponents, one opponent and one-- and no neutral on LB702. So we'll close LB702 and move to LB701, Senator Murman.

MURMAN: LB701 is just a simple, it's a placeholder for the TEEOSA program.

ALBRECHT: OK, any questions about that from the committee? Seeing none, thank you. Do we have any proponents on LB701? Any opponents on

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LB701? Anyone in neutral? You don't have to sit down. So we have no proponents, opponents or neutral. So would you like to close, Senator Murman? He waives closing and then we have one letter that is opponent and the other two are no letters submitted. So we will close LB701 and close the hearing today for the Education Committee. Thank you.