



PO. Box 29816
Lincoln NE, 68529
(402) 982-1572
lwwnebraska.org

February 5, 2024

Senator Dave Murman, Chair, and Members of the Education Committee
State Capitol, Lincoln, NE

RE: LB939 (Erdman) – Adopt the My Student, My Choice Act

OPPOSE: *Please include this written testimony from the League of Women Voters of Nebraska as part of the public hearing record for LB939.*

Dear Senator Murman and members of the Education Committee,

On the national level, the League of Women Voters believes that when governmental entities consider the transfer of governmental assets to the private sector, they must identify and consider the goals and community impact of such policy. We recognize that the operation and funding of services will vary. However, services fundamental to the governance of a democratic society, such as education, should not be privatized in its entirety.

The League of Women Voters of Nebraska believes all students deserve a robust, quality and accessible education. The state government created Nebraska public schools to achieve this end and, therefore, has a responsibility to aid local school districts in providing adequate and equitable school financing while allowing local schools to manage these funds in a way that best serves their individual communities.

The LWWNE agrees parents can benefit from the availability of private school alternatives. However, taxpayer dollars should not be used to directly or indirectly fund schools that may not be available to all students. Public schools are explicitly required by law to accept any student regardless of background and learning need. Even if a private school had a policy to accept any and all students as public schools do, in much of Nebraska, families have no private school within a reasonable distance.

In addition to the inequitable access to these funds, this bill goes a step further and compromises the availability of public resources and, therefore, the quality of public schools. The average cost per pupil is not solely used to purchase that individual's desk, books and classroom materials; keep the building maintained and warm; pay for their transportation;¹ and for 87,528 students who may have limited or no other access to food, pay for school meals.² These resources also cover teachers' salaries.

By redirecting money from the General Fund to a Follow the Student Fund, LB939 will exacerbate the well-documented statewide teacher shortage and will make recruiting and retaining qualified teachers even more challenging.

Beyond the dollars directed to private schools, the cost to administer the Follow the Student Fund, including the monitoring and auditing process outlined by the bill, would only further exacerbate the depletion of needed resources. While Follow the Student funds may benefit some families seeking a less traditional education path, they do so at the expense of the broader fabric of Nebraska's school system in several ways.

Finally, LB939 creates an approval process for the educational materials families may purchase using Follow the Student funds, which is vague and opens the door for both profiteering and censorship. Empowering the State Board of Education to "approve all educational vendors" incentivizes lobbying by and deal-making with companies selling educational products that compromises teachers' ability to fully exercise their professional expertise when creating curriculum.

To achieve a quality education for students, the LWWNE supports academic freedom for all public school staff and students, a freedom that is threatened by provisions in LB939 which enshrine the state's ability to overstep its authority in an effort to control education.

It is for these reasons – in addition to our commitment to advocating for every child to have a robust, quality and accessible education – that the LWWNE opposes this bill. We ask that you not advance LB939.

Sincerely,

Rachel Gibson, vice president-action, LWWNE
Emily Block, Education Policy Action Team, LWWNE
Taylor Sterba, Co-Director of Education Policy, LWWNE

¹Nebraska Department of Education. (2023, December 1). Annual Financial Report (School District). <https://www.education.ne.gov/fos/annual-financial-report-school-district/>

²Nebraska Department of Education. (2023, December 14). Data Reports. <https://www.education.ne.gov/dataservices/data-reports/>