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7521 Main Street, Suite 103 Omaha, Nebraska 68127

(402) 597-3100

www.voicesforchildren.com

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Thank you, Chairperson Walz and members of the Education Committee. My name is Julie Erickson and today I am representing Voices for Children in Nebraska in opposition of LB 673.

Children need to feel welcome, safe, and supported in school to achieve educational success and all the positive life outcomes that go with it. Voices for Children in Nebraska opposes LB 673, because it is at odds with best practices for improving classroom culture and keeping students engaged in education and is likely to lead to increases in the disproportionality of educational attainment outcomes for students with disabilities and students of color.   
  
Our state’s future is determined by how we support the well-being of the next generation of Nebraskans. When we invest wisely and early in our children, we can best ensure that all children will be able to reach their full potential in adulthood. We acknowledge a rising need for mental and behavioral health supports among Nebraska’s children and see value in investment in ensuring schools are better equipped to meet those needs. Further, we understand that an evidence-based response to behavioral and mental health needs ensures that children develop and function properly. However, we are concerned that the training provisions in LB 673 are insufficient to protect against forms of disciplinary overreach.

We believe the bill’s language endangers children through possible use of force by teachers. We are concerned that the use of force provisions, and particularly the liability clause, will increase physical discipline against students in an era when we know better.

We are also concerned about teachers unchecked discretion in removing children from the learning environment and keeping them out indefinitely, a de facto form of suspension. Children are already all too often pushed out of the school system through suspensions, expulsions, and even referrals to the court system. The “school to prison pipeline” has been shown to have a negative impact on students, schools, and academic achievement. To the individual student who is removed, research shows a direct line between suspension, further suspension and expulsion, decreased likelihood of educational attainment, and increased likelihood of court involvement.1 As for the larger classroom, the claim that removing “problem students” improves the educational environment has been debunked. Studies show the opposite: schools with a higher reliance on school exclusion as a form of discipline actually score lower on academic achievement tests, even when controlling for socioeconomic and demographic factors.2

By granting broad discretion for removal and physical intervention based on “disruptive” behavior, everything we know about disparate discipline suggests that LB 673 will lead to more children with disabilities and children of color removed unfairly from the learning environment without recourse. The data shows that these student populations are already disproportionately likely to be pushed out of the classroom through exclusionary policies.

LB 673 will result in more physical confrontations, fewer de-escalations, and a greater use of exclusionary discipline and removal of students from their school environment overall, particularly students with disabilities and students of color. For all the foregoing reasons, Voices for Children respectfully urges the Committee not to advance LB 673. Thank you for your time and consideration.