



January 27, 2025

To: Chairperson Murman and Members of the Education Committee

From: Katie Nungesser, Policy Coordinator for Voices for Children in Nebraska

RE: Support for LB 352- Change provision relating to reports on student achievement and discipline under the Quality Education Accountability Act

Education is one of the most significant predictors of a child’s future opportunities, and it is our collective responsibility to ensure that our schools are setting every student up for success. LB 352 is a step toward evaluating how disciplinary policies in our schools are impacting students and whether those policies are fostering educational success or unintentionally steering students toward the court system.

When schools address student misbehavior through exclusionary practices—such as excessive suspensions, expulsions, arrests, or law enforcement referrals—it negatively affects not only the individual student but the broader school community as well. Research shows a troubling pattern: students who face suspension are more likely to experience repeated suspensions, fall behind academically, drop out of school, and ultimately become involved with the justice system.¹ For schools, a higher reliance on exclusionary discipline has been linked to lower academic performance across the entire student body, even after accounting for socioeconomic and demographic differences.² On the other hand, when schools limit exclusionary practices and prioritize connection and community, school safety and student well-being often improve.³

At Voices for Children, we believe that effective policy must be grounded in reliable data. Unfortunately, Nebraska’s current data on school disciplinary actions and law enforcement involvement is inconsistent and incomplete. While there is some federal reporting through the Office for Civil Rights, this data is outdated and lacks the necessary detail. For example, **during the 2017-2018 school year, Nebraska schools reported 251 school-based arrests, 29% of arrests were students with identified disabilities and 1593 law enforcement**

¹ Skiba et al. Are Zero Tolerance Policies Effective in the Schools? A Report by the American Psychological Association Task Force 63. 2006.

² Boccanfuso, C. and Kuhfeld, M. *Multiple Responses, Promising Results: Evidence-Based, Nonpunitive Alternatives to Zero Tolerance* (Publication #2011-09). Child Trends. 2011. Available at: http://www.childtrends.org/wp-content/uploads/2011/03/Child_Trends-2011_03_01_RB_AltToZeroTolerance.pdf

³ Sara E. Goldstein, et al. *Relational Aggression at School: Associations with School Safety and School Climate*. Journal of Youth Adolescence. (2007).

referrals, with 26% of referrals involving students with identified disabilities.⁴ However, we lack recent and comprehensive information, and inconsistent definitions and reporting practices further complicate our understanding of the issue.

LB 352 addresses this gap by creating a transparent and consistent system for collecting data on school disciplinary actions, including law enforcement involvement. By adding this information to the state's existing education data hub, we can better evaluate the extent to which Nebraska students are affected by the school-to-prison pipeline. Disaggregating the data by factors such as race, ethnicity, gender, and disability status will also allow us to identify and address inequities in how disciplinary policies are applied.

We thank Senator Ballard for introducing LB 352 and this committee for considering this important issue. Transparent and reliable data is a vital step toward creating a more equitable and effective education system for all Nebraska students. Thank you for your time and commitment to this effort. I am happy to answer any questions you may have.

Sincerely,

Katie Nungesser

⁴ U.S. Department of Education, Office of Civil Rights. Civil Rights Data Collection. 2017-2018 State and National Estimates. Available at: <http://www.ocrdata.ed.gov>