



TO: Education Committee  
FROM: Jeremy Ekeler, Associate Director of Education Policy  
Nebraska Catholic Conference  
DATE: March 21, 2023  
RE: (LB177) (“My Student My Choice”) (Support)

The Nebraska Catholic Conference advocates for the public policy interests of the Catholic Church and advances the Gospel of Life through engaging, educating, and empowering public officials, Catholic laity, and the general public.

The Conference thanks Senator Erdman for bringing LB177 to the table for discussion. As usual, the Senator is thinking big as he’s thinking about Nebraskans. In this case he is focused on parents and kids finding the proper fit for their education.

LB177 taken in whole is a new concept for Nebraska, a state that has never passed school choice legislation despite over 30 years of program passages across the nation.<sup>1</sup> As a matter of fact, this legislative year alone has seen 107 bills introduced in 32 states.<sup>2</sup> All of this is exciting to the Catholic Conference because it supports the belief that parents are the primary educator of their children, should look to partner with the school of their choice, and must encourage the government to support this mission.<sup>3</sup> As one of my mentors at Notre Dame notes, “If the Catholic Church had no schools we’d still advocate for school choice because it’s about parents’ rights and children’s opportunities.”<sup>4</sup>

Senator Erdman’s bill has multiple components, but a fundamental piece is called the “Follow the Student Fund”, a sort of *Education Savings Account* (ESA). According to the bill’s Section 7, an allocation of 55% of the state average cost per pupil for each student would be placed into an account for public schooling; nonpublic school tuition and fees; textbooks; tutoring; proctoring; and/or the other listed uses.

From the national perspective of the 11 state ESA programs,<sup>5</sup> these accounts allow parents various degrees of direction in how educational dollars are spent on their child’s academic development.

Nebraska has also seen versions of ESAs presented in recent years:

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<sup>1</sup> <https://www.edchoice.org/school-choice-in-america-dashboard-scia/>

<sup>2</sup> [https://www.future-ed.org/legislative-tracker-2023-state-bills-on-public-support-of-private-schooling/?mc\\_cid=f2f6a481d1&mc\\_eid=19016e9866](https://www.future-ed.org/legislative-tracker-2023-state-bills-on-public-support-of-private-schooling/?mc_cid=f2f6a481d1&mc_eid=19016e9866)

<sup>3</sup> CCC #2229-2230

<sup>4</sup> Fr. Ronald Nuzzi, Notre Dame University ACE Professor and author of “Heart of the Church”

<sup>5</sup> AZ, AR, FL, IN, IA, MS, NH, NC, TN, UT, WV: <https://www.edchoice.org/school-choice/types-of-school-choice/education-savings-account/>

- Last year, Senator Joni Albrecht introduced Education Recovery Accounts as part of the ARPA budget. These “ERAs” would have supported children “disproportionately impacted” by COVID learning loss.<sup>6</sup>
- Former Senator Rob Hilkemann brought an ESA bill during his time in the Unicameral, including in 2022.<sup>7</sup> This concept involved a tax deduction for donors who deposited up to \$2000 for expenses that included nonpublic tuition and fees, books, uniforms, technology, distance education, college exams, and more.
- Senator Lynn Walz’s LB518 is also a type of ESA that places the control of funds and educational interventions in the hands of the public school rather than parents to address at-risk learners.<sup>8</sup>

In conclusion, LB177 includes a school choice component that the Conference appreciates. We thank Senator Erdman for bringing this conversation forward on behalf of Nebraska families and children.

Thank you for your time and consideration.

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<sup>6</sup> LBs 1014 & 1240 were heard in 2022 by the Appropriations Committee and would have used \$60M in Federal American Rescue Plan dollars to provide resources for families deemed by the Federal Government as “disproportionately impacted by COVID”: Children in families at or below 185% of poverty or with a disability.

<sup>7</sup> Most recently, LB982 was heard by the Revenue Committee in 2021.

<sup>8</sup> LB518 includes funds per “reducing risk factors weighted formula students” to address at-risk learners using before/after school programs, classroom supports, tutoring, and contracting with outside entities if approved by the school board.