



TO: Education Committee
FROM: Jeremy Ekeler, Associate Director of Education Policy
Nebraska Catholic Conference
DATE: February 22, 2022
RE: LB1212 (Special Education Funding) (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.

We appreciate Senator Linehan bringing LB1212 and note that nonpublic schools serving children with special needs has a rich history that includes partnerships with public schools.

Prior to the 1975 federal mandate to educate all children with special needs, Nebraska public schools differed in how they served such children. Some focused on teacher professional development, some focused on only those children they could serve, and many worked with local private schools and institutions as partners. According to the United States Department of Education, only 1 in 5 children with special needs was being served by public schools in our country prior to 1975.¹

As early as 1870 Nebraska Catholic schools embraced children of need.² Prior to, and even during the time public schools were building their programs, school districts contracted with Catholic schools to provide the best care possible for children with special needs.³ That continues today: a handful of Nebraska public schools still contract with Catholic schools to serve their children with special needs.

What changed back in 1975 was the way special education is funded: Every federal and state dollar was and is now sent to public schools. For instance, the IDEA grant to Nebraska public schools for 2021 was \$74.2 million. An additional \$231 million was appropriated from state general funds to public schools for special education in 2020.⁴

Zero dollars directly go to nonpublic schools. Nonpublic schools work with local public school “equitable services”.

Regarding equitable services, as former principal of a Catholic school I loved our partnerships with these public school educators and they loved being in our school – many requested placement with us. However, these good folks are stretched beyond reason. As a result, services

¹ <https://sites.ed.gov/idea/IDEA-History>

² Saint James Orphanage: A History of a Home for Children

³ Whitepaper: “A Catholic History of Special Education in Nebraska” – joint diocesan effort

⁴ <https://www.education.ne.gov/sped/finance/>

often aren't getting to kids as they should. Bills like LB1212, and later Senator Hansen's LB1251, would help nonpublic schools assist more exceptional students and by extension reduce the special education caseload of public schools. Other states recognize the impact of a bill like this: There are now 21 similar programs across the country dating back to 1999.⁵

The truth is that both public and nonpublic schools struggle to single-handedly meet the needs of every student. Not every student finds their fit in our schools, and not every student finds their fit in a public school. It's not an attack on a system; it's about this truth: parents have a right to all available resources and partnerships for their child. When that happens kids win.

LB1212 is about providing that access and we encourage you to pass it out of committee.

Thank you for your time and consideration!

⁵ <https://www.edchoice.org/school-choice/faqs/can-school-choice-help-students-with-special-needs-2/>