**For Release Wednesday, December 15, 2021**

**Capitol View
Commentary by J.L. Schmidt**

**Statehouse Correspondent**

**Nebraska Press Association**

**Please Leave the State Board of Education Alone**

Nebraska has had an elected Board of Education for nearly 50 years, and it has been working just fine.
 The eight-member board is elected by voters in eight statewide districts. They are not paid, and they appoint a state commissioner of education to run the 508-employee Department of Education which oversees a variety of programs, including: statewide academic standards and assessments; accountability; teacher certification and discipline; school accreditation; federal school aid and programs; career, technical and adult education; and vocational rehabilitation.

Now, the Governor is supporting a statewide petition drive to change the constitution and eliminate the state Board of Education. The proposal would shift oversight of the Education Department into the governor's office and eliminate the elected board.

If supporters of this ill-advised drive garner 125,000 valid signatures of registered voters, the matter could appear on the November 2022 general election ballot. Obviously, term-limited current Governor Pete Ricketts wouldn’t benefit from the move but ask yourself just how much control you want in the Governor’s office.

Nationwide, 21 states (including Nebraska) give appointment power for education commissioner to the state board. In 16 states, the governor appoints and typically either the legislature or state board confirms the commissioner. In 12 states, the commissioner is elected by voters. In Oregon, the superintendent of public instruction is the governor.

Ricketts has clashed with the Education Department several times in the past year. He spoke out strongly against adopting new health education standards for Nebraska schools that incorporated teaching about gender identity and sexual orientation. The board later abandoned those proposed recommendations for local school districts after it encountered strong

**For Release Wednesday, December 15, 2021 – Page 2**

opposition. He also chastised the department for projects he termed as favorable to Critical Race Theory.

“The Nebraska Department of Education should respect that parents are the primary educators of their children, and the agency must continue to be accountable to the people of Nebraska,” Ricketts said.

I agree there are certain things best taught at home, but I wouldn’t say that makes me a primary educator, thank you.

Critics of the petition drive said it would concentrate too much power in the governor's office and mess up a system that is working. Current state Board President Maureen Nickels said the change would cause “chaos” in the department. State teacher’s union President Jenni Benson said the proposal would “put total power in the hands of the governor.”

Petition sponsor Kelli Brady of Bellevue said the intent is to move “major functions” of the department to the new office and return some of the department’s responsibilities to local school boards. “Give the power back to the people that are dealing directly with the children,” she said.

Given that local school boards already have their hands full with angry parents complaining about masks and vaccine mandates or the lack of same, I doubt they want anything else forced on their plate. The presence of parents concerned with these matters shows the current system favors accountability and allows for parental involvement.

It’s worrisome that the proposal would put the Governor’s Office in charge of millions of federal dollars that come into the state for education. Depending on who’s in charge, a lot of that money could end up going to private and parochial schools, Nickels said.

John Spatz, executive director of the Nebraska Association of School Boards, said he has not seen the petition, and his organization hasn’t taken a position on it. But he said the organization typically opposes measures that would centralize decision-making in the hands of fewer people in Lincoln.

**For Release Wednesday, December 15, 2021 – Page 3**

“You’re putting a lot of faith in the executive branch to say, ‘We’re going to make those decisions for you,’” he said.

Despite the criticism of the health education standards, the board held numerous meetings during which the public could weigh in, he said. People should consider whether similar opportunities for input would be offered under the proposed structure.

I agree. The system is working. Don’t mess with it.

-30-

*J.L. Schmidt has been covering Nebraska government and politics since 1979. He has been a registered Independent for more than 20 years.*