

**MINUTES OF THE
SENATE COMMITTEE ON EDUCATION**

**Seventy-Eighth Session
April 28, 2015**

The Senate Committee on Education was called to order by Chair Becky Harris at 3:30 p.m. on Tuesday, April 28, 2015, in Room 2135 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to Room 4412 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Senator Becky Harris, Chair
Senator Scott Hammond, Vice Chair
Senator Don Gustavson
Senator Mark A. Lipparelli
Senator Joyce Woodhouse
Senator Moises (Mo) Denis

COMMITTEE MEMBERS ABSENT:

Senator Tick Segerblom (Excused)

GUEST LEGISLATORS PRESENT:

Assemblyman Stephen Silberkraus, Assembly District No. 29
Assemblyman Tyrone Thompson, Assembly District No. 17

STAFF MEMBERS PRESENT:

Todd Butterworth, Policy Analyst
Risa Lang, Counsel
Shelley Kyle, Committee Secretary

OTHERS PRESENT:

Dale A.R. Erquiaga, Superintendent of Public Instruction, Department of Education

Senate Committee on Education
April 28, 2015
Page 2

Patrick Gavin, Director, State Public Charter School Authority
Donnell Barton, Administrator, Food and Nutrition Program,
State Department of Agriculture
Nicole Rourke, Clark County School District
Lindsay Anderson, Washoe County School District
Mary Pierczynski, Ed.D., Nevada Association of School Superintendents
Jack Martin, Director, Department of Juvenile Justice Services, Clark County
Athena Gould, Program Manager, Big Brothers Big Sisters of Southern Nevada
Liza Maupin, CEO, Big Brothers Big Sisters of Northern Nevada
Karla Navarrete, Intern, American Civil Liberties Union of Nevada
Stacey Shinn, Progressive Leadership Alliance of Nevada
Tammy Malich, Ed.D., Assistant Superintendent of Education Services Division,
Clark County School District
Mike McLamore, Nevada State Education Association
Craig Stevens, Clark County School District
Lauren Hulse, Executive Director, Charter School Association of Nevada
Kimberly Regan, Ed.D., Executive Director, Sierra Nevada
Academy Charter School
Tammie Stockton, Principal, High Desert Montessori Charter School
Kaiden Regan
Vanessa Spinazola, American Civil Liberties Union of Nevada
A.J. Delap, Las Vegas Metropolitan Police Department
Eric Spratley, Lieutenant, Sheriff's Office, Washoe County
Peggy Lear Bowen

Chair Harris:

We will open the hearing on Assembly Bill (A.B.) 107.

ASSEMBLY BILL 107 (1st Reprint): Revises provisions relating to reports of accountability for public schools. (BDR 34-407)

Senator Joyce Woodhouse (Senatorial District No. 5):

I will read from my written testimony regarding accountability for public schools ([Exhibit C](#)).

Senator Denis:

When does the reporting begin? Do we have data from previous years in order to see a pattern? The information must be out there and it may be only a matter of obtaining the information.

Senator Woodhouse:

I agree the information from previous years would be helpful information. We need the baseline information to move forward and see what the change would be.

Dale A.R. Erquiaga (Superintendent of Public Instruction, Department of Education):

The district report is due in September and the State report is due in October. These are the annual reports known as report cards that are uploaded at the State level to our Website. The district level does the same. The data is for the prior school year and is compiled into the report card issued each fall.

Yes, the data exists in prior years; however, it would not have been coded in this way and it may not be possible to recreate full report cards to show this level of reporting. We can do some analysis at the State level; however, I would not want it to be a requirement of the bill.

Senator Denis:

There are individuals who have asked for this data. It would be helpful to see what has been recorded previously and not have to wait to see where figures will be. We have been doing some of this. It would be good to see if what we have been doing has made a difference.

Mr. Erquiaga:

Senator Denis is correct. Advocacy groups, particularly in Clark County, have been doing this work. The previous work has been done by hand. Getting the information into a computer system at the student level, may or may not be possible. We will work with the districts to provide the information.

The Department of Education (NDE) supported the bill during the interim when it was first presented for the reasons provided to you by Senator Woodhouse. The disaggregation of data related to poverty, race and ethnicity is eye-opening. Today, we report on race and poverty. When the data are combined together and the difference in income among poor African Americans or poor children of another ethnicity is understood, it is shocking to see the wider gap and to identify clearly the children who are struggling the most. From our perspective, this was an important bill from its inception.

We brought an amendment in the Assembly at the request of the Governor's Council on Food Security and First Lady Kathleen Sandoval. The First Lady and the Council have been working on Breakfast in the Classroom. Breakfast information disaggregated by eligibility and participation has heretofore been aggregated at the State Department of Agriculture (NDA). We know what we measure does matter in our schools.

We brought the idea to begin to report breakfast and lunch eligibility and participation in the report cards. This will put a lens on these programs in terms of evaluation as we have talked about in Senate Bill (S.B.) 503. We can see the correlation between eligibility and participation and if it is addressed by the participation.

SENATE BILL 503 (1st Reprint): Provides for the creation and implementation of the Breakfast After the Bell Program. (BDR 34-1200)

The NDE supports A.B. 107. It is a good bill.

Chair Harris:

Does the gap cross all ethnicities and races? If there is a poverty component, would those children who live in poverty regardless of color, race or ethnicity be more impacted by that particular factor?

Mr. Erquiaga:

Yes. We know poverty is an indicator of a gap. As we separate this data, we find racial and ethnic groups differ in the doubling of the impact. In some cases, it is a tripling of the impact.

Chair Harris:

By gathering the data for the reporting in September, will the first meaningful data be available in 2016?

Mr. Erquiaga:

That is a realistic expectation. The data for 2015 will be challenging on many levels. The first full report card will be available in 2016 in time for the next Legislative Session.

Senator Gustavson:

What will we do with the data? How can we help?

Mr. Erquiaga:

The NDE and the Legislative Committee on Education have the same vision; this information will provide the results for programs in Zoom schools and Victory schools. The Victory schools target poverty. It is helpful when we know more about the nature of the impact of poverty and the kinds of children who are impacted in different ways. The two large districts run turnaround zones or achievement zones where they are working specifically in underperformance. This information will help us get to the root cause.

The information will allow the districts and the schools to design the correct interventions. At the State level, it will allow me to come to you and show these interventions work, and they should be funded; or we will see no results from these interventions impacting these groups of students. This is part of the evaluation we hope to use in future Legislative Sessions to refine our budget.

Patrick Gavin (State Public Charter School Authority):

The State Public Charter School Authority supports this bill. It will enable us to have more granular data and more information about the needs of our children. This will ensure we are designing both effective programs at the district level and we are recruiting charter school operators that offer programs which meet the most acute needs of our most vulnerable kids. We are appreciative of this bill and urge your support.

Chair Harris:

Are there many children who are in poverty being served by charter schools?

Mr. Gavin:

Not enough.

Donnell Barton (Administrator, Food and Nutrition Program, State Department of Agriculture):

The State Department of Agriculture supports A.B. 107. We will be providing the breakfast and lunch participation data. At this time, we collect that data and it will be a matter of transferring it accordingly. It is an opportunity to begin to collaborate with the NDE to focus on those schools that have low participation rates and a high number of free and reduced-price lunch students.

Senator Hammond:

Charter schools do not serve enough low-income or students in poverty. This data will help us determine who is being negatively impacted.

Mr. Gavin:

I agree with Senator Hammond's hypothesis that there may be a gap between those who are eligible for charter schools and those who apply. There may be representation issues based on multiple external factors. We do not know enough on the subject. It is an important question.

Charter schools have been underfunded for close to 20 years. One of the key areas where we persistently underfunded State-sponsored charter schools was their eligibility for federal funds. Since the schools did not have a local education agency, the schools were not eligible for the title monies which are closely associated with services for students in poverty. It is the primary economic subsidy we provide to schools that are serving this population. Since this was only rectified in 2011, there is a lag in terms in the number of schools serving this population. They were not funded and hence, the schools could not do the work.

We are gratified to see a number of applicants that want to serve this population, most notably Equipo Academy, which will open in east Las Vegas this fall. We look forward to greater participation of all ethnic and economic groups in the charter school portfolio both at the State and the district level.

Nicole Rourke (Clark County School District):

The Clark County School District (CCSD) supports A.B. 107. Our District has a goal to close achievement gaps and this data will help analyze our work. We look forward to working with the NDE on some of the technical calculations and definitions to ascertain if our reporting is in line and we have comparable data.

Lindsay Anderson (Washoe County School District):

The Washoe County School District (WCSD) supports A.B. 107 and I echo Nicole Rourke's remarks. Our District was one of the first to move to the infinite campus system. To gather this data should be relatively easy for our District. I agree with Mr. Erquiaga that going backwards could prove to be difficult because we cannot retroactively add data. We will do that to the best of our ability and we can do that on the going forward basis.

Mary Pierczynski, Ed.D. (Nevada Association of School Superintendents):

Most of the rural districts do not have the infinite campus system, as do the CCSD and the WCSD. This information is important and we have been assured by the NDE that it will help us do the cross-referencing, which will be difficult in some of the rural districts. The Nevada Association of School Superintendents supports A.B. 107.

Senator Denis:

Have you reported on any of this data in the past?

Ms. Anderson:

I do not know if the WCSD has done significant reporting. The first time this came to our attention from a system level was during the interim committee work session. I am not certain we have done any standardized reporting. Each year we have a data summit where we take every piece of data we have and disaggregate it. There may be some of this analysis already. I will provide this information to you.

Ms. Rourke:

The CCSD reports breakfast and lunch data to the NDA. We also have student data and need to work on marrying the information. As far as information we have provided to our advocates, I will need to look at it and provide that to you.

Dr. Pierczynski:

We have not done this in the rural districts. Again, we will need help on the cross-referencing until we implement the infinite campus system in all of our districts.

Chair Harris:

I had the opportunity to talk with the sponsor and expressed our desire to make this effective for regulation purposes July 1, 2015, and for all other purposes, January 1, 2016. I am proposing an amendment.

Senator Woodhouse:

Sylvia R. Lazos of the Latino Leadership Council has submitted a friendly amendment to explicitly state race and ethnicity in A.B. 107 ([Exhibit D](#)).

Thank you, too, for the proposed amendment to change the dates. When we come back to the work session, we will have it ready.

Chair Harris:

I will close the hearing on A.B. 107 and open the hearing on A.B. 205.

ASSEMBLY BILL 205 (1st Reprint): Requires the Legislative Committee on Education to consider matters relating to certain mentorship programs. (BDR S-116)

Assemblyman Tyrone Thompson (Assembly District No. 17):

This bill requires the Legislative Committee on Education to consider matters relating to certain mentoring programs. This proposal will be voluntary and will not be mandated. There has been interim work done with over 40 mentoring programs in southern Nevada that further supports the need for this bill.

We need to build the capacity of mentoring programs in our community. They need qualified volunteers and they desire finances and resources for sustainability.

At its most basic level, mentoring demonstrates to youths there is an additional person from the community who cares about them and supports their academic and social successes. It helps a child deal with day-to-day challenges; it helps to keep a child in school, which is very important; it helps a child with homework to improve academic skills and encourage career exploration and it helps a young person develop and keep his or her self-esteem.

Studies from Big Brothers Big Sisters state students who meet regularly with mentors are 52 percent less likely than their peers to skip a day of school and 37 percent less likely to skip a class. Youths who meet on a regular basis with their mentors are 46 percent less likely than their peers to begin using illegal drugs and 27 percent less likely to start drinking.

The CCSD has a program known as Reclaim Your Future Mentoring Project which is a graduate advocate program to keep those students who are credit deficient in school. We also have the Stay in School Mentoring Project program, which works with students at the elementary and middle school levels. There are numerous community-based and faith-based programs that provide mentoring. There are opportunities in our rural communities to expand mentoring.

Assembly Bill 205 will help build capacity and statewide mentoring programs in schools and communities. It will define and establish statewide mentoring standards which are important. There are different levels and types of mentoring. Dr. Christopher Stream, Director of the School of Environmental and Public Affairs at the University of Nevada, Las Vegas is willing to work on the development of standards with the Legislative Committee on Education.

Section 7.5 states the Legislative Committee on Education will consider guidelines, parameters and financial plans for mentorship programs to target the areas where students are deprived of the opportunity to develop and maintain a competitive position in the economy and students who are failing to make adequate yearly progress in school. An important goal is to create a diversion for those students who are entering the juvenile justice system.

I have furnished letters of support for A.B. 205 from Tony F. Sanchez III from Nevada Energy ([Exhibit E](#)), Dr. Robert L. Green, who served as a mentor to Dr. Martin Luther King, Jr. ([Exhibit F](#)), Brian L. Pauling, President and CEO of 100 Black Men of America ([Exhibit G](#)) and letters from Joe B. Jones, President of 100 Black Men of Las Vegas, Inc. ([Exhibit H](#) and [Exhibit I](#)).

Chair Harris:

Are there mentoring programs in any of Nevada's school districts which deal with college and career readiness?

Assemblyman Thompson:

We have the Graduate Advocate Program (GAP), which has a two-fold mission. This program helps students who are credit deficient. There are boot camps held on the weekend. The mentors also help with career exploration and encourage students to attend college or develop some type of trade.

Ms. Rourke:

The Clark County School District supports A.B. 205. The CCSD has done a lot of mentoring work. We have two different initiatives which are tied together: the GAP and the Reclaim Your Future Mentoring Project.

The Reclaim Your Future Mentoring Project works with children who have been disengaged. It brings them back to school; works on credit retrieval; preparation for college and careers; and ensures graduation.

The GAP is a follow-through program ensuring children stay on track to graduate and prepare for postsecondary options.

In addition, we have a Professionals and Youth Building a Commitment Program (PAYBAC). Individuals from the business community and other community members share their experiences with middle school students: what has helped to make them successful and their college and career opportunities. We are supportive of mentoring programs and movements that bring more mentors into children's lives, especially at-risk students.

Chair Harris:

Are there mentoring programs in the CCSD to address the needs of students who might be at risk for not graduating on time or may be in need of some remediation?

Mentoring programs can help our children and get them back and reengaged in school. Those children who are already in school, may be struggling and might need some remediation or a mentor to help them understand what their possibilities or potential are. Are there mentoring programs for these types of children?

Ms. Rourke:

Absolutely. Our GAP focuses on this endeavor. We advocate for graduation. If students are falling behind, we identify them as early as possible and support them. Sometimes it takes multiple efforts to keep them and get them back on track. We want to ensure they know what their postsecondary options are.

Senator Woodhouse:

As Assemblyman Thompson mentioned, there is the Stay in School Mentoring Project program, which is directed toward middle school students who are falling through the cracks. Mentors are recruited from the business community. The CCSD does an excellent job of conducting background checks. There is extensive training on how to work with the students as well as looking at the issues the students have. The mentors and students are matched one-on-one. The mentoring program matches students with positive role models and addresses what Assemblyman Thompson has brought forth today.

Ms. Rourke:

We also have the AVID for Higher Education (AHE) and Garrett programs in cooperation with the Nevada System of Higher Education. We work on college and career readiness with those programs as well.

Ms. Anderson:

The WCSD supports A.B. 107. The testifiers have made a good case for the coordination of our mentoring programs. There should be additional awareness. It is not easy to find people who are committed mentors to children. Any additional light we can shine on the need we have for mentors for children is important.

Jack Martin (Department of Juvenile Justice Services, Clark County):

Any mechanism that can build infrastructure for mentors and a vetting process for mentors is vital.

The Department of Juvenile Justice Services understands that children with educational mentors and are tied to mentors earlier, are far less likely to join us in the juvenile justice system. If they do arrive in our system, one of our key strategies is to help them leave our system with less damage. This is accomplished through mentors.

Athena Gould (Big Brothers Big Sisters of Southern Nevada):

Big Brothers Big Sisters of Southern Nevada supports A.B. 107. I will read from my written testimony about our organization in southern Nevada and our mentoring programs ([Exhibit J](#)).

Liza Maupin (Big Brothers Big Sisters of Northern Nevada):

Big Brothers Big Sisters of Northern Nevada is neutral on A.B. 205.

I echo many of the things said by Assemblyman Thompson and my counterpart, Athena Gould from southern Nevada. Assembly Bill 205 intends to create a system for developing mentoring best practices, as outlined in my written testimony ([Exhibit K](#)). These best practices already exist as outlined in our handout of Standards of Practice ([Exhibit L](#)). Big Brothers Big Sisters of America has been around for nearly 115 years and has 25 standards the agencies must adhere to for child safety, for longevity and for positive outcomes.

The National Mentoring Partnership has best practices established, as well. They are evidence-based; they are based on child development and are revised as new findings are coming.

As this bill goes forward, the Legislative Committee on Education should look at adopting one or the other or a combination of those standards instead of reinventing the wheel.

The bill does not address a key resource, which is recruiting adult mentors. Having enough adult volunteer mentors is as large a need as actual financial capabilities. In Northern Nevada, there are almost 200 children on our waiting list. It takes money to recruit mentors. We have to build awareness, advertise, pay for background and layered screenings, training and support.

In Washoe County, there are 40 organizations with mentoring programs. However, programs can be different in scope. Child safety is our number one concern at Big Brothers Big Sisters.

Preventative and evidence-based mentoring programs like Big Brothers Big Sisters are known to significantly change the lives of children through progress and success in three outcome areas—educational success, avoidance of risky behaviors and socio-emotional competency. Mentoring works.

Chair Harris:

I will close the hearing on A.B. 205 and will open the hearing on A.B. 178.

ASSEMBLY BILL 178 (1st Reprint): Revises provisions governing the discipline of pupils. (BDR 34-248)

Assemblyman Tyrone Thompson (Assembly District No. 17):

Existing law states habitual disciplinary students must be suspended or expelled from school for at least one semester according to *Nevada Revised Statute* (NRS) 392.466.

Assembly Bill 178 will give school principals the discretion to utilize alternatives to suspension and expulsion. It will keep students in school and will not jeopardize the school dropout equation and rates in certain schools. It will help to reduce the juvenile detention population or other law enforcement programs.

Most importantly, A.B. 178 focuses on corrective behavior and school excellence.

Section 1, subsection 1 changes the language from "shall" to "may" which makes it permissive.

Section 1, subsection 3, paragraph (c) strikes out "must" and adds "may" and removes "suspended or expelled."

Section 1, subsection 3, paragraph (c), subparagraph (1) is changed to: "Suspended from school for a period not to exceed one school semester as determined by the seriousness of the acts which were the basis for the discipline; or."

Section 1, subsection 3, paragraph (c), subparagraph (2) reads: "Expelled from school under extraordinary circumstances as determined by the principal of the school."

Section 1, subsection 5, paragraph (b) strikes out "must" and adds "may" and removes "suspended or expelled..."

Section 1, subsection 5, paragraph (b), subparagraph (1) reads: "Suspended from that school for a period not to exceed one school semester as determined by the seriousness of the acts which were the basis for the discipline; or,". Section 1, subsection 5, paragraph (b), subparagraph (2) reads: "Expelled from school under extraordinary circumstances as determined by the principal of the school..."

Section 1, subsection 5, paragraph (c), adds "that" to specify the school the student is currently attending.

Section 1, subsection 6, paragraph (c) strikes out "shall" and adds "may."

Section 2, subsection 3, strikes out "must" and adds "may" and removes "suspended or expelled:"

Section 2, subsection 3, paragraph (a) reads: "Suspended from the school for a period not to exceed one school semester as determined by the seriousness of the acts which were the basis for the discipline; or..."

Section 2, subsection 3, paragraph (b) reads: "Expelled from school under extraordinary circumstances as determined by the principal of the school."

Section 2, subsection 4, strikes out "or expulsion" and changes the language to read: "If the pupil is expelled, or the period of the pupil's suspension is for one school semester, the pupil must:"

If the pupil is expelled or the suspension is for one school semester, the bill outlines the pupil must be enrolled in a private school, independent study or a program of distance education.

It is important to change the language from "shall" to "may." It gives the school principal autonomy and discretion to work with the student and get to the root of the problem. Most importantly, it will keep the student in school.

Senator Denis:

In section 2, subsection 4, paragraphs (a) and (b), the bill requires the expelled pupil must: "(a) Enroll in a private school pursuant to chapter 394 of NRS be homeschooled; or (b) Enroll in a program of independent study provided pursuant to NRS 389.155..."

If the student or family cannot afford a private school and the parents are not there to homeschool, is the independent study done through the school district?

Assemblyman Thompson:

If finances were that such a student could not afford a private school or be homeschooled, he or she would probably attend an alternative school.

Senator Denis:

My concern is if a student is unable to afford a private school or cannot be homeschooled, there would be an option for the student rather than staying out of school for a semester. These students need to be in school more so than other students. If they did not have some type of schooling, they would fall farther behind.

Chair Harris:

This Committee has S.B. 460 and S.B. 461 in the Assembly, which deal with those alternative frameworks that may provide additional options for students.

We can provide students and their families with meaningful options so they know private schools are not their only option.

SENATE BILL 460 (1st Reprint): Revises provisions related to the statewide system of accountability for public schools. (BDR 34-1108)

SENATE BILL 461: Provides for an individual graduation plan to allow certain pupils enrolled in a public high school to remain enrolled in high school for an additional period to work towards graduation. (BDR 34-1091)

We are giving principals a lot of discretion. What is an extraordinary circumstance? Will we allow principals to decide on a case-by-case situation what constitutes an extraordinary circumstance?

Assemblyman Thompson:

Yes. Justice Nancy M. Saitta has been working with us on the bill. She recommended the language in the bill.

Karla Navarrete (Intern, American Civil Liberties Union of Nevada):

The ACLU of Nevada submitted an outline ([Exhibit M](#)) of our support of A.B. 178. I have researched various juvenile justice issues. One of the common themes is the School-to-Prison Pipeline, which refers to the policies and practices that push children out of classrooms and into the juvenile and criminal justice systems. This study was completed by the National Council on Crime & Delinquency (NCCD) ([Exhibit N](#)).

Zero-tolerance policies, like the current law, impose serious punishments on students without taking into consideration what is going on at home or with the students themselves, or if there are other absolute circumstances, we may not realize when an incident occurs. During the time students are suspended or expelled, they may be left unsupervised and without constructive activities. They often fall behind in school, which increases the risk of dropping out. All of these factors increase the likelihood of court involvement.

One report by the National Juvenile Justice Network found that a single suspension or expulsion tripled the likelihood of involvement in a juvenile justice system the following academic year.

Assembly Bill 178 would curb the school-to-prison pipeline and keep our children in the classroom.

Stacey Shinn (Progressive Leadership Alliance of Nevada):

The Progressive Leadership Alliance of Nevada supports A.B. 178. It is a policy that will reduce the school-to-prison pipeline. Current disparities exist by race and ethnicity around this issue.

Our research shows nationally that black and Latino middle school students are four times more likely to be expelled from school.

Does this policy work to expand or close related racial disparities? If A.B. 178 reduces expulsions from schools, it is a positive racial impact bill.

Dr. Pierczynski:

The Nevada Association of School Superintendents supports A.B. 178 and the flexibility it allows our school administrators.

Ms. Anderson:

The Washoe County School District supports A.B. 178 and echoes the comments made by Dr. Pierczynski.

Senator Lipparelli:

Changing the language from “shall” to “may” gives this a level of discretion among principals. What, if any, interplay would there be between a principal’s decision-making and the district office?

My concern is section 1, subsection 4, paragraphs (a) and (b) are too prescriptive. Here are two examples: a school could have a pupil who is in a fight in September and otherwise well-behaved until May when she or he is in another fight. This would cause the student to be deemed a habitual problem. In another example, the school could have a pupil who is suspended five times. In the first example, if the second occurrence happens in May, does that allow the principal discretion? Does there now need to be a formula created that works with the district office to say the principal will now exercise his or her discretion?

Ms. Anderson:

The WCSD does have a discipline administrator with whom the principals work closely in these situations. Principals also have supervisors who are involved. If there was a question, concern or inquiry, staff would be available to provide additional guidance and support to the principal from the district level.

This is an opportunity to have a district-level policy that is approved by the board of trustees to provide guidance to principals on this issue.

Senator Lipparelli:

I support the idea to give principals a greater degree of discretion. My concern is whether the discretion will be evenly applied.

Ms. Anderson:

The WCSD may already have a discipline policy approved by our board of trustees and I will forward that as a point of reference for you.

Mr. Martin:

The Clark County Department of Juvenile Justice Services (DJJS) supports any attempts to return the discretion to the principals to break the school-to-prison pipeline. The DJJS is working closely with the CCSD, in particular, Superintendent Pat Skorkowsky and Dr. Tammy Malich to resolve many of the issues. Assembly Bill 178 is one of the solutions which could make an enormous impact on how we deal with children before they are in the juvenile justice system.

Tammy Malich (Assistant Superintendent of Education Services Division, Clark County School District):

In CCSD this year, one of our goals in the Legislative Session was to receive support to modify any statute that required zero-tolerance discipline measures with students to support our work with the DJJS. The desire was to place some decision-making into principals' hands and district leadership hands to eliminate zero-tolerance so we have latitude to work with children.

Each disciplinary incident is unique. We would like to handle those incidents on a case-by-case basis and have the flexibility to do so. Changing the language from "must" to "may" will give the CCSD the flexibility to evaluate each case separately.

Compatible with NRS 392.466 and the mandatory language in that statute, we are hoping the habitual discipline language can be changed to have flexibility at the school and district level in order to create a more successful opportunity and avoid the academic consequence that sometimes comes unintended with discipline consequences.

As the statute is currently written, students are academically affected by potentially serving one full semester out of school. The requirement to have them enrolled in a private school, homeschooled or in independent study is great in theory; however, most private schools will not accept students who have discipline records or who have habitual discipline issues.

The cost becomes an issue. Independent study generally is not a good option for these students. They are home unattended and unsupervised, which is a recipe for disaster. We would rather keep them in school.

In section 1, subsection 5, paragraph (b), subparagraph (1) changing the language to suspended from that school gives the district the option, when the need arises, to remove the student from a particular school. It also provides the CCSD the latitude to administratively place this student in another school. This prevents the parents from having to find another place for their child to receive educational services for the one semester.

In addition, in the same subparagraph (1), changing the language not to exceed one school semester instead of a hard, fast one semester is important in an effort to work with students. We want to work with the students and give them viable options to create plans to keep the students in their schools. This will keep the students on the path to success.

The more times a student is out of school as a behavioral consequence, the less likely he or she is to engage with the school, graduate on time and be credit sufficient. These are goals we want for all of our students.

In the CCSD, we do have a discipline policy regulation on the books. We have purposefully waited to modify the language until the outcome of this Legislative Session. It will be our intent, based on the outcomes, to modify it appropriately.

In the CCSD, similar to the WCSD, when students are recommended for expulsion, they are simply recommended for expulsion at the school level. We

want the principal to have the authority and latitude. Ultimately, these cases come to my office when it is a CCSD student. Students are adjudicated fairly and equally.

We are a neutral party, although we work for the CCSD, we handle every case independently of the others and only look at the facts of each specific case. School principals are provided oversight as far as the final recommendation and whether it is submitted to the board as an expulsion.

We want to encourage our principals to work with students to decrease or completely erase the disproportionality that exists especially with discipline for students of color. A.B. 178 is a great start. Ultimately, it impacts all students because it keeps more students in the classroom where we have an opportunity to provide them with the tools to be successful when they leave us.

Chair Harris:

I am trying to reconcile two sections of this bill: section 1, subsection 1 and section 1, subsection 4. I have a concern about the behavioral plan.

It almost makes no sense for a parent to come in and develop in a behavioral plan for his or her child because the student is better off in terms of being an offender if there is no behavioral plan in place.

If we are going to engage in a behavioral plan for a student, we would want the behavioral plan to be an incentive to improve the behavior and keep him or her in school; not act as a disincentive and speed track the student to become a designated habitual disciplinary problem.

Dr. Malich:

The original intent in the old statute was, to my knowledge; the student who extorts one time has already crossed the line and is done; the student who initiated one fight has one more chance because the second fight is the trigger; and the student who has been suspended four times, the trigger is the fifth suspension.

The original intent was to engage the parents to work with us on a behavioral plan to keep their child in school. The outcome will be the same with or without the plan. Under the old statute with the word "shall," once the student hits the

second initiated fight and the fifth suspension, with or without the behavioral plan, we will move forward.

The reading is confusing. The intent was to give the “may” language for the parents in the event the parents do not want to participate in their child’s behavioral plan. It does not change the outcome. Once the second fight is initiated or the fifth suspension has occurred, the school must move forward with the habitual discipline. It is an attempt to put the parents on notice.

My suggestion is the change in language from “shall” to “may” remain. When we give parents the opportunity to engage with the school district to create a plan for success, whether they opt in or not, it creates a better plan for success and a better opportunity for engagement.

Chair Harris:

It is productive to have the parents involved in the process of the behavioral plan. My concern is not to inadvertently fast-track a student because he or she is part of a behavioral plan into the designation of habitual disciplinary problems.

I would like to look at ways we can utilize the behavioral plan permissively with parental involvement and other great ways to benefit a student and not a punishment or more stringent expectation for the particular student. If we have students engage with parents and staff at school with a behavioral plan, there should be a positive outcome not a fast-track to becoming a habitual delinquent.

Dr. Malich:

I agree with you. The changes will give the CCSD latitude to have a different outcome. Without the changes, we have no latitude with or without the behavioral plan. I agree the plan is necessary. My suggestion is that we do not mandate parental involvement and allow the option of parental involvement. Similarly, we do not mandate all of the teachers’ involvement.

Our intent is not to add more work to anyone. Before we allow a student to be expelled, it would be the CCSD’s recommendation to include in our regulation not to allow the school to go the expulsion route unless it can be shown a plan was created and efforts were made. It becomes more of a school administrative duty rather than having parents come to school with their child and watch their child’s behavior.

Mike McLamore (Nevada State Education Association):

The Nevada State Education Association is in total agreement with the discussion on A.B. 178. We want to keep children in school. The safety and academic environments for all students are important to us, including students who have taken the wrong path.

Our proposed suggestions, which have been submitted ([Exhibit O](#)), are to trigger the behavioral plan. In many instances, a behavioral plan has not been initiated or instigated in current practice.

This past weekend, our delegate assembly met in Reno and there were close to 400 teachers and support staff at the meeting. One issue taking nearly 1 hour of debate, passionate pleas and testimonies was on classroom management, behavior, discipline, how to keep children in school and how to better guide students for good outcomes.

We appreciate the discussion of this Committee today and the behavioral plan in these last remarks.

We looked at what the current law says in comparison to what Assemblyman Thompson wants to accomplish. The missing piece is the behavioral plan. It may not be the complete or best way to address students in these circumstances.

We do not want to burden all the teachers. We are looking for a way in which all teachers who would be assigned to a student have either input or some type of touchstone with a school administrator addressing concerns with the student involved.

Any concerns which might exist in the classroom or with other students should be discussed. Everyone needs to be involved in the guidance of these students to help them to get on the right path and keep them in their academic pursuits.

The Nevada State Education Association is asking for a pause to address issues before any action is taken on A.B. 178.

Assemblyman Thompson:

For those following the bill, we are referring to section 1, subsection 4. This is permissive. The change in language needs to be "may."

I would like to add the language “designated teachers” because the proposed amendment submitted by the Nevada State Education Association suggests all the teachers who “touch” the students. I think it should be up to the principal to develop the team which would include the students, their parents, and there may or may not be conflicts with the teachers in making effective plans. I would like to make it as permissive as possible. I am open to the proposed amendment to include the designated teacher; however, not to mandate it.

I have been working closely with the CCSD and the Department of Juvenile Justice for quite some time. The bottom line is that we want to keep children in school. The children who are violent threats to school environments will be dealt with appropriately. The principal along with the teachers will make a school a safe environment for all students.

Chair Harris:

I will close the hearing on A.B. 178 and open the hearing on A.B. 321.

ASSEMBLY BILL 321 (1st Reprint): Revises provisions relating to school police officers. (BDR 34-925)

Assemblyman Stephen Silberkraus (Assembly District No. 29):

Several months ago, I was shocked to find there are schools that were unable to get a police response to some rather serious events. There are public charter schools which cannot get a police response to incidents on campus. This is a safety concern for students, parents and staff.

Assembly Bill 321 clarifies the services school police officers can extend to all public school property, buildings and facilities, including public charter schools.

Mr. Gavin:

The level of police response available to State-sponsored and district-sponsored charter schools varies significantly. Some schools have exemplary relationships with the local police and are able to receive timely police response. Police come on campus as a matter of course and are a key part of the school community.

There is a lack of understanding of charter schools. Some people think a charter school is a district school. Children need to be safe regardless of the school they attend. If a crime is committed in our homes or neighborhood, we receive the

same level of police response as our neighbor, regardless of whether we live in an apartment building, condominium or a single-family dwelling.

If a parent chooses to send his or her child to a different public school than the one for which the student is zoned, the parent should know the child will receive the same degree of public safety protection and responsiveness as the zoned school.

It is safety and equity. We need to ensure students who attend public charter schools are safe.

Craig Stevens (Clark County School District):

The CCSD's role in A.B. 321 is simply to find a way the district can provide police service to charter schools. We have our own police service in the CCSD. We do not have the capacity to expand service outside our district. The CCSD has added language in the bill that will help address the concerns expressed by the bill's sponsor and the State Public Charter School Authority (SPCSA).

The SPCSA can contract with the CCSD police service at cost. We will not make a profit from this arrangement. Hiring new police officers and training them will cost the CCSD money. What we ask in return is for the CCSD to be given ample notice to increase our police staff and add this additional cost to its budget. We want a contract for police services to be at least 3 years in duration. If the CCSD is hiring and training staff, we want a level of commitment and stability for the staff hired.

The CCSD has proposed a friendly amendment ([Exhibit P](#)) to address this situation.

Chair Harris:

In section 1, subsection 2, any contract for the provision of school police officers must be entered between the governing body of the charter school and the board of trustees of the school district no later than March 15 for the next school year. The effective date of the act is July 1, 2015.

When will we be able to provide safety for our children? Will the date be 2017?

Assemblyman Silberkraus:

We discussed this concern in the Assembly as well. The CCSD does not have the resources to implement this plan yet. This is the reason language was added for the local jurisdiction police department to respond for life safety and major incidents. This assures a level of protection for our charter schoolchildren immediately.

Chair Harris:

How was the March 15 date determined?

Mr. Stevens:

The date is based on the CCSD budget process. The district needs time to complete hiring and training of police staff.

Senator Lipparelli:

We are creating a mechanism for the charter schools to be covered. Has it been discussed and determined who has jurisdiction for these schools?

Assemblyman Silberkraus:

We did discuss this in the Assembly Committee on Education. This was the reason to have the provision for the local municipal police response for life safety and large incidents. The Las Vegas Metropolitan Police Department (LVMPD) would have a responsibility to be there.

Senator Lipparelli:

Will this create the clarity for local police departments to know the incident is their responsibility and not their local school district's responsibility?

Assemblyman Silberkraus:

It is a graduated response looking for the point where law enforcement would deal with the situation outside of the school administrative staff.

Mr. Stevens:

The CCSD pays for its school police from the Distributive School Account (DSA) and its budget. Taxpayer money is used to increase our police staff when necessary. This money could go for other items in the budget. Our proposed amendment, [Exhibit P](#), which I will present in my neutral testimony, will answer your question.

Senator Lipparelli:

It appears jurisdiction has not been clarified in statute. What happens if a large number of charter schools request and pay for contract services from the CCSD and are covered for services from the district's police and some charter schools do not have a contract?

What happens when a phone call comes from a charter school without coverage and the police department says the event is not their concern? Is it a school district concern? Do we have jurisdiction established?

Assemblyman Silberkraus:

There may be a provision to ascertain if the charter schools that do not fall inside a school district would have a minimum level of service. The municipal police departments do not necessarily have the training for smaller incidents. For cases involving serious bodily harm or the belief of a serious threat to commit such an offense, at the bare minimum, there is a required response.

Senator Woodhouse:

There is no fiscal note for this bill. Charter schools are on a slim budget and I am aware of the needs the CCSD has. How will the individual charter schools be able to fund the contract with a local school district? Will the SPCSA be able to help any of the charter schools which need financial assistance?

Mr. Gavin:

Public charter schools have been systemically underfunded compared to traditional public schools. Charter schools have slim budgets. This is an additional cost and a cost that would be assessed only in two counties in the State that have school police forces. We have charter schools in four other counties in the State and this would be a disproportionate cost as well.

Some schools would have to pay the assessment and other schools would not. There is an equity issue and I struggle with what is fair from a money perspective versus what is fair and safe for children. I have to be on the side of what is fair and safe for children.

We have school districts that are using a significant amount of the DSA to provide police service for their districts. These dollars could go into instruction rather than police services.

In an ideal world, everyone would be guaranteed a minimum level from the local municipal or county police departments in life safety issues. This is not an ideal solution; it appears to be the best one we can come up with for now. We need to make certain our children are safe.

Assemblyman Silberkraus:

With respect to contracting services, we propose a graduated schedule for those services so a school does not have to employ a full-time police officer. Implementation of a per call service rate or a prorated share between or among campuses to reduce the costs could make it more affordable for the schools.

Senator Woodhouse:

I understand the goal of A.B. 321. All of our children need to be safe at school no matter the school district or the charter school they may attend. Before we move on this, I am concerned how this will work and would like to meet with the sponsors off-line and discuss this issue.

Chair Harris:

In section 5, my concern is about calling the police and there becomes a dispute on who needs to respond. Section 5 is not clear enough about jurisdiction.

My second concern is in section 5, subsection 1, paragraph (b), "The principal, teacher or school police officer has reasonable cause to believe such an offense has been committed." How did you arrive at the language?

Assemblyman Silberkraus:

The language was provided by the Legislative Counsel Bureau staff.

Chair Harris:

We will work on the language. As I read the wording, a teacher would need to take seriously every report from a student. Determining reasonable cause becomes difficult to establish. Suddenly, there are many calls going out and police are more confused. The police will not know when there is a credible threat versus an unfounded threat.

We are all concerned about keeping our children safe in school. We need to get this right.

Lauren Hulse (Executive Director, Charter School Association of Nevada):
The Charter School Association of Nevada is in support of A.B. 321.

Kimberly Regan Ed.D (Executive Director, Sierra Nevada Academy Charter School):

I have submitted written testimony ([Exhibit Q](#)) and since we have been asked to summarize our written remarks, I will quickly summarize the concerns I have for Sierra Nevada Academy Charter School (SNACS).

We need help with law enforcement support and communication when it comes to issues that directly affect the school, whether it is by a specific instance or merely as a function of location.

The WCSD-sponsored charter school administrators participate in quarterly technical support meetings and meet with the charter school liaison and any relevant department heads. It has become a ritual to hold a yearly meeting to request police services and propose options for acquiring those services with the WCSD Charter School Liaison and the WCSD's Interim Chief of Police, Jason Trevino.

Earlier this fall, the WCSD Interim Chief of Police, Jason Trevino said it would take "an act of the Legislature" before we can help you. This is the reason I am before you today.

Until this past month, the Reno Police Department (RPD) was unaware of our school's location and our student population. I submitted a layout of our school location and grounds ([Exhibit R](#)) which shows we are in a location where there is a lot of traffic.

With the traffic, we have had three incidences where there were firearms drawn. Two of those incidences happened this school year. Police were addressing someone who was a threat to the school and the surrounding area.

Our school board has spent in excess of \$100,000 of its current DSA monies to install fencing, cameras and radio surveillance systems to ensure school safety. Our school board is looking at options to move our facilities and is trying to accommodate our student population. We are moving as fast as we can to accomplish this goal and are limited in what we can do.

We need access to services as quickly as possible and need an avenue to work with the WCSD police to get access to their services. This is a gray area. We have reported minor incidents to the RPD and have been told if the outcome would not make it to criminal court, the RPD will not do anything to help us.

We need the ability to call the school police who have experience dealing with children and families. The WCSD Police Department says it is interested in providing those services to us; however, until there is legislation that passes, its hands are tied. We are asking for your support.

Tammie Stockton (Principal, High Desert Montessori Charter School):

While employed as a teacher at the WCSD, I was working Pine Middle School when a school shooting occurred in 2006. In another incident while an assistant school principal, a 10-year-old brought a loaded .45 caliber gun to school. I have worked closely with the WCSD school police and know the value of their expertise in helping with school situations.

High Desert Montessori Charter School (HDMCS) has been in existence for 13 years and is located in a high-risk area in order for at-risk students to have access to a Montessori education. We are in a neighborhood that is somewhat volatile.

Four years ago, in my first year at HDMCS, I arrived home from work one afternoon and heard on the local news something that shocked me. Rita Cannan Elementary School, a WCSD school literally 100 feet from HDMCS had been placed on a code red that day. I was unaware of this event. Because there was no communication, I could not place HDMCS on a code red and did not find out what had happened in our school's neighborhood until watching the local evening news at home.

This year a shooting occurred in front of our school. I sent a letter to the RPD and the WCSD Police after this incident occurred, which I will read to you ([Exhibit S](#)).

After sending this letter, I received a response from Lieutenant Robert Larson from the RPD and the WCSD Interim Chief of Police, Jason Trevino. A meeting was held on January 28, 2015, with these two law enforcement officers, Kimberly Regan from SNACS and myself and our charter liaison, Stacey Cooper.

At this meeting, again we were told our charter schools were not under the jurisdiction of the WCSD Police Department.

Chair Harris:

It appears you have two concerns. Your first concern is jurisdiction availability of police for charter schools and your second concern is appropriate communications with law enforcement officers.

Schools should know what is happening in their areas in order to institute safety practices in their schools.

Ms. Stockton:

Kimberly Regan and I have been in contact with Lieutenant Robert Larson from the RPD. When he came to my school for our meeting, he commented he was not aware of our school's location and probably most of his staff was not aware of our location. He was the first to admit there needs to be education on the part of the RPD. He has worked with us to develop a protocol to help schools and law enforcement so we are all on the same page when a situation occurs.

Kaiden Regan:

I am a sixth-grade student at Sierra Nevada Academy Charter School. I do feel safe at school; sometimes it is scary when there are police in our area handling a situation near our fences.

There have been occasions where police have been 50 feet from our school yard when handling a situation near apartments next to our school or the gas station that is on the other side of our school.

There have been times we have been in lockdown because of an incident in our school neighborhood. Two months ago because of an incident, my classroom had to move to a side of our school near the apartments where police were handling the incident.

All of our windows are glass, and unfortunately, there are people in the world who do unpredictable things. My younger brother and sister also attend my school and I want to make sure they are safe under the protection of school police.

It is our responsibility to ensure all charter and traditional public schools are safe. Charter schools should be able to have the same police protection as other schools. I want to ensure my friends, family and teachers are always safe in order to learn and do our best to prepare for college.

Chair Harris:

What do you like best about your school?

Mr. Regan:

My favorite thing in school is school sports, which are outside located in a circle between the middle school and elementary school.

Chair Harris:

Senator Lipparelli has a bill that will make high school sports more fair for everyone and I expect his bill to pass. As you are growing up and able to participate in school sports, you will have a debt of gratitude to Senator Lipparelli.

Vanessa Spinazola (American Civil Liberties Union of Nevada):

The ACLU of Nevada is concerned with section 5 of A.B. 321. There should be a balance in protecting children. The other side of the scale is the potential for over-criminalization in our schools. We are concerned about this with the invitation to local law enforcement into the police environment.

We agree school police are specifically trained to know the children at their school. This is different from having a local law enforcement agency come into a school where the agency does not know the children and are trained, quite frankly, to make arrests. We worry about the impact this may have.

We heard A.B. 178 and we want to get away from harsh discipline and zero-tolerance policies. In section 5, our concern is the language will cause us to regress from our intended goal.

Our main concern is jurisdiction. We need to establish school jurisdiction. If local law enforcement does have jurisdiction for charter schools where there are no school police, we encourage guidelines be developed between the local schools and police specifically to deal with the school environment. The development of the guidelines should be a public process so the local school board and parents can be involved.

The bill as presented addresses substantial bodily harm, which would be an invitation to the police to come into the school. We are in opposition to this being an invitation to local law enforcement. Sometimes there can be perceptions between teachers and students of what has happened or is about to happen. We would not want it to rise to a level where the police would be called.

We also oppose the language that goes down to the level of a teacher. Could more bureaucracy be involved in the process? If it is not an emergent incident, the superintendent could be involved and invite local law enforcement to deal with the incident at the school.

We are worried about the possible racial impact of this bill. Perhaps there would be some data reporting? We are generally opposed to the concept of law enforcement involved in schools and if the bill is to go forward, we would hope there would be some possibility of amendment to narrow the scope of the bill.

The ACLU of Nevada is neutral on A.B. 321. We request specific guidelines be created for any partnership between charter schools and local law enforcement.

We support the change in language from substantial bodily harm and refer specifically to NRS 171.1223, which involves police only in an instance of a Category A felony.

We support the removal of the word "teacher" from the number of people who could invite local law enforcement into a school environment.

We further support in most instances, unless it was an emergent incident, the superintendent be involved in inviting local law enforcement into the school environment.

Finally, we support tracking of the data results to include age, race, gender, disability status of the student, the offense and the disposition of the incident.

Mr. Stevens:

Ms. Spinazola is correct. Our amendment does address NRS 171.1223 and in that section, it directly references local law enforcement agencies will be only responding to Category A felonies.

This creates a jurisdiction regarding the CCSD, and I believe the WCSD, and we prefer to keep it this way. We have an excellent partnership with the LVMPD and the local agencies within Clark County.

They are trained to respond to what is included in NRS 171.1223 and the CCSD police force is trained to respond to everything else. We want to keep this distinction and our proposed amendment accomplishes this.

In section 5, we eliminate the CCSD and anyone in a population of 100,000 or more and contracts police services. We want to keep it the same and the bill then creates a jurisdiction for the charter schools not being served, which is also the purpose of the bill.

Chair Harris:

The Committee Counsel, Risa Lang, and I have some concerns with the CCSD amendment and she will walk you through the amendment.

Risa Lang (Counsel):

I think when we looked at this, I was not sure how that works. ...it sounds like what he is proposing is that this section 5 basically would not apply to Clark County and Washoe County. It would only apply to the other counties that do not have school police. ... we would probably just draft it somewhat differently... but I think that is what you are saying your intent would be. Right?

They are somewhat different as is already been noted that NRS 171.1223 only applies to Category A felonies which are your most serious felonies. The other new section 5 would apply to any type of serious bodily harm and also allows other people to call for the response and so this would be the differences between those two sections. But that would be something for the Committee to decide how they want to go forward as far as whether they need to be the same.

Ms. Anderson:

I apologize, Chief Jason Trevino of the WCSD Police Department could not be here today. The WCSD is neutral on A.B. 321. It is not the lack of willingness to cover the charters schools; it is more about potential liability or conflict and

whether there is jurisdiction. If that is cleared up, we are willing to work with the charter schools in our school district to provide these services.

As mentioned by Mr. Stevens, the WCSD makes an investment with the DSA funding we receive for our students in our school police. Contracting at cost is a fair provision. We have 38 officers who cover 93 schools. When we consider taking an officer away from one of the schools they are assigned to, adding additional staff will be necessary. We do not want to increase the duties of our current police staff.

The benefit of having a school police officer in a school is the relationship the officer has with the students. The preventative services provided are critically important.

On behalf of our charter schools, having a police officer in their schools should be considered. Various charter schools may require different services. We would negotiate to provide those services on a per-school basis based on what the school wants to achieve.

A.J. Delap (Las Vegas Metropolitan Police Department):

Prior testimony indicates this is a communication issue more than a necessity for a NRS mandate. When I worked in the community-orientated policing unit, we made a point to reach out to our schools, offer services and provide avenues for communication.

When working in area command, I received a call from a charter school and was unaware of its location until I received the phone call. Who is responsible to notify the parties involved of the charter schools' locations?

The LVMPD wants to know the schools in our community. We have tactical situations to preplan so we are prepared for possible events that may occur. If the charter schools have not already done so, I suggest charter schools contact the area commands in which they are located.

Every area command and commander in the LVMPD would reach out to any school and provide whatever services it could. Even if a school has Clark County School District Police services, the LVMPD offers umbrella services.

One of those services is the Fusion Center which monitors what is happening in our valley. It provides 24 hours a day, 7 days a week monitoring with representatives from all forms of public safety, medical industries, hospitals and transportation.

We want to know where the schools are located in case there is an incident and in order to paint a picture of what is happening in our valley. There are a myriad of resources and we need to know those resources are there.

A lot of the work I do in the interim is as a liaison connecting dots. It is important to continue those communications and to provide mechanisms for charter schools to let themselves be known. We need to know their locations in order to participate and assist with school safety. We want to be involved.

Chair Harris:

Earlier in the Session this Committee considered S.B. 205 that dealt with emergency response plans and some of the issues that concern you. Your concerns are noted to the extent we need to facilitate communication.

SENATE BILL 205 (1st Reprint): Revises provisions relating to plans to be used by a school in responding to a crisis or emergency. (BDR 34-404)

This Committee would appreciate insight from the charter schools, public school districts and police department perspectives for us to help you communicate efficiently and effectively. Our goal is to provide a safe school environment for our children.

Mr. Delap:

We would welcome the conversation.

Musts are tough for the LVMPD. *Nevada Revised Statute* 171.1223 has the Category A response; that is how we operate with the CCSD Police Department. By statute, there are laws that we are mandated to investigate. In prior sessions, we have made a point of holding on to those investigations because Clark County has the best resources to perform the investigations.

The CCSD Police Department does have specialized training beyond what the LVMPD would offer for a patrol officer responding. In the higher-level crimes, we have the specific training. School police working the schools is important.

For charter schools, there may be resources that would not be available; however, there would be great advantages. This is not a default mechanism to fall under the LVMPD law enforcement, which we will provide. It would be well thought out for charter schools to seek out the resources available from the CCSD Police Department.

We do not like the language "must." Section 5 of our friendly amendment ([Exhibit T](#)) changes the language from "must" to "may." As the primary law enforcement agency, we want more control of the investigations we would conduct.

Eric Spratley (Lieutenant, Sheriff's Office, Washoe County):

The Washoe County Sheriff's Office (WCSO) is neutral on A.B. 321. This bill was not on our radar until section 5, subsection 2 was amended to add the language "the primary law enforcement agency must respond." It is easier if we do not have the language. Our goal throughout Washoe County is public safety and public service which includes charter schools as well.

Largely, this is a communication issue. As you heard in earlier testimony, the RPD did not know High Desert Montessori Charter School was located at 2590 Orovada Street in Reno. The RPD was trying to resolve a live situation with the resources they had. The RPD knows it can call in the WCSO for assistance and we will help them as well.

If the RPD had known the school was there and did not have the resources, the RPD would have called the WCSO and we would have responded immediately. People are our primary concern, especially the children.

The WCSO appreciates the amendments offered, is a willing partner and welcomes the discussion to locate these schools and provide additional resources.

We send our motor cops, Raven helicopter and our SWAT teams to district schools for demonstrations. I am not aware if we send them to charter schools. Without knowing where a charter school is located, we cannot protect its students.

Senator Lipparelli:

Does the WCSD have school police?

Lt. Spratley:

Yes, the WCSD has a fine police department and it does a fantastic job. However, I understand its concerns with jurisdiction issues.

Senator Lipparelli:

If a charter school calls the RPD or the WCSO, is it well known within those law enforcement agencies what the response obligations are?

Lt. Spratley:

Sadly, it is not well known. All day, I have had email conversations with my dispatch department to determine where this lands as far as policy. The WCSO controls the dispatch for many agencies; we need to know what our responsibilities are and how to treat them.

Senator Lipparelli:

Are you saying the communication is one-way?

Lt. Spratley:

No, it is not a one-way conversation. We do not know that a strip mall or former church houses a charter school. We need to know this information in order to plan and respond accordingly.

Senator Lipparelli:

I grow more upset as these testimonies progress. How long have these charter schools been there?

Lt. Spratley:

The ones we know about, we deal with appropriately. When the charter schools are in areas we are not aware of, we do not have a plan with them or we do not work with them regularly as we do with the WCSD Police.

I saw a robust plan precipitated by the Sparks Middle School shooting that showed how we respond to schools. I am not certain charter schools were a part of the conversation. That is disheartening.

Senator Lipparelli:

This is more than a communication problem.

Chair Harris:

We have found an area we need to address. I encourage those who testified today to continue to have dialogue with members of this Committee as we continue to digest the issue and ascertain the best way to address the concerns that were expressed today.

Assemblyman Silberkraus:

My thanks to all of the hard-working men and women in law enforcement in the school police departments and metropolitan, city, county and other police agencies throughout the State which look out for our interests and those of our children.

This is not a critique on the officers. It is a critique of the system to make it work and protect our kids. Working with members of this Committee and others I have spoken with today, I look forward to developing a piece of legislation that protects our children.

If we move forward with the achievement school district which is being talked about, those schools would convert into charter-like schools which would then fall into this same category.

Chair Harris:

The hearing is closed on A.B. 321.

Peggy Lear Bowen:

Thank you for caring.

Ms. Rourke:

Our Good News Minute for today is that three students from the CCSD were named 2015 National Merit Scholarship winners. Out of more than 1.4 million high school juniors who were entered in the competition after taking the 2013 Preliminary SAT/National Merit Scholarship Qualifying Test, these CCSD students were among the first group of 1,000 winners honored for their exceptional academic ability. The students are: Sean Berman, Green Valley High School; Eric M. Lujan, Coronado High School and West E. Wagner, Silverado High School.

Senate Committee on Education
April 28, 2015
Page 38

Chair Harris:

There being no further comment or business before the Committee, the meeting is adjourned at 5:47 p.m.

RESPECTFULLY SUBMITTED:

Shelley Kyle,
Committee Secretary

APPROVED BY:

Senator Becky Harris, Chair

DATE: _____

EXHIBIT SUMMARY				
Bill	Exhibit / # of pages		Witness / Entity	Description
	A	1		Agenda
	B	5		Attendance Roster
A.B. 107	C	3	Senator Joyce Woodhouse	Written Testimony
A.B. 107	D	1	Senator Joyce Woodhouse	Sylvia Lazos/Latino Leadership Council Letter with amendment
A.B. 205	E	1	Assemblyman Tyrone Thompson	Tony Sanchez, III/ NV Energy, Support Letter
A.B. 205	F	1	Assemblyman Tyrone Thompson	Robert L. Green/ My Brother's Keeper Support Letter
A.B. 205	G	1	Assemblyman Tyrone Thompson	Brian L. Pauling/ 100 Black Men of America, Inc. Support Letter
A.B. 205	H	1	Assemblyman Tyrone Thompson	Joe B. Jones/ 100 Black Men of Las Vegas, Inc. Support Letter
A.B. 205	I	1	Assemblyman Tyrone Thompson	Joe B. Jones/ 100 Black Men of Las Vegas, Inc. Support Letter
A.B. 205	J	1	Athena Gould/Big Brothers Big Sisters of Southern NV	Written Testimony
A.B. 205	K	2	Liza Maupin/Big Brothers Big Sisters of Northern NV	Written Testimony
A.B. 205	L	1	Liza Maupin/Big Brothers Big Sisters of Northern NV	Handout, Big Brothers Big Sisters of Northern and Southern Nevada Standards of Practice

A.B.178	M	1	Karla Navarrete/ACLU of Nevada	Talking Points
A.B. 178	N	9	Karla Navarrete/ACLU of Nevada	Handout, NCCD Study Confirms "School-to-Prison Pipeline"
A.B. 178	O	2	Mike McLamore/Nevada State Education Association	Proposed Amendment
A.B. 321	P	3	Craig Stevens/Clark County School District	Proposed Amendment
A.B. 321	Q	5	Kimberly Regan/Sierra Nevada Academy Charter School	Written Testimony
A.B. 321	R	1	Kimberly Regan/Sierra Nevada Academy Charter School	Map
A.B. 321	S	1	Tammie Stockton/High Desert Montessori Charter School	Letter
A.B. 321	T	3	A.J. Delap, Las Vegas Metropolitan Police Department	Proposed Amendment