

**MINUTES OF THE
SENATE COMMITTEE ON EDUCATION**

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

The Senate Committee on Education was called to order by Chair Becky Harris at 3:33 p.m. on Thursday, May 28, 2015, in Room 2135 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to Room 4412E 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 Joyce Woodhouse
Senator Moises (Mo) Denis

COMMITTEE MEMBERS ABSENT:

Senator Tick Segerblom (Excused)
Senator Mark A. Lipparelli (Excused)

STAFF MEMBERS PRESENT:

Todd Butterworth, Policy Analyst
Risa Lang, Counsel
Jan Brase, Committee Secretary

Chair Harris:

I will open the work session on Assembly Bill (A.B.) 234.

ASSEMBLY BILL 234 (2nd Reprint): Enacts provisions related to multicultural education. (BDR 34-102)

Todd Butterworth (Policy Analyst):

I will read from the work session document ([Exhibit C](#)).

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Senator Hammond:

How does this bill compare to Senate Bill (S.B.) 211 which was passed out of our Committee?

SENATE BILL 211 (1st Reprint): Revises provisions governing public schools.
(BDR 34-426)

Chair Harris:

Senate Bill 211 is in the Senate Committee on Finance and has not been heard. It creates an elective course in multiculturalism. Assembly Bill 234 requires licensed teachers to take a class in multiculturalism. It also requires related materials to be used in social studies courses.

Senator Hammond:

I was concerned the bill would require an additional, stand-alone course and understand from your response that it will not. Is this meant to be a onetime class only and not be required every time a teacher renews his or her license?

Chair Harris:

Yes, that is correct. Section 2, subsection 1 specifies any licensed teacher who is initially licensed must submit, with his or her first application for license renewal, proof of completion of a course in multicultural education. Proof of the course should be submitted with the first application for a renewable license to teach. This is the intent of the sponsor.

Senator Gustavson:

I am concerned about the required course for teachers and the requirement to teach another subject in our classrooms. This may be a burden on teachers and students who are struggling to keep up with basic requirements. I will not support the bill.

SENATOR WOODHOUSE MOVED TO DO PASS A.B. 234.

SENATOR DENIS SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR GUSTAVSON VOTED NO.)

Chair Harris:

I will open the work session on S.B. 92.

SENATE BILL 92: Revises provisions relating to personnel of public schools.
(BDR 34-485)

Mr. Butterworth:

I will read from the work session document ([Exhibit D](#)). The Lieutenant Governor's amendment 7696 replaces much of the original bill. The Proposed Amendment requires the State Board of Education to establish by regulation, in consultation with the local school boards, the criteria for designating a school as underperforming. The amendment prescribes procedures for the management of a school designated as underperforming. It requires transfers of ineffective or minimally effective teachers or administrators to be approved by the principal of the receiving school, that such personnel receive professional development support and that school boards develop a plan to address the assignment of personnel whose transfer is refused. The creation of incentives is required for employees working in an underperforming school.

The evaluation of a teacher or administrator at a school designated as underperforming shall not be adversely impacted by student achievement data for 2 years after the designation.

Principals or school boards are authorized to reassign staff from an underperforming school; or with the consent of the employee, from another school to an underperforming school. This was a significant point of contention during the hearing and the amendment has been revised in response to the concerns raised.

Finally, the amended bill requires that reduction in workforce decisions shall be based on employee performance. Seniority is the last factor to be considered. A school board is not required to consider these factors for a teacher working in a subject area for which there is a shortage of teachers.

The Legislative Counsel has also requested an amendment allowing for the reorganization of Title 34 of the *Nevada Revised Statutes*.

Chair Harris:

Senate Bill 92 is the result of numerous conversations with the various stakeholders.

In determining the criteria for the designation of an underperforming school, we contemplated forming a review board. The review board would be comprised of four elected members, one from each congressional district; three members who would be appointed, one teacher, one parent and one business person; and four nonvoting members, a trustee, a superintendent, a regent and a student.

Section 20, subsection 4, line 9 relates to mutual consent and the transfer of a minimally effective or ineffective employee. In the event the transfer is refused, the superintendent of the school district is empowered to make a determination of the best placement of the employee. The superintendent will develop an improvement plan for the employee. Employees will be given the opportunity and resources to become more effective.

Section 30 addresses employees who dispute evaluations or disciplinary actions. We are only discussing teachers or administrators who have disciplinary actions resulting in suspension. There is a further requirement to consider the severity of the disciplinary action. In the event of a reduction of force while the a disciplinary matter is open, the employee will have due process protection until a decision is reached.

Finally, the Legislative Counsel Bureau has requested the administrative authority to clarify and remove duplications in education statutes during the interim.

Senator Denis:

If a teacher is being transferred to another school, consent is required from the principal of the receiving school. Is this correct? Can you explain the process?

Chair Harris:

Yes. If the principal agrees to employ the ineffective or minimally effective teacher, then the transfer is completed. If the principal does not agree, the superintendent of the school district will be consulted and will make a determination. A plan for performance improvement is required.

Senator Denis:

Are there provisions for ensuring the teacher is given a placement where he or she can be successful? It is important teachers are not moved out of one challenging situation into another similar situation.

Chair Harris:

It would be at the discretion of the superintendent, though we would expect that would be the case. The teacher evaluation process will help in these situations.

SENATOR WOODHOUSE MOVED TO AMEND AND DO PASS AS AMENDED S.B. 92 WITH PROPOSED AMENDMENT 7696.

SENATOR HAMMOND SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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There being no further comment or business before the Committee, the meeting is adjourned at 4:44 p.m.

RESPECTFULLY SUBMITTED:

Jan Brase,
Committee Secretary

APPROVED BY:

Senator Becky Harris, Chair

DATE: _____

EXHIBIT SUMMARY				
Bill	Exhibit / # of pages		Witness / Entity	Description
	A	1		Agenda
	B	2		Attendance Roster
S.B. 234	C	2	Todd Butterworth	Work Session Document
S.B. 92	D	15	Todd Butterworth	Work Session Document with Proposed Amendment 7696