

**MINUTES OF THE MEETING
OF THE
ASSEMBLY COMMITTEE ON EDUCATION**

**Seventy-Ninth Session
May 8, 2017**

The Committee on Education was called to order by Chairman Tyrone Thompson at 3:18 p.m. on Monday, May 8, 2017, in Room 3142 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4406 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. Copies of the minutes, including the Agenda ([Exhibit A](#)), the Attendance Roster ([Exhibit B](#)), and other substantive exhibits, are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at www.leg.state.nv.us/App/NELIS/REL/79th2017.

COMMITTEE MEMBERS PRESENT:

Assemblyman Tyrone Thompson, Chairman
Assemblywoman Amber Joiner, Vice Chair
Assemblywoman Olivia Diaz
Assemblyman Chris Edwards
Assemblyman Edgar Flores
Assemblyman Ozzie Fumo
Assemblywoman Lisa Krasner
Assemblyman William McCurdy II
Assemblywoman Brittney Miller
Assemblyman Keith Pickard
Assemblywoman Heidi Swank
Assemblywoman Jill Tolles

COMMITTEE MEMBERS ABSENT:

Assemblyman Elliot T. Anderson (excused)
Assemblywoman Melissa Woodbury (excused)

GUEST LEGISLATORS PRESENT:

Senator Tick Segerblom, Senate District No. 3
Senator Aaron Ford, Senate District No. 11
Senator Nicole J. Cannizzaro, Senate District No. 6



STAFF MEMBERS PRESENT:

Amelie Welden, Committee Policy Analyst
Karly O'Krent, Committee Counsel
Sharon McCallen, Committee Secretary
Trinity Thom, Committee Assistant
Melissa Loomis, Committee Assistant

OTHERS PRESENT:

Mary Janet Ramos, Legislative Assistant to Senator Tick Segerblom
Andreana Franco, Success Coach, TRIO Student Support Services,
Office of the Provost, Nevada State College
Shantal Marshall, Private Citizen, Las Vegas, Nevada
Katherine Chang, Private Citizen, Sparks, Nevada
Craig M. Stevens, Director of Intergovernmental Relations, Government Affairs,
Community and Government Relations, Clark County School District
Ed Gonzalez, representing Clark County Education Association
Ruben R. Murillo, Jr., President, Nevada State Education Association
Lindsay Anderson, Director, Government Affairs, Washoe County School District
Mary Pierczynski, representing Nevada Association of School Superintendents;
and Nevada Association of School Administrators
Stephen Augspurger, Executive Director, Clark County Association of School
Administrators and Professional-Technical Employees
Paige Ritzman, representing Nevada Association of School Boards
Lynn Chapman, State Vice President, Nevada Eagle Forum
David W. Carter, Member, District 2, State Board of Education,
Department of Education
John Vellardita, Executive Director, Clark County Education Association
Patrick File, Assistant Professor, The Reynolds School of Journalism,
University of Nevada, Reno
Christy Briggs, Advisor of Student Publications, Reno High School
Taylor Pittman, Private Citizen, Reno, Nevada
Lauren Maclean Draper, Private Citizen, Reno, Nevada
Chris Daly, Deputy Executive Director of Government Relations, Nevada State
Education Association
Steve Ranson, Editor, Lahontan Valley News; Past President, Nevada Press
Association; and President, International Society of Weekly Newspaper
Editors
Brad Keating, Legislative Representative, Community and Government Relations,
Clark County School District

Chairman Thompson:

[Roll was taken. Committee protocol and rules were explained.] We will have three bills today and our work session. We will open up the hearing for Senate Bill 107 (1st Reprint).

Senate Bill 107 (1st Reprint): Authorizes ethnic and diversity studies in public high schools. (BDR 34-116)

Senator Tick Segerblom, Senate District No. 3:

Today I am presenting a very special and exciting bill regarding ethnic and diversity studies. I have Assemblywoman Diaz with me here, and down south I have Andreana Franco who has a network of people who brought the bill to me originally. To begin, I would like my assistant, Mary Janet Ramos, to explain the bill. This is her first presentation before the Legislature, please make her feel welcome.

Mary Janet Ramos, Legislative Assistant to Senator Tick Segerblom:

I am really honored that Senator Segerblom asked me to be here today. I want to provide a general background of what the bill does. Senate Bill 107 (1st Reprint) was originally introduced in 2015 as Senate Bill 211 of the 78th Session. Unfortunately, that bill died in the last session. It was reintroduced this session. Through some conversations, the bill was amended to what is presently in front of you. Originally, the bill required ethnic studies to be a requirement for high school students to graduate. However, from some of the conversations that we had, we decided to amend the bill to ethnic studies to be an elective course for high school students.

Overall, as a simple background, S.B. 107 (R1) requires the state to develop the curricula, taking into consideration the different input of various community stakeholders, visiting college professors, universities, and community colleges. It also includes those teachers who have taught kindergarten through grade 12 (K-12) or those who have been working closely with community members from diverse backgrounds. If passed, this would be optional for school districts, and it would be available for high school students and charter schools. Ethnic studies is very important because it empowers students; it gives them the opportunity to learn about their history.

To share a little of my background, it was not until I was in college that I had the opportunity to learn about different movements that existed in the 1960s. It definitely empowered me to be here today. I have done some work in advocacy and community engagement, and if students do not have this exposure at an earlier age, we are preventing them from learning. Many people from the community take for granted a lot of the accomplishments that we have. Sitting here today, as you can observe, it is a very diverse Legislature.

My being able to speak today did not just happen out of the blue because someone had the great idea. People came together and demanded their right to be respected, to be included, and to have a voice at the table. I would also like to add that ethnic studies will enrich a student's experience. We have seen a lot of attack just to be able to teach ethnic studies. We see Arizona banning ethnic studies. You have to think critically and ask yourselves

why is Arizona banning ethnic studies? Again, it is because authority is being challenged. People who oppose it have said that students who are asking for ethnic studies are challenging the government. Challenging the government is important because from these conversations we have, important legislation is taking place.

With that in mind, if this bill passes in this Committee and on the floor, and hopefully the Governor will sign it, we are moving a step forward here in Nevada, and we are sending a message to the entire country that Nevada prides itself on the diversity we have, and that diversity is part of the contribution. With that, I will pass it back to Senator Segerblom.

Senator Segerblom:
Assemblywoman Diaz.

Assemblywoman Olivia Diaz, Assembly District No. 11:

This is a personal one for me because often I sit in public forums and settings, and in my head I am thinking about whether I should pronounce my name in Spanish or in English. It is part of the reason that it is super important that we advance this policy initiative through S.B. 107 (R1). When I was in school there were very few instances when my classmates and I were exposed to role models from diverse backgrounds, ones we could aspire to be like and who allowed us to dream big. It was not until I began my postsecondary education at the University of Nevada, Las Vegas, that I personally sought out the opportunities to take courses like Native American Literature, African-American Literature, and Chicano History to quench my thirst for knowledge about other cultures because I had not received this exposure in my K-12 education.

Yes, we are Americans, but we are also Iranian, African, Scottish, Italian, Latino/Latina, and many other ethnicities. From the get go, when we enter an educational setting that does not validate diverse cultures and backgrounds, it creates a world of self-doubt, low self-esteem, and does not foster a sense of belonging. As students, very often we are shown one universe in the classroom, but live a completely different reality at home.

Throughout my career as an educator, I have had many parents of second-graders come to me to share that their child no longer wanted to speak Spanish. That happens because nothing outside their home is validating them as an individual, and nothing is saying that their language and cultural heritage is important, unique, precious, and that they should be proud and try to preserve it. I think this is because we have not had courses in ethnic studies. It is not the fault of teachers, but had we been more knowledgeable as educators, we could have made sure that all students, regardless of ethnic background, felt embraced and empowered.

A March 7, 2016 article in *The Atlantic*, by Melinda Anderson, cited a Stanford University research study that found an ethnic studies curriculum in a San Francisco high school—which was a pilot program from 2010 to 2014—showed a 21 percent increase in student attendance, and a grade point average increase of 1.4 points among participating ninth-grade students identified as being at high risk for dropping out.

Students in ethnic studies courses covering discrimination, stereotypes, and social justice movements earned 23 more credits toward graduation compared to classmates who were not enrolled in such classes. Overall, the largest gains were found amongst boys and Hispanic students and in the subjects of math and science.

Thomas S. Dee, the study's coauthor and a professor at Stanford's Graduate School of Education, said the notable growth attributed to ethnic studies is important, especially because of the age groups study. This is because, when we are young teens, transitioning from middle school to high school, those years are extremely difficult, especially for disadvantaged students and children. Professor Dee said that low grades, poor attendance, and the failure to accumulate credits could derail these students in their freshman year. Taking ethnic studies not only improved the academic performance of students but also promoted their academic engagement and discouraged them from dropping out of school.

Other experts who were referenced in the article reported that the self-esteem and the critical thinking skills that students develop in ethnic studies helps them advance in their education, communities, and careers. They also reported that the shift in knowledge is equally important for white students because ethnic study courses dispel myths and build connections among students instead of creating division. Culturally relevant courses allow white students to not only learn about people of color, but also about white people's roles as oppressors, as well as activists fighting for racial change. This is important, because we often feel there is nothing we can do to change racism.

Experts in the studies said that all students need ethnic studies to unlearn watered-down versions of historical events and learn America's inconvenient and necessary truths. The way we teach our history and culture and the way we exclude or minimize certain groups and their experiences while giving privilege to others feeds prejudice and negative stereotypes. Ethnic study classes and rethinking traditional courses to be more accurate and inclusive is the path to countering centuries of misinformation.

In today's society where students are feeling the racial tensions in their school environments, it is paramount that we offer ethnic studies education courses in our state so all Nevadans become educated about the contributions and strengths folks from different ethnic backgrounds bring to our wonderful state of Nevada.

Senator Segerblom:

I would like to have Andreana Franco speak.

Andreana Franco, Success Coach, TRIO Student Support Services, Office of the Provost, Nevada State College:

Several years ago, Dr. Leila Pazargadi and I co-wrote this bill to educate the young students of Nevada to appreciate their own cultures along with others. I am the director of a committee that has been building ever since then. This committee is filled with legislators, college faculty and educators, community leaders, and students. On behalf of S.B. 107 (R1), we support this bill.

Chairman Thompson:

Did you want to do your presentation ([Exhibit C](#))?

Senator Segerblom:

We are fine. I will conclude by saying American history is not just Benjamin Franklin and George Washington—although from my perspective, that is how I was raised. I think it is important that students learn the real history of the United States, what I would call the good, the bad, and the ugly. We want these ethnic and diversity studies. It is not just ethnicity; it is also about women, and lesbian, gay, bisexual, and transgender, questioning (LGBTQ). It is learning about how diverse we are. You learn who the leaders were—historical figures that you could be proud of—but you also learn the bad and the ugly. You would learn about slavery; what happened to the Native Americans when this continent was invaded; about Latinos and Operation Wetback; the fact that women could not even vote; and about the fact that in the United States—in Nevada—we actually passed an amendment to our *Nevada Constitution* within the past 10 years saying that gays could not marry.

There are a lot of institutional things that this country has done that people need to know about because we are all part of the bigger pie. The fact is, starting right now, Nevada is a majority minority state. So we need to reach out to everybody, be inclusive, and allow students to learn about their history, both the good and the bad. As we go further, many of these fights will be lost, so it is important that everyone look back and remember the fights that we had to go through. I am very proud of this bill and I think it would be great for our schools.

Assemblywoman Joiner:

Thank you for bringing this bill. I definitely support the intent and I like to see that we are constantly building and improving our curriculum, what we expose students to, and what we hope that they learn. This is really valuable. My question is, Where does this fit in? Last session we had a multicultural studies bill.

Senator Segerblom:

That was Mr. Munford's bill.

Assemblywoman Joiner:

Yes, exactly. Assembly Bill 234 of the 78th Session. I was trying to do a side-by-side with that bill. How does S.B. 107 (R1) fit into A.B. 234 of the 78th Session? Does this bill develop further standards in the social studies curriculum?

Senator Segerblom:

It basically takes those standards and then uses them to create a course. Under Assemblyman Munford's bill, these subjects would be taught throughout the student's time in public school. This bill would actually create a separate course that students would take as juniors and seniors. It would be elective to start with, but it would go into more detail and flesh out the subject. It would also then force the universities to have courses of

ethnic studies so that teachers can learn about it and, at some point, they would be required courses in college and high school. From my perspective, it is so important for all of us to know each other's backgrounds.

Assemblywoman Joiner:

That sounds great. Thank you.

Senator Segerblom:

We had this bill last session, but because of Assemblyman Munford's bill, we let this one die and let his pass. He had been trying to get his bill passed throughout his entire career. It was a coup for him to see it pass.

Assemblyman Edwards:

I have lived in four different countries and on three different continents. Here, in the United States, I have lived in about ten different states. I have seen a whole lot of diversity and differences between not just ethnicities but in cultures—very diverse cultures. I am always concerned, as an adjunct at Nevada State College, at how little our kids know about American history. The results that I see in my class on political science and American history shows they barely know our own history. Whereas you and I are very familiar with Ben Franklin, Alexander Hamilton, and we could go through Roger Sherman and all the rest of them—they do not do that, because they cannot. I am wondering if we are misdirecting our attention.

I would like to make sure that our kids first understand our own culture, our own history, rather than deviating into a whole lot of other courses. By the way, I do not understand why they are not taught this in grammar school and high school, because I would have assumed that they would have world history in high school. I would have assumed they would have had different countries covered in grammar school. I need to know why we are focusing energy on this when we are still not able to actually do the basics.

How much of a cost is this going to be? Although we are not a money committee, there is a lot of money that is going to be diverted away from other things that I think we need first.

Senator Segerblom:

When you say "our history," that is the whole point. From your perspective it sounds like Benjamin Franklin is our history. That is not "our" history. Our history is the slavery; it is the Native Americans which was basically genocide; it is the Latinos who have been marginalized; it is the women who could not vote; it is the gays and lesbians who were not allowed to marry, and making love with their partner was criminalized. Our history is everybody, and this thought that we have this little teeny piece of white history that is "our" history is, in my opinion, not correct.

Assemblyman Edwards:

Actually first, I have to inject this. The history you just talked about is part of the American history I learned both in grammar school and in high school. They covered the slavery, the women's suffrage, and the different ethnic groups that came to America. If we are not teaching this already, why should we deviate off into everybody else's culture when we are not effectively teaching our own?

Senator Segerblom:

We are not talking about culture from Mexico or South America or Africa; we are talking about "our" culture, the United States' culture. Our culture is a conglomerate of all of the people who came here. That is what we are trying to say. Let us look at who we are and then how we have been treated as this country tried to assimilate us, and the fact that maybe today, we do recognize that women have a right at the table. That does not mean that they have always had that right. From my perspective, we have focused on northern European culture and forgotten that what made this country great is all of us, which, at this point, is predominantly non-European.

Assemblyman Edwards:

I am just surprised that when I went to school we were taught the different continents, the different cultures, the products, the makeup of the other countries, and their histories to some extent. In high school, we emphasized every major culture across the planet. Is that not being done now? Are we not teaching that kind of stuff already?

Senator Segerblom:

Let us turn this over to Ms. Franco. She is also a teacher at Nevada State College.

Andreana Franco:

At Nevada State College I work with TRIO students. These students are primarily first generation minority students. Today's students are being taught a very limited amount of information about American history. It is very important that students see themselves, their own cultures, and their histories in our American history. We are taught through one lens—a European lens—and we are not given the benefit of the struggles of the many minorities that built this country. We are not discussing the reasons why movements were created and started. We are not talking about milestones for communities that are other ethnicities besides European ethnicities.

I also have Shantal Marshall here. She is a professor at Nevada State College and she would like to weigh in on this discussion.

Shantal Marshall, Private Citizen, Las Vegas, Nevada:

I am in the area of psychology. I did submit my written testimony ([Exhibit D](#)), but I hear the Assemblyman's point loud and clear, the idea being that if we replace the class, then something has to be cut, right? We are not adding a class. We are saying that during one particular class period the students are able to elect to take ethnic studies. The question is really, what is being cut? Right now, from the experiences that I know of my students,

they are not really experiencing a lot from the perspective of ethnic minorities as Ms. Franco already mentioned. Moreover, this would actually increase our sense of belonging in school. Right now, even if students are being taught the history that you are talking about, they are probably not very engaged, and they are probably not learning it very well. A class like this would actually increase their sense of belonging in the academic context, and they would probably learn all of those things you are expecting them to learn much better by the time they get to your political science course.

This is what we call a non-cognitive psychological intervention. In other words, it will help students become more inclined to learn the material, and they will see themselves within the tapestry of American history. When you talk about the histories or the other continents, we are not talking about that at all. That is world history. We are talking about the experiences of ethnic minorities within American culture. These are topics that we would include in American history.

Assemblywoman Krasner:

I want to thank you for bringing this bill. It is a great idea. I am happy that it is an elective course because I have two children in high school, and they are always looking for elective courses to take. This would be great for kids to be educated as to the diversity of our state and our country. We are a melting pot here in America. My only request is, could you make it an honors course because they are desperate for honors courses in high school. This would be perfect.

Assemblywoman Miller:

In response to some of the discussion we have been having, one of the things we have to consider is just how diverse our schools are, especially in Clark County. My experience with fifth- and sixth-graders has been that they are fascinated and love the discussions, learning, and lessons about different cultures and diversities. What that has done is that it helps them when studying about American history and, as the Senator addressed, this is American history. We are just making it more inclusive of all of the truths, all of the facts, and not only certain versions of American history. Why just 11th and 12th grade? I appreciate the reason for it to be an elective, but is there any discussion about lower grades, or infusing it throughout the curriculum?

Senator Segerblom:

It does not specifically say 11th and 12th. It was just thought it would be an upper-level course.

Andreana Franco:

I looked at some of the programs that they are thinking of putting into the history program now, at an earlier age—which I believe is middle school. Students would be somewhat exposed at an earlier time; then this would come in after, if it were mandatory. If they wanted to learn more, they would have the option to do that. That is what this bill will create—the option to learn more.

Assemblywoman Diaz:

To Assemblywoman Miller's inquiry regarding Assemblyman Munford's bill from last session, it really encouraged teachers to embed multicultural studies into their everyday teaching. I do hope that many educators undertake that initiative and infuse their teaching with multicultural lenses throughout the K-12 spectrum. I hope that then, the kids are getting the foundation, not just when they get to high school, but before.

Then, with my colleague Assemblyman McCurdy's culturally competent endorsement, when that gets structured and educators pursue it and have that under their belts and in their tool kits, it would also help ensure that we are not just waiting until they get to high school to expose the students to the multicultural and ethnic beauty that we all bring to the tapestry.

Assemblyman McCurdy:

This bill is much needed in our extremely diverse school district. I know that we have to expand, but how can we expand this type of curriculum that is going to be created? I see how we are going to establish this through all of the representatives of ethnic or diversity studies at colleges and universities in this state. I think it would be beneficial for us—if not now, then in the future—to look at incorporating middle schools, and allowing these types of studies. I remember when I was really young and in middle school—we were talking about our ethnic and cultural background, wanting to share that with our friends. There were so many question marks in our minds as to what was really the history behind America.

I agree with my colleague on the left, Assemblywoman Krasner from northern Nevada, saying that this is a melting pot. We all have our own individual cultures, but we bring it together and make for a more beautiful nation. My second question is, Why is the effective date July 1, 2018? Is that for us to get the curriculum established, because we have to go through the process of meeting with all of the stakeholders? Is that the reason?

Senator Segerblom:

Correct. It is just because the state has to develop the curriculum, and everything takes time. I will tell you that you are in the perfect position to keep coming back here and hammering away at this. Hopefully, someday it will be mandatory in kindergarten. It takes time, and as soon as you start, it is going to cost money; then it goes to the money committees and disappears. We are taking baby steps trying to get there. Assemblyman Munford started the process and I believe this builds on that. Once we get the teachers and professors to begin doing this, more resources will become available.

I would also like to comment on what we see in Clark County. When I go to the schools, I want to cry. It looks like the United Nations. I have never seen a more beautiful group of children in my life. This is America. It is not the America I grew up in. It is just beautiful—I do not even know how to describe it. We really are diverse, and Clark County is probably more diverse than anywhere else in the country.

Assemblywoman Swank:

This is more of a comment than a question, but as you know, I have my doctorate in anthropology and I spent about 20 years thinking quite a bit about culture in anthropology. I think there is often a misperception about what culture means. The way people often talk about it, it seems a lot like a basket where you have African-American culture and it sits in this basket next to Irish-American culture which sits in another basket; and when people talk about how they learned our history or they learned the different cultures, I think that is what they are thinking about—those different baskets that they keep putting us all into.

I am fourth generation German-American on both sides of my family. However, because I have lived here in the United States, Mexican-American culture, African-American culture, every group and every background is my history. We grow up learning all of these histories of all of these different countries. That is what American culture is. There is no way to separate it out. As Senator Segerblom said, there is no way we want to. This is what makes America what we are. You have to be very careful if you are talking about "our" history and referring to a very small subset of white people who did not even start this country—let us be honest about who started this country. If we are going to talk about who started this country, let us talk about Native American cultures. We need to be very careful when we are talking about what it means to be a culture, and this bill really gets to that and does a lot of work to overcome those divisions.

Assemblyman Pickard:

Continuing with that thought, I do feel pretty strongly that we are an amalgam of all of us. I grew up, for the most part, in Oregon, a fairly progressive state I suppose, but we learned about all of the good, the bad, and the ugly. We talked about slavery as a pejorative. We talked about the Trail of Tears as a stain on our *U.S. Constitution*. We talked about many of the things that we are not proud of. We also talked about many of the wonderful things that the various people from all sorts of cultures have provided.

One of my hesitations on this bill was in section 1, subsection 2(a), where we are naming all of these different cultures, and yet, we are all supposed to be one. The practical side says, yes, we need to address these things. Ultimately, my concern in this whole bill—and I am completely supportive of the intent—is with section 1, subsection 2(b): "Emphasize human relations, sensitivity towards all races and diverse populations and work-related cultural competency skills." Let me explain my concern.

My most recent experience was in law school. I had a professor who was a minority in every sense—African-American, gay, and very outspoken, except in the classroom. No one knew where she stood on any issue until after the class was all over. She was great in getting the discussion going and letting all sides say whatever they were going to say. Then I went into my Constitutional law class and had a professor who was exactly the opposite. If you disagreed with that professor, you were chastised for the rest of that semester. My concern is the lack of tolerance that exists or may exist in these courses. The Arizona case is a perfect example. In my understanding, that was a Mexican-American heritage course that the

opponent said became a political piece. It was teaching students a particular view from a particular perspective, and a number of people said that it was not appropriate, so they wanted to end that program.

My question becomes, How do we incorporate the idea that there is tolerance for all views, not just the ones that are politically popular at the moment? University of California, Berkeley, is a great example where those that opposed the liberal position—and I am using that writ large—become violent over it. How do we address this in a truly tolerant way? Is this something that you think this bill as written incorporates?

Senator Segerblom:

That is the intent.

Shantal Marshall:

The first point I want to address is the idea that the class could become, in some people's perspectives, a political course, or a course meant to rile students up because it is giving them a certain point of view. That statement can only be true if you accept that the way American history is taught now does not have an objective and does not have a perspective. Our argument is that much of American history is taught with a particular perspective. Part of the way that perspective is taught is simply by choosing what gets taught and what does not get taught. We are saying that is what we are really going to focus on. There is a lot of American history that is taught from a very particular perspective, often Eurocentric. We are saying, Okay, if there are going to be decisions about what gets cut and what does not, then we will add an elective where students can learn some of the stuff that may not make it into a more mainstream course.

The second point I take completely wholeheartedly, because I teach a class on the psychology of inequality and it is very difficult to teach a course where students have a lot of perspectives coming in, a lot of points of view. I do encourage discussion a lot. I have a very high regard for teachers, and I believe that if they are taking ethnic studies in their college courses, in order to be able to teach ethnic studies in high schools, they will come away with the skills necessary to navigate this kind of course. I hope that some of them will come out of my own courses. I am definitely trying to get more of my students to become teachers, and non-biased teaching is definitely a skill. I do not know how we can create a bill with a zero percent risk of that coming true, but right now, we are tying this to the teachers being very well versed in how to run a classroom that does welcome different perspectives and allows students to come to their own understanding of all of these points and historical events.

Assemblyman Pickard:

I appreciate that, and to the extent that we are actually agreeing for the most part, I do not disagree that there has been, historically, a Eurocentric approach, generally speaking. I do, however, believe you can still teach tolerance, as I experienced in my law school class. You can teach a tolerance for all perspectives while at the same time trying to cover the broadest curriculum. To the extent that I would like to strengthen this bill on the idea of

tolerance for all perspectives, I would like to see that. I have people ask me all of the time if this is difficult, being in this building, arguing. No, actually the discussion is pretty invigorating because we can cover all sorts of different perspectives. I would encourage strengthening some of the language to adopt a more tolerant-of-all-points approach.

Assemblywoman Diaz:

In response to Assemblyman Pickard, I think that what you are seeking is in what you are questioning in this part—to emphasize human relations, sensitivity towards all races and diverse populations and work-related cultural competency. What that is getting at is that you need to understand and know that there are divergent viewpoints, that there are different ways to look at things; different lenses, different cultural experiences—maybe what you think is culturally on point might be offensive to somebody else. That tolerance that you speak of is encapsulated in that piece right there. It should not just be that I tolerate you; it should be that I understand and I embrace you, and I am not going to judge you because you are different from me.

Assemblyman Pickard:

We are on exactly the same page. Thank you.

Chairman Thompson:

We will go to support for S.B. 107 (R1). We will start here in Carson City. Welcome.

Katherine Chang, Private Citizen, Sparks, Nevada:

I wanted to give a little perspective of someone who has taught ethnic studies. I moved to Nevada two years ago from California, where I taught high school and elementary school. I went through the credentialing program, so I can give you a vision of five or ten years down the line because I have gone through the program and worked with students who have been impacted by a bill like this.

To start with the credentialing program—I definitely think that having an ethnic studies requirement for teacher credentialing programs helps teachers assist students more effectively. We are required to take four ethnic studies classes in the credentialing program in California. That gave me a whole new look at how to deal with the very diverse population in that state. When I taught third and fourth grade in elementary school, we did local and state history; there was a strong focus on incorporating different perspectives and different voices, the very diverse and multiethnic lifestyles that we have in the state that have contributed to the history of the state. The students really responded.

I taught in the San Francisco Unified School District and many students came from single-sex families so we taught about the gay rights movement, Harvey Milk, Castro Street, and the riots. Students really responded to how that reflected their own personal lives. Additionally, the school where I taught had a huge Japanese-American population so we talked about the Japanese-American internment in Manzanar. Having students hear these

voices and see themselves reflected in this curriculum, having their teachers validate them by saying that we hear you and this is what has happened and we can have a discussion about that is incredibly important. I always felt that really impacted, even at an elementary level.

I moved to San Diego and taught English language learners (ELL) and English as a Second Language (ESL) in high school and worked in a Title I high school in the southern area of San Diego where the population was primarily Hispanic and African American. My principal was very progressive in the way that he wanted our teachers to introduce ethnic studies and incorporate it into our classes in the best way possible. Even in something like ESL, you would bring in diverse casts of characters, where not every character in the story is going to have the last name of Smith or Jones.

I also taught college readiness courses where we taught kids vocabulary and math skills as well as reading skills. When you are reading non-fiction, having firsthand witness accounts and talking about history, there are many ways you can incorporate ethnic studies on top of having a course that is required on the high school level, which I think this bill does really well to support. Even at the K-8 or K-10 level, there are many different ways to incorporate these voices and all kinds of subjects to make it interdisciplinary.

I fully support this bill. I think it is incredibly wonderful to see such a progressive, exciting, and passionate Legislature, and I am very excited to be part of Nevada.

[Prepared text was submitted that included additional testimony ([Exhibit E](#)).]

Craig M. Stevens, Director of Intergovernmental Relations, Government Affairs, Community and Government Relations, Clark County School District:

We are here also in support of S.B. 107 (R1), and we appreciate the sponsor for bringing this forward and working with us on this bill. When he speaks of diversity, we from the Clark County School District (CCSD) know exactly what he is talking about, and we are very excited about this bill. Number one, it expands on Assemblyman Munford's legacy and multicultural education. We believe when these new social studies standards come out within the next year, it is really going to change how we educate our students, not just in high school, but from kindergarten until they graduate. We believe that it will all be infused into every single grade level when it comes to diversity and multiculturalism. We are so excited about S.B. 107 (R1) because we believe it strengthens that. We believe that for those students who want to delve more into this issue, who feel a passion for these issues, that there is going to be an elective they can take, and then, once they go on to college or wherever they go after that, they can continue upon that education, and S.B. Bill 107 (R1) sets us up for that, along with what Mr. Munford was able to accomplish last session.

Ed Gonzalez, representing Clark County Education Association:

We are in support of S.B. 107 (R1). We believe this bill broadens the student's educational experience by having the opportunity to hear different perspectives. In addition, we appreciate Senator Segerblom for incorporating the standards of not only college professors, but also teachers and faculty as well.

Senator Aaron Ford, Senate District No. 11:

I am stepping up in support for S.B. 107 (R1). I did not anticipate coming before the Committee to testify in support, but in hearing some of the testimony, I thought it necessary and important to come up and declare my support. In 1996, as a math teacher, I recall assigning my math students a writing assignment where they had to go home and interview their parents, learn what their cultural background was and their ethnicity, and then to come forward, whether they were a woman or a man, with a historical mathematician of the same ethnicity and gender and give a report on it. Lo and behold, many people could not find many female mathematicians. The lesson was obvious. Is that because female mathematicians did not exist? Was it because the history books did not include female mathematicians? When many people brought forth the same African-American mathematician, Benjamin Banneker, the question was, Was he the only black mathematician ever? Or was it only because history books only talked about Benjamin Banneker?

That lesson is something that I think is very important for us to contemplate. We all have to recognize and acknowledge that education has always been used to indoctrinate in one way or another. How do we want to indoctrinate our children going forward? In my view, we want to so in a way that is inclusive, that is not just tolerant, but beyond tolerant, and also accepting. If you decide not to accept it, there is an acceptance associated with not accepting that also has to be taught and learned.

The following year, as I was working on my Ph.D., my advisor was teaching us a concept called self-efficacy. Not self-esteem or self-image, which is how you feel about yourself or how good you think you are, but self-efficacy—this notion that you can do something. Nothing was better for self-efficacy than to see someone who looked like you, probably from a background from which you were from, doing things you wanted to do. It taught you that, yes, I can be an African-American president; yes, I can be a person who has a law degree and a Ph.D. because my advisor right now is an African-American male from the ghetto who is teaching law and is also a Ph.D. Self-efficacy is an important concept that must be taught in our schools as well. In this curriculum, ethnic studies is something that can go a long way in doing so.

Fast forward ten years, when my now 23-year-old was in the seventh grade in Texas, taking a standardized multiple choice exam. The question before him was "What was the cause of the Civil War?" This was not an essay question; this was a multiple-choice question. A, B, C, D, process of elimination. We all know how to do that. He was left with C and D; C said "slavery," and D said "states' rights." It was not an "and." It was not explained why slavery and states' rights go hand in hand when we talk about the cause of the Civil War. It was an indoctrination of an African-American child in a predominately white school being taught, as early as seventh grade, that not even the Civil War was about a race-based issue. Then we wonder why people say a person is hypersensitive about race, or hypersensitive about gender. Well, it is because from early ages, in our curriculum we are taught to think otherwise. Therefore, in my view, this bill for ethnic studies is that much more important. I urge this Committee to support it.

Ruben R. Murillo, Jr., President, Nevada State Education Association:

After listening to the testimony, we are in support of S.B. 107 (R1). All the reasons for this bill have been stated, but I want to give you a personal touch to this. Culture is seen through different lenses. You may be from many places, you may be from different areas, but you tend to always congregate with the people that you know. My nephew came to live with us about ten years ago because he was in trouble. His parents wanted him to find a new, diverse group of friends, to find out if he could change. He did not. He found the same kind of group that he had been in. He never changed.

As we go through the changes and demographics here in Nevada—my church, a Catholic church on Eastern Road and Flamingo Road—used to be predominately Caucasian. It is older Caucasian now, as it is in the older part of town. It now has a very robust, growing Asian population, and there has been a lot of discussion about how a church changes in order to accept and understand those who are coming into our community. Cultural awareness is much more than Black History Month, Asian/Pacific American Heritage Month, Hispanic Heritage Month or American Indian Heritage Month. We are much more than learning about Black history by going to jazz clubs, or Asian month by finding out where the best Thai restaurant is, or celebrating Hispanic month on Cinco de Mayo and margaritas, and also the Native Americans by the trials and tribulations they have gone through. What do we do then to make sure this is not only geared towards our students of color or of different ethnicities, but also towards those who want to understand, those who want to go the extra step towards understanding the changing demographics in their community, so that we can prepare a better workforce to meet the needs of Nevada?

We have a lot of tourism that is geared toward the Chinese population, the Mexican population, and the European population. If we do not understand the people we are working with and live with, then we are only going to be divided, and it will be a deeper divide than it is currently unless we get closer together. We support S.B. 107 (R1).

[A letter of support for S.B. 107 (R1) was submitted by Nevada State Education Association ([Exhibit F](#)).]

Lindsay Anderson, Director, Government Affairs, Washoe County School District:

I cannot even try to compete with the testimony that you have heard today, so I will not try to. We appreciate the sponsor working with us on the Senate side to make sure that this is accessible to all of our high school students in every one of our schools and that we have enough time to ramp up and get that class ready.

**Mary Pierczynski, representing Nevada Association of School Superintendents;
and Nevada Association of School Administrators:**

We also want to thank the sponsor for working with the education groups to provide permissive language so that it is not a graduation requirement. I think kids will gravitate towards a class in ethnic studies, and eventually in our schools, as we know more about other cultures, it will help create tolerance, acceptance and understanding of others. This is a good step towards that. We are in support of the bill.

**Stephen Augspurger, Executive Director, Clark County Association of School
Administrators and Professional-Technical Employees:**

I would have to say that for the 45 minutes we have been having this discussion and being able to listen to comments from the dais and from the audience it has been for me, personally, one of the most enjoyable discussions. It reminded me that about 30 years ago, when I was a middle school principal, every day when I got home from work, my oldest, who is now 41 years old, was then in sixth grade. All I heard, from the first day of school until the middle of October when the open house occurred, was the name Erma Brooks. Some of you may know Erma Brooks—she was a teacher in the Clark County School District for a long time. Every day I heard stories about what they did in the classroom and what a great teacher she was and how she was inspiring my child. I looked forward to open house that year and when I got there, I discovered, much to my surprise, that Erma Brooks was an African American. Not one time did my daughter say that she had this great African-American teacher, because ten-year-olds do not think that way. Being an enterprising principal, I quickly recruited her to the school that I was working at, and she taught for me the following year.

This topic is an interesting one. We cannot lose sight of the fact that there are hundreds of different perspectives that people bring to work and to classrooms, and I am forever grateful for the example that my daughter set for me, not only as a parent, but also as a principal. We, too, are strongly in support of S.B. 107 (R1).

Paige Ritzman, representing Nevada Association of School Boards:

We appreciate the Senator's work on this bill. We think that this will help our students to feel welcome at our schools and will increase engagement.

Chairman Thompson:

We will go to Las Vegas in support of S.B. 107 (R1). [There was no one.] We will go to Las Vegas for any opposition to S.B. 107 (R1). [There was none.] Is there any opposition in Carson City?

Lynn Chapman, State Vice President, Nevada Eagle Forum:

We were glad to see that this has become an elective and is optional. That is a plus. However, the 2014 report by the National Assessment of Educational Progress (NAEP) showed that an abysmal 18 percent of American high school students were proficient in United States history. How can we tell Martin Luther King's story without telling of the Founding Fathers, the *U.S. Constitution*, or of Abraham Lincoln? "King's protests were

effective because they were grounded in the idea that America was supposed to be something specific, that the *Constitution* said so—and that we weren't living up to those ideals." That quote comes from "Why schools have stopped teaching American history" [January 22, 2017, *New York Post* opinion letter by Karol Markowicz].

I just want to say that kids today will not know how and where our country has been, and they will not know how we got here unless they learn history. History is very important and we are not teaching it. Eighteen percent of kids know about history and that is not good enough. We are pushing aside the men and women who sacrificed to build this country from nothing, and that is a shame. In fourth grade I went to a school called Costano Elementary School and we learned about the Costanoan people that lived in that area in San Mateo County, California. I think things like this should be taught to kids throughout their school careers; it should not only be in high school. However, we are not teaching everything that we should be teaching. We are just focusing on a very small portion of history. Now we are going to be adding in more history and cultures from around the world. Like Assemblyman Edwards said, we do have a world history class in tenth grade, I believe, and that should teach our children a lot about history.

My great-great-grandfather came here from Scotland so that he could fight in the Civil War and receive his citizenship. I had two great-aunts that came from Scotland as indentured servants. The Irish were brought here and they were treated badly; they were treated as slaves. They were brought here as slaves. That is a true story. I grew up in a black neighborhood, so I did learn about different backgrounds and histories.

As we were sitting here I thought of a good idea—let us make sure that kids get a basic American history throughout their school career, and then in high school, in their junior and senior year, they can study other cultures and histories if they can pass the civics test that was brought before you—the civics test that immigrants have to pass in order to become citizens—the bill where the students have to pass with a 60 percent out of the 50 questions asked. That way the children will know their history and culture in this country; then we can progress and learn other types of things.

Assemblyman McCurdy:

Can you point out in the bill where it says that we will stop teaching history? You just said that on the record. Or is it that history should not be inclusive? What are we saying here?

Lynn Chapman:

I did not say we stopped teaching history. We are not teaching history like we should. Are you talking about the quote that I mentioned? What it said was, "A 2014 report by the National Assessment of Educational Progress showed that an abysmal 18 percent of American high school kids were proficient in U.S. history." I did not say they stopped teaching history. They are not teaching it like they should.

Chairman Thompson:

We will go to neutral testimony for S.B. 107 (R1).

David W. Carter, Member, District 2, State Board of Education, Department of Education:

I would mention that as we teach ethnic studies, that we should teach both the good and the bad. As a point of reference as to why I am bringing this out—as we teach world history, for example, I hear a lot of condemnation of the United States for dropping the atom bomb.

My father-in-law, who passed away three years ago at the age of 94, was living in the Dutch East Indies at the age of 21. Both he and his brother were captured by the Japanese. His brother ended up in Burma working on the Burma railroad, which you may know from the movie *The Bridge on the River Kwai*. My father-in-law was captured by the Japanese while on a boat going to Australia. He spent four years in Japanese prisoner-of-war camps in various Japanese harbors. On August 6, when the atom bomb was dropped in Hiroshima, his guards put all of the male prisoners on a ship in Nagasaki Harbor and they were told they would all be shot in a couple of days. On August 9, the second atom bomb was dropped in Nagasaki. That bomb saved my wife's life: she was born in 1956 to a man who would have been killed by the Japanese because they had no respect for men who had surrendered. As a result of that bomb—which we do not hear talked about today, we just hear about how bad the U.S. was for dropping that bomb—well, that bomb saved my father-in-law's life and many other prisoners in that harbor and throughout the rest of Japan.

We need to be careful, as we deal with ethnic studies, that we teach both sides. If we are teaching how bad the atom bomb drop was, we need to teach also about the horrors of what Japan and Germany were doing on the other side. We need to teach both sides of why there may have been reasons why some people may have felt differently about different avenues in ethnic studies. We should just teach what may be considered a more progressive side.

Chairman Thompson:

Thank you so much for your testimony. That brings a lot of this into perspective. Is there anyone else neutral on S.B. 107 (R1)? [There was no one.]

Mary Janet Ramos:

Senator Segerblom had to run to his committee, but I do want to give the closing remarks. Ethnic studies will definitely provide a space for discussion. What is clear is that there are different angles to history, and by making this information accessible to students, they will be able to decide which side they want to take. It is very important to give students this opportunity. It is going to be an elective and would supplement what they are currently learning in school. This bill is not asking to take anything away. Thank you so much.

Chairman Thompson:

We will close the hearing for S.B. 107 (R1). Before we go to our work session, I want to state that last week we started the celebration for National Teacher Appreciation Week and we are also acknowledging it this week. Anyone who is a teacher, from the bottom of our hearts, we salute you. I can still remember pretty much all of my teachers from kindergarten all the way through when I graduated from college. At this time, this week, we really salute you. You make a big difference.

Assemblywoman Tolles:

I would like to recognize all of the teachers in this room. Anyone who is a teacher at all levels, raise your hand.

Chairman Thompson:

We thank you so much for the profession. At this time we will open our work session. We will start with Senate Bill 20 (1st Reprint).

Senate Bill 20 (1st Reprint): Revises provisions relating to educational personnel. (BDR 34-342)

Amelie Welden, Committee Policy Analyst:

As nonpartisan staff, I do not advocate for or against legislation. The first bill on work session is Senate Bill 20 (1st Reprint).

Senate Bill 20 (1st Reprint) repeals provisions requiring teachers and other educational personnel to demonstrate by examination or credentials knowledge of the *Constitution of the United States* and the *Constitution of the State of Nevada* for licensure. Instead, the bill requires teachers new to Nevada or the profession to be trained and demonstrate proficiency in certain aspects of the *Constitution of the State of Nevada* and Nevada's school laws within one year after a license is issued. Substitute teachers are excluded from the training requirement.

The Commission on Professional Standards in Education must prescribe by regulation the required contents of the training, as well as proficiency standards. The training content must be reviewed for update every two years. There are no amendments ([Exhibit G](#)).

Chairman Thompson:

Is there any discussion on the bill? [There was none.] I will entertain a motion to do pass.

ASSEMBLYWOMAN SWANK MADE A MOTION TO DO PASS
SENATE BILL 20 (1ST REPRINT).

ASSEMBLYMAN McCURDY SECONDED THE MOTION.

Is there any discussion? [There was none.]

THE MOTION PASSED. (ASSEMBLYMEN EDWARDS AND KRASNER
VOTED NO. ASSEMBLYMEN ELLIOT T. ANDERSON AND
WOODBURY WERE ABSENT FOR THE VOTE.)

Assemblyman Fumo will take the floor statement. Senate Bill 108 (1st Reprint) will be discussed next.

Senate Bill 108 (1st Reprint): Requires a study to determine the manner in which to include certain instruction relating to criminal law in the social studies curriculum for public high schools. (BDR S-523)

Amelie Welden, Committee Policy Analyst:

Senate Bill 108 (1st Reprint) requires the State Board of Education to create a subcommittee to study the manner in which to include in high school social studies coursework instruction in criminal law related to certain crimes that frequently involve persons less than 18 years of age. It requires such instruction to emphasize personal responsibility for understanding and complying with the law, and lists specific topics to be covered. The instruction must also include relevant information to assist victims and witnesses of such crimes.

The bill requires the State Board of Education to submit a report to the Legislative Committee on Education outlining related recommendations and any actions the Board has taken or intends to take to include the instruction described in the bill. The Committee must then report to the Legislature regarding its consideration of the relevant matters and any recommendations for legislation ([Exhibit H](#)).

This is the bill draft request that came from the Nevada Youth Legislature. There is one amendment they proposed for consideration in the work session, and during the hearing of S.B. 108 (R1), Assemblywoman Tolles proposed a friendly amendment to add sex trafficking to the list of topics that must be covered by instruction related to sexual conduct in section 1.5, subsection 1(a).

Chairman Thompson:

Is there any discussion? [There was none.] I will entertain a motion to amend and do pass.

ASSEMBLYMAN EDWARDS MOVED TO AMEND AND DO PASS
SENATE BILL 108 (1ST REPRINT).

ASSEMBLYMAN PICKARD SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYMEN ELLIOT T. ANDERSON
AND WOODBURY WERE ABSENT FOR THE VOTE.)

Assemblywoman Tolles will carry the floor statement. We will open the hearing on Senate Bill 241 (1st Reprint).

Senate Bill 241 (1st Reprint): Provides for the establishment of the State Seal of STEM Program and the State Seal of STEAM Program. (BDR 34-680)

Amelie Welden, Committee Policy Analyst:

Senate Bill 241 (1st Reprint) establishes the State Seal of Science, Technology, Engineering, and Mathematics (STEM) Program and the State Seal of Science, Technology, Engineering, Arts, and Mathematics (STEAM) Program. The programs provide that

a special seal denoting STEM or STEAM be affixed to the high school diploma and noted on the transcript of a student who has achieved a high level of proficiency in related coursework. The measure specifies the academic performance criteria required for a student to qualify.

School districts, charter schools, and university schools for profoundly gifted students may choose to participate in the programs. The Superintendent of Public Instruction is required to create and distribute the seals to participating schools and districts. There are no amendments ([Exhibit I](#)).

Chairman Thompson:

Are there any questions? [There were none.] I will entertain a motion to do pass.

ASSEMBLYWOMAN DIAZ MADE A MOTION TO DO PASS
SENATE BILL 241 (1ST REPRINT).

ASSEMBLYWOMAN SWANK SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYMEN ELLIOT T. ANDERSON
AND WOODBURY WERE ABSENT FOR THE VOTE.)

I will assign the floor statement to Assemblywoman Miller. We will go to our last bill on the work session, Senate Bill 252 (1st Reprint).

**Senate Bill 252 (1st Reprint): Revises provisions governing interscholastic activities.
(BDR 34-785)**

Amelie Welden, Committee Policy Analyst:

Senate Bill 252 (1st Reprint) authorizes the Nevada Interscholastic Activities Association (NIAA) to, by regulation, allow certain students who are enrolled in a charter, private, parochial, or public school to participate in a sanctioned sport or other interscholastic event at another public school. To be eligible to participate in an event at another school: (1) a student's school must enroll not more than 30 students collectively in grades 9 through 12; (2) the event must not be offered at the student's school; (3) the board of trustees of the school district must provide approval; and (4) the student must reside in the school district or zone of attendance of the public school offering the event. There are no amendments ([Exhibit J](#)).

Chairman Thompson:

Do we have any questions? [There were none.] I will entertain a motion to do pass.

ASSEMBLYMAN PICKARD MADE A MOTION TO DO PASS
SENATE BILL 252 (1ST REPRINT).

ASSEMBLYMAN EDWARDS SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYMEN ELLIOT T. ANDERSON
AND WOODBURY WERE ABSENT FOR THE VOTE.)

Assemblyman Pickard will take the floor statement. Before we close out the work session, I would like to revisit the Committee rules so that we truly understand how Committee Rules 57 and the Assembly Standing Rules specifically state that unless a Committee member advises the Chair otherwise, it will be presumed that member will vote on the amendment or the measure during the floor session. I would like for us to be consistent with that. I know that things can happen between now and the time we go to floor, but I really would appreciate it if you would please let me, as the Chair, know if you have to change your vote.

Assemblywoman Tolles:

I was just going to confirm that you would like us to speak to both the sponsor of the bill and you if we change?

Chairman Thompson:

Yes. Definitely me for sure and, as a courtesy, I would think that we would let the bill's sponsor know as well.

At this time we will close out our work session and we will open the hearing for Senate Bill 369 (1st Reprint).

**Senate Bill 369 (1st Reprint): Revises provisions relating to public schools.
(BDR 34-971)**

Senator Aaron D. Ford, Senate District No. 11:

I am here today to present Senate Bill 369 (1st Reprint) which supports our schools in fostering a collaborative environment in focusing on student academic outcomes. I am accompanied by John Vellardita with the Clark County Education Association, and I will also be joined by Stephen Augspurger, Executive Director, Clark County Association of School Administrators and Professional-Technical Employees. Recent discussions about the reorganization in the Clark County School District (CCSD) have highlighted the importance and the urgency of teachers and principals working collaboratively with one another and with the families of students attending the schools. If the students at a school are going to be academically successful, the adults involved in their academic life must be working together toward a shared vision.

This is true for any school, but it is especially true of the school that is being locally managed by the principal and his or her staff, as has been envisioned with the CCSD reorganization—which, incidentally, was signed into law today. The bill proposed to provide CCSD teachers and principals with the skills and knowledge to be effective collaborators.

Section 2 of S.B. 369 (R1) requires the Clark County School District Board of Trustees to establish a training program for teachers and principals in working collaboratively with school staff and the families of students. This training must at least be made available by the district, and must be attended as directed by the school principal or district superintendent. Under certain circumstances this bill also requires the school board to investigate whether school staff is effectively engaging with the families and whether the culture of a school is focused on student outcomes.

Under section 3, subsection 1, such an investigation would be triggered by: 1) a petition of at least 50 percent of a school's licensed and classified employees; 2) a petition of at least 5 percent of the parents or guardians at a school; or, 3) a majority vote of the members of a school's organizational team. If the board conducts an investigation, it must provide related training to the staff of the school as is necessary and appropriate.

As you will see in section 3, subsection 4, the provisions regarding investigations would not apply to a turnaround school until after its first year of operation as such a school. The process of petition and investigation will ensure that a school's staff and its families have a voice in encouraging a collaborative environment. It will also help to identify schools most in need of professional development and how to work collaboratively. Thank you, Mr. Chair, and members of the Committee for your consideration of this bill which supports our schools in fostering a collaborative environment that is focused on student academic outcomes. I urge your support.

John Vellardita, Executive Director, Clark County Education Association:

We represent 19,000 licensed professionals. It is important for folks on this Committee to get an idea of the context in which this bill has been conceived. We are now in the fifth month of the reorganization of the school district where the site organizational teams have been meeting. They have been charged to do two things. The first was to develop a plan with their principal, and the north star of that plan was student outcomes. The second was to develop a budget that applied the resources to execute that plan. Critical to that team's success is to have a collaborative environment. One of the first training sessions that all educators and administrators had to go through is what is called "Shared Decision Making," hence, the collaborative nature of these teams working together to adopt these kinds of plans and the resources that go with it. The second part was budgeting.

We recently took a survey. We had more than 5,300 educators, and these questions pertained to the reorganization. One of the first questions to be asked was did people really believe that a school environment, under this new model, should have collaboration and a good safe school climate? More than 95 percent of all of the participants affirmatively said yes, but what was really more important was the resources to build systems to make sure that this takes place.

This piece of legislation essentially mandates that the Clark County School District (CCSD) ensures there is a professional development program in place so that a safe and collaborative school environment is there, with its sole focus around outcomes for pupil achievement.

For that reason, we ask that you support S.B. 369 (R1). This bill has had a couple of amendments, and I think it has been a product of some very good policy discussions. Thank you.

Stephen Augspurger, Executive Director, Clark County Association of School Administrators and Professional-Technical Employees:

It is, indeed, a pleasure to sit alongside Senator Ford and John Vellardita as the executive director of the teachers' association in support of this bill.

When Assembly Bill 394 of the 78th Session was passed, it required a different way of working together, a different way of operating the school. There were layers of opportunity for people to become involved. Teachers had new responsibilities, parents had new responsibilities, even students had responsibilities with respect to that bill, and certainly, for principals, it required a very different method of organization and operation in a school. I say this because the principal is a nonvoting member of that School Organizational Team (SOT). That was by design, and that was not an easy thing for principals to embrace because, as a principal of a building, you are used to going after things and getting them done, taking names, and so forth. I do not say that in a negative way, but principals really had to reevaluate how that school was going to be organized for decision-making. Some people moved into that new means of operation very easily. Other people had more difficulty with it.

I think this bill will go a long way in doing two things. One is emphasizing the collaborative nature of working together in a building. That does not mean everyone always gets along or that there is complete agreement but, as Mr. Vellardita said, there are processes that govern how that activity works. The second thing it focuses on is that all of the work in the school has to be mindful of student outcomes. For those two reasons, we are in strong support of this bill. We encourage you to pass it.

Assemblywoman Miller:

Thank you to everyone who is sponsoring and bringing forth this bill. I do have a few brief questions. It talks about an investigation under section 3, subsection 2: "An investigation conducted pursuant to subsection 1, must investigate whether: (a) Teachers, principals and other members of the staff at the school are effectively engaging the parents and families of pupils who are enrolled in the school in the education of their children." That bullet point is already measured and examined in the teacher's evaluation. Each individual teacher is already evaluated on that for indicators 1, 2, and 3. I am wondering why that is in the bill if each individual teacher and administrator is being evaluated for it?

John Vellardita:

I think you hit it on the nose. Evaluations are individual-centric. This is a piece of legislation that tries to foster the collective and have the right environment, and the environment is around collaboration. Part of section 2 focuses on whether the teachers,

principals, and other members of the staff are working and engaging with parents around student outcomes. It is more of the process that embraces the collective aspect of the education delivery in that building.

Assemblywoman Miller:

Okay. It was my impression that administrators were also evaluated on that currently. Paragraph (b) of section 3, subsection 2 says: "The culture at the school is focused on pupil outcomes." By the nature of being in a school, that is what the focus is. Again—pupil outcomes—with all of the work that has been done around reducing student outcomes and evaluations, what is a pupil outcome? Are we back to test scores?

John Vellardita:

No, absolutely not. The site organizational teams are currently charged with two things by mandate, by law. One is to develop organizational plans, and the centerpiece of organizational plans is student outcomes. Everything has to be based on that. The second part is the resources applied to those plans. That paragraph is in reference to plans. That is why I said earlier that this piece of legislation should be taken in context of the reorganization legislation that has been passed.

Assemblywoman Miller:

My final question is in regard to section 3 when it designates the percentage of people that you would need for the petition, whether it is staff or parents, to basically initiate an investigation. Again, because we do not want to be naïve when it comes to creating multiple SOTs, would SOTs be subject to investigations as well?

Stephen Augspurger:

I think it is pretty clear in the bill that the SOT is one of three groups that can request an investigation. I suppose that if other groups were concerned about the decision-making of the SOTs, and it not being conducive to the achievement of these two goals, certainly, they could be subject to that, I think.

Assemblyman Pickard:

Frankly, I am troubled—not by the bill itself—but that we have to put this in statute. To me, this is elementary. This is what every school in every district in every state in this country should be doing. I started out with the question, Do we need this bill? I cannot imagine Senator Ford bringing a bill that he did not think was necessary.

Getting past that point, I actually had a question on the same point as Assemblywoman Miller. When we are looking at section 3, subsection 2(a) and we are talking about teachers and principals, making sure that they are effectively engaging with the parents—my experience in the classroom tells me that this is backwards. It is like sending our kids to school and expecting our teachers to raise them. I do not know that I struggle with the language so much as wondering if there is something we can do to really address the lack of parent engagement beyond just putting it on the teachers' and principals' shoulders? There is only so much they can do.

I used to beg parents of my students who were struggling to come to parent-teacher conferences, or to come to parent-teacher night. They did not show up. It was always the ones I wanted to see that would not show up. Parents of students who did well always showed up.

My concern is, is this language really putting more pressure on the educators and the principals than they really have control over?

Senator Ford:

Thank you very much for your question. I want to address the first comment that you made which is whether I would bring a bill that I did not deem important. I must say to you that when I first heard about this bill, I said we did not need it. Then I spoke to teachers and I spoke to members of their organization and was told this could be a very useful tool, and I was persuaded by their comments in that regard; so we have brought this bill forward.

I want to speak to your question about whether we are placing more on a teacher than is necessary relative to the principal engagement component. I do not think anyone who has been here since 2013, at least, would be surprised to hear me say that I have been actively engaged in the parental involvement arena for a while. One of the first bills I brought was one that tried to encourage more parental involvement in the education of our children. Unfortunately, it was a bill that did not pass but, ultimately, it was focused on that issue. I come from the school of thought as a former educator that, at a minimum, there are four things that are important to take place at a school—at a minimum. We need money; we need good teachers; we need good students who want to be there; and we need good parents.

The question becomes how do we engage the parents in the best way? Long gone are the days where Parent Teacher Association meetings are filled with a room full of folks. That just does not happen. You have people working two jobs—people working one job—that makes them too tired to come out. Unfortunately, as an educator, this was something I had to do. I do not mean to speak on behalf of the educators today who are in the trenches, but I suspect it is comparable for them—they have to figure out ways in order to engage parents in more nontraditional ways. This bill does seek to keep a finger on the pulse on that particular issue—whether their efforts are, in fact, reaping good fruit. If not, we need to look into other alternatives.

Stephen Augspurger:

It is important to realize that the majority of our schools are great places to work for teachers and principals; they are a great place for kids to go to school. But, unfortunately, not every school is that way. Perhaps you have had the misfortune to work in a school where the environment was not an appropriate one—I am not blaming that on teachers or administrators—but sometimes things just do not work well, and sometimes that problem is left unattended. What this bill does is say the CCSD will no longer tolerate inappropriate environments in buildings. If we need to do something external to assist with that,

this bill will provide for that. For that reason, I think it is a very good thing. I agree with you, Assemblyman Pickard. It is unfortunate that we have to have a bill like this, but we cannot continue to kick some problems down the road.

Chairman Thompson:

We will go to support for S.B. 369 (R1).

Craig M. Stevens, Director of Intergovernmental Relations, Government Affairs, Community and Government Relations, Clark County School District:

We are here in support of S.B. 369 (R1). We believe that this bill is important. We believe that central administration's role is serving the needs of its schools and its employees. We believe that S.B. 369 (R1) gives the local school and their community a voice in ensuring that their schools reflect their values, and a climate for improving student learning. This bill falls under the tenets of our CCSD trustees' Pledge of Achievement, and we appreciate the sponsor in working with us and getting this bill in the form you see it in today. We appreciate your hearing this bill.

Chairman Thompson:

We will go to opposition to S.B. 369 (R1). [There was none.] We will go to neutral for S.B. 369 (R1). [There was none.]

Senator Ford:

I appreciate your consideration of the bill and I urge your support.

Chairman Thompson:

We will close the hearing on S.B. 369 (R1). We will take a short break before we open the hearing on Senate Bill 420 (1st Reprint). [The meeting recessed at 4:54 p.m., and reconvened at 5 p.m.]

Chairman Thompson:

We will open the hearing for Senate Bill 420 (R1). Welcome, Senator Cannizzaro.

Senate Bill 420 (1st Reprint): Revises provisions governing pupil publications in public schools and student publications in the Nevada System of Higher Education. (BDR 34-776)

Senator Nicole J. Cannizzaro, Senate District No. 6:

I am pleased to be here today to present to you Senate Bill 420 (1st Reprint) which provides for a policy to protect the right of expression for students working on certain publications as journalists. By way of background information, S.B. 420 (R1) relates specifically to the freedom of speech which is guaranteed in the First Amendment. The First Amendment to the *United States Constitution* protects free speech and press freedom for all Americans, including students in schools.

Although the United States Supreme Court has made clear that these rights are not unlimited, it has also affirmed, through *Tinker v. Des Moines Independent Community School District* (No. 21), 393 U.S. 503 (1969), that neither students nor teachers shed their constitutional rights to freedom of expression at the schoolhouse gate. Under current law, high school students and other secondary education students who participate in student journalism, speech and debate, or other student publications are subject to the standard articulated by the Supreme Court in *Hazelwood School District v. Kuhlmeier*, 484 U.S. 260 (1988), which allows for school administrators to exercise prior restraint for school-sponsored publications when reasonably related to a legitimate pedagogical concern. The *Hazelwood* decision was not a deviation from longstanding precedent that allowed students to exercise broader freedom of expression, but instead effectively placed upon students and advisors alike a limitation on the freedom of the press and freedom of speech and expression.

Senate Bill 420 (1st Reprint) would protect student free speech rights at the high school and secondary education level by restoring the standard under *Tinker*, which protects student speech unless it is libelous, invades a person's privacy, or creates a clear and present danger of a material and substantial disruption of school activities. The bill also seeks to protect college students from the application of the *Hazelwood* standard, and instead, makes clear that the *Tinker* standard would apply, thereby confirming and recognizing the importance of the freedom of the press.

In 2015, North Dakota unanimously passed legislation reaffirming student free speech rights similar to what is before you in S.B. 420 (R1), and since then, several other states have enacted and introduced such legislation. Currently, ten states—North Dakota, Arkansas, Iowa, Colorado, Massachusetts, California, Oregon, Illinois, Maryland, and Kansas have all passed laws protecting student free speech rights. Two other states, Washington and Pennsylvania, have education codes that provide some protection for student free speech rights, much akin to the standard which we are seeking to apply through the enactment of S.B. 420 (R1).

In addition, several states are currently considering legislation and are close to passing it. My understanding is that Arizona, unanimously with a bipartisan effort, has now passed through the house a similar bill which is headed back to the Senate and then to the Governor's desk. It already passed out of the Senate with bipartisan support as well.

This is not an issue that is specific to any one party, nor is it an issue that is specific to Nevada. In fact, this is an issue that many states have been taking up in order to promote student journalism within our schools and universities; engage students in a meaningful dialogue; to promote a proper vetting of any issue that students want to talk about; and to encourage students to seek out proper information, research the issue, and then write about it in a student publication.

I mentioned Arizona already. Missouri and Vermont are also close to passing similar bills, or have passed and sent similar bills with bipartisan support to the Governor's desk. There are also current bills waiting consideration and in the process in New Jersey, Michigan, and Texas.

What does S.B. 420 (R1) do? Pursuant to *Nevada Revised Statutes* (NRS) 388.077, "Each pupil of a public school . . . is entitled to express himself or herself in a manner consistent with the rights guaranteed by the First and Fourteenth Amendments to the *United States Constitution*."

Sections 1 and 2 of this bill require the school board of trustees, the governing body of each charter school, the governing body of each university school for profoundly gifted pupils, and the Board of Regents to adopt a written policy that prohibits a school from restricting publication of student content unless it meets the *Tinker* standard in that it would cause a material and substantial disruption. These policies would include establishing reasonable provisions governing the time, place, and manner for the distribution of those publications; protecting the right of expression for pupils working on those publications as journalists; and prohibit restricting the publication of any content absent the finding that the material would substantially disrupt the ability of the school to perform its educational mission.

Sections 1 and 2 of this bill also prohibit the governing bodies from dismissing or disciplining an advisor or teacher for acting within the scope of their position, including without limitation, taking reasonable and appropriate action to protect a pupil or student for engaging in conduct protected by the written policy or refusing to violate that policy. These sections will also prohibit the governing body from disciplining a student who complies with a written policy even if, in the end, the conduct results in a disruption of the school.

Finally, sections 1 and 2 provide that the content published in a student publication is not endorsed by the school, college, or university. After consultation with a number of stakeholders, I will be proposing an amendment which we are still working on today. That amendment would be very simple in that it would delete section 1, subsection 3(c); sections 1, subsection 3(d); and section 2, subsection 3. Further, we will be clarifying that the term "bully" as indicated in NRS 388.077, subsection 2, does refer to the term "bully" that is currently in NRS 388.122.

What I want to note for this Committee is what S.B. 420 (R1) does not do. The purpose of S.B. 420 (R1) is not to allow students unfettered freedom to publish whatever they wish. Senate Bill 420 (1st Reprint) does not permit publication of material which is libelous, slanderous, defamatory, that incites violence or disruptive conduct, that would constitute bullying, or otherwise interfere with the operations of the school.

Similarly, S.B. 420 (R1) does not seek to put a student journalist in the same position as a professional journalist with the *New York Times* or the *Wall Street Journal* because schools do retain the authority to regulate the publications that are within their schools and the

material that is being published by the students at the same level of review that is currently enjoyed in the context of, for example, a T-shirt or a hat. That is the juxtaposition of what S.B. 420 (R1) is trying to do.

In today's society, students are able to seek information on the Internet. They have access to various sorts of social media and easy perusal of the World Wide Web and any number of sources which they may find. Certainly, what S.B. 420 (R1) is not doing is saying that we should be promoting any and all things. I think students can easily find what might even constitute libelous, slanderous, or disruptive material on the World Wide Web, or in their social media contacts.

What S.B. 420 (R1) is seeking to do is to say that our student publications should be subject to the same standard which is currently applied to a variety of other means of expression which currently exist on school campuses. For example, if a student were to wear a T-shirt, that T-shirt would be subject to the same standard that is articulated in *Tinker*, in that the administration could not necessarily prohibit a student from wearing a T-shirt unless it is going to be materially and substantially disruptive. When we see that this particular standard is being applied to all sorts of contexts, yet it is not present in our publications, there is a severe discrepancy in that application. What S.B. 420 (R1) is seeking to do is to say to students that they can seek out information and write articles about things that may sometimes make individuals a little uncomfortable.

I want to point out some testimony that was provided to the Committee in written form from media lawyer Frank D. LoMonte ([Exhibit K](#)), which has been included as part of the exhibits that are uploaded on the Nevada Electronic Legislative Information System (NELIS). I thought it was interesting and pertinent. On page 2 of his testimony, Mr. LoMonte cites a March 2017 journal article entitled "Mixed Message Media: Girls' Voices and Civic Engagement in Student Journalism." It relates to findings of University of Kansas researchers from a fall 2015 survey of 491 high school journalism students across North Carolina. That survey found that 38 percent of students had been told that entire topics were categorically off-limits for discussion in student journalistic publications, the most common being drug and alcohol abuse.

When we are talking about what S.B. 420 (R1) is trying to promote, it is trying to enable students to talk about the issues that are affecting them every day. This is not a way for students to abuse a system and to engage in using student publications to bully other students or large groups of people. What this bill is seeking to do is to say that we should be talking about some of these issues because they do exist, regardless of whether our student publications are writing about them. I thought it was very interesting that the most common issue that students were being prevented from writing about was drug and alcohol abuse.

I would also note that there is something that I found very compelling in terms of why this legislation is so important. Is it because more often than not, student journalism is overwhelmingly female? Female students participate more so than male students. This has a disparate impact on female students. They engage in much more self-censorship—and also

censorship of issues that are important to them—than do our male students. I think that S.B. 420 (R1) is going to provide for better research, which you are going to hear about. We have some really wonderful people who are going to testify about why this bill is important to them as students, as advisors, and as professors. This is also a way for us to say that we want to level the playing field a bit.

I know that if any of you have heard me speak, you know that this is something that is near and dear to my heart, so I am pleased to be here to present this bill. I do have two presenters with me who work in various capacities and would like to add their input.

Patrick File, Assistant Professor, The Reynolds School of Journalism, University of Nevada, Reno:

Thank you for the opportunity to testify in favor of S.B. 420 (R1), a bill which would clarify the First Amendment rights of student journalists in Nevada public schools. I am testifying as a former high school and college student journalist, a supporter of student journalism, and an expert on First Amendment issues. I should note I am not here representing the University of Nevada, Reno.

In my testimony today I want to highlight three broad points about the purpose of S.B. 420 (R1) and why you should support it. One is that it adds needed clarity to existing law in the state of Nevada. Second, the existing vagueness of the law results in chilling effects in student free speech and civic engagement. Third, this bill would empower student media to the engine of engaged citizenship that we need it to be.

First, S.B. 420 (R1) will add needed clarity to the law about when student journalists can be restrained from or disciplined for publishing. For about 30 years, thanks to a United States Supreme Court decision known as *Hazelwood*, school administrators have been allowed to censor or discipline student journalists when they can assert a "legitimate pedagogical purpose" for doing so. Across the board, journalism education groups and the ten states that have adopted their own standards since that decision agree that this standard lacks clarity and tends to undermine quality journalism education. I want to mention also, in addition to the Arizona house passing their bill, Vermont—on Friday—also passed a similar bill that will go to the Governor's desk. Indeed, there is momentum behind this. Nevada students, their advisors, and even school administrators will tell you that we would benefit from a clearer standard which places editorial decisions in the hands of student editors.

Second, while relatively few Nevada students or teachers will say their student media are heavily censored, the vague current standards create a chilling effect on student free speech and civic engagement. I have asked student journalists anonymously what they would publish if they knew they would not face discipline or judgment. What they do not say is that they would hash out their personal quarrels in the pages of the student newspaper or publish things like obscenity, libel, threats or incitement, which S.B. 420 (R1) would not protect anyway. Instead, they say they would report on school safety or

effectiveness issues or other subtle problems often occurring below the radar of the principal's office—new classes, new policies, things like this. These occur below not only the radar of the principal's office, but also out of the public's eye.

The fact that fear prevents them from addressing these issues shows you the chilling effect of our vague current standard. More alarmingly, this self-censorship disproportionately affects young women essentially by a measure of making female students twice as likely to self-censor—53 percent of females reported self-censoring on certain topics that they feared discussing because of a negative reaction as opposed to 27 percent male students. I will note that journalism classes, both in high school and at college, are often majority female by a wide margin.

In teaching my own classes on the First Amendment, I have seen these chilling effects close up, as many of my students generally know the basics of how the law protects their free speech rights, but they get a little stuck on why—they have relatively little to say about the concrete ways those rights can be used to advance the public good. I would argue that this is because they haven't been empowered enough to put those principles into practice.

Even more interesting is a split I sometimes see between my students who went to high school in California and those who went to high school in Nevada. Sometimes Nevada students will share stories about times their school stopped them from reporting on issues that were deemed too controversial or would make the school look bad. The students from California, where *Hazelwood* has never been the standard and problems almost never arise from rogue student journalists, were confused. They did not understand: What is the point of school censorship? What are the schools afraid will happen?

Third, S.B. 420 (R1) empowers student media to be the responsible, accountable engine of engaged citizenship that it should be. By encouraging students to research, report, verify, and discuss the issues that matter to them in an open, public forum, we encourage them to be more responsible, more media literate, and more civically engaged. Recent research supports this. A 2015 University of Kansas study of 900 high school students found that students in schools that are supportive of First Amendment rights are more civically empowered. Senate Bill 420 (1st Reprint) is complementary to many of the civics education initiatives already underway in Nevada and around the country. If we teach students the practices of a healthy democracy but do not empower them to take their rights seriously and engage in those practices themselves, we fail to actually develop more informed and engaged citizens.

Finally, if you will indulge me, I would like to end with a story. You might know that Earl Wooster was a celebrated Nevada educator. He was a high school principal in Dayton, Wells, Winnemucca, and at Reno High School. He was Washoe County School Districts' first superintendent, and executive secretary of the Nevada State Educational Association from 1959 to 1965. Earl Wooster grew up in California, and in 1915 was about to graduate from Fresno High School. In the spring of his senior year, he gave a speech expressing concerns about the lack of emergency exits in the school assembly hall, which he said was a safety risk. The school board, angry about the public denunciation, refused to award

him his diploma unless he retracted the speech. Earl refused, saying that he had spoken the truth. In fact, he sued the school, saying they had violated his free speech rights, making him one of the first students to bring such a lawsuit. In 1915, the federal courts had not yet ruled that the First Amendment applied to state and local governments through the Fourteenth Amendment, so Earl lost his suit, and had to go back and beg the school district for his diploma so he could pursue his career in education at the University of Nevada.

Recently, a student in one of my classes told me when he was a senior in high school he was stopped from publishing a story about his school's policies of locking outside doors while also shortening the time students had to pass between classes. He said his reporting raised some safety concerns about the policy, and he was told he couldn't pursue it. That student was a proud graduate of Earl Wooster High School in Reno. It seems like it's high time to encourage rather than discourage inquisitive, active, responsible, and accountable student journalists in Nevada. I sincerely appreciate your time and invite your questions.

[Prepared text was submitted that included additional testimony ([Exhibit L](#)).]

Christy Briggs, Advisor of Student Publications, Reno High School:

I am testifying as a former high school student journalist and a current advisor of student publications at Reno High School.

There are a few protections that passing S.B. 420 (R1) moves towards, and a few elements that must be included in a bill protecting the rights of those involved with student media. We need to move to a policy where administrators can only censor student media when they can show a likelihood of "substantial disruption;" administrators cannot censor speech solely because it involves political or controversial subject matter or speech that is critical of the school or its administration. In a time of unprecedented actions against the media, it is vital that students learn to voice their opinions to controversial topics in a responsible and factual manner. Limiting the rights of students in respect to free speech and student media teaches them that they should accept the actions and policies they disagree with or suffer the consequences of speaking up. We are not advocating for students to be allowed to publish vulgar words, fighting words, libelous content, or factually unsound pieces. What we are advocating for, and what must be first acknowledged, is that students are higher level thinkers; they ought to be afforded the right to criticize teaching methods, uniform policies, favoritism, and the political climate in which they live. Learning to do so in high school and college ensures better coverage and accuracy as they move into the adult world—which we definitely see a need for today.

An additional piece of this bill ought to clarify and stipulate that student media advisors cannot be punished or retaliated against for the free speech of their students. The wording is imperative to the success of a functioning student media. In order to teach criticism and critical analysis of the system, advisors need to be confident that they will not be held responsible for the voices of their students, especially when those voices become critical of teachers, administrators, and/or school board members. Instead, advisors need to be assured

that they are protected from retaliation by school administrators and higher-ranking school district officials. If advisors live in constant fear that they will be held accountable for the dissenting opinions of their students, the students will surely be stifled.

I would take a minute to note that in my time advising, I have never been retaliated against, nor have my students ever faced censorship of anything they have written. We are very fortunate in that regard. However, living in a *Hazelwood* state, I know that my current privilege could be revoked at any moment. Further, I am here today to fight for the rights of students and advisors who are not currently afforded the same privileges that I have. A limited press, in my opinion, is not a free press. My students cannot fully thrive unless they are surrounded by publications that are also allowed the same advantages they experience.

Thank you for your time and your continued commitment to education in Nevada.

Assemblyman Pickard:

I have to say that I was a little disappointed when I first read this bill. Given the major topic of this session, I figured S.B. 420 (R1) was going to be about marijuana. Unfortunately, Senator, you talk faster than I listen. I wonder if you could go through the conceptual amendment again that you are going to be proposing because I think that may affect the question I have.

Senator Cannizzaro:

The sections that we have discussed deleting are section 1, subsections 3(c), and 3(d), and also section 2, subsection 3.

Assemblyman Pickard:

Thank you. My concern is this. In any educational environment, instruction is to be given. The assumption in that is that the students do not come into the class knowing where the boundaries of propriety are. That is something to be learned. The teacher and the administration, particularly under the reorganization alignment, need to make clear what the expectations are and where those boundaries are so a student who would want to publish something outside of those appropriate boundaries—or what the teacher and the administration have decided are appropriate boundaries—should be off-limits.

As I read this—particularly section 2, subsection 2—when we talk about the right of free expression as guaranteed by the First and Fourteenth Amendments, it is broader in context than what we would normally see in the schools. With that as a backdrop, we are excluding procedures for determining before publication whether the content would substantially disrupt, or procedures for disciplining if they go beyond those boundaries. I am looking at section 1, subsection 3, paragraph (e), which also tends to address some of these things; so it looks like we are removing some guidance, but not all. Can you tell me where the boundaries are and what the school can and cannot control under this bill?

Senator Cannizzaro:

First and foremost, the reasons why we have stricken the language that provides for procedures for discipline is because those procedures for policies when an advisor or a student violates a policy are already in place within each school and each school district. This could unintentionally have caused some confusion over different discipline policies for both the students and the advisors. They would be subject to the same standards that they are currently subject to by the school district, the school, and certainly any contracts that they may have in place. This does not change any of that. This in no way allows for students or advisors to willy-nilly violate every school policy. That is not what the intent of this was. It was to alleviate some confusion.

With respect to the review prior to publication, I think there was also some confusion in that. We currently, in many schools, do not exercise prior restraint, which is something different than a review prior to publication by an editor, or work on a project with an advisor. Certainly, those would still be in place. To your point, regarding boundaries being made clear by teachers, advisors, and/or administration—that will continue to happen. This is a policy that just makes clear that if we are going to be restricting student publication, it must be because that particular material would be substantially disruptive to the educational goals of that institution.

The authority for the teacher or the duty of the teacher or the administration to make clear to the students what and how to properly conduct themselves certainly does not disappear with this bill. That would continue to exist. Interestingly to your point, is that we may see different levels of what might be appropriate or inappropriate at different schools. That is also the intent of this; we want to allow students to explore those issues that are important to them that are affecting their communities. Something that might be written, for example, at the Las Vegas Academy in Las Vegas—which is a performing arts school—might be very different from a student publication out of Humboldt County, Nevada. There are just different things that are going on in those communities and different things that those students might be interested in and might want to write about. That is still going to be the process that is going to take place within those classes, within those organizations, and certainly for any of those publications with the advisors. Senate Bill 420 (1st Reprint) is not seeking to change any of that.

Assemblyman Edwards:

Section 2, subsection 4(c) reads as though there is no disciplinary action possible by any of the institutions even if it seriously disrupts what the institution is there for. I do not want to get into a situation where we have the crazy stuff that was happening with the University of California, Berkeley with breaking windows and starting fires and no one getting disciplined for it. The taxpayers in my district would ask why they are paying for this kind of nonsense. That kind of behavior does not go unpunished, correct?

Senator Cannizzaro:

For the first part, in section 1, subsection 3(c) and also subsection 3(e), subparagraph 3, is the language I intended to get at—if I can provide an example, that might be helpful. Let us say that I want to publish a story that criticizes the principal because there is some issue with how they are allotting time to use the school gymnasium for after-school activities. That, in and of itself, is not a materially, substantially disruptive topic. It is critical of the administration, but it is not something that, by and of its nature, would be detrimental to the educational interest of that institution. The student would be talking about something that is pertinent to how the students are able to access things that they need in order to conduct their student organizations. It is something that is relative to the school's institution; it is not libelous, it is not slanderous, it is not intended to incite violence. It does not fall within that definition.

However, let us say that if, after posting or publishing that article, there is a group of students who decide to be disruptive at school, and they may potentially go so far as to cause damage to school property. This says that because that student published that article, that by nature of its content was not materially, substantially disruptive, they cannot be disciplined for publishing, even though it may have resulted in some disruptive conduct.

Additionally, to your second point, nothing about this would ever prevent an institution from disciplining students for conduct outside the parameters of what is acceptable in those schools. Something like damaging school property—which is akin to your example from the University of California, Berkeley—would certainly be something that those students could be disciplined for or held liable for. Nothing about S.B. 420 (R1) indicates that anything that was outside the realm of what is your applicable student code of conduct is acceptable just because these students are allowed to publish material that might challenge authority. That is not what this bill is seeking to do. If a student is publishing content that would not, in and of itself, be substantially, materially disruptive to the school environment, but, nonetheless, a group of students finds it extremely disruptive and decides to engage in activity that is disruptive, the student who published it, and the supervising advisor could not be disciplined for that, because they did not violate this policy by publishing that article.

Chairman Thompson:

Regarding section 1, subsections 3(a) and 3(b)—are blogs included or excluded?

Patrick File:

Generally speaking, what categorizes a pupil publication is that it is, essentially, part of the curriculum. If blogging is part of your student journalism curriculum, if it is part of what you do for the student newspaper, then that would be considered as part of the curriculum. If you were doing that outside of the context of what you are being directed to do for part of a class or the student newspaper or publication, it would not be the same and would not be covered by this.

Chairman Thompson:

The term here says "journalists." As we are talking about First Amendment rights, are self-proclaimed journalists included in this? Just because they are not in the class, and selected in the class—because sometimes those are very traditional types of students—can a self-proclaimed journalist be included to express themselves based on what is outlined?

Christy Briggs:

As an advisor, I would say that, in general, most of the schools I have had experience with and most other advisors I have talked to consider student journalists to be students who are in programs created by the school and are advised by someone at the school. So, for me, someone who is separate from that would not be enrolled in the program, which would make them not applicable to the coverage.

Chairman Thompson:

That is exactly the point that I am trying to get at. I am thinking about when I was in high school—journalists were a select group, not necessarily an inclusive group. In previous bills we have talked about diversity, so how do we get to that point? Here we are ultimately talking about First Amendment rights. I am talking about inclusivity of a student population that wants to express themselves. Traditionally, it sometimes is a homogenous group in student journalism, and you mentioned that it is predominately girls, as one example. How do you make it so that voice is voice? If we are really going to do this, how do we make it inclusive—are we saying that you can talk about this and this, but I cannot? How do we balance that?

Senator Cannizzaro:

I think you have hit on one of the dovetail points of S.B. 420 (R1). One is that we want to be talking about topics that are more inclusive. We want to be including individuals. One of the interesting parts of this is that if you are a student who is not enrolled in a journalism program—for whatever reason, you have been excluded—and you engage in your own sort of journalism *ex parte*, potentially publishing online or even trying to distribute some leaflets that would be distributed late at night by individuals who wanted to criticize the administration, if they are not part of the student journalism program, those students, in their terms of expression either on social media or on their own blogs, would be subject to the *Tinker* standard insofar as it is occurring on the school campus and within the school population. They are subject to the substantially disruptive standard.

When we are talking about S.B. 420 (R1), we are just talking about student journalism, publications, and those things that are facilitated through the universities and through the schools. As to other organizations and other forms of expression—earlier I had mentioned T-shirts and hats that students would potentially wear to school in protest because they feel their rights are being violated—that is something we want to encourage our students to do. Those types of expression are currently subject to the *Tinker* standard. They are subject to a standard of whether it is materially, substantively disruptive to the school's educational goals.

Your point is absolutely well taken. While not part of your question, one of the things that demonstrates why S.B. 420 (R1) is so necessary is because sometimes students are afraid to talk about things like our lack of ethnic diversity at the school, or our lack of ethnic studies at the school. It is not a topic that they have been talking about for any length of time or that they might be censored for. That would be a perfect example of something that would be within the realm of S.B. 420 (R1). Potentially, it is something that is uncomfortable to talk about, but it is something that we want our students to do their research on and write about so that it becomes something students are talking about. It does affect those student populations. While not directly in answer to your question, that is an excellent example.

Assemblywoman Krasner:

I am in favor of our *United States Constitution*, the Bill of Rights, and the First Amendment. I just have a couple of concerns with the bill. One is the fact that it applies to the high school level. If it was just college, I would not have the same concerns. Two, if you could look at section 1, subsection 3(e) subparagraph 3, it says the board of trustees is prohibited, without limitation, from: "Expelling, suspending or otherwise disciplining a pupil for engaging in conduct in accordance with the policy, even if such conduct substantially disrupts the ability of the public school to perform its educational mission." Again, if it was at the college level, I would probably be a little more lenient; because it is high school I have some real concerns. Could you please speak to that?

Patrick File:

I think I can get to the second part which is really the same as what Senator Cannizzaro has talked about. It is a First Amendment principle where the actions of students that are disruptive are the kinds of things that can be punished. The example of where students were riled up by an article that is generally criticizing the school policy about the use of the school gymnasium—a piece of journalism that a student engages in, not intending to incite violence, not intended to be libelous or defamatory, but in the conversation that ensues, some sort of violence takes place—again, if the basic principle is that you want to punish the behavior itself, then that is something the school can and should do. This bill does not have anything to say about that. However, when a student in good faith, in the context of the student newspaper or student journalism, writes about something that turns out to be controversial, they cannot be punished or disciplined, and they certainly should not be censored for engaging with that issue.

Assemblywoman Krasner:

Two things. One, this bill actually does say that it does allow that there would be no expelling or suspending even if such conduct substantially disrupts the ability of the public school to perform its educational mission. When we are talking about conduct relating to speech, we are talking about expressive conduct as well as oral speech. Expressive conduct could really vary. The second thing is what you are proposing with the *Tinker* standard. It was overruled by *Hazelwood School District v. Kuhlmeier*, and I am wondering why you want to overrule the United States Supreme Court with this case.

Senator Cannizzaro:

Maybe I was not as clear in my first answer to this. I think an example would be helpful. Let us say that a student wanted to write about something that by its nature is not disruptive. The example I used earlier was an article that was critical of the principal for only allowing the school's gymnasium to be used for certain extracurricular activities and not others, and it was perceived as not being fairly distributed. That material, in and of itself, is not substantially disruptive. Is it critical of the administration? Yes. Is it providing the potential for people to disagree? Absolutely. Disagreement is not what the standard is now, and it is not what the standard would be if S.B. 420 (R1) were passed. The student who published the article did not publish material that was substantially disruptive. It is not intended to incite violence, it is not libelous, and it is not bullying or segregating a group of individuals and saying something derogatory about them. It is just an article saying this is an issue at our school and we should be talking about it. If that article, once published, makes another group feel like that was wrong, and they act out, cause a ruckus on campus and damage school property, this bill says that the student who published the article cannot be disciplined. However, the students who engage in the raucous conduct, who are damaging school property and not behaving as they should, pursuant to their student codes of conduct, can still be disciplined for those actions.

All this bill is saying is that if you, as a student, are not publishing material that is substantially, materially disruptive, someone takes that material and turns it into an issue where it does become a disruption, the student who published it cannot be disciplined. This is not saying the students would have no boundaries in terms of publication, and it is also not saying that students who read these publications are then empowered to do whatever they choose. This example is an after-the-fact substantial disruption.

In terms of how this bill would overrule the United States Supreme Court decision in *Hazelwood*, what is important to note about U.S. Supreme Court decisions is they really do provide a floor for states. We cannot go below that. We can always provide additional protections to students in our schools. We can always provide additional rights for them at the state level. That is what this bill would be doing. Even though *Hazelwood* did overrule *Tinker*, what we are seeing is this resultant suppression of the freedom of the press and a suppression of freedom of speech on behalf of students. This bill is not seeking to overrule the U.S. Supreme Court decision in *Hazelwood*, it is merely providing additional protections for our students which this Legislature does on a regular basis, at the state level. We want the states to be able to exercise certain rights when they find that there are additional protections that should be provided to constituents or, in this case, to students.

Patrick File:

I only wanted to add that I recommend to you the testimony on the record by Frank LoMonte, executive director of the Student Press Law Center. He covers both of the questions that you raised pretty succinctly and pretty well. In addition to our commentary in response to your question, I would direct you to his testimony as well.

Assemblywoman Joiner:

I do not know if you remember me, but I remember our conversation in the fall when you explained to me that you were pursuing and trying to find legislation like this. I definitely support it as a former newspaper journalist for my high school newspaper. I remember our concerns about if we would get into trouble for broaching a certain topic. We were very lucky; we had a great advisor and a willing principal, if I recall. We never had any issues, but if we want people to become journalists, we need to teach them at a young age about being that investigative reporter and learning to advocate and become civically involved.

My question is a technical one, specifically regarding the section 2 language about establishing "reasonable provisions governing the time, place and manner for the distribution of student publications." Where did that come from? Do we need to do that? Do schools already do that? What is the standard of "reasonable?"

Senator Cannizzaro:

That came about as a result of our discussions with the Legislative Counsel Bureau on how this policy would be framed. We did not want to take away the school's ability to say it was going to publish a particular student newspaper on every Wednesday of every other week, and where it would be distributing it. We did not want to restrict that in terms of the policy, with respect to freedom of the press or freedom of speech under the First Amendment. There are always restrictions about reasonable time, place, and manner, right? It has to be consistent. We wanted to put in some parameters for what they could talk about in terms of their policy, so that is the genesis of that language.

Assemblywoman Joiner:

I just wanted to make sure it was on the record that we are not necessarily looking to limit where the current distributions are, but I understand what you are saying. I think we were trying to make sure that the school was allowed to make restrictions on that which are reasonable. When I first read it, I was worried that it might limit too much, but I think I understand.

Assemblyman Pickard:

Assemblywoman Krasner's question revived one of the questions that I had. It looks like circular logic. Under section 1, subsection 3, it says the board of trustees shall establish a written policy for pupil publications. Then we go to paragraph (e) with the prohibitions. Finally, subparagraph (3) lists as prohibited, "Expelling, suspending or otherwise disciplining a pupil for engaging in conduct in accordance with the policy" As I read this, that is saying that they have followed the policy, even if it substantially disrupts the ability of the institution to continue, and yet, one of the policies that is written is to limit or to exclude content that would substantially disrupt. Is that not internally inconsistent—we are saying it is in accordance with, but then not in accordance with? Help me understand subparagraph (3) and how that is really supposed to go together.

Senator Cannizzaro:

I understand why there is confusion. What we are saying is that you still have to follow policy as a student journalist. You cannot publish material that is substantially disruptive. Even though the student completely complies with policy, that material may, unknowingly, disrupt some of the other students. Even though that may result in other students picketing at the school or destroying school property, the student who published the material would not be subject to discipline just because they published the material, unless that material—when they publish it—is material that is substantially disruptive.

What we are talking about in terms of that standard is something that would be libelous, slanderous, or bullying. If I were to publish an article that called out a particular cheerleader because she was overweight, and it was very mean and scathing—that material is substantially disruptive to the educational goals of that institution. There is nothing about that type of content that relates to an educational goal that is deserving of meritorious journalistic publication. That is just something that is mean and designed to be hurtful and bullying and to potentially incite violent behavior. If I did that as a student, I would be subject to discipline pursuant to the school's policies. If I publish an article that has to do with how the administration is allotting time for use of the gymnasium, that is not materially, substantially disruptive, even though a group of students may decide it upsets them.

Assemblyman Pickard:

I was not talking about outside conduct by either the student or others as a result of publication. What this says is ". . . engaging in conduct in accordance with the policy, even if such conduct substantially disrupts" Those are mutually exclusive provisions, so maybe this would be made more clear if we reworked the verbiage there a little bit.

Senator Cannizzaro:

What this was intending to get at was that the "conduct in accordance with the policy" would refer to the student who is complying with the policy by publishing material that is not substantially disruptive, even if it results in a disruption at the school. Potentially, there is some cause to add something that says "unintentionally" causes. Therefore, it is very clear that we are asking students to abide by policies, but that sometimes we know other individuals might not take the content in the manner it was intended.

Assemblywoman Tolles:

Mr. File, could you provide this Committee with that testimony from the president of the Student Press Law Center in regard to that case?

Patrick File:

For what it is worth, it is a very long document that is currently available to you on NELIS along with testimonies from others.

Chairman Thompson:

We will open for support for S.B. 420 (R1).

Taylor Pittman, Private Citizen, Reno, Nevada:

I am a senior in the Washoe County School District. I am not here on behalf of my school, however, I am here in support of S.B. 420 (R1). The instances in which students have been censored has gone too far, denying them the ability to investigate important, impending issues that affect the school or the world. Denying them the ability to discuss or even contemplate these problems affects the entire learning environment, even classrooms outside of yearbook and newspaper. As an active member of my school speech and debate team, I understand the importance of being able to discuss controversial issues in front of an audience as a part of the learning experience. While I am not censored by my coach, I could not imagine being told that I could not do a piece on something that was important to me. For example, I have had the privilege to discuss several controversial issues including race, terrorism, and police brutality. I feel as though, because I was given the opportunity to give speeches on these important issues, I was contributing to society's well-being by educating other people. Moreover, I was able to formulate my own opinions, which allowed me to problem solve.

The reason why students deserve their full rights to free speech is simple—they are the next generations, the ones who will be running the world for decades to come. For many students, they are not exposed to hard-hitting issues that plague our society, which could negatively affect them later in life. Opening up the learning environment and allowing students to explore these problems lets them learn more about the world around them and the problems that it presents. This can foster new solutions as well as new perspectives about the problems. This could result in skills that have long-lasting effects on society itself.

The voices of the students should not be silenced. They should be not only acknowledged for the reasons stated, but they should also be encouraged.

Lauren MacLean Draper, Private Citizen, Reno, Nevada:

I am currently a registered nurse in Reno, and a former high school journalist from Churchill County High School (CCHS) in Fallon, Nevada. As a former high school journalist, I would like to thank you all for your time today as you take into consideration S.B. 420 (R1). This is a bill that is very close to my heart. This is my testimony in support of S.B. 420 (R1).

As a high school journalist, I strived to remain balanced and fair in each article I wrote. I constantly asked myself if an article did more good than harm, and I attempted to present every angle of a story. Even as a 17-year-old student, I took pride in my work and lived by the Society of Professional Journalists Code of Ethics. I sought the truth and reported it, carefully presented the facts, and took responsibility for the accuracy of the articles I wrote.

However, less than six months after graduating from CCHS, I found myself terrified, not by the typical fears a high school student has of leaving home for the first time and going off to a dream college, but rather by a lawsuit that was filed against my school district, high school principal, student media advisor, and local newspaper—all as a result of an article I wrote for the school newspaper, *The Flash*.

After I sought and reported the truth about choir students' audition tapes being withheld from a statewide competition, I found myself frightened and confused about whether I had made the right decision in writing the article. I was truly chilled. That led to self-censorship later on in life. I had followed the code of ethics and made no libelous claims, yet I felt guilty and ashamed of reporting the truth. I was shamed by teachers I had respected and was called a "zealous child" by the co-chair of the Churchill County Education Association.

I would have had more hope and less fear during that trying time if S.B. 420 (R1) had been in place. Influenced by the student-powered legislative campaign, New Voices, S.B. 420 (R1) can empower students to use the First Amendment rights to gather and share information about issues of public concern. North Dakota, Illinois, and Maryland recently adopted laws extending greater protection to the students who use those rights and to the teachers and advisors who defend them.

By good fortune, the Churchill County School District upheld the First Amendment by allowing my article, "Choirgate" ([Exhibit M](#)), to be published, even absent of S.B. 420 (R1). In August 2010, a Nevada court ruled that the choir teacher could not sue over the true statements in my article. However, many students and student media advisors are not as lucky in their attempts to publish the truth due to a 30-year-old Supreme Court decision that says schools can censor student media when they assert a "legitimate pedagogical purpose" for doing so.

School principals and constitutional lawyers alike have struggled ever since to determine how to apply this vague standard, often resulting in the censorship of truthful student speech that serves the public interest, like my story. With S.B. 420 (R1) in place, this unnecessary censorship may be avoided and the truth can finally be presented through well-researched student-written publications to the public.

According to New Voices USA's website, "Students are the 'embedded journalists' letting their communities know how effectively schools are performing." Attempts to prevent my story from going to press were meant to stop the truth from reaching the public. Senate Bill 420 (1st Reprint) will encourage student journalists to seek and report the truth instead of being terrified to do so.

[Prepared text was submitted that included additional testimony ([Exhibit N](#)).]

Chris Daly, Deputy Executive Director of Government Relations, Nevada State Education Association:

The Nevada State Education Association supports S.B. 420 (R1), requiring school boards to adopt policies relating to the distribution and right of expression for student journalists working on student publications. Many of our members work as teachers and advisors to student journalists. Senate Bill 420 (1st Reprint) is an important step to clarify policy for student publications and to protect the right of expression consistent with the

First and Fourteenth Amendments. We are very appreciative of the amendments that came through on the Senate side to delineate both the responsibilities and the protections for employees serving as advisors. We appreciate your consideration of this bill.

Steve Ranson, Editor, Lahontan Valley News; Past President, Nevada Press Association; and President, International Society of Weekly Newspaper Editors:

I am also the past president of the Nevada Press Association and incoming president of an organization of community journalists called The International Society of Weekly Newspaper Editors which can be found in about five or six different countries. I am speaking in three different roles: first, as editor of the Lahontan Valley News which supported Lauren MacLean Draper and her article "Choirgate." Not only did we support her with advice, but we also published her article in our newspaper as well as online. Because of that, it created some disharmony among the Churchill County Education Association to the extent that the music teacher sued the newspaper, the superintendent, and the principal. As Lauren said, the case was thrown out of court in August 2010.

As the immediate past president of the Nevada Press Association and incoming president of the International Society of Weekly Newspaper Editors, I am here in an official capacity to inform this Committee that these two organizations support S.B. 420 (R1). The Nevada Press Association supports a free press and the student journalist's right to publish an article that is factual and responsible, without fear of censorship.

I do have an example to give to you regarding that. You may have heard it in the news. It is not more than a month old, but there is a situation in Kansas where a student newspaper revealed that the incoming principal had received her masters and doctorate degrees online, and it turned out that these were diploma mills. Because of what the student press discovered, the school district rescinded its offer to the principal to be employed in that district. That was in Pittsburg, Kansas. This is an example of how student journalists are allowed to research and publish top-notch work and, yet, stories abound across the United States about superintendents or principals who will not allow that type of freedom to student journalists who practice a reasonable approach to the way they present the news.

As a previous journalism teacher and a newspaper advisor, I spent 30 years in education in addition to working for the newspaper at the same time. During my tenure at both Wells and Fallon high schools, I was fortunate to have principals and superintendents who were not afraid to allow student journalists to discuss issues of the day.

Many advisors treat the principals as the publisher. A lot of the situations resolve themselves with face-to-face communications between the advisor and the principal. Like Churchill County High School principal Kevin Lords and district superintendent Carolyn Ross, they empower students to practice democracy and engage themselves as citizens of their school and community. As a secondary school administrator for ten years in Churchill County, I, too, would have supported the student journalists if a similar situation like Lauren Maclean Draper's had occurred.

[Prepared text was submitted that included additional testimony ([Exhibit O](#)).]

[([Exhibit P](#)) contains letters of support for S.B. 420 (R1) submitted from various authors.]

Chairman Thompson:

We will go to anyone who is in opposition to S.B. 420 (R1). [There was no one.] Is there anyone neutral for S.B. 420 (R1)?

Lindsay Anderson, Director, Government Affairs, Washoe County School District:

We are here in the neutral position today as we were on the Senate side, with some information that our school board is considering right now: Board Policy 5150, which is student freedom of speech, freedom of expression, and right to assemble. I think it gets to what your question was and what our hope is—that even if the legislation were to pass, we would have one standard for all student conduct, whether that be through student newspapers or any other type of free speech occurring from any student within our school district. I would just offer that in the staff report it references *Tinker; Bethel School District No. 403 v. Fraser*; the *Hazelwood* standard, and many others. Policy tries to take into account the need for free speech from our students, while also taking into consideration the idea of substantially disrupting the educational environment. I am just here to offer the information that we do take this stuff seriously. Regardless of whether the bill passes, we are considering a policy which would address the rights of students' free speech.

Assemblyman Elliot T. Anderson:

If the students did not like you, Ms. Anderson, are you still okay with free speech in the paper?

Lindsay Anderson:

Sure. They can write about me as much as they want. It is part of the job.

Assemblyman Elliot T. Anderson:

They would be wrong if they did not like you.

Assemblywoman Tolles:

Just to clarify, this is something the district is already starting to head down the road with, bill or no bill?

Lindsay Anderson:

That is correct. In order to adopt a policy in the school district, it takes four meetings of the board of trustees. This went to the policy committee on May 2, 2017, for their first review. It will go through three other meetings before final adoption. This is moving forward with or without any piece of legislation.

**Brad Keating, Legislative Representative, Community and Government Relations,
Clark County School District:**

We are here as neutral for S.B. 420 (R1). We want to thank Senator Cannizzaro for working with us on this bill. We have had great conversations regarding this to ensure that it will work for not only our school district, but for school districts across the state.

One thing that was not mentioned before but will probably be mentioned near the end of her testimony is the implementation date. It currently says July 1, 2017. For us, as a district, to put that policy together, it will probably take us a tad bit longer than July 1, 2017. We are looking for an extension on that. Also, having a district policy in place, as opposed to each school, will help us streamline that process and ensure that every school, no matter where the student attends within the district, has the same policy. We appreciate working with Senator Cannizzaro on that and we look forward to seeing this bill pass.

Chairman Thompson:

Was there a specific effective date the school district was looking forward to?

Brad Keating:

We are fine with October 1, 2017.

**Mary Pierczynski, representing Nevada Association of School Superintendents;
and Nevada Association of School Administrators:**

We are in support of the bill as it is written now and feel that it would be a good idea to have these policies in our districts. We feel that the districts can accomplish writing them and getting them in place.

Chairman Thompson:

So you are in support, not neutral?

Mary Pierczynski:

I am neutral in that we can do it, is what I am saying.

Senator Cannizzaro:

To Mr. Keating's point, we did discuss moving the effective date, and October is perfectly fine. We will be including that. Thank you, members of the Committee, for your time and consideration.

Chairman Thompson:

We will close the hearing for S.B. 420 (R1) and we will open up for public comment. [There was none.]

The meeting is adjourned [at 6:08 p.m.].

RESPECTFULLY SUBMITTED:

Sharon McCallen
Committee Secretary

APPROVED BY:

Assemblyman Tyrone Thompson, Chairman

DATE: _____

EXHIBITS

[Exhibit A](#) is the Agenda.

[Exhibit B](#) is the Attendance Roster.

[Exhibit C](#) is a copy of a PowerPoint presentation titled "Ethnic Studies SB107" submitted by Senator Tick Segerblom, Senate District No. 3.

[Exhibit D](#) is written testimony authored by Shantal Marshall, Private Citizen, Las Vegas, Nevada, in support of [Senate Bill 107 \(1st Reprint\)](#).

[Exhibit E](#) is written testimony authored by Katherine Chang, Private Citizen, Sparks, Nevada, dated May 8, 2017, in support of [Senate Bill 107 \(1st Reprint\)](#).

[Exhibit F](#) is a statement dated May 8, 2017, in support of [Senate Bill 107 \(1st Reprint\)](#), submitted by the Nevada State Education Association.

[Exhibit G](#) is the Work Session Document for [Senate Bill 20 \(1st Reprint\)](#), presented by Amelie Welden, Committee Policy Analyst, Legislative Counsel Bureau.

[Exhibit H](#) is the Work Session Document for [Senate Bill 108 \(1st Reprint\)](#), presented by Amelie Welden, Committee Policy Analyst, Legislative Counsel Bureau.

[Exhibit I](#) is the Work Session Document for [Senate Bill 241 \(1st Reprint\)](#), presented by Amelie Welden, Committee Policy Analyst, Legislative Counsel Bureau.

[Exhibit J](#) is the Work Session Document for [Senate Bill 252 \(1st Reprint\)](#), presented by Amelie Welden, Committee Policy Analyst, Legislative Counsel Bureau.

[Exhibit K](#) is written testimony, dated May 8, 2017, submitted by Frank D. LoMonte, Executive Director, Student Press Law Center, Washington, D.C., in support of [Senate Bill 420 \(1st Reprint\)](#).

[Exhibit L](#) is written testimony, dated May 8, 2017, submitted by Patrick C. File, Assistant Professor, The Reynolds School of Journalism, University of Nevada, Reno, in support of [Senate Bill 420 \(1st Reprint\)](#).

[Exhibit M](#) is a copy of an article authored by Lauren MacLean Draper, titled "Choirgate? Missing tapes or missing talent?" appearing in the January 2010 issue of Churchill County High School's student publication, *The Flash*.

[Exhibit N](#) is written testimony authored and presented by Lauren MacLean Draper in support of [Senate Bill 420 \(1st Reprint\)](#).

[Exhibit O](#) is written testimony dated May 8, 2017, in support of Senate Bill 420 (1st Reprint), authored and presented by Steve Ranson, Editor, Lahontan Valley News; Past President, Nevada Press Association; and President, International Society of Weekly Newspaper Editors.

[Exhibit P](#) is a collection of letters of support for Senate Bill 420 (1st Reprint), from private citizens.