

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

**Seventy-Ninth Session
May 10, 2017**

The Committee on Education was called to order by Chairman Tyrone Thompson at 3:19 p.m. on Wednesday, May 10, 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
Assemblyman Elliot T. Anderson
Assemblywoman Olivia Diaz
Assemblyman Chris Edwards
Assemblyman Edgar Flores
Assemblyman Ozzie Fumo
Assemblywoman Lisa Krasner
Assemblyman William McCurdy II
Assemblywoman Brittney Miller
Assemblywoman Heidi Swank
Assemblywoman Jill Tolles

COMMITTEE MEMBERS ABSENT:

Assemblyman Keith Pickard (excused)
Assemblywoman Melissa Woodbury (excused)

GUEST LEGISLATORS PRESENT:

Senator Joyce Woodhouse, Senate District No. 5
Assemblyman John C. Ellison, Assembly District No. 33



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:

Natha C. Anderson, President, Washoe Education Association; and representing Nevada State Education Association
Chris Daly, Deputy Executive Director of Government Relations, Nevada State Education Association
Lindsay Anderson, Government Affairs Director, Washoe County School District
Brad Keating, Legislative Representative, Community and Government Relations, Clark County School District
Jessica Ferrato, representing Nevada Association of School Boards
Richard G. Barrows, Legal Counsel, Elko County School District
Brian Lee, Executive Director, Nevada State Education Association

Chairman Thompson:

[Roll was called. Rules and protocol were explained.] We will take the bills out of order. I will open the hearing for Senate Bill 386 (1st Reprint).

Senate Bill 386 (1st Reprint): Revises provisions relating to progressive discipline and on-site review of disciplinary decisions. (BDR 34-1137)

Senator Joyce Woodhouse, Senate District No. 5:

I am pleased to introduce Senate Bill 386 (1st Reprint), which strengthens the statutes governing school plans for the progressive discipline of students. This bill makes changes to improve discipline policy while protecting the rights of a student that is being disciplined. For example, section 6 requires a school's discipline plan to include a policy for school transportation, as adopted by the local school board. It also provides for the temporary exclusion of a student from school transportation, though not during the same trip in which the student engaged in the problematic behavior. Thus, a student could not be kicked off the bus in the middle of a trip.

Section 9 allows for the temporary removal of a student from the premises of a school beyond just the classroom. These provisions are intended to improve safety for both students and staff. Senate Bill 386 (1st Reprint) also improves related administrative processes and policies with the intent of making progressive discipline more transparent and effective. For example, each school is currently required to have a committee to review the temporary alternative placement of students. Section 9 of this bill requires the name of each committee member to be included in the school's discipline plan.

Section 12 requires that each committee include a nonteaching staff person and ensures teachers and staff members serve no more than two consecutive years. Section 13 clarifies the conditions under which a committee is convened when a teacher or staff member disagrees with a principal's recommendation. Finally, the bill also includes some minor adjustments to the administrative requirements for progressive discipline plans.

Turning back to section 9, on or before September 15 of each school year, the principal of each school must distribute a copy of the plan to all educational personnel at the school and submit the plan to the school district superintendent. Section 9 also moves up by approximately 15 days the various annual deadlines for action by the school superintendents, the district school boards, and the state superintendent.

Section 13 requires schools to report their related actions to the school district. Each district must submit a compiled report to the Legislature. With me are Chris Daily and Natha Anderson with the Nevada State Education Association (NSEA). They have worked very hard with the school districts to come up with amendments in the Senate Committee on Education to make this a bill that everyone is happy with. I hope you are as well. We believe this bill improves upon the existing progressive discipline statute and increases safety in our schools.

Natha C. Anderson, President, Washoe Education Association; and representing Nevada State Education Association:

I have been teaching for about 20 years. Having a progressive discipline plan does not mean there is a student that is just causing problems. It is a student that is habitually causing problems. It is nowhere near the majority of our students. I would say 70 percent to 80 percent of our students want to learn and are actively engaged. This legislation addresses the student who is habitually disrupting others' ability to learn. A progressive discipline plan goes further than the "green dictionary plan." For those who are not educators, this is when you tell the student to go ask for the green dictionary in another teacher's classroom; that gives them five to ten minutes to cool off.

A progressive discipline plan is when you send a student to the office after many, many times of trying to help them and nothing seems to be working. Sometimes the administrator sends the student back to the classroom, and it might be a discipline that we do not agree with as educators. Having the committee, established in section 9 of the bill, together before these instances occur, will help us greatly. Then we know who to turn to as educators to get that help.

The other thing I want to bring up is that discipline does not just occur in the classroom. The current law only discussed the classroom. This bill would allow it to extend to other settings, such as the library, cafeteria, and buses. Our bus drivers—which I have no idea how they do this, but they do—are able to turn their back on a group of middle schoolers. For anyone who has taught middle school, you know you do not do that, but they do this on purpose. In the process of doing their driving, they are aware of other drivers, people who are answering their phones, changing their radio, changing their lanes without turn signals,

and also the very important people in their bus. When they habitually have to ask someone to sit down, or when a child continues to needle other students, a bus driver often does not have the ability to ask for help. This bill allows for that to be included in their plan.

Finally, it is just a way for us to support all of our staff. With the election of other individuals to be a part of this committee, it allows us to have stronger communication with each other and to find out other ways to help our students succeed—especially those who are habitually causing problems in the classroom.

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

Before I make brief remarks, I would like to play testimony from Andy Piper. Andy is a Nevada State Education Association (NSEA) board member. He is also president of the Nye County Support Staff Organization and UniServ Council of Nevada, which represents our rural counties.

[Mr. Daly provided the following recorded testimony of Andy Piper.]

I transport the most precious cargo in the world. I have been doing this proudly without incident for 14 years as a school bus driver. In my 14 years, I have noticed a justified emphasis on keeping students in school. At times, there has been a loss of focus on the safety of every student among those working in public education. Recently, in Nye County, I attended a training for school bus drivers and school bus aides. It left us disappointed and frustrated. Nye County Support Staff Organization has been working with the district to address these chronic student discipline issues on the school bus. There has not been much progress.

As we addressed our concerns, our superintendent told us that they would discipline as they saw fit. They told us to document the incidents and do our job—it was out of our hands. The district's primary concern is keeping these kids in school and educating them. Nye County Support Staff Organization also wants to keep struggling students in school. This cannot be done in a way that compromises the safety of other students and employees. That is why we support S.B. 386 (R1), to expand Nevada's system of progressive student discipline from the classroom to all other school facilities, including transportation. We appreciate that in the classroom, the teacher is the responsible party for implementing a system of progressive discipline so that every student can learn and be safe.

This logic should apply to other school facilities. On a school bus, the driver is responsible for ensuring every student gets to school or back home safely. This is a responsibility that all school bus drivers I know take very seriously. It should follow that the driver should have the tools available to get this job done, including engaging in the fair progressive discipline process.

In transportation, distractions can have consequences that are more grave than in any other situation. It only takes a distracted driver a split second at the wrong time for a tragedy to strike. It is difficult to explain how serious this situation is to someone who does not ride regularly on a school bus. For example, a student who repeatedly stands up, engages in horseplay, and ignores instructions from the driver is endangering the other students on the bus, as well as the public at large. School bus drivers need the tools to effectively deal with this far-too-common situation.

Chris Daly:

The Nevada State Education Association supports S.B. 386 (R1) to make improvements to Nevada's system of progressive discipline and expand this system to all other school facilities (Exhibit C). Back in 1999, NSEA worked on Assembly Bill 521 of the 70th Session, which created the system of progressive student discipline addressed in this bill. It was important for NSEA to set up a system that was fair for the students and did not result in the most disruptive students seemingly coming right back into the classroom through a never-ending revolving door from the principal's office.

We have found that the system set out in A.B. 521 of the 70th Session works best when it is taken seriously and when it is understood by all parties at a school site. While nearly all schools have a progressive discipline plan, an informal survey of our members indicated that many school sites are not fully implementing its provisions. This probably has to do with a general lack of knowledge of A.B. 521 of the 70th Session and the language in the statutes at many of these school sites. Senate Bill 386 (1st Reprint) will bring more transparency to this process, as Senator Woodhouse outlined. It will require the committee to review temporary alternative placement to be appointed at the beginning of the school year, as well as distributing a copy of this plan to every teacher and education support personnel at the school site.

With this new language, we are confident that all stakeholders at school sites will be knowledgeable of the progressive student discipline process. We have heard from Andy Piper, a school bus driver, on extending some sort of process to transportation. That is the number one priority we hear about from our members working in transportation. Staff members who have the responsibility of student supervision outside the classroom need S.B. 386 (R1) as an additional tool to create a safe school environment—whether that is in the cafeteria, school yard, or school bus. Student behavioral issues can cause very serious problems, including putting other students and school employees at risk.

As Senator Woodhouse mentioned, in the Senate Committee on Education, we did work with the Clark County School District (CCSD) and the Washoe County School District (WCSD) to realign the way we dealt with transportation in the bill. The bill would require school districts to adopt this transportation policy. In that policy, certain components would be required, including rules regarding the conduct of pupils on school transportation, responsibilities of the driver or other staff members on transportation, responsibilities of the principal, and a progressive discipline process that is largely based on the policy that

currently exists. There is one policy in CCSD and another in WCSD that we reviewed for this bill. I also want to acknowledge Senator Harris' involvement in the Senate Committee on Education. She offered some suggestions that we have included in the language of the bill.

Assemblywoman Miller:

I appreciate this bill because I talk to bus drivers every morning. As a teacher, we go through a lot in the classroom. But it is different because we can run down the hall, leave the classroom, call for help, and administer progressive discipline in a variety of ways. I do support progressive discipline on the bus.

In section 6, subsection 3, it says, "A pupil must not be removed or otherwise excluded from school transportation" This means that if there was an incident that day, we cannot remove the student that same day. However, just like progressive discipline in the school, there are certain things that bypass progressive discipline. When it comes to those incidents—for example fighting, lewd conduct, drug or alcohol use, et cetera—would that still fall under progressive discipline, or could an immediate action take place?

Chris Daly:

On the school bus, I think what is outlined here is short of some more violent criminal behavior. I would imagine there are potential scenarios where a school bus driver, based on the regulations of the district, would have to pull over and call for assistance or emergency help. Short of that, the policy here is that if there is habitually disruptive behavior, the student is not dropped off on the side of the road. That process would kick in at the end of the trip, when the student is delivered home or to school safely.

Assemblywoman Miller:

Would you be open to specifying that language? We are not speaking about disruptive behavior, but criminal behavior.

Senator Woodhouse:

Certainly we can work with you on some language that would make that a bit more descriptive of what the incidents we deal with might be. We can bring that back to you very soon.

Assemblyman Edwards:

Clark County School District has been around for 61 years. I cannot imagine that in all that time, there is not a set of policies around what teachers can do in order to discipline, especially as things get worse and worse. I am at a loss as to why the school board is not doing this instead of its being brought to the Legislature. This seems to be a school board function. I am concerned that we are elevating this too high. What is the need to bring it to the Legislature rather than letting the school board deal with this?

Chris Daly:

I was not around in 1999 when then-Speaker Joseph Dini and the people before me at NSEA decided to bring this to the Legislature. The bill, A.B. 521 of the 70th Session, was adopted into law, creating a statewide progressive student discipline process. My guess is that both NSEA and the legislators at the time decided this was a statewide issue of importance to be addressed in the statutes. This is an amendment of existing language. We think it is appropriate to bring this here since there is existing language in the statutes.

Natha Anderson:

I remember when this was rolled out because we had pockets where it was clearly set out in the state, but it was not universally set out. We also did not have clear expectations of what to do if you, as an educator, did not agree with what the principal or administrator dealing with the discipline said. This allowed for us as educators to figure out a way to meet with our administrator a little bit more and in different ways to say, for example, I do not believe that little Johnny, who keeps pulling out the chair, should be back in my classroom two minutes later. That was an issue in many of our districts and, sadly, still is an issue.

Assembly Bill 521 of the 70th Session continues to be something we can make universal around the state. Clark County School District has definitely dealt with this in some ways. They also have a bus policy that is very in-depth, but some of our districts do not have that. This is a way to address that issue.

Assemblyman Edwards:

I guess I am just surprised this was not taken care of a hundred years ago.

Chairman Thompson:

Is there anyone wishing to testify in favor of the bill?

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

We are here in support based on changes made in the Senate.

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

We are in support of S.B. 386 (R1). We made some tweaks in the Senate to ensure it works for all school districts. We appreciate that. We will get the information on when CCSD initially adopted a progressive discipline policy. We certainly appreciate that the moment a student walks out of their house to when they get back to their house, the school district is responsible. We want to ensure that the progressive discipline policy stands not only in the classroom but on the transportation side as well. We have two policies in place for both of those. With this bill, we will continue looking at that and tweaking it.

I also have an answer for Assemblywoman Miller about section 6, subsection 3. In our policies, we have the same language. We have the progressive discipline policy, but depending on which act is committed, we would move to that step immediately as opposed to following the progressive discipline plan.

Assemblywoman Diaz:

How do we currently deal with discipline issues on transportation? How frequently do these habitual discipline issues happen with one student?

Brad Keating:

We currently have two policies in place. We have a progressive discipline policy for the classroom, and a school bus policy as well. Those work well together. If a student has an issue, when that student gets to school the principal and the transportation staff come together to investigate the incident and determine the best course of action. As far as how often we have to use the policy, I am not sure. I can get that answer for you.

Jessica Ferrato, representing Nevada Association of School Boards:

I appreciate the work the school districts have done on this bill as well as the legislators involved.

Chairman Thompson:

Is there anyone wishing to testify in opposition to the bill? [There was no one.] Is there anyone wishing to testify as neutral to the bill? [There was no one.] We will close out the hearing for Senate Bill 386 (1st Reprint). We will open the work session, starting with Senate Bill 19 (1st Reprint).

Senate Bill 19 (1st Reprint): Revises provisions relating to dual credit courses. (BDR 34-227)

Amelie Welden, Committee Policy Analyst:

Senate Bill 19 (1st Reprint) contains various provisions related to dual enrollment ([Exhibit D](#)). Pursuant to the bill, each school district and charter school must enter into cooperative agreements with one or more postsecondary institutions to offer dual credit courses to students. These agreements must include, among other items, an explanation of how tuition for each course will be paid.

School districts and public schools must include information about the availability of dual credit courses in written notice that is posted online, posted conspicuously at schools, and made available to parents. The State Board of Education cannot unreasonably limit the number of dual credit courses in which a student may enroll.

If a student wishes to enroll in a dual credit course, he or she must submit an application to the appropriate school district or charter school and must complete the prerequisites for the course. If a student is enrolled in a dual credit course, the student's academic plan must address how the course will enable the student to achieve postgraduation goals.

Finally, S.B. 19 (R1) specifies that a student who successfully completes a program of workforce development provided by a college in Nevada will be able to apply the credit received for the program toward the total number of credits required for a related credential, certificate, or degree. Students enrolled in dual credit courses at public high schools are included in this provision.

Chairman Thompson:

I will entertain a motion to do pass Senate Bill 19 (1st Reprint).

ASSEMBLYMAN EDWARDS MADE A MOTION TO DO PASS
SENATE BILL 19 (1ST REPRINT).

ASSEMBLYWOMAN TOLLES SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYMEN PICKARD AND
WOODBURY WERE ABSENT FOR THE VOTE.)

Assemblyman McCurdy will take the floor statement.

Senate Bill 112: Requires a course of study in health provided to pupils in certain grade levels in public schools to include certain information on organ and tissue donation. (BDR 34-516)

Amelie Welden, Committee Policy Analyst:

Senate Bill 112 requires a course of study in health for students in middle, junior high, or high school to include instruction in organ and tissue donation, including how to register as a donor and the rules governing donor gifts in Nevada; the societal and individual benefits of organ and tissue donation; and facts about organ and tissue donation ([Exhibit E](#)).

Chairman Thompson:

I will accept a motion to do pass Senate Bill 112.

ASSEMBLYWOMAN SWANK MADE A MOTION TO DO PASS
SENATE BILL 112.

ASSEMBLYMAN EDWARDS SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYMEN PICKARD AND
WOODBURY WERE ABSENT FOR THE VOTE.)

Assemblywoman Tolles will do the floor statement.

Senate Bill 173: Revises provisions relating to facilities for achievement charter schools. (BDR 34-629)

Amelie Welden, Committee Policy Analyst:

Senate Bill 173 eliminates the prevailing wage exemption for charter schools operating within the Achievement School District. It specifically makes prevailing wage requirements applicable to a contract or other agreement for the construction, improvement, repair, or demolition of any building, structure, or property that is or will be used by an achievement charter school. The bill also ensures such projects comply with the same engineering, design, safety, and other building standards that apply to district school buildings in the same county. There are no amendments, but there were some questions at the bill hearing that legal counsel is prepared to clarify ([Exhibit F](#)).

Karly O'Krent, Committee Counsel:

During the hearing for S.B. 173, there was discussion concerning buildings that were donated for use in the Achievement School District, so I thought I would briefly go over the existing prevailing wage requirements and explain whether those are subject to the prevailing wage requirements as the bill is currently drafted. The requirement that the prevailing wage be paid to certain employees currently applies to contracts for the performance for public work.

"Public work" is defined in existing law to mean, "any project for the new construction, repair or reconstruction of a project financed in whole or in part from public money . . ." [*Nevada Revised Statutes* (NRS) 338.010]. Because privately-gifted properties are not financed by public money, the bill as it is currently drafted does not impose a requirement that the prevailing wage be paid for work performed at privately-gifted properties, as long as public money is not used to finance those projects in whole or in part.

The requirement that the prevailing wage be paid to certain employees also does not apply when the work being performed is, "directly related to the normal operation of the public body or the normal maintenance of its property" [NRS 338.011]. Therefore, as the bill is currently drafted, work performed on a privately-gifted property that is related to the normal operation or maintenance of the property is not subject to the prevailing wage requirement. However, if the work being performed constitutes repair or reconstruction, then the prevailing wage requirement would apply.

Assemblywoman Tolles:

Thank you for following up on that. If there is construction that needs to be performed on that school, who pays for it? Now it is being paid for by the charter school's operations fund collected through donations, public money, and so forth. Who pays for that \$200,000 addition?

Karly O'Krent:

I think that would depend on the circumstance. If you are talking about a charter school that has been established as part of the Achievement School District in a building that was privately gifted to begin with but that is currently being financed through the per-pupil allocation that is given to the pupils enrolled in the charter school, and they intend to use any of that money to conduct repairs or reconstructions, they would be subject to the prevailing wage requirement. It depends on who is doing the paying. If there were a private person willing to donate the money for that repair or reconstruction, then the prevailing wage would not apply. The charter schools are in a better position to explain how they intend to go about financing those particular renovations, but if they are financing them at all with the per-pupil allocation they receive, then it would be public money and the wage requirements would apply.

Assemblyman Edwards:

I think you answered most of what I was concerned about. Is there any dollar threshold?

Karly O'Krent:

There is a dollar threshold that is currently applicable to the current governments. That is in NRS 332.390. That threshold is \$100,000. But if you are talking about the initial construction of the building, if it is privately funded, the wage requirement would not apply.

Assemblyman Edwards:

In all cases, there is a strict line between money they get privately versus publicly. The private money work is not subject to the prevailing wage, but the public money is.

Karly O'Krent:

That is correct, and the maintenance piece would be subject to the prevailing wage requirement in the event that it exceeded \$100,000. If the maintenance or any contract undertaken in the normal operation of a school costs more than \$100,000, that would be subject to the prevailing wage requirement. Anything less than \$100,000 for maintenance purposes will not be subject to the requirement. It will never be subject to that requirement if it is privately funded.

Chairman Thompson:

I will entertain a motion to do pass Senate Bill 173.

ASSEMBLYMAN McCURDY MOVED TO DO PASS SENATE BILL 173.

ASSEMBLYMAN FUMO SECONDED THE MOTION.

Is there any discussion?

Assemblyman Edwards:

Thank you for the legal clarification. My greatest concern was to make sure there was a clear line between private money versus public money. Given that, I think I can support this.

Chairman Thompson:

We will vote.

THE MOTION PASSED. (ASSEMBLYWOMAN KRASNER VOTED NO. ASSEMBLYMEN PICKARD AND WOODBURY WERE ABSENT FOR THE VOTE.)

Assemblyman Flores will take the floor statement. Next up is Senate Bill 247 (1st Reprint).

Senate Bill 247 (1st Reprint): Revises provisions relating to education. (BDR 34-326)

Amelie Welden, Committee Policy Analyst:

Senate Bill 247 (1st Reprint) makes several revisions to education reporting requirements. You can see those enumerated in the work session document ([Exhibit G](#)). The bill also reduces from 15 to 13 days the period of public notice required for policy changes being proposed by the school boards in Clark and Washoe Counties.

Chairman Thompson:

I will entertain a motion to do pass Senate Bill 247 (1st Reprint).

ASSEMBLYWOMAN DIAZ MADE A MOTION TO DO PASS
SENATE BILL 247 (1ST REPRINT).

ASSEMBLYWOMAN SWANK SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYMEN PICKARD AND
WOODBURY WERE ABSENT FOR THE VOTE.)

Assemblywoman Swank will take the floor statement.

Senate Bill 301 (1st Reprint): Revises provisions relating to education. (BDR 34-550)

Amelie Welden, Committee Policy Analyst:

Senate Bill 301 (1st Reprint) abolishes the State Board for Career and Technical Education (CTE) and transfers the duties of that Board and its Executive Officer to the State Board of Education and the Superintendent of Public Instruction. The bill also repeals the requirement for a related report and instead requires information regarding CTE to be included in the annual report on the state of public education that is prepared by Nevada's Department of Education. Pursuant to the bill, the State Board of Education is designated as the sole state agency to administer CTE in Nevada ([Exhibit H](#)).

The bill changes the name of the Advisory Council on Parental Involvement and Family Engagement to the Advisory Council for Family Engagement and revises the Council's reporting requirements to require one annual report instead of two separate reports.

Finally, the bill abolishes the Interagency Panel that is responsible for making recommendations concerning the placement of persons with disabilities who are eligible to receive certain special education services.

Testimony indicated that the State Board for CTE is comprised of the same members who serve on the State Board of Education. Also according to testimony, the Interagency Panel has not met in recent years.

Chairman Thompson:

I will accept a motion to do pass Senate Bill 301 (1st Reprint).

ASSEMBLYWOMAN DIAZ MADE A MOTION TO DO PASS
SENATE BILL 301 (1ST REPRINT).

ASSEMBLYMAN EDWARDS SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYMEN PICKARD AND
WOODBURY WERE ABSENT FOR THE VOTE.)

Assemblywoman Krasner will take the floor statement. I will close out the work session and open the hearing for Senate Bill 273 (1st Reprint).

Senate Bill 273 (1st Reprint): Revises provisions relating to the dismissal of a probationary employee of a school district. (BDR 34-582)

Assemblyman John C. Ellison, Assembly District No. 33:

I am here to present Senate Bill 273 (1st Reprint) on behalf of Senator Pete Goicoechea. This bill is an important step in protecting probationary employees of a school district which gives the Board of Trustees the final decision on a dismissal. Under Nevada statute, a probation employee is employed on a contract basis for three one-year periods. Furthermore, Nevada is one of the seven states that allows the school district to return a nonprobationary teacher to a probationary status if they are rated "sufficient." Senate Bill 273 (1st Reprint) requires the superintendent to provide written notice of no less than 15 days upon a dismissal of a probationary employee. That notice must include the reason for recommendation of dismissal and inform the employee that they are requested at an expeditious hearing.

There was an amendment that was adopted. It clarified that arbitration may be considered ([Exhibit I](#)). This has a lot of history. I think this is a great bill.

Richard G. Barrows, Legal Counsel, Elko County School District:

I have been the legal counsel for Elko County School District since 1988. In terms of the need for this bill, I would refer the Committee to section 10, subsection 10 of the bill, which is the redlined portion. If a school district decides that it needs to dismiss a probationary employee midyear, the question is what the school district's procedure is to do that.

The answer is that there is no procedure. The purpose and need for this bill is to outline the procedure to dismiss a licensed probationary employee midyear. The procedure follows, in large part, the procedure for the dismissal of a postprobationary employee.

Chairman Thompson:

Are there any other questions from the Committee? [There were none.] Is there anyone wishing to testify in favor of the bill?

Brian Lee, Executive Director, Nevada State Education Association:

We thank Senator Goicoechea and the Elko County School District for working on this bill to ensure the due process rights of probationary employees and the legitimate interests of the school districts are properly balanced. We support S.B. 273 (R1).

Chairman Thompson:

Is there anyone wishing to testify in opposition to the bill? [There was no one.] Is there anyone wishing to testify as neutral to the bill? [There was no one.] We will close out the hearing for S.B. 273 (R1). Is there any public comment? [There was none.] This meeting is adjourned [at 4:05 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 written testimony in support of [Senate Bill 386 \(1st Reprint\)](#), dated May 10, 2017, submitted and presented by Chris Daly, Deputy Executive Director of Government Relations, Nevada State Education Association.

[Exhibit D](#) is the Work Session Document for [Senate Bill 19 \(1st Reprint\)](#), presented by Amelie Welden, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit E](#) is the Work Session Document for [Senate Bill 112](#), presented by Amelie Welden, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit F](#) is the Work Session Document for [Senate Bill 173](#), presented by Amelie Welden, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit G](#) is the Work Session Document for [Senate Bill 247 \(1st Reprint\)](#), presented by Amelie Welden, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit H](#) is the Work Session Document for [Senate Bill 301 \(1st Reprint\)](#), presented by Amelie Welden, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit I](#) is a proposed conceptual amendment for [Senate Bill 273 \(1st Reprint\)](#) from the Nevada State Education Association, submitted by Assemblyman John C. Ellison, Assembly District No. 33.