

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

**Seventy-Ninth Session  
May 15, 2017**

The Committee on Education was called to order by Chairman Tyrone Thompson at 3:39 p.m. on Monday, May 15, 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](http://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  
Assemblyman Keith Pickard  
Assemblywoman Heidi Swank  
Assemblywoman Jill Tolles  
Assemblywoman Melissa Woodbury

**COMMITTEE MEMBERS ABSENT:**

None

**GUEST LEGISLATORS PRESENT:**

None



**STAFF MEMBERS PRESENT:**

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

**OTHERS PRESENT:**

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

**Chairman Thompson:**

[Roll was called. Rules and protocol were explained.] We have several bills on work session today. We will start with Senate Bill 107 (1st Reprint).

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

**Amelie Welden, Committee Policy Analyst:**

Senate Bill 107 (1st Reprint) requires the Council to Establish Academic Standards for Public Schools to establish content and performance standards for ethnic and diversity studies in public high schools. It also authorizes high schools to offer instruction in ethnic and diversity studies ([Exhibit C](#)). There are no amendments.

**Chairman Thompson:**

I will entertain a motion to do pass Senate Bill 107 (1st Reprint).

ASSEMBLYWOMAN DIAZ MADE A MOTION TO DO PASS  
SENATE BILL 107 (1ST REPRINT).

ASSEMBLYMAN McCURDY SECONDED THE MOTION.

**Assemblyman Edwards:**

I will be a "no" vote on this. In the testimony, I was concerned that it was not going to be a positive educational experience. I do not trust the outcome involved.

THE MOTION PASSED. (ASSEMBLYMAN EDWARDS VOTED NO.)

**Chairman Thompson:**

Assemblyman Elliot T. Anderson will take the floor statement for this. Next on the work session is 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)**

**Amelie Welden, Committee Policy Analyst:**

Senate Bill 273 (1st Reprint) provides additional procedures for the dismissal of a probationary school district employee. It requires a school district superintendent to provide written notice to a probationary employee not less than 15 business days before filing with the school district board of trustees a recommendation to dismiss the employee. It also authorizes a probationary employee to request an expedited, nonbinding arbitration hearing before a recommendation to dismiss is filed.

Following arbitration, if the superintendent files a recommendation to dismiss the employee, the board of trustees must determine at its next regularly scheduled meeting whether to accept the recommendation. The board of trustees must then provide written notice of its decision to the probationary employee; the decision is not subject to judicial review or appeal ([Exhibit D](#)). There are no amendments.

**Chairman Thompson:**

I will entertain a motion to do pass Senate Bill 273 (1st Reprint).

ASSEMBLYWOMAN JOINER MADE A MOTION TO DO PASS  
SENATE BILL 273 (1ST REPRINT).

ASSEMBLYMAN ELLIOT T. ANDERSON SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

The floor statement will go to Assemblyman Edwards. Next up for the work session is Senate Bill 322 (1st Reprint).

**Senate Bill 322 (1st Reprint): Revises provisions governing the requirement for an examination in civics as a condition for graduation from high school. (BDR 34-993)**

**Amelie Welden, Committee Policy Analyst:**

Senate Bill 322 (1st Reprint) requires public high school students, with certain exceptions, to take a civics examination as a condition for graduation beginning in the 2019–2020 school year. The questions on the exam will be identical to questions contained in the civics portion of the naturalization test adopted by the United States Citizenship and Immigration Services of the Department of Homeland Security. The test may be offered voluntarily beginning in the 2018–2019 school year. A high school administering the exam will determine a course in which to administer the test; establish the number of questions to be included on the exam, which must not be fewer than 50; determine a desired score and how exam results will affect a student’s course grade; and aggregate and report the test results to the school district.

The bill allows a waiver from the exam in certain instances for certain students, including students with disabilities, English learners, and other students who have shown good cause for a waiver ([Exhibit E](#)). There are no amendments.

**Chairman Thompson:**

I will vote this out of Committee, but I do have concerns about adding another test for our students. We could think of a plethora of tests that are necessary that could be as validating. I would like to see more action in it. It is a test. Let us be real about it, some students are not great test takers. This will be the last year of their high school years. Again, this will cause more anxiety for students who do not test well. We know that everything included in it is stuff that they need, but I have been pondering on this. In a perfect world, I would have loved to see some action to it. What do they do to become civically engaged?

**Assemblyman Edwards:**

As an adjunct professor at Nevada State College, I see the outcomes of the lack of foundation that our kids have in American government, American history, civics, et cetera. I do not think we can expect them to be good, wise, and engaged voters if they do not know what they are voting for. I think it is much more important than some people expect that we do reinforce as much civics as we can, so we have another generation of people who will care, be engaged, and help to solve problems. Although it is one more test, I think it is one test well worth taking.

**Chairman Thompson:**

I will accept a motion to do pass Senate Bill 322 (1st Reprint).

ASSEMBLYWOMAN DIAZ MADE A MOTION TO DO PASS  
SENATE BILL 322 (1ST REPRINT).

ASSEMBLYMAN EDWARDS SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYWOMAN MILLER VOTED NO.)

We will give the floor statement to Assemblywoman Joiner. Next up in the work session is Senate Bill 369 (1st Reprint).

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

**Amelie Welden, Committee Policy Analyst:**

Senate Bill 369 (1st Reprint) requires the board of trustees of a school district that enrolls more than 75,000 students (currently the Clark County School District) to establish a training program for teachers and principals in working collaboratively with school staff and the families of students enrolled in the school. Such training must be attended if so directed by a school principal or district superintendent.

This bill also requires the board—upon petition of a certain percentage of parents or school employees, or upon majority vote of a school organizational team—to investigate whether school employees are effectively engaging with families and whether the culture at the school is focused on student outcomes.

A board that conducts such an investigation must provide related training to school staff, as necessary and appropriate. The bill's provisions are delayed by one year for any school entering turnaround status ([Exhibit F](#)). There are no amendments.

**Assemblyman Pickard:**

If the results of the investigation show that teachers, principals, or staff have not effectively engaged the parents, the remedy is training, not disciplinary action, is that correct?

**Amelie Welden:**

I believe what will happen upon the outcome of an investigation is addressed in section 3, subsection 3. I do not see anything in there about disciplinary action, but I will defer to Ms. O'Krent.

**Karly O'Krent, Committee Counsel:**

That is correct.

**Chairman Thompson:**

I will entertain a motion to do pass Senate Bill 369 (1st Reprint).

ASSEMBLYWOMAN DIAZ MADE A MOTION TO DO PASS  
SENATE BILL 369 (1ST REPRINT).

ASSEMBLYMAN ELLIOT T. ANDERSON SECONDED THE MOTION.

**Assemblyman Pickard:**

When we look at section 3, subsection 2, paragraph (a), we are asking the investigation to consider whether teachers, principals, and staff are effectively engaging the parents. I do think that is an important consideration, but I think it puts it backwards. I think the parents need to be primarily responsible for that engagement. We cannot expect the teachers, principals, and staff to do what the parents themselves will not. To the extent that we will not be disciplining anyone if the investigation turns up that we are not effectively engaging the parents, I think the training will be important to better assess the problems and encourage those faculty members and staff to more actively engage the parents. However, I certainly would not want them punished because the parents will not engage.

THE MOTION PASSED. (ASSEMBLYWOMAN MILLER VOTED NO.)

**Chairman Thompson:**

I will give the floor statement to Assemblywoman Krasner. Next up for the work session is 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)**

**Amelie Welden, Committee Policy Analyst:**

Senate Bill 386 (1st Reprint) requires a public school's plan to provide for the progressive discipline of students to include the names of each member of the committee to review the temporary alternative placement of students, provide for the temporary removal of a student from non-classroom premises of a school, and include a policy for school transportation, as adopted by the school district board of trustees.

On or before September 15 of each year, the school principal must distribute a copy of the plan to all educational personnel at the school and submit the plan to the school district superintendent.

The bill adds a school staff member to the relevant committee and specifies that a teacher or staff member who has served on the committee for two consecutive years or more is not eligible to be selected for membership. The committee must be convened if a teacher or staff member who removed a student disagrees with a principal's decision relating to the student's placement. Certain reports regarding committee proceedings must be submitted by school principals to their districts and by school districts to the Legislative Committee on Education ([Exhibit G](#)). There are no amendments.

**Chairman Thompson:**

I will entertain a motion to do pass Senate Bill 386 (1st Reprint).

ASSEMBLYWOMAN JOINER MADE A MOTION TO DO PASS  
SENATE BILL 386 (1ST REPRINT).

ASSEMBLYWOMAN MILLER SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

I will give that floor statement to Assemblywoman Woodbury. Last on the agenda for our work session is Senate Bill 420 (1st Reprint).

**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)**

**Amelie Welden, Committee Policy Analyst:**

Senate Bill 420 (1st Reprint) requires the board of trustees of each school district, the governing body of each charter school, the governing body of each university school for profoundly gifted pupils, and the Board of Regents of the University of Nevada to adopt a written policy for student publications, which establishes reasonable provisions governing the time, place, and manner for the distribution of those publications; protects the right of

expression of student-journalists working on those publications; includes disciplinary procedures for student-journalists and their advisers who violate the policy; and includes a disclaimer indicating that the contents of a student publication are not endorsed by the relevant educational institution or certain other entities.

The policy must also prohibit certain content restrictions, as well as certain actions against advisers acting in the scope of their position and students acting in accordance with the policy. For public K–12 schools, the policy must additionally include procedures for determining before publication whether content would substantially disrupt the ability of the school to perform its educational mission.

There is a conceptual mock-up attached to the work session document ([Exhibit H](#)). It revises language to clarify that certain actions cannot be taken against students acting in accordance with the policy, even if their conduct unintentionally leads to a substantial disruption of the institution's ability to perform its educational mission. It clarifies that the use of the term "bullying" has the meaning ascribed to it in *Nevada Revised Statutes* 388.122. It deletes language regarding pre-publication determination of whether content would substantially disrupt a public K–12 school's ability to perform its educational mission. It also deletes language regarding disciplinary procedures for students and advisers who violate the policy. The amendment changes the bill's effective date to October 1, 2017.

**Chairman Thompson:**

I will accept a motion to amend and do pass Senate Bill 420 (1st Reprint).

ASSEMBLYMAN ELLIOT T. ANDERSON MADE A MOTION TO  
AMEND AND DO PASS SENATE BILL 420 (1ST REPRINT).

ASSEMBLYMAN McCURDY SECONDED THE MOTION.

**Assemblywoman Krasner:**

I did have a concern with section 1, subsection 3, paragraph (e), subparagraph (3). It says that a school cannot suspend or discipline a pupil for engaging in conduct, even if it substantially disrupts the ability of the public school to perform its educational mission. That concerns me. Not so much at the college or university level, but because we are taking into account the high school level. I do not like that wording. Unfortunately, I will have to vote "no" at this time. I am certainly willing to work with the sponsor to try and fix that language before the floor vote.

**Assemblyman Pickard:**

My concern deals strictly with section 1, subsection 3, paragraph (b). I was a student journalist, and I understand that we are talking about a different situation at the college level. These are people who are quasi-professionals, and they are given much more latitude. At the high school level, these need to be directed by the school's individual teachers. It is more instructive, they are laying out appropriate boundaries, et cetera. I see mischief being had here. I was able to talk at some length with the bill sponsor. I am sympathetic to the position

that we want to encourage students to be able to speak freely and not chill their expression, but to the extent that this could work against their teachers and their attempts to teach boundaries, I will be voting "no" on this bill.

**Assemblyman Elliot T. Anderson:**

I understand the concerns of my colleagues, but I think this provides for them. The way I understand it, looking at the paragraph Assemblyman Pickard cited, it requires the board of trustees, the charter school, the governing body of a university, et cetera, to create a policy. As I understand it, they are setting the parameters for how this should go. I thought the testimony during the bill hearing was more along the lines of wanting clear expectations of what would happen. I think the school has a fair amount of discretion in how exactly this will work. I am not so afraid of children running amok, especially not student journalists. I am more worried about the kids who are not student journalists running amok. With that, I am happy to support this. I think any unintended consequences have been provided for by that requirement to establish policy.

**Assemblyman Edwards:**

I was concerned about the language and the potential consequences involved in the bill. I am not sure that the language is as tight as it should be. I will try to work with the sponsor to do so. I will vote "yes" to get it out of Committee, but I will reserve my right to vote "no" on the floor.

THE MOTION PASSED. (ASSEMBLYMEN KRASNER, PICKARD, AND  
WOODBURY VOTED NO.)

**Chairman Thompson:**

Assemblywoman Swank will take the floor statement. This closes out our work session. Is there any public comment?



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

I wanted to let you know that, at Clark County School District (CCSD), we honored seven new educators of the year last week. As part of its celebration for teacher appreciation week, the CCSD surprised seven first-year teachers in their classrooms with presentations announcing that they had been selected. Each year, CCSD selects a new educator of the year in its seven teaching categories. The teachers were not aware of their selection until a group of presenters, which included CCSD Board of Trustee members, representatives from the schools, and the district's human resources division entered their individual classrooms to make the announcement in presentations in front of their respective classes.

We are very, very proud of our new teachers, as well as our experienced educators and all of the work they have done as we wrap up the school year.

**Chairman Thompson:**

This meeting is adjourned [at 4 p.m.].

RESPECTFULLY SUBMITTED:

---

Sharon McCallen  
Recording Secretary

---

Isabel Youngs  
Transcribing Secretary

APPROVED BY:

---

Assemblyman Tyrone Thompson, Chairman

DATE: \_\_\_\_\_

## EXHIBITS

[Exhibit A](#) is the Agenda.

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

[Exhibit C](#) is the Work Session Document for [Senate Bill 107 \(1st Reprint\)](#), presented by Amelie Welden, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit D](#) is the Work Session Document for [Senate Bill 273 \(1st Reprint\)](#), presented by Amelie Welden, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit E](#) is the Work Session Document for [Senate Bill 322 \(1st Reprint\)](#), presented by Amelie Welden, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit F](#) is the Work Session Document for [Senate Bill 369 \(1st Reprint\)](#), presented by Amelie Welden, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit G](#) is the Work Session Document for [Senate Bill 386 \(1st Reprint\)](#), presented by Amelie Welden, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit H](#) is the Work Session Document for [Senate Bill 420 \(1st Reprint\)](#), presented by Amelie Welden, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.