

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

**Eightieth Session
April 25, 2019**

The Committee on Education was called to order by Chairman Tyrone Thompson at 1:33 p.m. on Thursday, April 25, 2019, in Room 3138 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4401 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/80th2019.

COMMITTEE MEMBERS PRESENT:

Assemblyman Tyrone Thompson, Chairman
Assemblywoman Bea Duran
Assemblywoman Michelle Gorelow
Assemblywoman Alexis Hansen
Assemblywoman Melissa Hardy
Assemblywoman Lisa Krasner
Assemblywoman Brittney Miller
Assemblywoman Connie Munk
Assemblywoman Sarah Peters
Assemblywoman Jill Tolles
Assemblywoman Selena Torres

COMMITTEE MEMBERS ABSENT:

Assemblyman Edgar Flores (excused)

GUEST LEGISLATORS PRESENT:

Senator Joyce Woodhouse, Senate District No. 5

STAFF MEMBERS PRESENT:

Kelly Richard, Committee Policy Analyst
Victoria Gonzalez, Committee Counsel
Sharon McCallen, Committee Secretary
Trinity Thom, Committee Assistant

OTHERS PRESENT:

George Ann Rice, Cofounder, Troops to Education
Meredith Smith, Private Citizen, Las Vegas, Nevada
David Dazlich, Director, Government Affairs, Las Vegas Metro Chamber of Commerce
Alexander Marks, Political Coordinator, Nevada State Education Association
Mary Pierczynski, representing Nevada Association of School Superintendents
Tony Yarbrough, Senior Vice Commander, Department of Nevada, Veterans of Foreign Wars of the United States; and Vice-Chair, United Veterans Legislative Council
Katherine Miller, U.S. Army Colonel (Ret.), Director, Department of Veterans Services
Tom McCoy, Nevada Government Relations Director, Cancer Action Network, American Cancer Society
Cari Herington, Executive Director, Nevada Cancer Coalition
Stephen Lencioni, representing Nevada State Medical Association
Reba Suri, Private Citizen, Reno, Nevada
Martin Azzam, Private Citizen, Reno, Nevada
Sara Chalhagian, representing Consumer Healthcare Products Association
Joelle Gutman, Government Affairs Liaison, Washoe County Health District
Jessica Ferrato, representing Nevada Association of School Boards
Allison Genco, Private Citizen, Reno, Nevada
Michael Hackett, representing Nevada Public Health Association; and Nevada Primary Care Association

Chairman Thompson:

[Roll was called. Committee rules and protocol were explained.] We will open the hearing for Senate Bill 100 (1st Reprint).

Senate Bill 100 (1st Reprint): Revises provisions relating to the licensure and employment of veterans, military personnel and their spouses in the public schools of this State. (BDR 34-388)

Senator Joyce Woodhouse, Senate District No. 5:

I will provide a brief overview of Senate Bill 100 (1st Reprint), then hand things over to Dr. George Ann Rice for additional details. She is the expert on S.B. 100 (R1).

During the interim, I served on the Legislative Committee on Education. Our committee heard from Dr. Rice [April 20, 2018] regarding her work with Troops to Education, a program designed to assist the spouses of active-duty military members and veterans in securing jobs in the public school system. Dr. Rice identified a few challenges military families are experiencing when entering a career in education. Many of these issues are nationwide.

First, spouses participating in an alternative route to licensure program may be relocated before the program can even be completed. Frequent relocations can mean restarting a program in another state, only to be relocated again prior to finishing.

Another challenge is the difficulty faced by spouses of active-duty military personnel in quickly obtaining a teaching license in a new state. Frequent relocations can cause a spouse to be out of work while awaiting approval of licensure applications.

It is no secret that we are facing severe shortages of teachers and other educational personnel across the nation. Nevada is no exception; we probably have a greater need than most states. Among other challenges, the number of students in teacher preparation programs and teacher retention rates are declining. The situation is exacerbated with approaching retirements of some of our more experienced teachers and other educational personnel. Senate Bill 100 (1st Reprint) will help ease some of these challenges by diversifying our recruitment efforts while addressing hurdles faced by relocating military families.

Thank you for your consideration of this bill. Here to present S.B. 100 (R1) in greater detail is Dr. George Ann Rice, a retired associate superintendent from the Clark County School District.

George Ann Rice, Cofounder, Troops to Education:

Throughout my presentation, I will be referring to veterans and active-duty personnel as "he" since 83.4 percent of them are male.

I am a product of the Clark County School District (CCSD); University of Nevada, Reno; and University of Nevada, Las Vegas (UNLV). I served as a teacher, high school administrator, and associate superintendent of the CCSD Human Resources Division. I served in the last position for 16 years, retiring in 2007, after 34 years with CCSD.

For the past four years, I have been working as a volunteer representing K-12 interests with a 12-person planning group focused on restructuring Troops to Teachers—which is veterans-only, teaching positions only, and limited to grants to state departments of education—to new Troops to Education. The new structure would assist not only veterans interested in teaching, but also their spouses, spouses of active-duty personnel, and those planning to leave the service within a few years, as well as the National Guard and Army Reserve.

We will also recruit, counsel, and offer placement services for all jobs in public K-12 education and public charter schools, including teaching, related service providers, support staff, and school safety positions. This work will be done at no cost to the districts or those being assisted. Another feature of this project that will make a big difference is the placement of a recruiter, counselor, and placement assistance team on the larger military installations in states that have large installations.

We have included a special emphasis on school safety at the request of the staff of the White House Domestic Policy Council. General Ohle briefed the U.S. Deputy Secretary of Education, who also serves as chair of the Federal Commission on School Safety, in late November. Their final report was delivered to President Donald Trump on December 18, 2018, and incorporated every single one of our recommendations.

Our proposed congressional bill draft changing "Troops to Teachers" to "Troops to Education"—a private-public partnership with the United States Department of Education as the responsible department and with the Departments of Defense, Labor, Justice, Homeland Security, and Veterans Affairs as supporting departments—was delivered to a United States Senator on the United States Senate Committee on Health, Education, Labor, and Pensions in January. We await the Senator's introduction of the bill.

We have worked with 43 of the largest school districts in the country that are helping us as partners to design organizational structure of our work with them, including CCSD, New York City, Los Angeles, Miami-Dade County, Dallas, and Houston. We have three smaller districts also working with us—Killeen Independent School District, with Fort Hood; Cumberland County Schools, with Fort Bragg; and Washoe County School District. We have 25 alternative route to licensure providers partnering with us, including UNLV and Nevada State College whose program is in partnership with CCSD. We are working with stakeholder groups including military spouses. They are the ones who brought two of these issues to our attention. We work with school safety directors in five districts, including CCSD, and one advisory group with a certification focus. We are working with professional organizations and partners, such as the Council of the Great City Schools, the National Association for Alternative Certification, and the National Association of State Directors of Teacher Education and Certification. They are all totally behind us.

I became involved because of the great need experienced in our state for teachers, as well as other positions. In February when I testified before the Nevada Senate Committee on Education [February 6, 2019]—six full months into the current school year—CCSD had 421 teaching vacancies, including 108 in special education. There were also 115 bus driver positions and 19 campus security monitors vacant. The school district does not hire teachers for the current school year after February in order to concentrate on the coming school year. As of last Friday, they have identified 973 hard-to-staff positions for school year 2019 to 2020, including 255 special education teachers. That is before the current teachers submit their retirement or resignation paperwork.

Through Senator Woodhouse, we have been introduced to the National Conference of State Legislatures. While they cannot advocate, they are allowed to educate. In that capacity, they have given us access to their database for state laws so we can identify states that have created solutions for the barriers that face veterans and spouses who want to come into education. They will allow us to use their website or their blog to share these conditions and what states are already doing to address the issue. We plan to ask other states what they are doing to address these issues. We plan to begin with issues already being addressed by

Nevada, Florida, and certain other states. They have also agreed to introduce us to their military affairs interest group.

With that background, I would like to share with you the importance of the passage of S.B. 100 (R1), which addresses three of the issues that we have identified in our own state.

Section 3 provides expedited processing for teaching license applications and school district employment applications for spouses of active-duty personnel stationed in Nevada and for veterans. This issue was brought to light by our military spouse advisory group. Usually a duty assignment for a military installation will last about three years. After arriving at yet another new state and home, the spouse settles her family, then applies for a teaching license and a teaching position. She is in line with the hundreds of others who are applying. Let us assume the family arrives in December, because they have no say in when they will be moving. With the license issued and in hand by January, she begins the application process for a teaching position. One of her references is late coming in, and she does not know that. She has submitted a copy of her transcript and perhaps an original is required. Finally, everything is ready; however, it is already deep in February and CCSD is not hiring people for the current school year. There is a good reason for them to concentrate on the coming school year. She has no hope of actually teaching until August, almost a year after they arrived.

An expedited process would put her application on top, for both licensing and with the school districts to which she applies. The school districts would become more active in communication with the applicant about missing documents. In addition, we are planning on working with installations to identify spouses who are being transferred into Nevada. Sometimes they get notice two or three months in advance. We want to begin to work with spouses being transferred to Nellis Air Force Base or Creech Air Force Base, having them apply for their licenses before they even leave their prior base.

I want to be clear that Jason Dietrich, Director, Office of Educator Licensure, Department of Education and who is also the Interim Deputy Superintendent for Educator Effectiveness and Family Engagement, is working now to expedite those license applications; we all know how quickly leadership can change, so S.B. 100 (R1) would make it mandatory to expedite such applications—both for the school districts and for licensing.

Senate Bill 457 of the 79th Session was passed, requiring the Nevada System of Higher Education to review and establish guiding policy to evaluate military transcript credits—an extremely important law. Section 4 of S.B. 100 (R1) will require school districts to consider the Joint Services Transcript or similar documents, such as the DD Form 214 [Certificate of Release or Discharge from Active Duty], when evaluating the qualifications of veterans for jobs, such as in operations: heating, ventilating, and air-conditioning; plumbing; and carpentry. The transcripts include all the person's military occupations—full descriptions, skill levels, and training—in civilian terms. I learned of the need for this section when I was contacted by a person from our local veterans community who said that a transcript was not even being allowed by a large school district to verify high school graduation.

Section 6 provides that those spouses of active-duty personnel and veterans and their spouses who have completed alternative route course requirements but have not taught the requisite number of years to receive a professional license in another state may obtain an alternative route license in Nevada as if those courses had been completed in Nevada and allowed to complete the number of years of teaching to get our professional license. I am working with Jason Dietrich to identify the best process for implementing this section.

One of our military spouses on our military spouse advisory group came to Nellis with her husband and her family. She applied for a teaching job. She had an alternative route license from the previous state, but she had not been there long enough and taught long enough after getting her license to earn her professional license. Under current rules, she had to enroll again in an alternative program and begin again to get the Nevada-approved alternative route license. Remember, her choice and her husband's choice to move state to state were not personal choices, but because of their service to our country. This problem is not unique to Nevada. It was her fourth alternative route program during four assignments. She had years of successful teaching, but not the requisite number in any one state to get her professional license.

I will never forget the day when former Secretary of Education Rod Paige, under President George W. Bush, called [former Clark County School District] Superintendent Brian Cram to sing the praises of a military spouse who had gone through an alternative route to licensure in Houston while he was the superintendent there. She was an amazing special education teacher and her husband was being transferred to Nellis. We had to tell the Secretary that since she had not taught long enough in Texas after earning her license, she would have to get our alternative route license before we could hire her. He was angry; we were embarrassed; and she decided to find a job outside of education, rather than go through that again.

In summary, section 3 allows for the expedited processing of teaching licenses and job applications for spouses of active-duty personnel and veterans, ensuring that these qualified teachers have the maximum time to work with our children. Section 4 provides that a veteran's military classes, job assignments, and experiences listed on the DD Form 214 will be taken into consideration by school districts when determining if a veteran meets the position requirements for support staff. Section 6 allows teachers with the necessary military connection completing the alternative route course requirements in another state to be granted a Nevada alternative route license and allowed to complete work requirements for a professional license here.

Chairman Thompson:

At this time, we will take questions from the Committee.

Assemblywoman Torres:

I agree that we need to make our licensing easier for military families and veterans coming to Nevada so they can contribute and help our students as much as possible. I am concerned about page 3 of the bill, the alternative route to licensure portion. It is my understanding that

not all alternative route programs are the same. What will be done to ensure that teachers have the same level of training or education that we hold for other teachers who complete the alternative route program in Nevada?

Senator Woodhouse:

We can go to Dr. Rice. She was with human resources for CCSD. She has worked with alternative routes to licensure for many years. She can provide an answer.

George Ann Rice:

That keeps us from having reciprocity across state lines with the alternative route. We need to remember that the teacher will be a probationary teacher and will have supervision. If the teacher is not able to do that, consequences will follow. Alternative route programs may be very different. There is no way we can guarantee they have exactly the same experiences our teachers will have, but they will have three full years—the first year, and possibly the second year—being evaluated formally three times, with numbers of informal evaluations. They will also be enrolled in the rest of any class they need to complete to move from an alternative route to a professional license. There would be training provided by the districts. When I was still with the human resources department, we were spending well over \$1 million on professional development provided for new teachers. All of that will be in place to make sure we have the quality we want.

Assemblywoman Miller:

I agree with my colleague. There are some states with loose or emergency licenses that put people in the classrooms and give them three years before they are required to start any classes or coursework. I have a question about reciprocity for fully certified teachers. I see this bill mentions it, but the challenge is the same as it is for military spouses. For nonmilitary spouses coming to Nevada who have taught in other states, the tedious process can take months for them to get a Nevada license even though they are fully licensed in other states, sometimes at a master's degree level or have 10, 15, or 20 years of teaching experience. What about reciprocity for those fully licensed, experienced, graduate-level teachers? Are we doing anything for the military spouses in that situation? If you are licensed in Texas, a fully licensed teacher should be able to get a teaching job in Nevada. Sometimes a teacher has only a few weeks or months to get a job; our process takes much longer than that. Have we considered addressing that, or is that addressed elsewhere?

Senator Woodhouse:

I will defer to Dr. Rice. She has worked with reciprocity in her positions with CCSD.

George Ann Rice:

I can tell you that is huge. The National Association of State Directors of Teacher Education and Certification has been working on that for years. We are making progress, but it is the same issue with alternative route—how do you know their classes equal what we want? We are working with that association. As it relates to military spouses, there is an organization called the Department of Defense State Liaison Office that looks at these problems that are issues for military spouses and for veterans, including reciprocity. There

are two organizations working on that. Some states have already joined compacts to recognize licensing from member states. In general, it is a big issue in the country. When I talked to our military spouse advisory council, I asked them what the main problem is, what should be researched first. The first thing they said was the reciprocity of licenses. They had other issues. One of them had been a special education teacher who is married to a retired general. She never stayed anywhere long enough to even vest in the retirement system. They suffer in many ways because of their service to the country.

This is slowly being addressed. It has been on the front burner for years. With this national association that already has compacts in place and with our bill, we will be able to become fully engaged in that. We are also working with the State Liaison Office because they have identified that as their top priority.

Arizona has gone overboard, in my opinion. They will accept any license, anywhere, in any profession. I do not think that is the way to approach this. This is a big problem all over the country. We are working on it with national organizations. It is a slow process.

Assemblywoman Miller:

I think it is time we speed up the process. There are major differences in alternative route programs, but I do not think we would see the same gaps and differences in fully certified traditional certification programs. My mother is a registered nurse. When she left Michigan, she applied for her Nevada license a few months before she arrived in Nevada. She went straight from the floor in Michigan right out onto the floor in Nevada. She only had paperwork to do to get her license; she did not have to take additional classes because a registered nurse is a registered nurse. With all the moving our military families do, I would appreciate it if we could shorten the process.

George Ann Rice:

I would change the process tomorrow if we could. I think we are getting the attention of people who are able to bring pressure.

Regarding the quality of alternative route licensure, we are also working with The Ohio State University using a federal grant in cooperation with the National Association for Alternative Certification. They developed, field-tested, and validated quality indicators for alternative route programs that we are trying to get Nevada to approve. We would like to put the approval of the National Association for Alternative Certification on those programs that demonstrate they can meet the quality indicators. We are attacking this problem in three different ways. It is an enormous problem with enormous barriers, but it is being addressed. We will stay with it because our military spouses will not let us not stay with it. I know it is a general problem. When you talk to people in high-need areas in our state who have been successful teachers in other states and tell them there are five or six additional classes and an additional test they must take in order to teach in Nevada, they can earn more money doing something else. We need to remove those barriers that we can address in other ways.

Chairman Thompson:

On the DD Form 214, does the type of discharge matter for a veteran?

George Ann Rice:

The DD Form 214 just looks at qualifications. The districts still do their screening as to the quality of the person. In Troops to Education, we will not take in anyone who has less than an honorable discharge. Districts have processes for making sure they hire people who can be role models, people with good histories. That is still in place. If you say that someone needs to have three years of plumbing experience before he or she can be hired, the DD Form 214 addresses that; it does not address the quality of the service or behavior while in the service. That will be taken care of through the normal screening process, just like for any other employee.

Chairman Thompson:

Is there data on the pool? How many people in this subpopulation could this affect?

George Ann Rice:

We do not have that data or the current data because it is not generally on the application for employment. We do not keep track of who is a veteran, who is not a veteran, who is a spouse of a veteran, and who is an active-duty spouse. All of those things will have to be added to the application so that we can keep track of it. As far as I know, there has never been data on people coming from the military because there has been no avenue for getting them jobs in education. There have been no special program to counsel, assist, and try to get them into these jobs; therefore, there has been no need to collect the data. Once we are in position, once the bill is passed, we will have access to the military installations and military records and will be able to determine that.

Last year approximately 120,000 enlisted people left the service, along with 2,100 officers. That includes those leaving the National Guard and Army Reserve, people who already live here. Let us say that 10 percent of those people wanted to come into education—that is a huge number. I have been told that 70,000 active-duty personnel leave each year, which is why military recruitment goals are set at 80,000 each year. As soon as we are in place and have these opportunities, we will have access to that data.

Chairman Thompson:

We will take testimony in support of S.B. 100 (R1). We will allow two minutes for statements.

Meredith Smith, Private Citizen, Las Vegas, Nevada:

I am speaking in favor of S.B. 100 (R1). I am a military spouse. I will speak broadly about military spouse unemployment, which is estimated to be between 25 and 40 percent. Underemployment in the same population is about 90 percent. National unemployment is about 3.7 or 4 percent. This is a top retention issue for the Department of Defense. I know that is not within your purview, but it is the national context. This bill would go a long way in making Nevada a good partner in addressing that.

I appreciate the questions you had. As someone who works in education policy, I think the questions about the quality of programs are valid. I would hope we can continue the conversations about educator preparation more generally so that we have consistency in the profession.

David Dazlich, Director, Government Affairs, Las Vegas Metro Chamber of Commerce:

We are in support of S.B. 100 (R1). It is a good workforce development measure that will help address the teacher and personnel shortage we see in Clark County and statewide. We believe this is also the right thing to do for members of the service and their spouses who have sacrificed so much on our behalf.

Alexander Marks, Political Coordinator, Nevada State Education Association:

We supported this bill on the Senate side, and we are back to support it on the Assembly side.

Mary Pierczynski, representing Nevada Association of School Superintendents:

We are in full support of this bill. It will bring more teachers into our districts where we have a tremendous shortage. From a personal standpoint, I wish this bill had been passed years ago. I came to Nevada as an Air Force pilot's wife. I was delayed for many months in trying to get my certification. The result was that I spent ten years in the airline industry. We need this bill.

Tony Yarbrough, Senior Vice Commander, Department of Nevada, Veterans of Foreign Wars of the United States; and Vice-Chair, United Veterans Legislative Council:

The Veterans of Foreign Wars of the United States in the state of Nevada has roughly 9,000 members. I am the chairman of the United Veterans Legislative Council, an umbrella group of all veterans organizations, military families, and advocates in the state. Our number is just under half of a million people. The easiest way to say this is that this is a very important bill. We believe this is a good step forward in helping our shortage problems as well as helping with the difficulties our military and our veterans have.

Chairman Thompson:

Is there anyone in southern Nevada who would like to testify in support? [There was no one.] Is there anyone present who would like to testify in opposition to the bill? [There was no one.] Is there anyone present who would like to testify as neutral to the bill?

Katherine Miller, U.S. Army Colonel (Ret.), Director, Department of Veterans Services:

I would like to offer a clarifying point. Earlier you asked about the character of discharge and how it would affect this. Senate Bill 100 (1st Reprint) defines "veteran" as ascribed to the definition in *Nevada Revised Statutes* (NRS) Chapter 417. The general definition of "veteran" in NRS Chapter 417 is a person who "Was separated from such service under conditions other than dishonorable." As long as there was not a dishonorable discharge, the veteran would be eligible for this specific program. There may be other programs that they would not be eligible for.

Chairman Thompson:

Thank you for the clarification. Senator Woodhouse, you may come up for a closing statement.

Senator Woodhouse:

Senate Bill 100 (1st Reprint) will provide the opportunity for school districts to take advantage of bringing on board our retiring veterans, their spouses, and spouses of active-duty military personnel as teachers, aides, maintenance, and operations personnel. Senate Bill 100 (1st Reprint) will help ease staffing challenges by diversifying our recruitment efforts. It will also address hurdles faced by relocating military families. In this way, with the passage of S.B. 100 (R1), we can serve the needs of our school districts in filling positions that we desperately need to have filled. We can also open doors to our military families, whether active duty or retired, and have them be a part of our education community.

Chairman Thompson:

We will close the hearing for Senate Bill 100 (1st Reprint). We will open the hearing for Senate Bill 159.

Senate Bill 159: Requires each public school and private school to adopt a policy concerning safe exposure to the sun. (BDR 34-583)

Senator Joyce Woodhouse, Senate District No. 5:

More people are diagnosed with skin cancer each year than all other cancers combined. One in five people will develop skin cancer by the age of 70. The annual cost of treating skin cancers is estimated at \$8.1 billion.

According to the Centers for Disease Control and Prevention (CDC), protection from ultraviolet (UV) exposure during childhood and adolescence reduces the risk for skin cancer in adulthood. This brings the need for schools to be sun safe to the forefront; children's exposure to UV radiation must be reduced. In addition, children should understand the risks of sun exposure and sun-safe behaviors.

Senate Bill 159 requires each school district, each charter school, and each private school in Nevada to adopt a policy concerning safe exposure to the sun. The policy must provide two elements. It must provide that sunscreen, for the purposes of the policy, must not be considered an over-the-counter medication, and it must allow a student to possess and self-administer sunscreen under certain circumstances. Second, the policy must allow a student who participates in an outdoor activity to wear clothing that protects against exposure to the sun, which could include a hat. The measure provides that the clothing must comply with the dress code of the school. The policy may also include teaching students about safe exposure to the sun to reduce the risk of skin cancer.

I urge your support of this important legislation that requires public and private schools to adopt a policy concerning safe exposure to the sun. This policy may have the enduring impact of reducing a child's risk for skin cancer in adulthood.

With your approval, Chairman Thompson, I would like to turn the microphone over to Cari Herington and Tom McCoy for further remarks. We will then be available to answer any questions.

Tom McCoy, Nevada Government Relations Director, Cancer Action Network, American Cancer Society:

The Cancer Action Network is the advocacy arm of the American Cancer Society ([Exhibit C](#)). Over the past decade, Nevada state legislators have taken important steps to bring educational awareness to and reduce the risk of skin cancer and melanoma. Assemblywoman Mastroluca and Senator Copening brought forward Senate Concurrent Resolution 28 of the 75th Session. That resolution sets aside the second week of May each year as Melanoma and Skin Cancer Detection and Prevention Week across our state.

Senate Bill 267 of the 77th Session was introduced by Senator Woodhouse. It provided for even more awareness and risk reduction to skin cancer and melanoma, especially among our youth. That legislation prohibits minors from using commercial tanning beds and improves health safety for adults who choose to use tanning beds. Nevada was the fourth state in the nation to recognize legislatively the high risks our youth face from ultraviolet radiation associated with tanning.

In July of 2014, the Office of the Surgeon General of the United States issued *The Surgeon General's Call to Action to Prevent Skin Cancer*. It was to increase awareness and support preventive efforts to reduce the risk of melanoma and skin cancer. Melanoma survivor, American Cancer Society Cancer Action Network volunteer, and former Las Vegas television news reporter Stacey Escalante was a keynote speaker at that presentation in Washington, D.C.

Now the 80th Legislature can take yet another important step to protect our youth now to help prevent adult skin cancer and melanoma in their future. Senate Bill 159 creates an opportunity for preventive sun-safety education in our schools.

Skin cancer or melanoma is not manifested overnight. Most often, it is what we do in our youth that hits us as adults. Growing up along the central California coast, my youth was spent in the sun, usually at Pismo Beach or Shell Beach, generally being out in the sun without sunscreen. Later in life, I paid for those days in the sun without sunblock or preventive clothing as I had to deal with my skin cancer.

Annually across the country, it is estimated there are 3.5 million incidents of skin cancer; almost 100,000 cases of melanoma; and about 7,500 deaths from melanoma. The American Cancer Society estimates that in 2019 in Nevada, there will be 850 diagnosed cases of melanoma. Anyone can get skin cancer, no matter the skin tone.

The American Cancer Society is attacking cancer from every angle. Senate Bill 159 does just that.

Cari Herington, Executive Director, Nevada Cancer Coalition:

I am also the mother of 16-year-old twin daughters. Senate Bill 159 provides our schools with the policy authority needed to address the allowance of sun-protective measures and promote skin cancer prevention education ([Exhibit D](#)). It removes barriers to our schools and school districts and promotes healthy behavior to prevent disease.

This bill has been a collaborative effort among the health care community, educators, parents, advocates, and others across the state. It is also supported by a long list of both state and national organizations and associations. This is why: Skin cancer has become the most commonly diagnosed cancer in the United States, more than all other cancers combined. Genetic factors may contribute to a person's risk; however, the main cause of skin cancer is UV radiation from either the sun or tanning devices. Here in Nevada—with roughly 300 days of sunshine a year, 5,500 feet of elevation, and our love for the outdoors—we are a high-risk state for skin cancer.

Tom McCoy mentioned the melanoma rates we expect for this year, reaching 850 new cases. Melanoma is the deadliest form of skin cancer. Unfortunately, Nevada's rates have been rapidly increasing for 30 years.

Probably the most disturbing thing I will share with you today is that melanoma has become one of the most common cancers among our youth and young adults. We also know that multiple sunburns during your childhood years can double your risk of skin cancer later in life. We also know that sun-protective behaviors prevent the harmful effects of UV radiation. Those include wearing sun-protective clothing and using sunscreen. We also know that building healthy habits happens during our childhood years. That is when we learn how to brush our teeth, wash our hands, put on sunscreen before we go outdoors, and put on a coat when it is cold. Given the amount of time our children spend in school settings, much of the skin cancer prevention efforts across the nation have focused on sun-safety education in our schools and changes to environment in our schools to promote sun-safe behaviors.

Here are the challenges we are running into right now. Through well-meaning policies that create unfortunate barriers to sun-safe behaviors, some school policies regarding dress codes or uniforms do not allow for sun protective clothing outside—typically hats. The largest barrier, however, is that sunscreen is considered an over-the-counter medication by the United States Food and Drug Administration (FDA); therefore, it is caught up in policies regarding over-the-counter medications at schools. Often those policies require a doctor's note for a student to use an over-the-counter medication and require the student to go to the school nurse's office to use it.

Sunscreen sold in the United States is regulated as a drug because it makes a medical claim—to help prevent sunburn and to decrease the risks of skin cancer and early skin aging. As

such, the FDA regulates sunscreen to ensure it meets safety and effectiveness standards. On the website, the FDA also recognizes the public health benefits of sunscreen use and promotes the use of sunscreen and other sun-protective measures.

In response to these challenges, at least 19 states have enacted laws to remove these barriers. Eight additional states, including Nevada, have pending legislation. These bills allow students to possess and use sunscreen on school property, at after-school activities, and at camps; they address the allowance of sun-protective clothing; and they recommend skin cancer and sun-safety education.

In Nevada, we have already taken steps to implement sun-safety education for children, adolescents, and young adults. Nevada Cancer Coalition's Sun Smart Schools is a voluntary program recognized as a success by the CDC. It is a free program, and it provides access to sun-safety curriculum, sample school policies, and promotes the use of sunscreen for our students and personnel. We also provide resources to schools and do assemblies and classroom presentations. It is all easy, free plug-and-play for our schools and our teachers.

This legislation will empower all Nevada school districts to remove barriers and promote healthy behaviors. Prevention truly is our greatest weapon in the war against chronic disease, especially cancer. Sun-safety policy for Nevada's schools affords tangible benefits to our children, providing our youngest citizens with the resources, information, and life skills necessary to prevent skin cancer at a time in their lives when they are most vulnerable.

Senator Woodhouse:

The major portions of S.B. 159 allow school districts, charter schools, and private schools to put policies in place so that K-12 students can receive healthy messages in school. There are programs that make the curriculum, which fit very nicely into our health curriculum standards in Nevada, available. For physical education, recess, and outdoor school activities, this bill would allow students to wear the proper kind of clothing to protect themselves from the sun. The challenge has been that some schools do not allow students to wear hats, especially if a school uniform does not include a hat. This bill would also allow parents to send sunscreen with the students. It would allow students to put on sunscreen without requiring a doctor's note or a visit to the nurse's office to apply it.

Assemblywoman Hansen:

I was stunned that parents cannot send sunscreen to school with their children. It makes sense to have parents send sunscreen to school with their students and allow the students to put it on. That cannot currently be done.

Section 2, subsection 3, refers to "the policy adopted." It does not sound onerous. It says the policy may include education, which could be done at an assembly. Schools will have to invest in literature. I do not see how this would have a fiscal impact.

Cari Herington:

You are correct. Schools are not required to provide education; it is recommended, requested, or suggested. We have a draft of sample policies, and they are very basic. A number of schools and school districts already have them in place. Douglas County School District was one of our first school districts on board, and they are rocking this whole program. It is very easy to do. We are happy to support and provide sample policies for that.

All of the resources are available for the education component. There is no cost; they are free. There are free components for preschool, grade school, middle school, and high school.

Senator Woodhouse:

To address the fiscal note, this bill was passed by the Senate Committee on Education. The Senate Committee on Finance looked at it; there is no fiscal impact on our school districts.

Assemblywoman Miller:

I have many questions about this bill. If this policy is adopted and is permissive, does it put the responsibility on the school districts? There are field days, recesses, and classes held outdoors. There are many times when students are outside. I have never seen a school at which students were not allowed to put on sunscreen or ChapStick. I did not know this was an issue or that students were not allowed to wear hats or otherwise protect themselves until I read this bill. Does this put the responsibility on the school districts?

Senator Woodhouse:

Section 2, subsection 1, puts the responsibility on the school district because the language says, "The board of trustees of each school district and the governing body of each charter school shall adopt a policy concerning safe exposure to the sun." The responsibility is on the school districts to put a policy in place if they do not already have one.

Assemblywoman Miller:

Does that mean if a student comes home from school with a sunburn or develops skin cancer or melanoma, the school is responsible?

Cari Herington:

Absolutely not. This bill simply removes the barrier of sunscreen being an over-the-counter medication so schools are able to allow students to use it. For a couple of our larger school districts, that was their challenge. There was no policy that addressed sunscreen. Given that sunscreen is an over-the-counter medication, they had concerns they would be breaking some rule. This simply removes the barrier and allows children to bring in and use sunscreen.

Chairman Thompson:

Some people of color think they are excluded from this need. You mentioned that anybody could get skin cancer. Is there a special emphasis for communities of color so they can be engaged with this? Even though we say it is up to individuals to have sunscreen, it is an expense. We do not want this to be an issue of haves and have-nots because we are trying to meet the prevention concerns for all students. Would you please address those issues?

Cari Herington:

Sunscreen is expensive. Through our program, we have been able to offer any school coming on board automatic sunscreen dispensers so students do not even have to touch them. We install them in the schools or make them available, and we provide sunscreen for at least their first year of operation. A lot of parent-teacher associations have stepped up and taken care of the sunscreen dispenser and have continued to purchase the sunscreen. Some school districts have taken that piece on as well. We want the sunscreen to be available to all students.

Assemblywoman Torres:

I participate in field days at my school. We have sunscreen. I can think of no instance when my school has denied sunscreen, so I do not understand how counties would prevent the use of sunscreen.

Cari Herington:

No counties prevent the use of sunscreen; however, there were counties that were concerned about implementing such a program. They were not sure how allowing sunscreen worked with policy because there was nothing addressing it in legislation. Some districts have been putting together their own policies. Clark County School District had a lot of questions. I would not say there were any schools that denied children being able to use sunscreen.

Assemblywoman Miller:

I have a question about the part of the bill concerning instruction. You mentioned it would fit for our health and physical education teachers. Every session, teachers have more requirements laid on them. They still have state standards they have to teach each year. Their classes are specials and electives, so they are time-limited. How long are these programs you are providing? Will our teachers have time for this? Have we checked to see if this is already being covered in the curriculum? Who decides the curriculum? It would involve not only the balance of making sure people of color are included, but also the balance between the risks and benefits of sun. Most people in the desert also have vitamin D deficiency because they try to avoid the sun.

My doctor told me that, as a person of color, melanin protects me from dangers from the sun, but it also protects me from many benefits from the sun. Vitamin D is important in reducing Parkinson's disease and Alzheimer's disease and is necessary for strong bones. I have questions about the quality of the curriculum and about where and how our teachers will have time to add one more thing to their plates.

Cari Herington:

The education component is not a mandate for the schools. Some schools just provide sunscreen, and other schools have taken on the education piece. The younger students' program is through The University of Texas MD Anderson Cancer Center. The main program was put out by the Environmental Protection Agency and has been used for years across the country. There are lessons that fit into mathematics, English, science, and other subjects. They have all kinds of lessons that meet common core standards that teachers can

plug-and-play. That is one option. There are videos for the older students, middle schoolers and high schoolers. Teachers of health classes have called us to do presentations. That is another option. It is up to the schools and to the teachers to decide. In some schools, a few teachers use some of these resources.

Instruction is not a requirement of the bill. We just make the resources available. They are free. We are happy to assist where we can. We are running around the state doing as many assemblies and school presentations as we can—they are fun, and schools are asking for them.

Chairman Thompson:

We will take testimony in support for Senate Bill 159.

Stephen Lencioni, representing Nevada State Medical Association:

I am a premedical student at the University of Nevada, Reno (UNR). I am also an intern at the Nevada State Medical Association. On behalf of the Nevada State Medical Association, we would like to offer our full support for S.B. 159. We have provided a document that has been posted on the Nevada Electronic Legislative Information System, but I would like to provide a few extra data points. [The document he referred to was not received.]

In 2010, there were 500 new cases of melanoma in the state of Nevada. In 2018, there were 790 new cases of melanoma reported in the state, with an associated 90 deaths. With over 300 days of sunshine each year, Nevadans are at increased risk for melanoma and nonmelanoma skin cancers. On behalf of the physicians across the state, we offer our full support and urge passage of this vital piece of legislation that provides early education and eliminates barriers.

Reba Suri, Private Citizen, Reno, Nevada:

I am a third-year medical student at the UNR School of Medicine. I am here to offer my support on behalf of the dermatology student interest group. I submitted a letter of support online ([Exhibit E](#)).

As a personal anecdote, one of a close friend's younger sister was diagnosed with invasive melanoma when she was 14 years old. It is something that is becoming more prevalent in school-age children.

Martin Azzam, Private Citizen, Reno, Nevada:

I am a third-year medical student at the UNR School of Medicine. On behalf of the dermatology student interest group, we offer our support for this bill.

As a native Nevadan and a future dermatologist, I will address some of the Committee members' questions on education. I often volunteer at clinics and school activities through the Nevada Cancer Coalition at assemblies. This education really only takes a few minutes. We have bookmarks about the ABCs of melanoma that take less than a minute. Some students already know the ABCs and what to look for in suspicious moles and suspicious

lesions—look at the border, look at the colors; if it is something that is abnormal compared to other moles, it takes virtually no time at all. It is a guideline for students and children in the state to explain to their parents if they have a suspicious lesion.

Sara Chohagian, representing Consumer Healthcare Products Association:

We stand in full support of Senate Bill 159 for many of the reasons previously mentioned, but especially those regarding the elimination of barriers for students to access and carry sunscreen at school. We strongly believe this is a sensible approach to provide students skin-protection options that can reduce their risk of sunburn and, ultimately, skin cancer. We have submitted a letter of support from Carlos Gutierrez, the Vice President of State and Local Government Affairs for Consumer Healthcare Products Association ([Exhibit F](#)). I encourage you to read it. I want to thank Senator Woodhouse for bringing this measure forward and encourage your full support.

Joelle Gutman, Government Affairs Liaison, Washoe County Health District:

We are in support of S.B. 159. As others said, skin cancer is the most commonly diagnosed cancer in the United States. Most skin cancers are caused by exposure to the sun's ultraviolet rays. Nevada residents have two key environmental factors that increase our risk of melanoma—high elevations and an average of 300 sunny days per year.

Aligning with the Washoe County Health District's mission of protecting public health, we support a couple of key points of the bill. We like that it provides guidance to schools so they can create policies related to sun protection. We like that it incorporates the main recommendations for protection from the sun's cancer-causing ultraviolet rays by using sunscreen and covering skin and eyes with clothes and hats, and that the bill calls for important education about safe sun exposure.

Mary Pierczynski, representing Nevada Association of School Superintendents:

We supported this bill on the Senate side, and we are supporting it here because we feel it is a commonsense approach to protecting our children. I am especially happy to see the section about allowing children to wear hats when they are outside because many schools do not allow that and it is important.

Jessica Ferrato, representing Nevada Association of School Boards:

We are here in support of the bill, and we supported it on the Senate side. I would like to highlight section 2, about districts adopting policies. The school boards are on board with this bill. We know this is a critical part of our students' care, especially with as prevalent as cancer is in younger and younger children.

Allison Genco, Private Citizen, Reno, Nevada:

I am a public health student at UNR. I am testifying on behalf of Comprehensive Cancer Centers of Nevada. Comprehensive Cancer Centers of Nevada is in support of S.B. 159. We offer free sunscreen at a number of locations in Las Vegas. It is important for students to be protected from the sun. We support this bill.

Michael Hackett, representing Nevada Public Health Association; and Nevada Primary Care Association:

Both organizations are in strong support of this bill for all the reasons that have been stated.

Chairman Thompson:

We will move to opposition for Senate Bill 159. [There was none.] We will go to testimony neutral for Senate Bill 159. [There was none.]

The bill sponsor may come forward for closing comments.

Senator Woodhouse:

Thank you for hearing the bill. I appreciate Cari Herington and Tom McCoy for being here. My heart is full because I did not expect all of these medical students to be here.

I want to share a couple of personal stories about why we are making these kinds of efforts. Mr. McCoy told you about some of the bills we have had over the years regarding cancer. It is a hard subject to deal with, but it is something we have to deal with. To me it is very important that we do not just address cancer that occurs in adults, but we make sure we take care of situations for our children, making sure they are safe from cancer-causing situations.

My four sisters and I grew up on a ranch. My father had us do ranch work. My job was to drive the tractor. I sunburn easily; in less than 20 minutes of exposure, I will be sunburnt. It was too hot to wear gloves when I was driving the tractor, so I wore my dad's Levi's shirts because they were long enough to cover my hands on the wheel of the tractor. I also wore a big, floppy hat. I never wore shorts; I always wore long pants and closed shoes. Every summer I drove the tractor. We did not have sunscreen at that time.

When we testified on this bill in the Senate, a question arose about field trips. The concern was how schools would take care of that. I shared a story that took place last October. In the Clark County School District, we have an event called KidsVention for fifth- and seventh-grade students. It is held at the Henderson Pavilion. The event is a quasi-political convention. Students hear debates by elected officials against high school debate students. Last year, the cover of the pavilion had been ripped off in one of our windstorms. We suspected we were going to have a very sunny day so the students would not be protected from the sun. Most of the schools did not allow students to wear hats. We had our sponsors help us purchase visors for our students to wear. The students were excited, and the schools were thrilled because we had taken precautions ahead of time to keep their children safe.

I am considered to be an "education" person, but I also work on cancer legislation on a personal level. My husband had extremely serious melanoma. It started when, as a high school student, he did not wear sunscreen or a hat. He always wore short sleeves because he lived in Henderson. When he grew up, he played golf and took no care for protecting himself from the sun. I cannot tell you the number of times I sat in a hospital waiting room while he had more surgery on his ears, nose, and chin.

I also worry about our children. I want to make sure we make our schools and our children's activities places where our children can learn—inside of school or outside of school—and be safe while doing so. This bill will assist us in making that happen for our children.

Chairman Thompson:

Thank you for sharing those personal stories.

[An additional exhibit contains letters of support for Senate Bill 159 ([Exhibit G](#)).]

We will close the hearing on Senate Bill 159.

Is there anyone here to give public comment? [There was no one.]

Assemblywoman Hansen:

I would like to give a shout-out to our medical students. When you finish those great residency programs, please remember home means Nevada. We are working hard to make you want to come back.

Chairman Thompson:

The meeting is adjourned [2:53 p.m.].

RESPECTFULLY SUBMITTED:

RESPECTFULLY SUBMITTED:

Sharon McCallen
Recording Secretary

Joan Waldock
Transcribing Secretary

APPROVED BY:

Assemblyman Edgar Flores, Vice Chairman

DATE: _____

EXHIBITS

[Exhibit A](#) is the Agenda.

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

[Exhibit C](#) is a letter dated April 16, 2019, to Chairman Thompson and Members of the Assembly Committee on Education, from Tom McCoy, Nevada Government Relations Director, Cancer Action Network, American Cancer Society, in support of Senate Bill 159.

[Exhibit D](#) is a letter dated April 15, 2019, to Chairman Thompson and Members of the Assembly Committee on Education, from Cari Herington, Executive Director, Nevada Cancer Coalition, in support of Senate Bill 159.

[Exhibit E](#) is a letter dated April 14, 2019, to Chairman Thompson and Members of the Assembly Committee on Education, from Reba Suri, Private Citizen, Reno, Nevada, in support of Senate Bill 159.

[Exhibit F](#) is a letter dated April 15, 2019, to Chairman Thompson, from Carlos Gutierrez, Vice President, State and Local Government Affairs, Consumer Healthcare Products Association, in support of Senate Bill 159.

[Exhibit G](#) is a packet of letters in support of Senate Bill 159.