

**MINUTES OF THE MEETING
OF THE
ASSEMBLY COMMITTEE ON WAYS AND MEANS**

**Eightieth Session
May 14, 2019**

The Committee on Ways and Means was called to order by Chair Maggie Carlton at 6:09 p.m. on Tuesday, May 14, 2019, in Room 3137 of the Legislative Building, 401 South Carson Street, Carson City, 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:

Assemblywoman Maggie Carlton, Chair
Assemblywoman Teresa Benitez-Thompson, Vice Chair
Assemblyman Jason Frierson
Assemblywoman Sandra Jauregui
Assemblyman Al Kramer
Assemblywoman Daniele Monroe-Moreno
Assemblywoman Dina Neal
Assemblywoman Ellen B. Spiegel
Assemblywoman Heidi Swank
Assemblywoman Robin L. Titus
Assemblyman Jim Wheeler

COMMITTEE MEMBERS EXCUSED:

Assemblyman John Hambrick

STAFF MEMBERS PRESENT:

Cindy Jones, Assembly Fiscal Analyst
Sarah Coffman, Principal Deputy Fiscal Analyst
Carmen M. Neveau, Committee Secretary
Lisa McAlister, Committee Assistant

After roll was called, Chair Carlton reminded Committee members of Committee rules and requested the presentation on Assembly Bill (A.B.) 309.



Assembly Bill 309: Makes various changes relating to education. (BDR 34-886)

Assemblyman Jason Frierson, Assembly District No. 8, stated that a mock-up of Proposed Amendment 5815 ([Exhibit C](#)) to Assembly Bill (A.B.) 309, dated May 14, 2019, had been presented to Committee members. The mock-up changed and improved the original version of A.B. 309. He recognized the value in role models in communities and in the lives of children, and he did not want to understate the value of teachers as role models for children. An effective teacher was the most effective school-based determinant, and the goal of all school districts was to have quality teachers in every classroom. Teacher shortages were known throughout Nevada. Each year, the Clark County School District (CCSD) began its school year with a teacher shortage. For the 2018-2019 school year, there were over 500 open teacher vacancies, a higher number than the previous school year. According to the CCSD, there was typically a need to hire 400 teachers as soon as the school year started. The teacher shortage was not just a Clark County problem: teacher shortages were a problem nationwide because school districts had to compete from small pools of qualified teachers.

Assemblyman Frierson said that according to the National Education Association (NEA) and a 2016 national survey of college freshmen, the number of students who intended to major in education had reached its lowest point in 45 years: just 4.2 percent of students planned to major in education compared to 11 percent in 1971. The Clark County Education Association reported that Nevada had experienced a 25 percent decrease in the number of teachers enrolled in education programs between 2010 and 2016.

Teacher retention and turnover, Assemblyman Frierson continued, were problems that affected teacher shortages. Surveys of former teachers were conducted to determine why teachers walked away from the profession. One answer to that question included challenging working conditions. In Nevada, working conditions for teachers were more challenging than in other states. According to a 2017 educator quality of work life survey by the American Federation of Teachers, teachers reported having poor mental health for 11 or more days per month, twice the rate of the general workforce. According to a report from the NEA, nationally, the average number of students enrolled per teacher was 15.96 in the fall of 2016. In the fall of 2016, the average number of students per teacher in Nevada was 25.86, the largest number of average students enrolled per teacher in the nation. He noted that Arizona was second from the bottom with 23.51 students per teacher and Utah was just above Arizona with 22.50 students per teacher.

Another reason that teachers left the teaching profession, Assemblyman Frierson said, was the lack of support or respect. In a report from Penn State University, teachers were rated the lowest in feeling that their opinions at work mattered. Testing and data collection was another reason teachers left the teaching profession. According to an NEA survey of classroom teachers, 72 percent felt moderate or extreme pressure by school and district administrators to have increased test scores. The NEA concluded that almost half of the teachers considered leaving the profession because of standardized testing. The final reason why teachers left the teaching profession was low pay and a lack of resources. According to the Economic Policy Institute, teachers earned 19 percent less than other similarly skilled

professionals. The gap increased significantly over the past 20 years, from approximately 2 percent in 1994 to 19 percent in 2017. According to research which adjusted for the shorter work year for teachers, beginning teachers nationally earned about 20 percent less than individuals with college degrees in other fields. This gap widened to 30 percent by midcareer.

The next factor that gave rise to the A.B. 309 amendment mock-up, Assemblyman Frierson explained, was a problem recruiting high-quality teachers. Competitive packages needed to be available to recruit high-quality teachers. Packages helped to lure high-quality teachers from other states, and recruiting efforts were needed to compete nationally and internationally. According to the Learning Policy Institute, there were five major factors and related policies that influenced a teacher's decision to enter, remain, or leave the teaching field. Those five factors included salaries or other compensation, preparation and cost to enter the field, hiring personnel management, induction and support of new teachers, and working conditions, including school leadership, professional collaborations, and available resources for teaching and learning. He noted that the mock-up of the A.B. 309 amendment attempted to focus on teacher salaries as well as resources for teaching and learning because teacher salaries were correlated with student outcomes. In a study published in *The Quarterly Journal of Economics*, the findings indicated that spending more money on schools led to higher salaries and greater secondary education among students. A Stanford University study found that raising teacher wages by 10 percent reduced high school dropout rates by 3 to 4 percent. According to the NEA, in 2017 the average national salary for instructional staff was \$61,386. Nevada ranked just under the national average at \$61,346. The state with the highest average salary for teachers was New York at \$82,064, and Mississippi had the lowest average salary for teachers at \$44,335. For western states, California was ranked second behind New York at \$79,128, Arizona was ranked 48th in the nation with an average salary of \$47,403, and Nevada was ranked 16th nationally. He conceded that it may appear that Nevada teachers were paid well in comparison to the rest of the nation, but Nevada was consistently the worst state in the country for class size. A decision needed to be made about conditions under which teachers in Nevada had to work and the conditions under which students had to learn.

Nevada's ranking for various demographics was next on Assemblyman Frierson's list of factors that affected teachers. According to a United States Interagency Council on Homelessness, as of January 2018, Nevada had over 7,500 persons experiencing homelessness on any given day. Nevada public school data reported to the United States Department of Education during the 2016-2017 school year indicated that there were 21,000 public school students who experienced homelessness over the course of that school year. When looking at the 2018 estimated rate of homelessness in the United States, Nevada ranked eighth with 249 homeless persons per 100,000 persons. The state with the highest number of homeless was New York with 470 homeless persons per 100,000 persons while Mississippi had 45 homeless persons per 100,000 persons.

Another demographic, according to Assemblyman Frierson, was affordable housing. Nationwide there was an inadequate supply of affordable rental housing for low-income renters. For many years, Nevada ranked low among the states for rental homes that were affordable and available to low-income renters with household incomes below the poverty guideline. Only 37 affordable and available rental homes existed for every 100 low-income renter households nationwide. The supply of affordable and available rental homes ranged from 19 for every 100 low-income renter households in Nevada to 66 affordable and available rental homes for every 100 low-income renter households in Wyoming.

The next demographic, Assemblyman Frierson said, was education. Each year state performance on specific variables was measured and since 2016, Nevada ranked 51st among 50 states and the District of Columbia. In 2018, the nation earned a grade of C while Nevada earned a grade of D. States were awarded overall letter grades based on ratings across three areas of performance and policy including chance of success, school finance, and K-12 achievement. This year Nevada received a grade of C- for chance of success which measured early foundation school years and adult outcomes. Nevada ranked 50th on factors that helped children gain an advantage for elementary school. Nevada ranked 49th on metrics related to prekindergarten enrollment through postsecondary participation. It was no surprise that Nevada received a grade of D+ for school finance measures. Nevada ranked 45th on spending indicators and 41st on equity measures. For K-12 achievement measures, Nevada received a grade of D. For elements related to current performance, Nevada ranked 42nd nationwide. On the positive side, when looking at a state's improvement over time, he noted that Nevada ranked 12th, a good sign. Finally, Nevada ranked 46th on achievement gaps between low-income students and their more affluent peers.

Assemblyman Frierson said that Nevada's tax system was the next demographic for consideration. Nevada was one of the top ten friendliest tax states in the country. Nevada did not have a personal or corporate income tax and Nevada had one of the lowest property tax rates in the country at 0.77 percent, well below the national average of 1.19 percent. The minimum statewide sales tax rate was 6.85 percent, and local cities and counties could add up to 1.42 percent, resulting in a maximum combined sales tax rate 8.27 percent. Nevada ranked 13th nationwide for taxes. The state with the highest sales tax rate was Tennessee at 9.47 percent, and the state with the lowest sales tax rate was Alaska at 1.43 percent.

Assemblyman Frierson stated that the mock-up of the A.B. 309 amendment made the following revisions:

- Section 1 declared that beginning with fiscal year (FY) 2020, the intent of the Legislature was to account for all state and local financial aid to public schools, including both per pupil and per program support. This section would promote transparency and accountability for state funding for public education, Assemblyman Frierson said.

- Section 3 provided that if a school district negotiated with employee organizations to increase salaries of licensed teachers and classified employees for a fiscal year, the Board of Trustees must reserve sufficient funds to pay the salary increases. In addition, any money reserved for salary increases that was not used must be carried forward to fund future salary increases. This section, Assemblyman Frierson explained, was an encouragement to negotiate in good faith, and there was value in creating a dedicated account for this purpose.
- Sections 4 through 8 authorized counties to enact ordinances to increase sales taxes up to 0.25 percent for limited purposes. Assemblyman Frierson said that any such ordinance needed two-thirds approval from a county commission or a majority of registered voters in a county.
- Section 8 specified that funding received from the tax must only be used to support certain programs and purposes. Those programs and purposes included early childhood education programs operated by county school districts or any public schools in a county school district, adult education including adult high school, adult basic education, English as a second language programs, and truancy programs. Truancy was a predictor of low student achievement in high school dropout rates. Truancy was also a gateway for the school-to-prison pipeline, and efforts to stem the trend were needed. Incentives for recruitment and retention of licensed teachers for high-vacancy schools was another program. High-vacancy schools were defined as public schools in which 10 percent or more of the classroom teacher positions were vacant for 20 consecutive days or more or filled with a substitute teacher for 20 consecutive days or more in the same classroom.

Assemblyman Frierson believed that children were entitled to a licensed professional in the classroom, and cuts or adjustments that resulted in a disparate number of permanent substitute teachers were a disservice to children.

Assemblyman Frierson said that there was discussion of limiting the proportion of the sales tax increase that could be used for educational purposes and for homelessness and affordable housing. He felt that those were reasonable requests, and he did not consider those suggestions to be hostile, but he wanted to move the bill forward.

- Section 13 provided flexibility on the use of funds from the Account for Programs for Innovation and the Prevention of Remediation created pursuant to *Nevada Revised Statutes* (NRS) 387.1247.

Assemblyman Frierson noted that this account was created by the 2005 Legislature and was referred to as the School Remediation Trust Fund. The fund supported programs to improve student achievement. Under this flexible program, block grants were distributed to school districts and the State Public Charter School Authority (SPCSA) to support the following purposes, as deemed necessary:

- New teacher incentives.
- Nevada Ready 21 Technology Program.
- Teaching and leading programs.
- Programs to provide assistance to teachers in meeting standards for effective teaching, including peer assistance and review.
- Purchases of library books.
- Support of pupil career and technical organizations.
- Support of the operation of the school district or the charter school.

Assemblyman Frierson stated that there were roughly 38 categorical funding streams for education, and the list was created in consultation with members of school district administration as well as teacher labor organizations. The list included measures deemed worthwhile to provide school districts with more flexibility and to fund a portion of teacher raises. The measure provided restrictions on the use of block grant funds including activities which could not be funded, such as the settlement of arbitrary disputes between organizations representing employees and the school district, and the adjustment of districtwide schedules for employee salaries and benefits. These funds could not be budgeted by a school district or charter school in a manner that created an obligation or funding deficit in any fiscal year after the year for which the money was received. This bill, he said, was an effort to help educators make ends meet and was not intended as a baseline for the 2021-2023 biennium budget request. Unless the funding was renewed, the intention was for school districts to apply for categorical funding as they had in the past.

The measure, Assemblyman Frierson continued, required each school district and the SPCSA to report on how block grants were spent. He acknowledged that given the history and how complicated the Nevada funding plan was for education, providing flexibility required expenditure reporting.

- Section 14 authorized a two-year waiver for minimum expenditure requirements (MER).

Assemblyman Frierson explained that school districts were able to apply for MER waivers currently as an expression of hardship and to help the school make ends meet. Typically, for example, there might be a textbook contract of seven years for renewal, and when those contracts terminated, this provision would allow an extra two years. As one educator had told him, in the big scheme of sacrifices, Spanish was still Spanish even if the book had to wait two more years to be reprinted or renewed.

- Section 15 authorized the Legislative Commission to request an allocation of funds from the Contingency Account to pay the costs for the legislative auditor to conduct a special audit or investigation of school districts during the 2019-2021 biennium. That audit may include an examination and analysis of intradistrict equity and internal controls and compliance with laws related to human resources, fiscal operations, salaries, per pupil spending, and fiscal monitoring.

Assemblyman Frierson said that he had conversations about mandatory audits for all 17 school districts. The last time those audits were conducted it took three years to complete the audits for 17 school districts, and having an ability to direct a legislative auditor to conduct targeted audits provided more flexibility to look at how public dollars were spent and improved preparations for the next biennium.

Assemblyman Frierson stated that he was approached by representatives from different collective bargaining units who requested that A.B. 309 include not only teachers, but also support staff and administrative staff. He did not consider that request to be a hostile request, but was worth consideration.

Chair Carlton asked about section 3 and whether licensed teachers and classified employees referred to all bargaining units. The language needed to be complete and verifiable and to cover all employees. The Chair noted that she would double check on the language. The Chair asked for any other questions from Committee members.

Assemblywoman Neal referred to section 8 and the list of eligible programs and purposes. She questioned whether the bill provided priorities. Truancy, homelessness, and affordable housing were all important, but she wanted to see the priority items that school districts would have to go through before the problem of homelessness, for example, was awarded a block grant. Assemblyman Frierson replied that he left the priority open intentionally. Conceptually, his interest was not in neglecting any one of those items. He noted that a proposed amendment might be submitted specifying that 50 percent of the sales tax increase would go to education and 50 percent would go to noneducation purposes. He was open to all input, and while some school commissioners might appreciate direction, other school commissioners might have greater needs in other areas, and he wanted to provide flexibility. To the extent that clarification was needed, he wanted to ensure that there were efforts for education.

Assemblywoman Titus asked about section 8 compared to section 13. She noted that section 8 listed the only activities that funding could be used for which included incentives for recruitment or retention of licensed teachers for high-vacancy schools in county school districts. Section 13 included a different source of funding and subsection 2 specified that incentives could be used for new teachers, but she did not see any salary increases for current teachers. Assemblyman Frierson clarified that the sections discussed two different policies. Section 8 referred to local revenue and what that local revenue could be used to fund, and section 13 referred to categoricals, a term used to describe designated funding provided for education. The amounts indicated in section 13 were a reflection of proportionate amounts

provided to school districts in the listed categoricals for the 2019-2021 biennium. Rather than having to reapply for categorical amounts, the school districts had flexibility to use the funding as seen fit.

Assemblywoman Titus recognized the two different funding sources for different activities. She did not see where the enforcement was to ensure that teachers across Nevada received a salary increase. She believed that there were many options, but it was possible that teachers might not see an increase in pay. Assemblyman Frierson said that the A.B. 309 amendment mock-up was a policy bill, not an appropriations bill. The money part of the bill was part of the budgeting process. There was a legal reason for the focus on teachers in high-vacancy schools. Nevada had a constitutional obligation to take care of every student, statewide. Other states had lost lawsuits because of distinctions between teachers. The only way to use local revenue for public education purposes was if the costs were outside instructional use. Some counties had a disproportionate number of full-time substitute teachers who were not licensed teachers, and that created an inequity for both teachers and students. The policy set forth in A.B. 309 would be used to resolve inequity for teachers in high-vacancy schools: schools where the policy and licensed teachers were needed the most. To avoid legal challenges, the local funding could only be used to address inequities or other problems outside K-12 instruction.

In response to Assemblywoman Titus's questions about section 13, Assemblyman Frierson continued, incentives for new teachers were not the focus of the A.B. 309 amendment mock-up. Section 13 was specific to categoricals and would help school districts operate until a new funding formula could be determined during the 2021-2023 biennia.

Assemblyman Wheeler asked whether, for funding purposes, block grants were intended only for categoricals that were listed and other categoricals remained the same. Assemblyman Frierson confirmed that Assemblyman Wheeler's statement was correct.

Assemblywoman Jauregui commented that for too long, teaching had been viewed as a low-paying profession. Teaching was a profession that should be one of the most respected professions, and when she was campaigning, she frequently heard from teachers about pay inequity. She believed that the A.B. 309 amendment mock-up was a step in the right direction.

Assemblyman Frierson pointed out that the A.B. 309 amendment mock-up was not only about teacher salaries, but was also intended to provide tools for school districts that allowed flexibility, that provided direction for the future, and that stabilized public education. Resources for public education would be a future topic of discussion for Assembly Ways and Means Committee members, but the A.B. 309 amendment mock-up would set the structure for future discussions.

Assemblywoman Neal said she liked the audit provision in the A.B. 309 amendment mock-up. She asked about section 14, subsection 2, lines 17 through 21. She asked how the waiver process would work. If a waiver request for fiscal year (FY) 2020 was submitted

before July 1, 2019, the request would be returned to the applicant. She asked whether the applicant would be granted a waiver without an application. Assemblyman Frierson said that the institution was being granted a waiver without having to apply.

Hearing no other questions, Chair Carlton noted that while amendments were being worked on, she did not want to affect those who wanted to testify in support of, opposition to, or neutral on A.B. 309. The Chair asked for those who supported the A.B. 309 amendment mock-up to come forward.

Natha C. Anderson, President, Washoe Education Association, and a paid lobbyist for the Nevada State Education Association, spoke in support of the A.B. 309 amendment mock-up. She was a 20-year educator and the daughter of two educators. She was saddened by the statistics Assemblyman Frierson referenced. The A.B. 309 amendment mock-up was a great start to begin the discussion on funding and other matters that affected the teaching profession.

Ruben R. Murillo, Jr., a paid lobbyist representing the Nevada State Education Association, spoke in support of the A.B. 309 amendment mock-up. The Red for Ed movement from West Virginia to Oklahoma, Kentucky, and Arizona was about empowering educator voices, teachers, and support professionals. This bill addressed many of the same topics as the Red for Ed movement. Not only teacher salaries, but more importantly, working conditions for teachers and support professionals. He appreciated the recognition of recruitment and retention difficulties. This bill was a good first step for salary adjustments, and he looked forward to seeing higher teacher salaries and better working conditions. He was also happy to see that the A.B. 309 amendment mock-up affected all teachers and support professionals across Nevada. Finally, he stated that this bill was not an ending point, and work must continue to improve the teaching profession.

Chris Daly, a paid lobbyist for the Nevada State Education Association, spoke in support of the A.B. 309 amendment mock-up. He appreciated the focus on public education and teachers, but he wanted to speak about other educators including education support professionals. Students had a range of needs that must be met for learning to take place. Transportation professionals ensured that children arrived safely at school in the morning and returned home in the afternoon. Nutrition professionals ensured no child was trying to learn on an empty stomach. Custodial and maintenance staff kept the learning environment clean and safe. Technical professionals kept students online and paraprofessionals worked to support students in their learning. Clerical support staff performed many tasks as well as providing smiles and Band-Aids to children.

The Clark County School District, Mr. Daly added, employed roughly 12,000 education support professionals, 59 percent of whom were persons of color and 75 percent of whom earned less than \$15 per hour. The wages for education support professionals over the years had not increased, but health care premiums had increased. More than half of support professionals earned less than \$25,000 a year, many making below \$10 per hour.

Including support professionals along with teachers was a critical move, and he appreciated the focus not only on teachers but on those who made teaching possible.

Chair Carlton asked for those who wished to speak in support of the A.B. 309 amendment mock-up from Las Vegas to stand. Over 20 people from Las Vegas stood.

Vikki Courtney, a paid lobbyist representing the Clark County Education Association and its 18,000 licensed educators in Clark County spoke in support of the A.B. 309 amendment mock-up. This bill gave hope to educators and students. The bill had been needed for a long time, and having resources for students and having educators who knew there was dedicated funding was important. She had spoken with five different educators, three of whom were new teachers and two of whom worked for at-risk schools. The new teachers still had a glow and thrill that new educators often had, but circumstances made the profession difficult. Knowing that salaries would be funded along with funding for students made a world of difference to these new teachers. Two other long-time educators spoke about uncertainty in their teaching future. The high school student-to-teacher ratio required extra work and took time away from teachers' families. This bill provided hope and a step in the right direction. She shared one more story about an educator who taught in a nice neighborhood. In the first month of her teaching career, the teacher had seven students killed in murder-suicide events. Educators and students faced this type of scenario in their schools, but the teacher was ready to come back to school and to help her students get through these events. Begging for resources was difficult, and pay insecurity made it worse. She asked for support for the A.B. 309 amendment mock-up.

Jana Pleggenkuhle, a 27-year educator with the Clark County School District (CCSD) and Clark County Education Association member, spoke in support of the A.B. 309 amendment mock-up. She appreciated the essential and long-awaited bill, and she acknowledged that everything Assemblyman Frierson said was true, but sad. She knew that education in Nevada was not appropriately funded. The state average was roughly \$9,000 per pupil whereas the national average was \$11,000. The CCSD received less than \$6,000 per pupil which was unacceptable. She noted that the A.B. 309 amendment mock-up would help by allowing new or increased local revenues. The Nevada Plan was being worked on, but it would take years for completion; children did not have years to wait. Funding was needed now. Any revenue generated from the A.B. 309 amendment mock-up should be additional funding; this bill should add more money to existing funding for education. Recruitment and retention of educators was important because education was one profession that affected many others. The shortage of teachers would only get worse if action were not taken now. In Clark County, educators did not know from year-to-year whether step raises or cost of living increases would be realized. She believed that the bill would help create a dedicated funding source for educator salaries which would not be part of the distributive school account. Some categorical funding was working well, but those funds were attached to specific schools and not to the students. This was why it was imperative that funding was based on student needs and stayed with the child. Additional funding did make a difference.

Adam Berger, a member of the Clark County Education Association, spoke in support of the A.B. 309 amendment mock-up. As educators often said, educators' working conditions were student's learning conditions, and it was not only low pay that reached the tipping point with educators. Other factors that tipped the scales included large class size, obsolete textbooks, and crumbling buildings, combined with the need for teachers to purchase their own classroom supplies. In short, educators were asking for dedicated funding for all staff educator salaries, additional dollars for school districts, and a local revenue stream. Many teachers, including Mr. Berger, had to work two or three jobs to feed their families, pay their mortgages, and make car payments. Some teachers had to move in with their parents, and some teachers had left Nevada to find employment where they could earn a living wage. Teacher shortages were increasing especially in hard-to-staff positions teaching mathematics and science and educating students with disabilities. Educators agreed that they could not continue to live on promises, praise, and low wages. Until now, Nevada was a world leader in science, medicine, technology, music, entertainment, the arts, sports, and higher education all because of educators. Without groundwork provided by educators and without supported, professional educators none of those achievements would be possible.

Stephen Augspurger, a paid lobbyist and Legislative Advocate representing the Clark County Association of School Administrators and professional technical employees spoke in support of the A.B. 309 amendment mock-up. For all the reasons previously stated, he believed this bill was a great bill for educators across the state, and as amended, covered members of all bargaining groups.

Sylvia R. Lazos, a nonpaid lobbyist representing the Nevada Immigrant Coalition, said that she came from a family of educators and she spoke in support of the A.B. 309 amendment mock-up. The bill was well-drafted from an equity perspective. It was important to fill Title I schools and to attempt to rectify the teacher vacancy inequity. One effort still needed was to close the prekindergarten education achievement gap between English learners and children from lower-income families. Also, intradistrict funding inequity was significant in Clark County and needed to be looked at further.

Lindsay Anderson, a paid lobbyist representing Washoe County School District (WCSD), spoke in support of the A.B. 309 amendment mock-up. The WCSD had been working on this effort for some time to address concerns brought forward with budgets. She appreciated the flexibility that the bill offered, and there were no concerns about additional reporting requirements. She would be participating in a working group with all bargaining groups included under the bill.

Bradley Keating, a paid lobbyist and Director of Government Relations, representing the Clark County School District (CCSD), spoke in support of the A.B. 309 amendment mock-up. He agreed with the statements of Lindsay Anderson, and he expressed his appreciation for the bill, the inclusion of all bargaining units in the bill, and the creation of a county tax or a minimum amount to be used for education funding,

Chair Carlton acknowledged that Assemblyman Frierson was the best advocate for children in Nevada.

James Frazee, a classroom educator and a nonpaid lobbyist representing the Clark County Education Association, spoke in favor of the A.B. 309 amendment mock-up. He served on the Clark County Education Association Board. He knew that it had not been easy for Assemblyman Frierson to work with members of the Clark County Education Board, and he knew that Assemblyman Frierson had worked hard to keep his word to students, parents, educators, support professionals, and community members of Clark County. The bill was a first step to restoring the integrity of the budgeting process for public education. Dedicated funding for educators' salaries and benefits ensured dollars intended for salaries and benefits, which attracted and retained qualified educators and support professionals, were delivered to educators and support professionals. The bill also provided additional dollars that would be used to provide safe and productive schools where children had an opportunity to thrive. Additional dollars could be the difference between a successful district and another year of being ranked last in the nation for education funding. The bill started the process for a local revenue stream, dollars that were needed for prekindergarten vacancy rates in at-risk schools and for adult education programs. He wanted to be clear, anyone who opposed passage of this bill could not be considered to be a friend of public education. Educators, students, students' families, and community members would be watching the vote. It was for these reasons and many others, that he urged legislators to support this bill.

William Jeremy Campf, a nonpaid lobbyist, kindergarten teacher, and member of the Clark County Education Association, spoke in support of the A.B. 309 amendment mock-up. This bill addressed critical shortfalls that he had experienced in his classroom and in his school. One problem in Clark County, he noted, was attracting and retaining qualified educators, especially in high-need, tier one, Title I schools such as the school where he worked. Teacher turnover rates were often high, and substitute teachers filled in long-term for high-needs positions, including those positions that served special education classrooms. Consistency in staffing classrooms with qualified, licensed educators would bring positive outcomes for children. Further, his school had endured several budget cuts, year-after-year, resulting in fewer resources for the children in his classroom. The additional dollars from this bill would help the school district with the reapportionment of funds for categorical and grant programs. The main problem, he noted, was having enough money to do the appropriate thing for children. The language in the bill addressed a critical need, and he expressed his appreciation for a bill that would serve students and provide financial relief to struggling educators and professionals.

Tracy Leonard, an Army veteran and a 20-year teacher, spoke in support of the A.B. 309 amendment mock-up. She had as many as 215 sixth-graders from all over the world for ten months at a time. Many of her students were drowning in a neglectful and illegal environment. A disservice to the citizens of Nevada, she said, was occurring. She estimated that 20 to 25 percent of her students had an individualized educational program (IEP) or a 504 Plan. No one can meet those expected independent goals, so she was expected to break the law and keep her mouth shut. For one of her classes, she was supposed

to have an instructional aide, another adult in the classroom. Many classes on the campus went without an additional adult in the classroom for the school year. She was supposed to have the instructional aide because there were recognized individual needs that she could not meet on her own. The vacant position could not be filled because of the lack of pay and respect. Overcrowded classrooms, overcrowded schools, and overcrowded campuses were not safe and were not fair to children. No adult wanted to experience what teachers experienced in schools. Dangerous settings had occurred for too long, it was illegal, and it was unsafe. She asked for support for the A.B. 309 amendment mock-up.

Diana Strickley, a science teacher specialist and member of the Clark County Education Association, spoke in support of the A.B. 309 amendment mock-up. She explained that she taught at the Red Rock Elementary School, a tier one, Title I school with high turnover due to the high demands of the job. She went home every night exhausted, and occasionally in tears, only to realize that she still had a pile of papers to grade and lesson plans that needed to be prepared or developed. She was often developing curriculum because there was no existing curriculum. Teacher turnover was very high at Red Rock Elementary School. There were currently ten vacancies at the school, and support staff positions were also vacant. The lack of stability created by these vacancies affected the students who needed stability the most. When students could not rely on teachers from year-to-year, children felt abandoned, and many students were already abandoned by their families. Students did not learn when their basic needs were not met, and students did not learn when they were not in school.

Ms. Strickley explained that there was trauma training at her school, and trauma affected students. She heard a child screaming with despair in the hallway, and she had to maintain an educational environment in her classroom. It was difficult to remain in a school that did not only teach reading, writing, and arithmetic. She was also trying to teach children that there was hope in the world, but that was difficult when teachers felt that there was no hope for themselves. She could not buy a home in her community because a pay freeze was a pay cut. The increases in health care, especially with dependents, were not covered by step raises, and then were compounded by Public Employees' Retirement System (PERS) deduction increases. Paychecks were not freezing, paychecks were decreasing, and she was forced to pay for her own classroom supplies in a high-need environment.

Because of the situation, Ms. Strickley worked to obtain an English Language Learners (ELL) endorsement. The investment in continuing her education to further meet the needs of her students was not met with additional compensation or respect for the job she performed. Teachers needed programs that met students' needs so students felt safe and secure, but the teachers also needed to show children that education mattered. She felt that it was difficult to show children that education mattered when professional educators were not paid or treated like professionals. At one point, Ms. Strickley walked away from teaching in search of a higher-paying job, but she came back to teaching because she realized that money was not enough. But that did not mean she could live without money. She heard that the economy

was booming, while she had to sell her home to pay her debts and she was renting a home from her daughter. Her daughter earned more money as a college graduate with one degree than Ms. Strickley earned with three college degrees.

Erica Jackson, a Clark County Education Association member who had taught for 21 years in Clark County, spoke in support of the A.B. 309 amendment mock-up. Over the years, she had experienced a slow decline in education funding. This bill provided hope for her to be successful. She taught students who had healthy home lives, but she also taught students with parents who were in prison. She taught many students who were homeless. She taught students with a wide range of emotional problems. She needed smaller classes to resolve these social and emotional problems on a more personal level. She had students who failed tests due to anxiety, a problem that could be addressed with smaller class size. Smaller classes allowed teachers to provide more tailored instruction to teach students and to build student confidence in the learning process. Teachers deserved an equitable salary. With the amount of time spent preparing for class or classes outside of their contract, teachers should not have to work additional jobs to meet their basic needs. Teachers who worked toward column advancement deserved a guarantee that what they worked to attain would be received. She had served as a school organization team (SOT) chair, and she looked forward to planning a budget with an SOT in the future. She asked for support for the A.B. 309 amendment mock-up.

Kristan Nigro, a sixth-year kindergarten teacher in the Clark County School District spoke in support of the A.B. 309 amendment mock-up. She believed that the bill was a key to success for education in Nevada. Dedicated funding for educator salaries would prove that Nevada strived to attract and retain highly qualified teachers. Additional dollars for school districts from the reappropriation of funds for categorical and grant programs demonstrated a commitment that leadership was making to the youth of Nevada. This bill affected both educators and students. Students deserved a quality education that would prepare them for a competitive workforce. This would only happen if schools were funded appropriately with qualified teachers. This bill would provide students with an opportunity to become amazing leaders.

Paul Kleemann, a nonpaid lobbyist representing the Clark County Education Association and a guitar teacher at Del Sol Academy of the Performing Arts in Las Vegas, spoke in support of the A.B. 309 amendment mock-up. He, his wife, and his in-laws were all employees of the Clark County School District (CCSD). Three years ago, his sister-in-law, a school psychologist and an educator, left the CCSD for employment in San Francisco because her caseload was too large. In San Francisco, her caseload was cut in half. This bill was a good start to getting needed resources at the CCSD as well as helping to recruit and retain qualified educators.

Theodore Small, a paid lobbyist representing the Clark County Education Association, spoke in support of the A.B. 309 amendment mock-up. He appreciated the opportunity for educators, teachers, and community members to speak about the need for education and classroom improvement. He quoted Assemblyman Frierson who had once said,

"Educators need certainty, stability, and faith in the system." This bill provided the ability to have conversations that helped to provide certainty and stability with district members and those outside the district. This bill was a reminder that current employees were the best public relations ambassadors. It was also important to realize that more money in the district was beneficial for attracting teachers and qualified leaders as well as reducing educator vacancies. He appreciated support for the A.B. 309 amendment mock-up.

Robert Hollowood, a 19-year teacher and nonpaid lobbyist representing the Clark County Education Association, spoke in support of the A.B. 309 amendment mock-up. He was the Treasurer for the Clark County Education Association, and his wife and father were both teachers, his mother was an education support professional, and his children attended public school in Clark County. He was a lifelong Nevadan, and over his teaching career he had witnessed the teacher shortage shift from high-needs schools to those schools in better neighborhoods. He had observed in 2000 that new teachers started out at high-needs schools, and better schools always had the district's senior educators on staff. However, the school where he worked now was in a better neighborhood that had failed to retain teachers and was recruiting brand new teachers while the high-needs schools were forced to use long-term substitute teachers with little support available from experienced teachers. He also noted that "high-needs schools" described many of the schools in his district now, even those schools in better neighborhoods. Experienced teachers drowned trying to support other staff who had no background in education. He believed that the A.B. 309 amendment mock-up was important in attracting qualified candidates.

Mark Anderson, Director, Nevada Industry Excellence, the state of Nevada's manufacturing extension partnership, spoke as neutral about the A.B. 309 amendment mock-up. He first expressed his support and concerns for teachers. His family members were educators, and he wanted to support teachers in any way possible. However, he cautioned legislators not to take money from other educational programs, such as workforce development, to fund education. State funding was cut in half already, and he had heard talk of eliminating all workforce development programs. In talking with Career and Technical Education (CTE) teachers throughout the state, he recognized that when children did not have economic stability in their homes, the teacher's job was made more difficult. The Workforce Innovations for a New Nevada (WINN) funding, although it received some negative reports recently, included untold stories that might provide better insight. There was a WINN Internet of Things (IOT), Cyber Security Training Program piloted in northern Nevada that would be used in southern Nevada. He noted that 95 percent of the children that had trouble in school were receiving training, had experienced success, or were connected with high-paying jobs. He again cautioned Committee members that funding should not be taken from workforce development training, and he referenced student quotes and statistics on IOT programs from his letter dated May 15, 2019, [Exhibit D](#), submitted subsequent to the May 14, 2019 bill hearing.

Kenneth Belknap, a 6-year Clark County School District educator and a nonpaid lobbyist for the Clark County Education Association, spoke in support of the A.B. 309 amendment mock-up. He taught at the Del Sol Academy for the Performing Arts and he was a board

member of the Clark County Education Association. This bill created a sense of relief and peace of mind for educators across Nevada. There were 500 teacher vacancies in Clark County, and all the classrooms surrounding his classroom had experienced teacher turnover and had long-term substitute teachers assigned to the classrooms. Those students who were in other classrooms did not get a second chance to repeat that class year. Teachers were not incentivized to stay in Clark County; retention only happened when there was a strong identity connection to the job. In his six years, he had received one pay raise. There were approximately 18,000 teacher vacancies across the west coast and competition for teachers was intense. Nevada's lack of incentives explained the lack of teachers, but this bill would help to recruit and retain qualified teachers. The combination of difficult working conditions, lack of pay raises, and rising health care costs were all detrimental to children's educational success. The local revenue stream would help to provide services to children that were not provided because of a lack of funding.

Monica Bryant, a national board-certified educator, school counselor, and a nonpaid lobbyist representing the Clark County Education Association, spoke in support of the A.B. 309 amendment mock-up. She wanted the Legislature to keep in mind that in addition to a teacher shortage, there was also a shortage of other licensed school professionals. Because there were schools without counselors, the school psychologists and school nurses were overworked. Recruitment and retention for these licensed professionals were also needed, although she believed that this bill was enticing to licensed professionals who worked in schools.

Danny Price, a Career and Technical Education (CTE) teacher and a nonpaid lobbyist representing the Clark County Education Association, spoke in support of the A.B. 309 amendment mock-up. He taught at a tier one, Title I high school and he believed this bill was important. There were seven permanent substitute teachers at his school and out of those seven classrooms, four classrooms had rotated through four teachers each during the school year. This factor did not serve students well. Of the nine quality educators who planned to leave the Clark County School District at the end of the school year, low-pay, disrespect, and working conditions were among the reasons cited for leaving Clark County. He hoped that the A.B. 309 amendment mock-up would help the situation, especially for long-term substitute teachers.

Karl Byrd, a teacher in the CCSD and a nonpaid lobbyist representing the Clark County Education Association, spoke in support of the A.B. 309 amendment mock-up. A month ago, he was in Carson City to meet with the late Assemblyman Tyrone Thompson. He expressed gratitude to be on the right side of history, and he paraphrased President Abraham Lincoln's second inaugural speech about binding up wounds, charity for all, and malice toward none. The battle for education had been fought for years and it was time to come together to make the job of education everyone's job in Nevada. This was an opportunity to make things great.

Erin Riddle, a nonpaid lobbyist representing the Clark County Education Association, spoke in support of the A.B. 309 amendment mock-up. The late Assemblyman Thompson made time for the Clark County Education Association representatives during a visit to Carson City, and she believed he would be happy with the turnout for the hearing. Dedicated funding was critical to the effort to retain and recruit better teachers.

Elizabeth Campbell, a Spanish teacher in the Clark County School District, a nationally board-certified teacher, and a director for national board certification programs for the Clark County Education Association, spoke in support of the A.B. 309 amendment mock-up. This bill would allow the public education system in Nevada to find equitable solutions not just for students, but for educators and staff. The bill would allow conversations to correct critical challenges to start, particularly in Clark County, because all anyone wanted was the best environment and the best outcomes for children in Nevada.

Angie Sullivan, a private citizen from Las Vegas, spoke in support of the A.B. 309 amendment mock-up. It was difficult for her to believe legislators, and for good reason, she added. She wanted to be positive, helpful, and hopeful, but she would be watching closely to determine if legislators were serving all persons, as they had stated. She was skeptical, and she would return if legislators did not do as they said. The bill was about children, her children, because the children assigned to her were her children, she explained. She served every day in classrooms where others struggled in ways she could not explain. Children deserved professional educators in classrooms, and professionals wanted contracts that would be honored. Schools were desperate for qualified teachers with real pedagogy based on best research and best practices. Skilled professionals demanded that school districts honor contracts and participate in good faith for district negotiations regarding pay, insurance, and working conditions. She asked legislators to keep their promises and to do as they said they would, for the children.

Hearing no one else in support of the A.B. 309 amendment mock-up, Chair Carlton asked whether there was any one in opposition to the mock-up. Hearing no one in opposition, she asked whether there was any one neutral to the A.B. 309 amendment mock-up.

Kenneth J. Retzl, Director of Education Policy, Guinn Center, said that while the Guinn Center was neutral on the A.B. 309 amendment mock-up, they supported the spirit of the bill and requested more time to investigate the proposal to determine if the bill was "good" policy. Specifically, there was concern about section 5 of the proposed amendment regarding the one quarter of one percent sales tax. Initial reactions to the amendment focused on a sales tax that was already high; Nevada ranked fourth highest for sales taxes collected per capita at \$1,586. Hawaii was the highest ranked state, and Virginia was the lowest ranked state. Another policy option for consideration was property tax change. Property taxes were a more stable revenue source that already was calculated in operational funding for school districts in Nevada, and Nevada had a relatively low property tax burden for fiscal year (FY) 2016. With Washington, D.C. included, Nevada ranked 37th lowest in the nation in per capita property tax collections of \$994. The reliance on sales tax was problematic for two reasons:

- The tax was regressive because it disproportionately affected lower-income individuals relative to higher-income individuals.
- The tax was volatile because it fluctuated with short- and long-term local and national economic conditions, meaning that school districts could depend too heavily on an unstable source of revenue.

Once the Guinn Center's analysis was complete, Mr. Retzl said he would share the results.

Meredith Freeman, represented HOPE for Nevada and over 1,100 families in Nevada. She was testifying as neutral to the A.B. 309 amendment mock-up because without adequate funding this bill would potentially put districts in the same situation, having to choose between well-deserved raises for teachers and appropriate class sizes and other student supports. This amendment would create inequity across the state by creating revenue streams that were county specific, in direct opposition to Senate Bill (S.B.) 543 which updated the Nevada Plan. This amendment passed the state's responsibility to adequately fund education to the Board of County Commissioners with no guarantee that this funding would be approved. Until the concerns could be addressed, she could not support the bill.

Rebecca Garcia, a private citizen from Las Vegas, a mom of three current Clark County School District students, and President-elect for the Nevada Parent Teacher Association (PTA) spoke as neutral for the A.B. 309 amendment mock-up. Over 17,000 members in the Nevada PTA including parents, teachers, and community members who were dedicated to the mission to make every child's potential a reality by engaging and empowering families and communities to advocate for all children. The PTA supported efforts to compensate educators as essential and highly-trained professionals. Recruiting and retaining quality educators was necessary to ensure improvements in Nevada. There were many positives in the bill, including acknowledging key needs such as early childhood, homelessness, and a large number of vacancies in key areas. The PTA was dedicated to ensuring that any legislation benefitted all children and did not create additional inequity. County-based revenue had the potential to create inequity based on counties' abilities to generate new funds. While hoped for, these new revenues were not guaranteed and passed the state's responsibility to counties. Basic needs, including class size reduction, were not addressed. Because of limited uses for local revenues, the needs of many students in Nevada would go unmet. As a PTA leader, mother, chair of two school organizational teams (SOT) both at Title I schools, and as a 12-year wife of a Clark County School District (CCSD) support staff member, she knew firsthand how important it was to increase education funding for all students. The effort, however, must be done in an equitable and sustainable manner.

Hearing no one else neutral on the A.B. 309 amendment mock-up, Chair Carlton asked whether Assemblyman Frierson had any closing statement.

Assemblyman Frierson mentioned two points, the first of which was a clarification. The A.B. 309 amendment mock-up did not contradict the proposed new funding formula in S.B. 543. He noted that A.B. 309, from inception, was intended to complement S.B. 543 and

to serve as a bridge to the new funding formula. For the second point, he thanked staff in Las Vegas for ensuring that a room was opened for public comment so the presenters could be heard.

Assemblyman Frierson stated that this bill was the beginning of an ongoing conversation and that the bill would be complemented by several other measures that would increase support and structure for the public education system. Chair Carlton acknowledged the benefit in having a positive, constructive meeting on public education.

Chair Carlton asked whether Committee members had any questions.

Assemblyman Kramer noted that several speakers who supported the A.B. 309 amendment mock-up used the term "dedicated funding" for educator pay raises, but he wanted to ensure that this bill did not allocate funding. Assemblyman Frierson reiterated that this bill was intended to provide the structure necessary for other efforts to increase funding for education by isolating a dedicated account for salaries. This bill would provide additional transparency, accountability, and good faith negotiations.

Chair Carlton asked for public comment, and hearing none, the meeting was adjourned at 7:46 p.m.

RESPECTFULLY SUBMITTED:

Carmen M. Neveau
Committee Secretary

APPROVED BY:

Assemblywoman Maggie Carlton, Chair

DATE: _____

EXHIBITS

[Exhibit A](#) is the Agenda.

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

[Exhibit C](#) is a mock-up of Proposed Amendment 5815 to Assembly Bill (A.B.) 309, presented by Assemblyman Jason Frierson, Assembly District No. 8.

[Exhibit D](#) is a letter dated May 15, 2019, submitted subsequent to the May 14, 2019 hearing, and presented by Mark Anderson, Director, Nevada Industry Excellence.