

**MINUTES OF THE
SENATE COMMITTEE ON EDUCATION**

**Eightieth Session
May 13, 2019**

The Senate Committee on Education was called to order by Chair Moises Denis at 2:09 p.m. on Monday, May 13, 2019, in Room 2134 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to Room 4404B of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Senator Moises Denis, Chair
Senator Joyce Woodhouse, Vice Chair
Senator Dallas Harris
Senator Marcia Washington
Senator Scott Hammond
Senator Ira Hansen
Senator Keith F. Pickard

GUEST LEGISLATORS PRESENT:

Assemblywoman Alexis Hansen, Assembly District No. 32

STAFF MEMBERS PRESENT:

Jen Sturm, Committee Policy Analyst
Risa Lang, Committee Counsel
Steven Jamieson, Committee Secretary

OTHERS PRESENT:

Lindsay Anderson, Washoe County School District
Brad Keating, Clark County School District

CHAIR DENIS:

I will open the work session on Assembly Bill (A.B.) 78.

Senate Committee on Education
May 13, 2019
Page 2

ASSEMBLY BILL 78 (1st Reprint): Revises provisions governing charter schools.
(BDR 34-339)

JEN STURM (Committee Policy Analyst):

I will read the summary of the bill from the work session document ([Exhibit C](#)). Amendments to A.B. 78 have been proposed by the State Public Charter School Authority (SPCSA) and Senator Woodhouse. These amendments are summarized in the work session document [Exhibit C](#).

CHAIR DENIS:

Six schools have been approved to operate in the Achievement School District. Four are currently operating and two are not. Does Senator Woodhouse's proposed amendment fix the issue around the future status of those two schools, or have we resolved that concern somewhere else?

RISA LANG (Committee Counsel):

Yes, the amendment should correct the issue.

CHAIR DENIS:

Those two schools would be brought under the authority of the SPCSA?

Ms. LANG:

Yes.

SENATOR HARRIS MOVED TO AMEND AND DO PASS AS AMENDED
A.B. 78.

SENATOR HAMMOND SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR PICKARD VOTED NO.)

* * * * *

CHAIR DENIS:

I will open the work session on A.B. 114.

ASSEMBLY BILL 114 (1st Reprint): Revises provisions governing the prevention of suicide by pupils. (BDR S-647)

Senate Committee on Education
May 13, 2019
Page 3

Ms. STURM:

I will read the summary of the bill from the work session document ([Exhibit D](#)).

SENATOR WASHINGTON MOVED TO DO PASS A.B. 114.

SENATOR PICKARD SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

* * * * *

CHAIR DENIS:

I will open the work session on A.B. 219.

ASSEMBLY BILL 219 (1st Reprint): Makes various changes relating to education. (BDR 34-673)

Ms. STURM:

I will read the summary of the bill from the work session document ([Exhibit E](#)).

SENATOR HARRIS:

Page 2, [Exhibit E](#) proposes to "Amend section 1.4 of the bill to authorize the board of trustees of a school district to identify and purchase an assessment." I want to clarify for the record that this is permissive language and not mandatory. The districts are authorized to identify and purchase an assessment, not required to do so.

Ms. LANG:

Yes. The language is permissive.

SENATOR PICKARD:

The bill adds some things to the current practices of the school districts. Will A.B. 219 be re-referred to the Senate Committee on Finance?

CHAIR DENIS:

I do not believe the bill will be re-referred to the Finance Committee.

SENATOR PICKARD:

Do the provisions of the bill fall completely within the budgetary discretion of the districts? We are requiring the school districts to comply with these regulations; I am concerned this will be harder to put into practice than we think. If the districts have to pay for these alternatives, it may be difficult for the districts to implement these changes.

SENATOR WOODHOUSE:

I do not anticipate that this bill will be pulled into the Finance Committee. It would get pulled into Finance if the Department of Education (NDE) was to place a fiscal note on the bill. The bill has an impact on the budgets of local school districts, but the Finance Committee has to focus on the State budget.

SENATOR HAMMOND:

I agree that the proposed amendment to section 1.4 of the bill is permissive. We are talking about allowing kids to use alternative tests which might be available. This will require additional time and effort, including financial effort, by the districts. I tend not to like to put unfunded mandates on the districts; it just depends on how much we are talking about and if there is money to be put into their budgets later on. I agree with Senator Woodhouse; I do not know how much of an impact this will have. The impact will probably be minimal, but I will do more research to make sure. I will vote "yes" today, but I want to look into it more before the vote on the Senate Floor.

SENATOR PICKARD:

We are asking the school districts to purchase existing assessment tools in other languages or create their own. This could conceivably be a substantial effort, but we are not contributing to paying for it. I hesitate to put that burden on the districts. I agree with the statements from Senators Hammond and Woodhouse. This is a worthy effort. We make better decisions with data. I am concerned about the funding issue, but I will not hold up this bill in Committee.

CHAIR DENIS:

These are things the districts should be doing already, so the provisions of the bill should not have a huge fiscal impact. The bill just brings some consistency throughout the State on how the districts collect and use the information.

Senate Committee on Education
May 13, 2019
Page 5

SENATOR HANSEN:

Washoe County School District and Clark County School District were originally opposed to the bill. Are they still opposed or have they worked something out?

LINDSAY ANDERSON (Washoe County School District):

We were opposed to the original form of the bill as introduced and heard in the Assembly. That version of the bill was pretty different from the one currently before you. After working with Assemblywoman Torres and making some modifications, we moved into the neutral position. The major concerns we had around unfunded mandates were addressed.

The part about the required testing in different languages arose after our concerns about unfunded mandates had been addressed. The alternative testing is ultimately not a responsibility of the District because we use the tests given to us by NDE. There may be a financial impact to NDE in providing those assessments, but I cannot speak for NDE.

SENATOR HANSEN:

Is Washoe County neutral on this bill?

MS. ANDERSON:

Yes.

BRAD KEATING (Clark County School District):

We are also neutral at this point.

SENATOR WASHINGTON MOVED TO AMEND AND DO PASS AS
AMENDED A.B. 219.

SENATOR HAMMOND SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

* * * * *

CHAIR DENIS:

I will open the work session on A.B. 261.

ASSEMBLY BILL 261 (1st Reprint): Revises provisions relating to the safety of children in public schools. (BDR S-590)

Ms. STURM:

I will read the summary of the bill from the work session document ([Exhibit F](#)). The bill sponsor proposed an amendment to the bill. The amendment is seen on page 1, [Exhibit F](#).

SENATOR PICKARD MOVED TO AMEND AND DO PASS AS AMENDED
A.B. 261.

SENATOR WASHINGTON SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

* * * * *

CHAIR DENIS:

I will open the work session on A.B. 304.

ASSEMBLY BILL 304 (1st Reprint): Revises requirements relating to class sizes in public schools. (BDR 34-930)

Ms. STURM:

I will read the summary of the bill from the work session document ([Exhibit G](#)).

SENATOR PICKARD:

I like the bill because, as the saying goes, a failure to plan is a plan to fail. Requiring an articulable plan and transparency is a great idea. However, I am concerned that the bill does not address how it is going to happen, how we are going to fund smaller class sizes. As we have gone through the various bills on teacher pay and class sizes, the one thing that has come out of the woodwork is that most schools are not designed to be able to expand the number of students in the classroom. We need additional classroom space, but we do not have a plan on the table to actually accomplish this objective.

Assembly Bill 304 does not need to solve the problem by itself. However, if we do not address the operative side of this issue, A.B. 304 becomes a

meaningless bill because we have no way to implement it. That said, I support the bill and will be voting "yes."

CHAIR DENIS:

This bill is the precursor to future action. The provisions of this bill give us the information we need in order to be able to move to that next step. If we do not have the information when we are trying to make decisions, we cannot do it.

SENATOR PICKARD:

I agree with that. We are asking the districts to come up with an articulable plan, which we know is going to be "we need to increase the number of teachers." If we do not give the districts a way to actually execute the plan, this legislation will fall into the same category as the reorganization of the Clark County School District; we require implementation but do not provide the tools necessary to accomplish the task. That is my concern.

SENATOR WASHINGTON MOVED TO DO PASS A.B. 304.

SENATOR HARRIS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

* * * * *

CHAIR DENIS:

I will open the work session on A.B. 378.

ASSEMBLY BILL 378 (2nd Reprint): Makes various changes relating to the transportation and admission of certain persons alleged to be a danger to themselves or others to certain facilities or hospitals. (BDR 34-711)

Ms. STURM:

I will read the summary of the bill from the work session document ([Exhibit H](#)). The first proposed amendment, page 2, [Exhibit H](#), establishes a time frame in which the parent or legal guardian must be notified of an emergency admission. The second amendment is proposed to add Senators Pickard and Hammond as co-sponsors to the bill.

The bill sponsor proposed a third amendment, pages 3 and 4, [Exhibit H](#), to bring the language of A.B. 378 into harmony with A.B. 85.

ASSEMBLY BILL 85 (1st Reprint): Revises provisions governing mental health.
(BDR 39-443)

The proposed amendment, pages 3 and 4, [Exhibit H](#), addresses the manner in which family members may be notified in the case of an emergency admission.

ASSEMBLYWOMAN ALEXIS HANSEN (Assembly District No. 32):

I was advised that A.B. 378 might conflict with A.B. 85, which has already been signed by Governor Steve Sisolak. Part of A.B. 85 addressed the notification of a next of kin in the case of the emergency admission of an adult. Assembly Bill 378 deals with the emergency admission of minors. The proposed amendment will bring the language of A.B. 378 concerning the notification of an emergency admission of a minor in line with A.B. 85.

CHAIR DENIS:

Some folks had a few outstanding issues with the bill. My understanding is that you decided to work on some of those issues during the Interim. Is that accurate?

ASSEMBLYWOMAN HANSEN:

I met with some stakeholders. For the most part, we were able to come to a consensus that we would work in the Interim, as the regulations roll out, to make sure we address some data. It is important to collect some information about who is utilizing this statute.

Senator Pickard had some concerns about the language of mental illness. Assembly Bill 85 removed the problematic language and changed the references from "mental illness" to "mental health crisis". This change aligns with what Senator Pickard hoped would happen.

We are pleased with the amendments and the feedback. We have made an effort to satisfy the other parties' concerns. We will work during the Interim and with the model plan to make sure the regulations are crafted in a way we can all be comfortable supporting.

Senate Committee on Education
May 13, 2019
Page 9

SENATOR PICKARD:

I have talked to representatives from the Legal Division of the Legislative Counsel Bureau. They informed me that because A.B. 85 passed, all the references to mental illness will change. We do not need to address this change in A.B. 378; it is already taken care of. I support this legislation.

SENATOR HANSEN MOVED TO AMEND AND DO PASS AS AMENDED
A.B. 378.

SENATOR PICKARD SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

* * * * *

CHAIR DENIS:

I will open the work session on A.B. 490.

ASSEMBLY BILL 490: Revises provisions relating to the discipline of pupils.
(BDR 34-390)

Ms. STURM:

I will read the summary of the bill from the work session document ([Exhibit I](#)).

CHAIR DENIS:

This bill came from the Legislative Committee on Education. The Legislative Committee heard testimony on this issue during the Interim.

SENATOR HARRIS MOVED TO DO PASS A.B. 490.

SENATOR WASHINGTON SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

* * * * *

Senate Committee on Education
May 13, 2019
Page 10

CHAIR DENIS:
The meeting is adjourned at 2:39 p.m.

RESPECTFULLY SUBMITTED:

Steven Jamieson,
Committee Secretary

APPROVED BY:

Senator Moises Denis, Chair

DATE: _____

EXHIBIT SUMMARY				
Bill	Exhibit / # of pages		Witness / Entity	Description
	A	2		Agenda
	B	4		Attendance Roster
A.B. 78	C	1	Jen Sturm	Work Session Document
A.B. 114	D	1	Jen Sturm	Work Session Document
A.B. 219	E	2	Jen Sturm	Work Session Document
A.B. 261	F	1	Jen Sturm	Work Session Document
A.B. 304	G	1	Jen Sturm	Work Session Document
A.B. 378	H	4	Jen Sturm	Work Session Document
A.B. 490	I	1	Jen Sturm	Work Session Document