

**MINUTES OF THE
SENATE COMMITTEE ON EDUCATION**

**Eightieth Session
February 25, 2019**

The Senate Committee on Education was called to order by Chair Moises Denis at 1:06 p.m. on Monday, February 25, 2019, in Room 2134 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to Room 4412E 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 Marilyn Dondero Loop
Senator Dallas Harris
Senator Scott Hammond
Senator Ira Hansen
Senator Keith F. Pickard

GUEST LEGISLATORS PRESENT:

Senator Heidi Seevers Gansert, Senatorial District No. 15

STAFF MEMBERS PRESENT:

Jen Sturm, Policy Analyst
Risa Lang, Committee Counsel
Linda Hiller, Committee Secretary

OTHERS PRESENT:

Debra Gallo, Commissioner, Nevada Volunteers, Governor's Commission on Service
Lindsay Anderson, Washoe County School District
Natha C. Anderson, President, Washoe Education Association; Nevada State Education Association

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Brigid Duffy, Chief Deputy District Attorney, Juvenile Division, Office of the District Attorney, Clark County
Mary Pierczynski, Nevada Association of School Superintendents; Nevada Association of School Administrators
Brad Keating, Clark County School District
Pat Hickey, Executive Director, Charter School Association of Nevada
Steven Conger, Power2Parent
DeeAnn Roberts, Vice President of Advocacy, Nevada Parent Teacher Association
Rebecca Garcia, President-elect, Nevada Parent Teacher Association; President, Parent Teacher Association, Sandy Searles Miller Academy, Clark County School District
Sandy Miller, Nevada Parent Teacher Association
Beth Mundo, Honoring Our Public Education
Tiarre Norwood, Vice President of Membership, Nevada Parent Teacher Association; President, Parent Teacher Association, Richard C. Priest Elementary School, Clark County School District
Barbra Konrad, President, Parent Teacher Association, Robert and Sandy Ellis Elementary School, Clark County School District
Jessica Jensen, Treasurer, Parent Teacher Association, Richard C. Priest Elementary School, Clark County School District
Jason E. Dietrich, Interim Deputy Superintendent, Division of Educator Effectiveness and Family Engagement, Department of Education
Scott Taylor
Alison Turner
Hannah Jackson, President, Associated Students of the University of Nevada
Carissa Bradley, Vice President, Associated Students of the University of Nevada
Olivia Komanduri
Steffany Yang
Marisa Del Turco

CHAIR DENIS:

I will open the hearing on Senate Bill (S.B.) 185.

SENATE BILL 185: Revises provisions relating to background checks required to become a volunteer at a school. (BDR 34-14)

SENATOR HEIDI SEEVERS GANSERT (Senatorial District No. 15):

Senate Bill 185 is a cleanup bill for S.B. No. 287 of the 79th Session, which was brought forward to address a well-documented problem across the U.S. called “passing the trash.” This happens when school personnel and individuals who have regular contact with students take advantage of their position and abuse or have inappropriate sexual relationships with students. These offending individuals are frequently allowed to resign from their paid positions or as volunteers, leaving no record of the abuse.

For example, in a May 23, 2017, Las Vegas Review-Journal article, it was reported that over a period of 3 years, there were 31 Clark County School District (CCSD) staff members arrested on suspicion of inappropriate behavior with a student. One teacher, Jeremiah Mazo, was first arrested in 2008, charged with sexually molesting students. When the charge was dismissed, that history was erased from Mazo's personnel file. He was allowed to continue teaching and he later sexually abused multiple students at Don E. Hayden Elementary School. Mazo was eventually sentenced to up to 60 years in prison.

Another example is former Del Sol High School (DSHS) campus monitor Ati Poni, who was sentenced to a maximum of 72 months or a minimum of 28 months on charges of coercion, sexually motivated; and child abuse or endangerment. He also served as a coach at DSHS.

While the examples I just provided were specific to CCSD, passing the trash is a nationwide issue. The intent of S.B. No. 287 of the 79th Session was to protect our children from abuse through better upfront screening of school personnel and volunteers. That bill required two background screenings before a person was hired or had regular contact with students. The first screening required fingerprints to check the applicant's criminal history through the Central Repository for Nevada Records of Criminal History. The second required permission to check the Statewide Central Registry for the Collection of Information Concerning the Abuse or Neglect of a Child, where records of substantiated cases of abuse and neglect are kept.

At issue in S.B. No. 287 of the 79th Session is the wording in section 27, where it stated that:

[E]ach volunteer at a charter school who is likely to have unsupervised or regular contact with pupils, must, before beginning

his or her employment or service as a volunteer and at least once every 5 years thereafter, submit to the governing body of the charter school ... fingerprints and permission for background check.

The term “regular” as part of “regular contact” included in that 2017 Legislation was not defined because we believed school districts could best assess the risk for different types of volunteers in school settings and best determine who should have background checks.

In May 2017, during a meeting of the Assembly Committee on Judiciary, I testified that:

The language is open so that there is discretion. If it were a volunteer who has an ongoing relationship with students, for instance a coach, that person would need to go through the background check screening. If it is an individual who is coming in to read to their child's class, they would not require it. Again, there is discretion and there may be some school districts who want to run more background checks versus others. However, we rely on them to determine at what level they require those checks with volunteers.

The result of this Legislation has been excellent in its efforts to stop passing the trash, but there has been confusion and overreach regarding its application for volunteers with so-called “regular contact.”

Senate Bill 185 is intended to clean up S.B. No. 287 of the 79th Session while not diminishing the successful implementation of the majority of the bill. I worked with the Legislative Counsel Bureau Legal Division, Washoe County School District (WCSD), CCSD and nonprofit volunteer organizations over the last year to bring today's bill forward.

This bill is long, but there are several parallel provisions in this bill that make the same changes to various chapters of *Nevada Revised Statutes* (NRS)—Charter Schools (NRS 388A); Achievement Charter Schools (NRS 388B); University Schools for Profoundly Gifted Pupils (NRS 388C); Personnel (NRS 391) and Private Educational Institutions and Establishments (NRS 394).

Sections 4, 9, 14 and 18 of S.B. 185 remove the requirement in current law that a volunteer who will have regular, supervised contact with pupils must receive a background check, which means that only unsupervised volunteers will now require a background check.

Subsection 5 of sections 3, 8, and 12 and subsection 2 of section 17 of this bill authorize a volunteer to submit his or her fingerprints to another entity authorized to forward fingerprints to the Central Repository as an alternative to submitting his or her fingerprints to the governing body, administrator, or board of trustees. If a volunteer submits his or her fingerprints to such an authorized entity, the Central Repository would still be required to notify the superintendent of the school district, the governing body of the charter school or the administrator of the private school if the background check reveals that the volunteer has been convicted of certain crimes.

This allows school personnel and volunteers to get their fingerprints checked at places other than the school districts themselves, such as Fingerprint Express, providing a less expensive and timely alternative.

Section 19 declares a regulation that was adopted by the State Board of Education (SBE) related to background checks for school volunteers null and void, but we will be replacing that with statute.

Let me briefly explain what the regulation currently allows. The governing body of a public school or the board of trustees of a school district may exempt a volunteer from a background check if the volunteer submits sufficient evidence, or the entity responsible for conducting the background check otherwise determines, that the volunteer has already undergone a background check. That background check must have been done six months prior and declared the volunteer eligible to interact with pupils. The exemption can also be granted if the volunteer is employed in a position which required a background check and the individual has been approved to have unsupervised meetings with pupils as part of his or her official duties. The regulation also directs certain students at institutions of higher education who are taking a course that requires them to be present in a classroom not to be volunteers for purposes of the statutes requiring background checks in certain circumstances.

Sections 3, 8 and 12 of S.B. 185 require the governing body of a public school or the board of trustees of a school district to exempt a volunteer from a

background check if the volunteer has passed a background check that meets the requirements prescribed by the regulation for an exemption and any additional requirements prescribed by regulation of the SBE.

Section 13 of this bill requires the Department of Education (NDE) to compile a list of entities that require a criminal background check for the purpose of employment, licensure, or volunteering that the NDE determines to be at least as stringent as the background check normally conducted for a volunteer at a public school. This allows the NDE to create a list of those who should be exempted from this process because they already do background checks.

Sections 3, 8 and 12 require the governing body of a public school or the board of trustees of a school district to exempt a volunteer from a background check if the volunteer has passed a background check that meets certain additional requirements and is conducted by an entity included on that list. These sections allow an exemption for nonprofits such as AmeriCorps, Seniors in Service and Rotarian organizations that already have substantially similar background check requirements. These nonprofits do not have to require duplicate background checks. These sections also exempt police officers and people working in child protective services.

Sections 3, 8 and 12 additionally, authorize the governing body of a public school or the board of trustees of a school district to exempt a volunteer from a background check if the volunteer has passed a background check conducted by an entity that is not a pre-approved entity, as long as the background check is at least as stringent as the background check normally conducted for a volunteer at a public school. This allows discretion for the school district to exempt organizations not on the NDE list described above if the organizations meet the standards.

Sections 4, 9 and 14 provide that the governing body of a public school or board of trustees of a school district may not be held liable for damages resulting from refusal to accept such a background check.

Section 17 authorizes the administrator of a private school to exempt a volunteer from a background check if the volunteer has passed a background check that involved the submission of fingerprints to the FBI.

Section 18 provides that the governing body or administrator of a private school may not be held liable for damages resulting from the administrator's refusal to accept such a background check.

Sections 2, 7, 11 and 16 deem certain students enrolled at an institution of higher education who are taking a course that requires them to be present in a classroom not to be volunteers again.

Section 5 of this bill makes the new provisions of this bill applicable to volunteers at achievement charter schools, which you may recall were created by the 2015 Legislature.

I also have a Conceptual Amendment ([Exhibit C](#)) because it may take a while for NDE to come up with a list of the entities that are not required to do background checks because they have already gone through that process. This way, these volunteer organizations can actually provide a letter to their volunteers.

While this is a policy Committee, I want to recognize that a fiscal note has been requested, but the fiscal note was not available as of the date of drafting these remarks.

CHAIR DENIS:

Do we define anywhere what "unsupervised" is?

SENATOR SEEVERS GANSERT:

We do not. I am hoping the districts and NDE can work that out. Part of the problem with the definition before was the different interpretations. The school districts took a very conservative interpretation of unsupervised when I testified last time. What was in my mind, and what has proven to be at issue was in reference to coaches, as they can be unsupervised, regular, ongoing and not in a school setting with other teachers or students.

CHAIR DENIS:

Are you saying this only applies to coaches?

SENATOR SEEVERS GANSERT:

I think the school districts are the best to assess where the risk is and if they need to extend controls to any specific volunteer positions, especially when unsupervised, like coaches are sometimes.

CHAIR DENIS:

Sometimes in an abundance of caution, we take the most stringent definition and that can be a problem. I have heard of some schools where an adult walking alone in a school hallway with children present is defined as unsupervised. I assume that is not the intent; that someone would have to be escorted everywhere he or she went, and that is why I am asking about the envisioned definition of unsupervised.

SENATOR SEEVERS GANSERT:

That would be my opinion. I think the schools need to assess where their risk is, so a person walking in the hall should not be in that category. Another example is where a classroom of students is divided into four groups and the teacher is working with one group and volunteers are working with the other three groups. That could be deemed unsupervised, but in my mind, that would not necessarily be unsupervised.

The schools need to determine the definition of unsupervised. Those working in a school know how their classrooms operate and they should also know when and where there could be opportunities to develop relationships that are inappropriate.

SENATOR WOODHOUSE:

I received many phone calls and emails after the 2017 Session when we passed S.B. No. 287 of the 79th Session. None of us realized it would impact our schools in the way that it did. Do you think the changes brought forth by today's bill, S.B. 185, will address the question I heard the most after the S.B. No. 287 of the 79th Session was implemented, which was about parents assisting as chaperones on field trips?

I facilitate a field trip for 2,400 students to an event and each school may send 150 students with parent chaperones helping. The teacher will typically stay with the majority of the group and a parent will shuttle a child back and forth to a restroom, if necessary. That could be called unsupervised. To me, it is a

parent and I want to assume that all parents are trustworthy. In some cases, the volunteer is not a parent, but does this bill cover those kinds of situations?

SENATOR SEEVERS GANSERT:

Hypotheticals are always difficult, so there needs to be judgment used. In some school districts, parents who go on field trips are required to have background checks. It depends on the environment, but I do understand what you are saying. We do need parents to support the schools and help with field trips, but the situations are all different, so there needs to be judgment used.

SENATOR DONDERO LOOP:

I previously sponsored A.B. No. 393 of the 76th Session on fingerprinting educators. In your example from CCSD, you referenced certificated people who were less than stellar. In my opinion, we have addressed that. I wonder how you define "assessed" and "interpretation," because my interpretation could be different than someone else's.

My daughters, who have had background checks because of their jobs, are each helping at their children's schools where they had to have more background checks. The way around that was the school told parents they had to alternate with each other in helping with field trips. The interpretation clause needs to be defined so if I, as a teacher, need a helper because my volunteers are being limited, I can choose someone to help. I do not want to leave it as broad as an interpretation where someone else's is different than mine.

SENATOR SEEVERS GANSERT:

This bill provides that if you have already had a background check and are cleared to work with children, you do not need another background check. It can be a situation of employment or working with a nonprofit, each of which has required a background check. You do not have to duplicate. We are trying to focus on unsupervised volunteers.

Most of the time, teachers or school personnel are present. To me, those situations would not fall under the definition of unsupervised. But those who are unsupervised and have the opportunity to develop relationships are frequently coaches. I do not know of every volunteer opportunity in every school, so I cannot enumerate them. This does take care of people who are already approved and who already have background checks because of their employment or other volunteer activities.

SENATOR DONDERO LOOP:

If I am a head coach and teacher and I hire some assistant coaches from off campus that I trust and they get a background check, that still does not ensure that they are people of good moral turpitude. Having the background check and fingerprinting does not necessarily guarantee a person is of high morals. The important part is that the person in charge is aware and available to oversee.

After A.B. No. 393 of the 76th Session was passed, we had a fingerprinted coach who was caught when he went to get re-certificated, because he had to be fingerprinted again. I want to make sure we do not exclude the right people.

SENATOR SEEVERS GANSERT:

I do not know when we can have a 100 percent guarantee on this, but S.B. 185 also incorporates the use of the database of substantiated reports of abuse and neglect. That is huge, because states can talk to each other. Melvin Sprowson, Jr., had accusations of touching young girls in the Los Angeles Unified School District and then came to CCSD and had a relationship with a 16-year-old. There are also examples of a wrestling coach and a volleyball coach in similar situations, and the examples go on and on. We try to put safeguards in place, but there is no real guarantee. I do believe this double check up front and then having to go back every five years, which is what licensed personnel have to do, will help. Some of the other staff at schools, including counselors, janitors and bus drivers did not have to retest every five years, but now they do.

SENATOR HARRIS:

It seems like a lot of what we are hearing is around the idea of "regular" and "unsupervised." I wonder if what we might be looking for is people who have regular unsupervised contact; not just regular contact or unsupervised contact, but people who have "regular unsupervised" contact. We might want to think about making that the terminology instead of just unsupervised, because that would get at the one-time volunteers who take a student to the restroom as Senator Woodhouse mentioned. That is unsupervised, but not regular unsupervised. That would also address people who have regular contact but who are always in the presence of a teacher or staff member. This is one idea to try and catch the people we are trying to catch with this bill.

SENATOR SEEVERS GANSERT:

I am open to suggestions. In writing this bill, we did not want to define the word "regular," because we thought the districts could define it, and then each school district was defining it differently. Eventually, it made it to the NDE and the Nevada Association of School Superintendents got ahold of it, and they were defining it as someone who is with a student once a week, four weeks in a row for "regular," either supervised or unsupervised. Then, someone would volunteer one month and they had to skip a week, and it became cumbersome. I am open to refining the definition because we do not want it to be arbitrary and we do not want to target people we are not intending to target. We want people to be able to volunteer in their schools and we want our students to be safe.

SENATOR HAMMOND:

I think we are trying to alleviate concerns the districts are having and yet still have volunteers come into our schools. I agree with Senator Harris that you can use regular or consistent or whatever, but I have had parents show up weekly and they are in a hallway working with one child, and I do not think they need the stringent background checks. I understand we are trying to get to someone who is developing a relationship with a student. The one way I could get to my students when I taught was to coach them, because then they started having different respect for me because I was doing something outside the classroom. I understand what you are getting at with coaches, and the bill language helps with that. I do think it gets us to a better place so districts can define these situations. I am open to tightening it down, but I like it so far.

SENATOR SEEVERS GANSERT:

I am open to suggestions, but I am just wary because of what happened last time with the term "regular," and how it got interpreted. Since I am not a teacher, I do not know the particular instances which are most likely to enable someone to take advantage. It does seem like regular unsupervised makes sense, but I am concerned about the interpretation because of what happened with S.B. No. 287 of the 79th Session.

CHAIR DENIS:

During the 2017-2018 Interim, I noticed that the number of volunteers in the Title I schools in the lower income areas went way down because the parents could not afford the fingerprinting or background check costs. We need to take

care of that issue and not have a discrepancy where different schools have more or less volunteers because of a monetary issue.

SENATOR SEEVERS GANSERT:

I have to give CCSD some credit. The way the bill was originally written, having to submit fingerprints to the school district itself, CCSD went out and got more fingerprinting machines, had them certified and then went with mobile teams to do the background check remotely at no cost to several schools. It did not happen in all the State school districts, but it helped. This bill was not meant to be a deterrent; it was meant to make the schools safer.

CHAIR DENIS:

I will take testimony from those in support of S.B. 185.

DEBRA GALLO (Commissioner, Nevada Volunteers, Governor's Commission on Service):

I am a Commissioner with the Governor's Commission on Service; we are called Nevada Volunteers. We administer most of the national service programs in the State, and our volunteers go through very vigorous background checks. We have had some issues like Senator Gansert discussed, so we reached out to her. We support S.B. 185.

LINDSAY ANDERSON (Washoe County School District):

We support this bill. Obviously, there is a delicate balance between school safety and keeping our kids safe and making our schools welcoming. We need the volunteers. We have one of the highest student-to-teacher ratios in the Country and the volunteers are critical to our academic success. We spent a significant amount of time and resources making every attempt to faithfully execute the S.B. No. 287 of the 79th Session. We passed a board policy about it and our WCSD superintendent spent a lot of time on it. We appreciate the clarification of language in S.B. 185.

We had 587 positive returns from our background checks and the Central Repository checks, which is up from 386 in 2017. The wants and warrants search capability was the most useful tool for the district. That source shows temporary protective orders, restraining orders and custody issues. If we have parents who want to volunteer on a field trip because they are not allowed to see their child other ways, we catch them through that wants and warrants screening program.

CHAIR DENIS:

How did your district handle the issue in the lower income areas?

MS. ANDERSON:

We bought a second fingerprinting machine to relieve the backlog. We did not do the mobile project like they did at CCSD and I do not think we offered the tests for free.

CHAIR DENIS:

Did the number of volunteers go down in WCSD schools?

MS. ANDERSON:

Yes, but I am not sure what the number drop was. I can get that number for the Committee.

NATHA C. ANDERSON (President, Washoe Education Association, Nevada State Education Association):

Some of our members at the Nevada State Education Association (NSEA) include the aspiring educators, so we are mindful of issues that impact them. Some of the issues were fixed earlier, but our practicum students were not able to come into the classroom right away because of S.B. No. 287 of the 79th Session.

Our aspiring educators' main concerns were mostly addressed in the emergency regulations from August 2018. This bill, S.B. 185, further clarifies other information and allows our districts to exempt a volunteer, which is greatly appreciated and is a positive beginning to increasing our volunteer opportunities for parents, retired educators and other community partners. We hope legislation will continue to work to remove financial barriers to volunteering in our classrooms because many NSEA members expressed concerns about these laws reducing volunteers due to the expense of background checks and fingerprinting. I have submitted NSEA's letter of support for this bill ([Exhibit D](#)).

BRIGID DUFFY (Chief Deputy District Attorney, Juvenile Division, Office of the District Attorney, Clark County):

I support S.B. 185. I was a part of S.B. No 287 of the 79th Session, and it was a very significant piece of legislation for child protection. To Senator Dondero Loop's point about not being able to catch all potential offenders, I wish predators had something that better identified them as we come into contact

with them in our daily lives, but there are many times where we will never know. A person can have a clean background check and still come into our schools for the purpose of preying on students. As a person who is dedicated to child safety, I think this bill goes far in deterring predators.

I have children who are in the CCSD, and after the passage of S.B. No. 287 of the 79th Session, I went to pick my son up from basketball practice at his middle school. I have been doing child abuse and neglect legal work in Clark County for nearly 20 years and unfortunately, I see people I have dealt with out in the community on a regular basis. Luckily, they do not always recognize me. In this case, I went into the gym to fetch my son, and one of the coaches there was someone I recognized from a felony child abuse case.

I did not make a scene and later asked the coach, a teacher at the school, who this individual was. I was told he was a volunteer coach just helping out because he was a friend. I then sent an email to the school principal and said that there was a law requiring volunteer coaches to have a background check and I wanted to make sure that person had one. Because of my job, I knew he was not someone I would want around my children. I knew that he had a tendency to be violent with children. Because we had that bill, I was able to be proactive.

MARY PIERCZYNSKI (Nevada Association of School Superintendents; Nevada Association of School Administrators):
We support S.B. 185. The 2017 bill did cause a lot of consternation in our schools in trying to carry out the bill's mandates.

BRAD KEATING (Clark County School District):
We support S.B. 185. The fingerprinting and background requirement has alerted CCSD to convicted felons, including a murderer, and as a result, has kept those individuals from working with our students.

The requirement for renewed fingerprinting and background checks every five years has provided discovery of current employees, who after initial employment, made some bad decisions that resulted in arrests. In some cases, there were convictions that were not reported to the district as required in CCSD regulations.

The mandatory reporting requirement of all employees and volunteers has resulted in child abuse and neglect reports that would not have occurred prior to this law. These reports ensure greater protection for our youth.

The investigation requirement of the Clark County Department of Family Services (DFS) for employees and volunteers who have allegedly committed child abuse, corporal punishment, sexual misconduct and grooming has created an additional layer of oversight and assurances that protect students. Prior to this law, employees who committed child abuse or corporal punishment were not reported to DFS as they are not the primary caregivers. As a result, there was no report to the National Registry. Although it was handled as a personnel matter and they may have been disciplined, those individuals could go to another school district or agency that provides services or cares for youth without repercussion unless it was disclosed or discovered through a reference form. This year alone, there have already been eight individuals in Clark County that we have been able to discover because of this law.

CHAIR DENIS:

Have you also seen a decline in volunteers in the CCSD schools?

MR. KEATING:

Unfortunately, yes. I could get numbers for you. We have had great community partnerships helping with things like the mobile fingerprinting unit. The Latin Chamber and Sandy Miller and her family have generously helped. It is difficult because we cannot bear the cost for everyone. If we funded \$1 million out of this Legislature to fingerprinting, we would have 16,000 more volunteers in our schools, which would help us greatly.

PAT HICKEY (Executive Director, Charter School Association of Nevada):

We support S.B. 185, including the amendment. Public charter schools rely on parents and other volunteers to help support their educational mission and this bill helps them.

STEVEN CONGER (Power2Parent):

We are supportive of the intent behind last Session's bill and we support this bill, S.B. 185.

DEEANN ROBERTS (Vice President of Advocacy, Nevada Parent Teacher Association):

Although Nevada Parent Teacher Association (PTA) supports efforts to provide safe learning environments for students, there are some major concerns for parent volunteers. We appreciate the effort to clarify language but the term unsupervised remains unclear and open to interpretation by school districts and administrators. It is not clear who is required to be fingerprinted and we currently have a situation where interpretation and implementation varies around the State and within districts.

The largest barrier for PTA members remains financial. We know family engagement dramatically improves student achievement. Unfortunately, not all families have the means to pay for fingerprinting, which can be more than \$50 per parent. This leaves these parents out of many opportunities to participate in educational experiences with their children. This bill, S.B. 185, does not acknowledge the fiscal impact to families. We implore you to consider the financial barrier and to completely define "unsupervised."

REBECCA GARCIA (President-elect, Nevada Parent Teacher Association; President, Parent Teacher Association, Sandy Searles Miller Academy, Clark County School District):

We are the school that was chosen to receive the mobile fingerprint grant opportunity. We are a Title I school with more than 70 percent Free and Reduced-Price Lunch and a 35 percent English Language Learners population. This bill and this issue has most dramatically and negatively impacted volunteer engagement by our parents. We recognize the need to create safe and supportive environments, but we also know family engagement is essential.

I appreciate the attempt to clarify the language, but as our school goes on overnight field trips, we know that our parents will always need to be badged. For us, the issue is figuring out how we overcome the barriers and obstacles. For many of our families, \$50 may not be a big deal, but for others, it may be the choice between groceries or gas to drive to their jobs. Which do they choose? We also have families new to the U.S. where the language barrier involved in the process of going and getting fingerprinted is one they were not sure how to overcome.

The mobile fingerprinting unit helped considerably. That day, we had more than 100 parents come to get fingerprinted. However, the unit cost of \$17,000 and

the fees for fingerprinting were almost \$5,000, and the staff time for translation and fingerprinting was almost \$2,000.

I am a mom of four and safe schools matter to me. As a PTA parent and the Chair of the School Organizational Team (SOT) at a Title I school, I also hear from parents struggling to figure out how to fit everything they need into their budgets. These parents want to be in their children's school, but this is a barrier to their engagement in their children's success.

SANDY MILLER (Nevada Parent Teacher Association):

I anticipated our school would have a good turnout for the fingerprint mobile lab because we are a magnet school with strong parent support. I also anticipated our number one barrier would be financial. I thought another barrier could be the fact that some of our families have no documentation and I thought language could also be a barrier.

As it turned out, the biggest barrier was the parents needed to go to a CCSD location at the corner of Flamingo Road and Eastern Avenue to be fingerprinted. That was a barrier for our families that do not travel much beyond their home and work. Asking them to go into a facility with their limited English skills, limited ability to operate a computer and limited ability to navigate government services might have been the biggest barrier we eliminated with the mobile fingerprinting unit.

People are comfortable coming to their elementary school, but asking them to walk into a strange office, not knowing if someone there would be able help them, was daunting. Please consider the impact this barrier to family engagement has on our families.

BETH MUNDO (Honoring Our Public Education):

I am with Honoring our Public Education (HOPE) for Nevada, a grassroots public education advocacy group representing more than 1,000 families. We are pleased that the fingerprinting law is being reconsidered as it has been problematic since its implementation. We agree with the intent of S.B. 185 to protect students.

We are happy the bill's aim is to improve the fingerprint and background check requirements to become a volunteer at a school. We agree with the removal of supervised visits requiring fingerprinting and background checks; however,

HOPE for Nevada is neutral on the bill because we feel the language is still too vague and leaves a difficult task for schools to interpret the language. For example, if parents or guardians are asked by a licensed teacher or administrator to tutor small groups of students in the hall, is that unsupervised? Or, are PTA watchdog dads who monitor things such as pick up and drop off on school grounds considered unsupervised? When moms and grandparents make copies for teachers while there are students around, is that unsupervised contact? These activities may be considered unsupervised, but the volunteers are in plain view and should be celebrated. We need extra adults on campuses.

We agree with what Senator Hammond said earlier. We ask for clarification of these gray areas in this bill so we can have a clear path for parents, the community and schools to help our students succeed.

TIARRE NORWOOD (Vice President of Membership, Nevada Parent Teacher Association; President, Parent Teacher Association, Richard C. Priest Elementary School, Clark County School District):

I am neutral on S.B. 185. I have children in CCSD schools and want them safe, but I also see this bill as a deterrent for PTA membership and volunteers in our schools. What bothers me is the language of the bill, the sloppy execution and the items left open to interpretation. This has led to some schools in my district requiring all volunteers to adhere to S.B. 287 of the 79th Session, regardless of what "regular" or "unsupervised" contact actually means.

Our school districts are expected to individually interpret this bill. I would like to understand how the initial intent of this bill is actually being carried out by targeting parents and community members. What has changed to allow a school district employee's record to follow them into another district or state? I was present when this was discussed in Las Vegas and this was not the way I interpreted the intent. As stated, it was to eliminate states from passing the trash.

I met someone from Hunsberger Elementary School in the WCSD who said their process is quite different from ours. Currently, the process to apply for the S.B. No. 287 of the 79th Session volunteer background check in Clark County begins with talking to the PTA or school administrator for information on what is needed. Next, you create an online profile and fill out the application, which is messy and confusing. Then, you get a referral from the administrator and go to the CCSD building where you get the background check. At that time, you ask

the people there to locate your referral, which should have come as an email to their office. Many times, these referrals get lost or misplaced, frustrating the parents further as they may have to backtrack and take more time in the process.

I am told the process at WCSD is to first get a paper referral from your school administrator, then go to an approved entity for your background check and that is it. In CCSD, we get badges; in WCSD, they do not. Why is the process so different in our counties and districts when this is a State bill? Also, what is being done to stop states from passing the trash?

BARBRA KONRAD (President, Parent Teacher Association, Robert and Sandy Ellis Elementary School, Clark County School District):

I am the PTA President at my son's elementary school in Las Vegas and I am also a member of HOPE for Nevada and Fund Our Future. I am happy to see some of the changes made to this bill. It has gone a long way to protect our children. However, I have seen this bill implemented differently in three different schools. I would like to see unsupervised defined better. That seems to be the sticking point in how each school implements the bill.

One of the other barriers for parents at my school has to do with my PTA Board. We were asked to make sure we were all fingerprinted, background checked and badged. Eight of my nine board members work, so finding the time to take off work to get the checks, badges and pictures was difficult.

JESSICA JENSEN (Treasurer, Parent Teacher Association, Richard C. Priest Elementary School, Clark County School District):

Not only is the process between districts different, so are the fees. The fee in CCSD is \$55 while the WCSD people are sometimes only paying \$40. We were told the discrepancy is that the fee goes to the background check. We would like the fee standardized in the State to make it universal for everyone.

We have had people who were afraid to get a background check in case they had been in an abusive situation and they were worried there might be something in their record that would come up that could deny them a badge. In the bill, it says something about administrators being able to determine whether or not something is appropriate, and I was not sure if that included this type of situation.

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CHAIR DENIS:

I will close the hearing on S.B. 185 and open a Work Session on S.B. 100.

SENATE BILL 100: 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)

JEN STURM (Policy Analyst):

Senate Bill (S.B.) 100 is sponsored by the Interim Legislative Committee on Education, heard first in this Committee on February 6. There is one amendment from George Ann Rice from Troops to Education. There was no testimony in opposition at the February 6 meeting and there is no state or local fiscal impact to the bill. I have submitted the Work Session documents ([Exhibit E](#)).

SENATOR PICKARD:

Did we ever determine whether standards were in the regulation for the determination of whether or not a certain experience qualified? We did not get testimony on that and when I reached out to a few people afterward, I could not confirm that any standards exist or were in regulation.

CHAIR DENIS:

Let me ask our legal counsel.

RISA LANG (Committee Counsel):

I am not aware of those.

SENATOR PICKARD:

I do not want to hold this up but it was an outstanding concern I had. I will support the measure, but I would like to see if we can firm that up.

CHAIR DENIS:

To clarify, you are asking for standards as far as what experience would be allowed?

SENATOR PICKARD:

Yes, I had asked the question whether or not any criteria existed to determine what experience would qualify the applicant to teach. I know the NDE had created some standards for the Alternate Routes to Licensure (ARL) that we considered in 2017. I was wondering if similar standards existed for the

experience a member of the military would have so people would know what would and would not qualify.

CHAIR DENIS:

One thing we could put on the record as regulations are created for this, is to ask that some standard be put in place.

JASON E. DIETRICH (Interim Deputy Superintendent, Division of Educator Effectiveness and Family Engagement, Department of Education):

To clarify, the question is whether or not the Commission on Professional Standards in Education (CPSE) or NDE has criteria set as to what practical military experience would be allowed as a one-for-one ratio for educator experience. Is that right?

SENATOR PICKARD:

That is correct. If we are telling people we can use their experience as a basis to allow them to obtain teaching credentials, I would hope we have some idea of what experience qualifies. Not all experience would be relevant.

MR. DIETRICH:

We do not currently have a mechanism in place. However, the Office of Educator Licensure would be more than willing to undertake that work in concert with our military branches to determine those qualifying comparable skills. We could then put that information into regulation.

CHAIR DENIS:

Does this bill give you everything you need to do that?

MR. DIETRICH:

I think so. We have had numerous conversations with Dr. Rice during the 2017-2018 Interim and we understand the intent of the bill in helping the military members and their spouses become educators. I am quite certain we can undertake the work.

SENATOR WOODHOUSE:

One thing Dr. Rice was trying to address with this bill pertains to a spouse who is a teacher in another state. We want to expedite the process for that person to become certified in Nevada. I think this bill allows that to happen.

The other thing Dr. Rice was focused on was trying to get veterans and other military personnel coming to Nevada to be able to work in their field in an expedited process. I hope NDE can assist with those issues.

MR. DIETRICH:

We currently expedite all military with a current educator license, both active duty, retired and their spouses. We offer a \$50 reduction in the fee for those individuals, which was passed in 2017. As far as expediting and assisting individuals for other jobs, there are business and industry pathways that we just extensively revised through the CPSE to allow those pathways to be more open. They are no longer narrowing, which gives additional time frames to complete around 12 pedagogy course credits. We are opening those pathways. I fully support working with Dr. Rice on these issues if this bill is passed.

SENATOR DONDERO LOOP:

In a past legislative session, I worked on a bill clarifying some of the licensures. We found a woman who was highly skilled and schooled in health and nutrition but we could not hire her because she did not have teacher licensure. Since there was a need for exactly her skill set at a WCSD school, we adjusted that law so she could be hired for that class. She had to take education licensure, but she could be hired under that umbrella. I know we did some justification in that bill to allow that to happen.

MR. DIETRICH:

You are probably speaking to the special qualifications licensure, which has become defunct due to the fact that we made so many progressive provisions around our business and industry licenses and our ARL program. There are so many pathways that individuals from the military can go into nowadays.

SENATOR DONDERO LOOP:

That is a good thing if it is defunct because it means we have moved forward.

SENATOR PICKARD:

I got into teaching through drafting. I had the professional experience in that area and I was hired to be a drafting teacher. My thought on this issue is not to limit anything, rather to be able to broadcast to the military that certain professions are wanted in the teaching profession. Having that information published would get the word out and attract more people than the way I discovered the teaching profession, which was by happenstance when I went

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into a district office to get some information not related to a teaching job. I appreciate that we are getting this on the record and that the NDE will follow through.

SENATOR WOODHOUSE MOVED TO AMEND AND DO PASS S.B. 100.

Ms. LANG:
Is there an amendment?

CHAIR DENIS:
Yes, a conceptual amendment in the Work Session documents, [Exhibit E](#). Is that acceptable?

Ms. LANG:
Yes.

SENATOR HAMMOND SECONDED THE MOTION.

THE MEASURE CARRIED UNANIMOUSLY.

* * * * *

CHAIR DENIS:
Senator Woodhouse will make the Floor statement. I will open public comment.

MR. KEATING:
This is the 30-year anniversary of Nevada Reading Week. If anyone wants to read to students, we can set that up and have you Skype right into a classroom. We talk about academics a lot, and enticing students to be on campus with extracurricular activities is also important. The Billy and Rosemary Vassiliadis Elementary School, a fairly new school in the CCSD, just earned the national champions of the United Spirit Association National elementary school cheer competition in the junior division.

Ms. GARCIA:
The Nevada PTA members gathered here today each aspire to fulfill the mission of the PTA, which is "to make every child's potential a reality by engaging and empowering families and communities to advocate for all children." Our mission

is perfectly described in the tagline, "every child, one voice." I have submitted our list of 2019 Legislative Priorities ([Exhibit F](#)).

SCOTT TAYLOR:

I am a member of the Richard H. Bryan Elementary School PTA. The 2nd grade teacher in my daughter's class told me to tell you that she would much rather have a smaller class size than a raise. She said a raise would be nice, but 30 students in a 2nd grade class is too much. We just learned that the projected class size for my daughter's 3rd grade class is now 32 students. The teacher said that anything more than 25 students in a class requires a teacher to play traffic cop more than be a teacher.

ALISON TURNER:

I am speaking as a private individual today but I am here with the Nevada PTA delegation and currently serve as a member of the Board of Directors for the National PTA. Something no one seems to be talking about is the fact that when you look at the data, we have a funding hole that has existed since 2008. When you look at State and local funding, public education is down 18.6 percent. There is a huge hole before you even begin to start increasing the base, which we desperately need to do.

The Nevada taxpayers have already paid for three studies that all say the same thing—our funding, though fairly equitable, is completely inadequate. Over and over again, these taxpayer-funded studies say the same thing.

There were a lot of decisions made during the economic downturn that were made for good reasons and in good faith. For example, to defer maintenance, which happened over a period of ten years. Now, things have deteriorated further and further and we need a lot of very expensive repairs to many of our schools in Nevada to cover a decade of deferred maintenance.

I do support the weighted funding formula, which taxpayer-funded studies in the last 15 years have also supported. I have talked to many representatives of our rural districts and they are concerned about affecting the allocation based on the size of the school district.

HANNAH JACKSON (President, Associated Students of the University of Nevada):
Today is the University of Nevada, Reno (UNR) day at the Legislature and we thank you for always supporting higher education and fighting for students on behalf of the 18,000 students at UNR.

CARISSA BRADLEY (Vice President, Associated Students of the University of Nevada):
Thank you.

OLIVIA KOMANDURI:
I am a student at UNR; a senior studying political science, international affairs and philosophy. I am also Assistant Director for the Department of Legislative Affairs for the Associated Students of the University of Nevada (ASUN). I feel grateful to live in a state like Nevada and go to a school as amazing as UNR. We benefit from the programs and services that have been in a large part aided by this Committee's work. Thank you.

STEFFANY YANG:
I am a first year student at UNR majoring in chemical engineering with a minor in renewable energy. Thank you for working so diligently to better our higher education system. I am also a candidate for senator of the College of Engineering at UNR for ASUN. That College has benefitted tremendously from State funding and students like me are the beneficiaries. Thank you.

MARISA DEL TURCO:
I am a senior at UNR studying political science. I am the policy analyst for legislative affairs of ASUN. As an out of state and first generation college student, I am so grateful for the opportunities UNR has given me and for the work of this Committee.

MS. JENSEN:
I am a substitute teacher. The IP1 Room Tax has been diverted. It has been transferred into the Distributive School Account (DSA). Apparently more than \$1.2 billion has been put in the DSA, so they are being supplanted instead of supplementing, which is what they were meant to do. I want to ask you to please take steps to adequately fund the DSA without using revenue from the IP1 Room Tax or the marijuana taxes that have recently been allowed.

Studies have shown that to get ahead in education and to be comparable to other states, our pupils need \$9,500 per pupil versus what they get now, which is \$5,600. I know that cannot happen overnight, but I would like to see steps taken to ensure that all our students are adequately funded so we can compete with what is going on in our Country and our world.

Ms. KONRAD:

I have two children in the CCSD. I am here to advocate for more funding for our students. My 7th grader has 45 kids in all her core classes. As a former teacher, it is beyond my comprehension to think of teaching that many kids and trying to reach each student. Additionally, students in a large class have a difficult time getting the attention they need.

I would like to see the room tax money stop being transferred to the DSA but stay in the supplemental account so it can be extra money and not just supplant what the State contributes to education.

I also support weighted funding, and as a parent of two students in the Gifted and Talented Education (GATE) program, I believe these students deserve more services than in just 3rd grade through 5th grade. With weighted funding, the money would stay with these GATE students throughout their entire educational career, not just those three grade levels.

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CHAIR DENIS:

I will adjourn the meeting of the Senate Committee on Education at 2:35 p.m.

RESPECTFULLY SUBMITTED:

Linda Hiller,
Committee Secretary

APPROVED BY:

Senator Moises Denis, Chair

DATE: _____

EXHIBIT SUMMARY				
Bill	Exhibit / # of pages		Witness / Entity	Description
	A	1		Agenda
	B	6		Attendance Roster
S.B. 185	C	1	Senator Heidi Seevers Gansert	Conceptual Amendment
S.B. 185	D	1	Natha Anderson, Nevada State Education Association	Letter of Support
S.B. 100	E	2	Jen Sturm	Work Session Documents
	F	1	Rebecca Garcia, Nevada Parent Teacher Association	2019 Legislative Priorities