

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

**Eighty-First Session
April 27, 2021**

The Committee on Education was called to order by Chair Shannon Bilbray-Axelrod at 1:32 p.m. on Tuesday, April 27, 2021, Online and in Room 3138 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/81st2021.

COMMITTEE MEMBERS PRESENT:

Assemblywoman Shannon Bilbray-Axelrod, Chair
Assemblywoman Brittney Miller, Vice Chair
Assemblywoman Bea Duran
Assemblyman Edgar Flores
Assemblywoman Michelle Gorelow
Assemblywoman Alexis Hansen
Assemblywoman Melissa Hardy
Assemblywoman Lisa Krasner
Assemblywoman Elaine Marzola
Assemblyman Richard McArthur
Assemblywoman Rochelle T. Nguyen
Assemblywoman Jill Tolles
Assemblywoman Selena Torres

COMMITTEE MEMBERS ABSENT:

None

GUEST LEGISLATORS PRESENT:

Senator Moises (Mo) Denis, Senate District No. 2
Senator Scott Hammond, Senate District No. 18

STAFF MEMBERS PRESENT:

Kristi Robusto, Committee Policy Analyst
Amanda Marincic, Committee Counsel
Nick Christie, Committee Manager

Minutes ID: 1090



Sarah Baker, Committee Secretary
Melissa Loomis, Committee Assistant

OTHERS PRESENT:

Jhone Ebert, Superintendent of Public Instruction, Department of Education
Christina (Christy) McGill, Director, Office for a Safe and Respectful Learning Environment, Department of Education
Lindsay Anderson, Director, Government Affairs, Washoe County School District
Leonardo Benavides, Coordinator, Government Relations, Clark County School District
Mary Pierczynski, representing Nevada Association of School Superintendents
Brian Sandoval, President, University of Nevada, Reno
Thomas Schwenk, Dean, School of Medicine, University of Nevada, Reno
Anthony Slonim, President and CEO, Renown Health
Joe Reynolds, Chief General Counsel, Nevada System of Higher Education
Kanani Espinoza, representing Nevada System of Higher Education
Kate Lackey, Principal, Skye Canyon Campus, Somerset Academy of Las Vegas
Janine Hansen, State President, Nevada Families for Freedom
Chris Daly, representing Nevada State Education Association
Lynn Chapman, State Vice President, Nevada Eagle Forum
Erin Phillips, President, Power2Parent
Ruby Warren, Member, Carson Montessori Student Legislative Team
Selena La Rue Hatch, Private Citizen, Reno, Nevada

Chair Bilbray-Axelrod:

[Roll was called. Committee rules and protocol were explained.] We have three hearings today, and I have allocated equal time and testimony for support, opposition, and neutral. Each person providing testimony will be allowed a maximum of two minutes and staff will time those speakers. We will limit the overall length of testimony to 30 minutes. You may also submit written comments as well. We will start with Senate Bill 36 (1st Reprint).

Senate Bill 36 (1st Reprint): Revises provisions relating to plans for responses to crises, emergencies and suicides by schools. (BDR 34-296)

Jhone Ebert, Superintendent of Public Instruction, Department of Education:

Before you today is a bill we call our "Crisis Management" bill. It was prefiled by the Governor on behalf of the Department of Education. This bill is inclusive of our partners in the field whom we have been working with in regard to public health and safety and who have identified a gap in services in our school district committees that create crisis, emergency, or suicide response plans, and the responsiveness of those plans to include epidemics, such as COVID-19.

Section 2, as amended by the Southern Nevada and Washoe County Health Districts, adds at least one representative designated by the county or district board of health to the committee, which develops the plan used by public schools to respond to a crisis, emergency, or suicide.

Senator Lange provided a friendly amendment renaming the Development Committee to Crisis Committee to better reflect their duties. I know there is an amendment there as well [[Exhibit C](#)]. Renaming the committee is in the first reprint.

Senator Denis also provided an amendment in section 2, subsection 2(e), that the parents or legal guardian member of a committee may not be filled by an individual employed by the school district or charter school.

A friendly amendment was submitted by the Statewide School Safety Task Force to update language with national best practices in emergency management and response.

Finally, section 7 expands the definition of an outbreak of a disease as well.

I will take any questions you may have at this time.

Chair Bilbray-Axelrod:

Are there any questions from the members?

Assemblywoman Tolles:

I want to specifically look at section 5. I believe you referenced the School Safety Task Force, if I caught that correctly. This is the section they advised to amend out of the bill. I will note, I was the vice chair of the School Safety Task Force originally in its formation under former Governor Brian Sandoval. This really stood out to me, and I am curious as to why you are taking out section 5, subsections 2(a) and 2(b). Could you elaborate a little more on that?

Jhone Ebert:

Those components are actually added back in. I will have Christy McGill answer that question.

Christina (Christy) McGill, Director, Office for a Safe and Respectful Learning Environment, Department of Education:

It is taken out of section 5 and added to another section. The emergency managers actually worked on this piece. They were trying to align all of the *Nevada Revised Statutes*. It was not taken out; it was put back into another section. I am sorry, I cannot find the section right now, but I can get that question answered for you. I have our emergency managers standing by.

Chair Bilbray-Axelrod:

Could our legal counsel weigh in on that?

Amanda Marincic, Committee Counsel:

I am also not finding it. I do not want to say it is not in there, but I am not finding it either.

Assemblywoman Tolles:

To get it clear on the record, it is my understanding that the intent is not to take those paragraphs out because we would, of course, very much want our emergency management and law enforcement to still be part of our crisis response plan. To be clear for the record, I heard you say that is not the intent and, hopefully, if for some reason it were not put back in, you would be amenable to making sure we amend those paragraphs back into the final version.

Jhone Ebert:

Yes, that is correct.

Chair Bilbray-Axelrod:

I know you will follow up on that, Assemblywoman Tolles. Assemblywoman Gorelow has a question.

Assemblywoman Gorelow:

My question is about the makeup of the committee. I was looking at section 2, subsection 2 and the list of at least one representative of several groups. It looks like there are about 12 people who can be on this committee. Is there a maximum number of people who could be on this committee, and how many are on the current committee?

Jhone Ebert:

All of these representatives are currently sitting on the committee. There are no members missing. They have worked since January, when we were able to get them doing their work, and when necessary. Our team works not only with this committee, but also other groups across Nevada.

Assemblywoman Gorelow:

It seems like an inclusive list, and I was curious as to whether there might be a maximum number because I could see a lot of people wanting to be on this committee and helping, but it could get unmanageable at the same time.

Chair Bilbray-Axelrod:

I know we have Lindsay Anderson available from Washoe County School District. Would you like to speak to the amendment regarding the name change [[Exhibit C](#)]?

Lindsay Anderson, Director, Government Affairs, Washoe County School District:

As Superintendent Ebert mentioned, in the Senate, Senator Lange, during the original hearing on February 3, 2021, indicated that the term in the current bill citing "Development Committee" caused a little bit of confusion and sounded more like a fundraising group. She recommended changing the name to "Crisis Committee."

After that amendment was adopted, it was identified that within the school district, we have several other crisis committees that are responsible for responding in an emergency situation, and it was causing confusion among our staff. Working with our emergency manager, Superintendent Ebert, and Senator Lange, I have submitted an amendment [[Exhibit C](#)] on the Nevada Electronic Legislative Information System (NELIS) that would change the name of the committee to the Emergency Operations Plan Development Committee to make sure there is no confusion about what their role is. This would align that name to the Federal Emergency Management Agency's guide to developing high-quality emergency operations and plans. That was submitted to your Committee for your consideration, and it is my understanding the Superintendent and the Department of Education consider this a friendly amendment.

Chair Bilbray-Axelrod:

Are there any other questions from the members? [There were none.] Is there anyone on Zoom who would like to give testimony in support of S.B. 36 (R1)? [There was no one.] Is there anyone on the phone offering support testimony?

Leonardo Benavides, Coordinator, Government Relations, Clark County School District:

I am testifying today in support of S.B. 36 (R1) and the friendly amendment provided by the Washoe County School District.

Student safety is a top priority for the district, and the work of our committees that address students in crisis has become the point of this mission. We are supportive of having regular input from the counties and district boards of health, as well as the additional transparency that S.B. 36 (R1) provides.

In addition, the amendment to change the name of this committee to the Emergency Operations Plan Development Committee is helpful, in that it avoids confusion with our school-based committees. Clark County School District is here today in full support of S.B. 36 (R1).

Chair Bilbray-Axelrod:

Are there any other callers waiting to testify in support? [There were none.] I will close the testimony in support and open testimony in opposition.

Mary Pierczynski, representing Nevada Association of School Superintendents:

We are in support of S.B. 36 (R1) and the amendment that Washoe County School District has offered.

Chair Bilbray-Axelrod:

We will put that testimony into the support category. Is there anyone else in support? [There was no one.] I will again close testimony in support and open testimony in opposition. Are there any callers wishing to testify in opposition? [There were none.] I will close testimony in opposition. Are there any callers wishing to make neutral testimony? [There were none.] I will close neutral testimony. Are there any closing comments? [There were none.]

I will close the hearing on Senate Bill 36 (1st Reprint). I will open the hearing on Senate Bill 342.

Senate Bill 342: Revises provisions relating to higher education. (BDR 34-845)

Senator Moises (Mo) Denis, Senate District No. 2:

Today, I am presenting Senate Bill 342, which will further leverage collaboration between Nevada's higher education institutions and community partners. I have the distinct pleasure of introducing my copresenters, Brian Sandoval, President of the University of Nevada, Reno (UNR) and former Governor; Dr. Thomas Schwenk, Dean of the UNR School of Medicine; Dr. Anthony Slonim, President and Chief Executive Officer at Renown Health; and we might even have Dr. Doubrava, who presented with us in the Senate. I would like to briefly summarize what the bill does before I turn the presentation over to my copresenters, who will expand on the points and provide more context as to why this bill is needed.

Senate Bill 342 authorizes the Board of Regents to enter into an agreement to affiliate with a publicly or privately owned medical facility or related entity to further promote and enhance medical education or health education programs at a university. The bill further provides that such agreements are subject to policies established by the Board. I want to point out that even though we have folks here who are presenting from UNR, this can also be used by the University of Nevada, Las Vegas (UNLV) for these types of agreements. Thank you for your consideration of the bill, and I urge your support of S.B. 342. I will turn the presentation over to Mr. Sandoval.

Brian Sandoval, President, University of Nevada, Reno:

First and foremost, I want to thank Senator Denis for sponsoring S.B. 342. This bill will provide the opportunity for the University and Renown Health to enter into a partnership that will elevate the health and quality of health care for all Nevadans. The partnership will advance the teaching and clinical research missions at Renown Health and the UNR School of Medicine.

Today, I am joined by Dr. Thomas Schwenk, Dean of the UNR School of Medicine, and Dr. Anthony Slonim, CEO of Renown Health. They will walk the Committee through the bill and provide an overview of the proposed affiliation between the UNR School of Medicine and Renown Health. Thank you for hearing this bill today, and we look forward to your questions.

Thomas Schwenk, Dean, School of Medicine, University of Nevada, Reno:

Thank you for considering this bill, and thank you to Senator Denis for introducing the bill and managing the process in the Senate and bringing it here. Greatest thanks to President Sandoval for his very detailed understanding of the importance of this bill.

This bill provides guidance and support to the Board of Regents to approve the type of relationship that nearly all medical schools have in this country with a large health system to provide a clinical platform for our clinical teaching, for our residency programs, and for our clinical research. Our current clinical platform consists of our own very small primary care practice with family medicine, internal medicine, and psychiatry faculty members, and it is dependent upon a huge number of volunteer physicians for our clinical teaching. That has been quite satisfactory to this point, and we thank our volunteer physicians who have been so giving of their time. However, the reality is that medical practice is changing dramatically and it is consolidating into large systems. Volunteer physicians are under tremendous stresses of their own to be able to manage their practices as well as give of themselves to our students and our residents.

For that reason, we are very limited in the size of our medical school class, the size and number of our residency training programs, and in the number of our fellowship training programs. We have a hard time feeding the pipeline that is needed for a physician workforce in our state.

The other issue is that we are very limited in the types of clinical research we can do that will actually transform medical practice as well as give research experience to our students and residents who need this badly for their applications to the next phase of their education.

What nearly all medical schools have done in the country is to partner with large health systems to provide a much larger clinical platform, hundreds of employed physicians in many specialties, tens of thousands of patients, tens of thousands of inpatients, and really hundreds of thousands of outpatient visits. This allows us, as an academic institution, to tap into that platform for teaching and research purposes. It also allows us to integrate our clinical practices with a large health system.

As I mentioned, our practices are primary care in nature, and the reality is that reimbursement levels, our service to underserved patients, and our service to government-sponsored patients, make our clinical practices very tenuous and very fragile. The way those practices actually have value is to have downstream benefits to the health system where we refer patients, where we hospitalize patients, where patients have surgical procedures, and where patients have imaging procedures. To integrate our practice with a health system is of tremendous benefit to us, but also a tremendous benefit to the health system, which then provides support for our teaching and research programs.

That is a very short version of a 235-page agreement we have developed over many months. There have been literally thousands of person-hours devoted to developing this agreement in a very sophisticated, very intense, very robust way. I will tell you, I have consulted many

deans—I am very familiar with many deans in medical schools around the country—as well as having seen some of their agreements. This is a far superior, far more elegant, far more robust agreement that we are hoping you will give support to the Regents to approve and give guidance to the Regents to bless this process. It really is the future of the medical school. It allows us to increase our class size and to do new teaching programs. That is a very short version of a very complex agreement that would have tremendous benefit to the state. With that, I will introduce Dr. Anthony Slonim, who is the Chief Executive Officer at Renown Health.

Anthony Slonim, President and CEO, Renown Health:

Thank you for the hearing today. We appreciate the opportunity included in the presentation of S.B. 342, and a special thanks to Senator Denis as well. This is a short but important bill. Renown Health is a locally owned and operated, private, not-for-profit, integrated health care delivery network. We are a proud and long-term partner of the UNR School of Medicine since its very first class of residents. We are excited at the opportunity to develop an even stronger affiliation that we believe is in the best interest of students as it relates to their clinical education and our community for their health and their health care. We also believe we will be able to work together and have a positive influence on workforce opportunities here in Nevada in the health care sector.

As you heard from Dean Schwenk, this public-private partnership also has the added benefit of enhancing research in Nevada well beyond what either organization could achieve individually. This is a contemporary model from around the country and is notable because we will now be able to work together to help improve our state's health more efficiently and more effectively than we have in the past. Thank you for allowing me to participate, and I am happy to answer any questions.

Chair Bilbray-Axelrod:

We will start the questioning with Assemblywoman Miller.

Assemblywoman Miller:

I have a twofold question. The bill itself is pretty brief, and this is a bill that is very permissive, allowing the Board of Regents to enter into an agreement. Do you have any plans or direction on how the process will actually go for accepting? The bill would be open to other medical facilities where arrangements can be made. Is there something in the process or selection that has been determined? Also, the bill simply says "agreement," so I am wondering, not only is there some type of designation process or request for proposal process, but will the agreement be contractual? Is it going to be an articulation agreement? What would the length of the contract be? If the shared goals were not met, is there a way to terminate any said agreement based on what type of agreement is entered?

Thomas Schwenk:

I believe we may have Joe Reynolds, the general counsel for the Nevada System of Higher Education (NSHE), available who may wish to respond to parts of that question. In general, I would say there is a specific reason why this partnership is being explored with Renown

Health as a community-governed, not-for-profit entity in northern Nevada, which is typically the way medical schools seek these partnerships. There are a number of logistical, resource, and platform reasons why that partnership is so superior to others that we might pursue. This bill does not necessarily specify or limit the exploration of those partnerships, but this specific partnership has dozens of reasons why it would be preferred at this point.

The agreement, as it is currently constructed, would be taken to a special Board of Regents meeting on Thursday for a detailed presentation, and then we would hope another special meeting would be called, maybe two or three weeks hence, at which there would be an endorsement to give us guidance in signing the agreement. We have presented to the Regents three times now with updates going back to last September, and we would hope to bring this to some conclusion in the next month or so.

The length of the agreement right now is specified to be very long—50 years. The reason for that is because we are coming full force into this agreement and we want to require the two parties to get over the various speed bumps that will inevitably occur. We really want the two to be tied together if at all possible. There are exit clauses and various methods for termination for unusual circumstances, such as loss of our accreditation, for example, or loss of hospital certification. However, we really want to make this a permanent agreement because that is the way these agreements have been constructed. There are agreements like this in the country that have existed for 40-plus years at this point. There are inevitable ups and downs, but they continue to stay together.

If possible, I do not know if Mr. Reynolds could sign in to answer some of the other questions.

Joe Reynolds, Chief General Counsel, Nevada System of Higher Education:

To answer your question with respect to the agreement, the agreement is contemplated as being a contract. Fundamentally, there would be a contractual relationship between the parties. As Senator Denis mentioned at the outset of the presentation, the language used in this bill is intended to be forward-thinking and encompasses not only the UNR School of Medicine, but the Kirk Kerkorian School of Medicine at UNLV. It is intentionally broad. It is not necessarily geared toward any one specific agreement. We certainly have a UNR agreement with Renown before us, but we do not know what future agreements may be entered into between either UNR or UNLV. It is not specific to any length or term in the actual bill and is intended to be authorization for the Board of Regents to enter into new types of public-private partnerships to expand health care throughout our state.

Chair Bilbray-Axelrod:

Someone mentioned the length of the contract was 235 pages. I was wondering if that is something that will be shared through the medical school. Obviously, not removing one name and putting in another, but is it a template agreement that we would be able to see UNLV School of Medicine using or even UNR using with another hospital or organization? Is that where we see this going?

Joe Reynolds:

It certainly can be. Before this is finally approved, it would have to be vetted by the Board of Regents in a public meeting. The actual agreement would be a public document for all to see. Certainly, UNLV School of Medicine, or any other school of medicine, will be able to use it. However, this legislation does not mandate that it is a template, but it certainly could be used that way.

Chair Bilbray-Axelrod:

For this program in particular, how many residents do you anticipate having at one time?

Thomas Schwenk:

We currently have in the vicinity of 150 residents training mostly in family medicine, internal medicine, and psychiatry. This agreement could easily double that through new residencies in pediatrics. We have talked about obstetrics and gynecology, general surgery, fellowships in cardiology, and gastroenterology, for example. There are huge opportunities that are now kind of constricted because of the nature of our clinical operations and a medium-level affiliation with Renown.

As Dr. Slonim pointed out, our relationship with Renown goes back to the very earliest days of the school when it was Washoe Medical Center and the county hospital. This relationship has taken us to a certain level, but this agreement would open huge new opportunities because of the partnership of the clinical platform and the academic expertise coming together at different levels.

The short answer to your question is I think we could easily double the number of residents depending on the types of needs that the community perceives.

Chair Bilbray-Axelrod:

My final question is in relation to residencies, as you mentioned the 150 number. I am curious if you have any statistical information about the retention of doctors staying in Nevada when their residencies are done locally.

Thomas Schwenk:

We have good numbers for that. Dr. John Packham, whom you may know, tracks these things very carefully. The general rule is that if someone graduates from our medical school and goes away for training elsewhere, they have about a 40 percent chance of coming back, which does not sound great, but it is actually better than is true for many schools. There is a strong attraction to coming back.

If a resident comes from another medical school into the state to a residency program, they have about 60 percent chance of staying. If they graduate from our school and stay in the state to train, they have about an 80 percent chance of staying. You can see the tremendous advantage of two things. One is for this partnership to allow us to expand our class size, and second is to track as many of those students as possible into our own programs so they have a very high likelihood of staying in the state to practice.

Chair Bilbray-Axelrod:

Are there any other questions from the Committee?

Assemblywoman Marzola:

Thank you for bringing this bill. I think it is much needed here in Nevada. I will talk about the UNR medical students. As it stands, the main option a medical student has is to volunteer at the outreach clinic at the UNR campus. Is that correct?

Thomas Schwenk:

That is one of our major experiences, but we have family medicine clinics, internal medicine clinics, and psychiatry clinics where they also train with our faculty, but a majority of training still takes place in the community. That is correct.

Assemblywoman Marzola:

Do we know why this has not been an issue before as far as having an agreement with Renown or for UNLV having an agreement with one of the hospitals there? Why did we wait so long?

Thomas Schwenk:

That is actually a fascinating and excellent question. I would say, having been in this role for ten years and coming to the state ten years ago, this state has gone through a remarkable transformation in terms of the nature of its medical care facilities—having two medical schools instead of one, a marked increase in the number of residency positions in Las Vegas with some of the other health systems coming into play, the big expansion at UNLV under Dean Marc Kahn and his relationship with the University Medical Center (UMC). I feel like the state has just now come into its own in terms of exploring the types of relationships that have existed in most other states around the country. One answer to your question is that we were just behind. The schools were small and we were conducting our affairs as best we could on a volunteer basis, and the changing nature of medical practice and the power of academic and clinical systems coming together to meet both missions. This will enhance Renown's clinical mission, and it will enhance our academic mission. That has become the defining feature of medical education around the country. We are just getting to it at this point.

I would also say, these are the right people, at the right time, under the right circumstances to finally seize upon this opportunity. I think that has happened here as well. We have talked about this for many years, but it seems like it is the convergence of the right forces.

Assemblywoman Hansen:

I love this bill and it is a pleasure to be able to have you present it today. As a proud parent of a University of Nevada medical school student, who graduated when Dean Schwenk took over, I was certainly impressed with your leadership. We are one of the fortunate ones to get a doctor back. He left to go to the Mayo Clinic, but he came back. The draw of Nevada was strong for him, and we are grateful for that.

I would like to compare what it looks like now and what it would look like with this bill in place. For instance, a medical school student at UNR would do a rotation in obstetrics and trauma at UMC. They would uproot for five months to live in Las Vegas. There was great training there, but will that change? Will the students be able to stay here locally and be involved in having that kind of rotation here?

Thomas Schwenk:

When we separated from our Las Vegas campus in 2017, we moved to a model where our students did all of their rotations in the north and did not go to Las Vegas. But again, those were done through volunteer physicians and through some rotations at Renown as well as with other facilities. We actually have medical student relationships with essentially every medical facility from Barton Memorial Hospital in South Tahoe, California, to Elko.

This agreement takes this to a whole other level in terms of integrated governance. Funds will support teaching by Renown physicians and integrate our clinical research infrastructures. That will lead to new experiences for students and residents. It takes the UNR-Renown relationship, which is at a medium level right now, into a much higher level, past the current UNLV-UMC relationship. We are hoping UNLV and UMC will see this as an opportunity, because of your support of this bill, to consider a higher level academic medical center relationship. There are stepwise levels of integration, and this will create the kind of model that you are used to with your son in long ago days in Las Vegas, but it will actually take it beyond that.

Assemblywoman Tolles:

Thank you for this presentation, and I am also very supportive and excited about it. Because you have an existing relationship with Renown, UMC, and other hospitals, is there a statutory limitation that we are trying to fix with this legislation that is keeping you from entering into this authorizing relationship, and why do we need this bill right now?

Thomas Schwenk:

I might start the answer, but I will certainly defer to Mr. Reynolds to respond as well. I think we value the input from the Legislature, your awareness of this partnership, and your support of this partnership. It is possible that some other statutes might have been permissive in this regard, but we think this gives great power to the school and Renown to come together under your guidance as well as enfranchising UNLV to do the same thing. We believe this is the direction of academic medicine and medical education. We are very enthused about UNLV's prospects as well. I do not think there is a reason we could not necessarily have done this, but I think another step up in terms of your specific focus helps. Again, I defer to Mr. Reynolds in that regard.

Joe Reynolds:

If you go back to Article 11 of the *Nevada Constitution*, the Legislature is authorized to prescribe the duties of the Board of Regents. As Dean Schwenk mentioned, there was a way to piece together the authority of the Board of Regents to move forward on this, but thinking a house is only as strong as its foundation, my recommendation was that we want a strong

legal foundation. What you heard from some of the presenters today, this is a new level of affiliation. We wanted to present this to the Legislature to become stakeholders and have the express authorization of the Legislature to move forward with this specific agreement, as well as others that might come forward in the future.

Assemblywoman Tolles:

I appreciate that, especially when you are looking at a 50-year commitment with 235 pages. I can see why you would want that statutory umbrella to make it sound before entering into a 50-year agreement. I want to harken back to an explanation in response to Assemblywoman Miller's question about the timeline and the process. I heard you say there is a Board of Regents meeting next week and that your hope is to get this approved sometime after that, within the next month. With the timeline here, obviously, we would have to get it through Committee, then on the floor, and then to the Office of the Governor. What is your hope in making those deadlines and why?

Joe Reynolds:

President Sandoval may be able to elaborate on this more. The Board of Regents meeting that was mentioned is just an information-only item for President Sandoval, Dean Schwenk, and Dr. Slonim to give an update to the Board on the progress of this bill. There would be no Board of Regents meeting to review any final affiliation if and when the Legislature would approve this bill and if and when it would be signed into law by the Governor. No formal vote would be on the Board's schedule until this bill moves forward.

Chair Bilbray-Axelrod:

I will open testimony for support of S.B. 342. Is there anyone in the room who would like to testify in support? [There was no one.] I do not believe there is anyone on Zoom to testify. Are there any callers wishing to provide testimony in support?

Kanani Espinoza, representing Nevada System of Higher Education:

The Nevada System of Higher Education supports Senate Bill 342, and would like to thank the Senate Committee on Education and Senator Denis for sponsoring this legislation. Senate Bill 342 will immediately assist the UNR School of Medicine and, as stated in a previous presentation, could benefit the Kirk Kerkorian School of Medicine at UNLV in future years.

We would like to encourage your support and thank you for hearing this bill today.

Chair Bilbray-Axelrod:

Are there any other callers waiting to testify in support? [There were none.] I will close testimony in support and open testimony in opposition to S.B. 342. [There was none.] I will close testimony in opposition and open the hearing for neutral testimony. [There was none.] Senator Denis, do you have any closing comments?

Senator Denis:

As you have already heard from the folks involved, this would allow us to move forward into the future in not only medical education but health care for Nevada in providing the collaborative type of cooperation between entities. I appreciate the opportunity to bring the bill. Thank you, and I urge your support.

Chair Bilbray-Axelrod:

I will close the hearing on Senate Bill 342. I will open the hearing on Senate Bill 102 (1st Reprint).

Senate Bill 102 (1st Reprint): Revises the date by which children must be at least a certain age to be admitted to certain grades of school. (BDR 34-479)

Senator Scott Hammond, Senate District No. 18:

I know I could have phoned in or done a Zoom meeting, but I could not resist the opportunity to come up to the Assembly for the first time this session and present in front of you because I have never had the feel of a hockey game like this before. I appreciate the opportunity to present Senate Bill 102 (1st Reprint) for your consideration.

With me today is Kate Lackey, Principal of Skye Canyon Campus, Somerset Academy of Las Vegas. She will provide some more context to the bill itself, but I will say this about the bill: the issue of when a child should or should not begin school is not just about making sure a child is old enough to sit still long enough, listen to the teacher, and absorb the classroom learning; these decisions can have a broad impact on a child's future. There are also broader concerns, including social and behavioral development and how that translates to academic progress.

The importance of attention to a child's overall social-behavioral development has come into sharp focus over the last few years from increases in school violence to the impacts, such as depression, resulting from the COVID-19 pandemic. A national longitudinal study made available by the University of Southern California (USC), Center for Economic and Social Research, indicates that entering kindergarten at an older age has significant positive effects on children's social-behavioral skills through the elementary school years. Others believe that certain children can begin school early. I think we all hope for this ideal scenario where all kids have access to school as early as possible. However, this discussion is not so simple.

From a public policy perspective, many kids are just not ready to begin school. In the national longitudinal study from USC, the researchers point out that differences in reading and math scores or test scores between older and younger kindergarten pupils start out large at school entry and diminish over time, although the difference in reading achievement still remains statistically significant and sizeable at the end of eighth grade. A child's learning, particularly in the early grades, is fundamental to their success in the remaining school years, and ultimately in life beyond school.

One of the most critical lessons is learning to read. If children are not socially and behaviorally ready to learn when they enter school, how can they successfully build a strong foundation of early reading skills? In the last several years, this Legislature has focused a lot of attention and money on intervention services, such as those for struggling readers. Why not do something proactive rather than reactive in this regard?

What I have for you today is pretty simple. Senate Bill 102 (1st Reprint) seeks to change the date in which a student can enroll in kindergarten. In the revised version that you have before you, there are basically two things we are looking to do. All students must be 5 years of age before August 7 and, of course, we will not begin that transition until 2022. I have contacted the Chair of the Assembly Committee on Education and discussed a potential amendment because over the last few years we have seen changes in when start dates begin. It seemed practical to change it from August 7 to saying that students must be 5 years of age before entering, whatever the start date is for that particular district, although most of them are about the same time now—the second week of August.

Conceptually, what I am presenting to you now is an amendment to this bill to change the date from August 7 to simply saying the student must be 5 years of age before they begin kindergarten. If I could, Madam Chair, I would like to turn it over to Ms. Lackey to give you an idea of why this began. She is the one who came to me and said this is what kindergarten teachers are seeing in school. I asked around at other schools throughout the district in Clark County, and I heard about the same testimony from them. I will turn it over to Ms. Lackey, and I will then have some closing remarks and answer any questions you might have.

Kate Lackey, Principal, Skye Canyon Campus, Somerset Academy of Las Vegas:

I have been an educator for over 26 years and an administrator for 9 years. My teaching experience is primarily in elementary education, specifically kindergarten. I have been extremely passionate about the topic we are bringing before you today.

Just about a year and a half ago, Senator Hammond came to my school for a visit, and I was speaking to him about my desire to change the age which a child must be to enter school. I have a brief presentation to share with you while I speak [[Exhibit D](#)].

After I supplied Senator Hammond with some critical data, I encouraged him to bring forth this bill to all of you. As Senator Hammond stated, this bill revises the date by which children must be at least a certain age to be admitted to certain grades of school [page 2]. As stated previously, it does change the date and as Senator Hammond explained, originally, we had August 1 written in the bill [page 3]. That was amended to then reflect the date of August 7, and now it looks like it will be amended to say before the start of school—at least we hope so.

In 2010, *Nevada Revised Statutes* (NRS) 392.040 determined the age in which students must be in order to enter school [page 4]. In 2017, the majority of the schools in Nevada moved the start of the school year up by two weeks. However, the age date did not adjust accordingly.

Under the current bill, a kindergarten student can enter kindergarten at the beginning of August at age 4, and essentially be 4 years old for almost one entire quarter of the school year [page 5]. Developmentally, this can be detrimental to the younger students. Students who enter kindergarten at age 4 are potentially in a class with students who are a whole year older than they are. As a solution, we are asking for the age to be adjusted so students must be at least 5 years of age to enter kindergarten, 6 years old to enter first grade, and 7 to enter second grade.

I pulled some data and this graph includes some of my findings [page 6]. This is a graph depicting the entrance age by date for each state in the United States. As you can see, Nevada is one of the four states that have the latest entrance age. Nevada's first day of school is generally between August 10 and August 15. Thirty-five of the 50 states expect students to be 5 years old before September 1 [page 7], and most of those states start school after Labor Day. Only two of the 50 states have a starting age requirement for entering kindergarten later than Nevada. Nevada is currently ranked 48 out of 50 educationally. This is not the whole reason why this impacts our ranking, but it is a portion of it.

I then took some schoolwide data. My school has been open for three years, and this graph [page 8] depicts data that was collected from my school. The graph shows students who started kindergarten at age 4 over a three-year period. This data identifies academic qualifications for the students, and these designations could have been avoided had the student had another year of maturity in preparation for an academic program. In addition, the state of Nevada requires students in grades K-3 take the reading/math assessment. Results then determine if a student qualifies for Read by Grade 3 (RBG3). As you can see from my data table, 11 of my 29 4-year-olds qualified for Read by Grade 3; 11 of those qualified for Response to Intervention in Reading (RTI Reading); and 11 also qualified for RTI Math. Finally, 8 of the 29 students qualified for all three supports. That is just one example of one school in Nevada.

There is a fiscal impact to all of this [page 9, [Exhibit D](#)]. Thirteen out of 29 students, so 44 percent of the 4-year-olds at Somerset Skye Canyon, qualified for either Read by Grade 3 or RTI Reading. Currently, our literacy specialist, or Read by Grade 3 specialist, supports these students, but the position is slated to be eliminated by the state for the 2021-2022 school year. However, we are still expected to support these learners. The majority of the 4-year-olds who have entered my school over the last three years have also displayed significant behavioral problems. They had qualified, as I said previously, for those programs, such as RBG3 and RTI. We are expected to administer those statewide assessments. Another one is the Brigance assessment, and we have to provide a specialist to assist students who qualify for these programs, all the while the state may reduce the funding.

We will always support these students because we always do what is best for them. However, when we notice the data shows a significant number of 4-year-olds needing support for multiple years, that is likely telling us they need a little more time.

One socioeconomic consideration is knowing the link between socioeconomic status and student achievement [page 10]. The percentage of 4-year-old students in an average Nevada neighborhood schoolwide would probably be higher than 44 percent. That was just my school data.

This is a source supporting the performance on required statewide assessments [page 11]. The data suggests that children who are older tend to perform better on standardized tests. Taken together, this body of research suggests that changing the kindergarten entry age would be generally positive, with no overall negative effect on children's academic achievement.

In summary, since the start date of the school year was adjusted, so should the age in which a child must be to enter kindergarten [page 12]. Thank you for your time today and I would welcome any questions.

Chair Bilbray-Axelrod:

Senator Hammond, do you have other remarks, or would you like to answer questions?

Senator Hammond:

We can take questions and, if you would give me some time at the end of the hearing, that would be fine as well.

Chair Bilbray-Axelrod:

I so appreciate you bringing this bill. This is something I have been very passionate about, not very quietly, for some time. I happen to have a September birthday myself and was the oldest in my class. Because of that, I was class president and things like that. I look at the girls and, quite frankly, the boys in the class ahead of me, and just know I would not have excelled. I think not only academically, but socially, this is a very important bill and I appreciate your leadership on it.

We do have a couple of questions. We will start with Assemblywoman Gorelow.

Assemblywoman Gorelow:

I, too, am very appreciative of this bill. My sister was two days ahead of the deadline and she will tell you today, she should have been held back. Emotionally and socially, she did not fit in with her peers and there were issues later. She is better now, and she is a police officer.

We grew up in Indiana and that deadline used to be October 1. It has now changed to September 1, so my sister would have been held back if she were in kindergarten today. Are we seeing this trend in other states to move that date back?

Senator Hammond:

Ms. Lackey did a great job of showing you some of the data on where other states are. Actually, the trend has been to move the date back to a time when students are ready and older. A lot of people will say there will always be a younger or an older student. It is not necessarily that we are trying to prevent that because we cannot. We understand there are going to be older students and younger students. It is about when is the right time. When we say they are more ready, we are talking about socially and emotionally ready at age 5. It is the time they stay with their family or others to have a chance to get them ready to be in kindergarten. It is not just about being able to read before kindergarten, it is about the separation between the children and their families, going into a classroom with other peers, and being asked to do certain things like sit still or interact with other students. That is what we are really aiming at, to make sure they are all ready for that. The study I saw, and several others I read over the last few months, all suggest that socially and emotionally, being 5 when everyone else is 5 is a good thing. Kids can make up academically when they are a 4-year-old; they tend to be able to make up that difference between the ages of 4 and 11. However, it is the social and emotional that is the most valuable part of this. Quite frankly, I would like to follow this group, if you will, as they go through and matriculate through the school system, all being 5 years old.

Assemblywoman Hardy:

I am on the opposite end of the two stories that were shared. I am a September baby and made the deadline by one week. For me, I was reading and comprehending at a seventh-grade level in kindergarten and was determined that I should go to school, emotionally and all of that. Is there any kind of exception for that, not just a parent saying their student is ready to go to kindergarten? Is there any way these kids could be tested to determine if they are at a higher level and it would benefit them to start?

Senator Hammond:

No, there is nothing we have that would allow a student to get into kindergarten earlier in this bill or, quite frankly, right now as it exists. The kids either make the cutoff or they do not. It was proposed during the Senate committee hearing. Someone asked if we could actually have a mechanism in place so those who seem to be prepared could get in. I went to the school districts to find out what we could do. They were all in agreement that it is just too difficult to do something like that. That is why they have had a hard-and-fast cutoff and have always had that hard-and-fast cutoff. My son missed it by a week, which we were okay with because we waited until the next year when he was older. If we try to put some sort of mechanism in place, we really do not want to test a lot for kindergarteners and certainly do not want to test more to get into kindergarten. You and I are parents. We all know we have the smartest kids. There will always be parents who think their kids are ready. Quite frankly, I do not think the school district could handle a process that would take a lot of their time.

However, there is a mechanism in place, once kids pass the kindergarten year and are in first or second grade, where parents can advocate for their children to move up a grade if they feel they need to move up, but not so much for kindergarten.

Assemblywoman Hansen:

On page 3 of the bill, section 1, subsection 8, if a child were in another state and had already started kindergarten, the child would be enrolled in kindergarten or first grade in Nevada.

Senator Hammond:

That is correct. We want to make sure that those who have already started and matriculated into kindergarten could continue on with that progress. I think that is pretty much the way it has always been, so we would just accept those students as we have in the past, right into kindergarten.

Assemblywoman Tolles:

I do appreciate the research behind this proposal, but I, too, have some concerns. My daughter was born on August 13, she would have fallen into this if it were in place when she started kindergarten. She would have been held back a year. Even as the youngest in her class, she was still a foot taller than everyone in her class. If she were held back a year, she would have been conceivably a foot and a half or maybe two feet taller. That would have created another set of social issues for her. I, too, would have questions about the ability to have some sort of waiver. My daughter excelled and did just fine, even being the youngest in the class. I guess my question would be for Legal. Is there a legal reason why we would not be able to put into statute some sort of process? I know you consulted with the districts and they were not necessarily in favor of it, but is there a legal reason why we cannot put some sort of waiver process in place?

Senator Hammond:

I could say that most likely Legal would tell you no. There is no legal reason why we cannot put something in place. It is more the logistics of it. Again, the districts would say they had tried this in past and it is very difficult. They cannot figure out, logistically, how to do this and not make it messy. I will let Legal answer to make sure I am correct.

Amanda Marincic, Committee Counsel:

That is correct. There is no legal reason why that type of waiver situation could not be put into the bill. Again, it is just a logistical issue and a policy decision for the Committee.

Assemblywoman Tolles:

I see this relates to NRS 392.040, the statute relating to public schools and charter schools. Does this also relate to private schools and home schools as well?

Senator Hammond:

I am not exactly sure if it would apply to home school. I think it would apply to private schools, but I probably need to consult Legal to make sure I am correct.

Chair Bilbray-Axelrod:

I do not think it would apply to private schools. Is that correct? That is my understanding because that is how it is currently. I have friends who did not hit the deadline and put their child in a private school for kindergarten and then moved them to public school in first grade.

Amanda Marincic:

That is correct. It does not actually apply to private school students, and I do not believe it would apply to home school students either.

Assemblywoman Tolles:

Thank you for that clarification. In that case, I would probably have chosen private school for my daughter instead of public school. That could be an argument for school choice.

Senator Hammond:

I would like to respond by saying, as we all know, we have done this many times over. There is no perfect bill or perfect law that we can put into place. There are always going to be exceptions to the rule. With all the studies that have been done over the years, there is always going to be that exception, that bright star, that student who would have excelled even at 3 years of age. We cannot contemplate the outliers, but what we can do is look at public policy that will have a net positive effect on our society. That is what we are trying to get at here. We are trying to make sure that most kids are ready, but there are always going to be outliers. You are right, Assemblywoman Tolles, it is good to be able to have some choices to make in order to get around what you think is right for your student, so I appreciate that comment.

Assemblywoman Hansen:

I love the bill. I have a learning laboratory of my own. For all eight of my kids, the ones who were falling in that range, we opted to keep them out and it worked. However, I had the opposite problem of Assemblywoman Tolles' issue. We had the short gene; she has the tall gene. We kept our sixth grader home until the next year because he was so short. We thought we could give him an extra year to grow and then put him in school after another year. He is thanking us to this day. Maybe an exception for the tall kids would be in order.

Also, as politically incorrect as this is to say, it used to be better late than early, especially with boys. I have four boys and four girls. I have seen that. Senator Hansen fell into that realm. Better late than early, and he went late. I have a daughter who was 5 in July and I thought she was ready. She was good with motor skills and she concentrated. I put her in, but she was not socially or emotionally ready. She was very outgoing, but it did not really work for her. The next year I talked to her kindergarten teacher at the end of the year. She said she was struggling to stay up to speed and she was always going to. We kept her out the next year and put her back in the following year and it worked.

This is more of a testimonial than anything else, although I am all for the waiver on the tall gene. Yes, there are those star students, but we have to draw the line somewhere. With

year-round schools, it seems like some of them start in July. Am I wrong? Would it then be July or just say the start of the school year?

Senator Hammond:

The proposed amendment is actually really good because it recognizes the fact that this could change. The whole impetus for this particular language in the bill was because over the last five or six years—I know Washoe County started earlier in August than Clark County—it has come to our attention that it does change. We finally changed in Clark County, starting around the second week of August, which means, as Ms. Lackey said, they have students in the classroom who are 4 years of age for almost a quarter. That prompted us to maybe find a change we could make so we can watch this group graduate in so many years and see what the net effect is. That is why we did it. Language like this would also help for year-round school, basically saying before the students enter kindergarten, they have to be 5 years of age.

Assemblyman Flores:

I do not know where I am at because of Assemblywoman Hansen and Assemblywoman Tolles. Unlike them, I had friends who were both tall and short, so I am really conflicted as to which direction I wish to go.

All sarcasm and fun aside, I had an opportunity, thanks to our research team here, who helped me find some data. In 1971, we had Senate Bill 77 of the 56th Session, which moved the date from December 31 to September 30 and we had at age 6. In 1997, we then decided to go from age 6 to age 5. Now in 2021, we stand where we are. I am curious to understand from 1971 to 1997, why we decided to start a year earlier and moved back. I am assuming there is some type of data behind that. I was trying to read through the minutes, but I apologize because I could not get through all of them to understand the rationale. Now, 40 years down the road, we have identified all these issues and we have this data. I am trying to understand, not just for the record but for the sake of understanding the emerging discourse, it seems that after 40 years of messing with this particular start date and age, we have landed where the data suggests we need to, perhaps ensuring the child is a little bit more mature. I am curious to understand if you had an opportunity to look at that data and understand why we have made that shift. We thought maybe we wanted to move it back, we went from December to September, then we changed from age 6 to age 5. Maybe this was the perfect middle ground. Maybe your copresenter has some additional data points that could help highlight the legislative process and where we have gone through the history of this particular conversation.

Senator Hammond:

I will respond, and then I will hand it over to Ms. Lackey. I think it would be valuable to hear a couple of her thoughts on this. I know she does a lot more research in this area than I do. For those educators on your Committee—and I know there are several—what we know about how to educate has really changed a lot over the last ten years. It is more data-driven than anything else. Teachers know how to dive into the data and use the data to then drive their instruction. We are learning a lot more. People are doing a lot more research to look at

and figure out how students respond to or react to certain pressures, certain lessons, or anything. We just know a lot more than we did before. You can see that reflected in the changes that have occurred over the years. We have homed in on the fact that we really want kindergarten to start around the age of 5 and we had a cutoff date. This bill is just further evidence that we know more than we did before, and we would like to make sure everyone has a good chance at a great education. We want to make sure they have all the tools necessary to be successful as students, as was mentioned by several of your Committee members.

Having said that, I do not know a lot more than that. In looking at the data, we see that states are all moving to move the date up, so they have more 5-year-olds in class. I will let Ms. Lackey respond because I think she probably has more insight than she thinks she has.

Kate Lackey:

I completely concur with Senator Hammond. Our system is much more data-driven these days. Students are expected to take more assessments; we are analyzing data and crunching numbers continuously to meet the students' needs. I do not have particular research on what you are speaking of, Assemblyman Flores. I apologize. I do know the date has fluctuated. I think, based on the data that I provided in comparison with all the states in the United States and where they fall, states do adjust and the majority of them fall in the same area. A majority of the states do fall on September 1, but those states also start after Labor Day. The trend is to be 5 before entering kindergarten. I think we are just trying to stay aligned to that.

Assemblyman Flores:

I know I put you on the spot by referencing some old dates. I was just curious to know if there was any more input on that.

Senator Hammond:

One of the things I did not mention is—as I felt like it might come up in questioning, so I put it aside for a bit—the Education Commission of the States has done a lot of research on this, too. If you look at their website, you will find there are 36 other states in the nation that have cutoff dates before us. Assuming that school starts in other states around the same time as we start, that would put us in a good spot. Really, with the additional amendment to this bill, making sure kids are 5 before they start school, I think a lot of states will take notice of what we are doing right now because we are basically fixing it to the start of school instead of a certain date.

Chair Bilbray-Axelrod:

We are going to move to testimony in support of S.B. 102 (R1). Is there anyone in the room wishing to testify in support?

Janine Hansen, State President, Nevada Families for Freedom:

This has long been an issue that I have been very passionate about, and I support this bill. Researchers Kathy Bedard and Elizabeth Dhuey found that grade schoolers who are among the oldest in their class have a distinct competitive learning edge over the youngest in their grade, scoring 4 to 12 percent higher on standard math and science tests. This book [speaker held up a book titled *School Can Wait*] is a wonderful book by Dorothy and Raymond Moore. The book goes over some 6,000 studies that indicate children who go to school at a later age do better in almost every way—socially, emotionally, leadership, success in going to college—better than those who go at a younger age. It covers every aspect of going to school.

One of the issues that has not been mentioned much is the fact that boys are generally a year behind developmentally than are girls, and this is truly an advantage for boys to be able to at least be 5 when going to kindergarten.

According to a new study from the National Bureau of Economic Research, children who start school at an older age do better than their younger classmates and have better odds of attending college and graduating from an elite institution. I had an experience with my own son, who I put into school. He was older, but he still had difficulty. He ran away from school; he broke out in hives. I had to put him back into kindergarten. He had a photographic memory and was very smart, but he was not ready. For me, I had that personal experience and I recommend this book to all of you. Thank you for supporting this bill.

Chair Bilbray-Axelrod:

Ms. Hansen, I would love to borrow that book.

Janine Hansen:

I will bring you a copy.

Chair Bilbray-Axelrod:

With rules, you cannot, but I would love to borrow it if you would not mind. Is there anyone else in the room wishing to testify in support?

Chris Daly, representing Nevada State Education Association:

The Nevada State Education Association supports S.B. 102 (R1), moving the minimum age for kindergarten from age 5 on September 30 to age 5 on August 7 of the school year. This is an item that has received a good bit of discussion at our annual delegate assembly. I think there were several new business items brought on this issue by many of our kindergarten teachers. Thirty-seven of 42 other states—my count is 37, Senator, but it might be 36—have set minimum ages for kindergarten, requiring kindergarteners to be older than Nevada's requirement. Seven other states, by my count, leave that decision to school districts.

This is reflective of research showing a positive relationship between school starting age and children's cognitive development. It also recognizes additional expectations on the kindergarten year, including the development of fundamentals for learning to read and write. As Nevada considers moving up the required age for kindergarten, we would also ask you to refocus on the importance of the pre-K years to ensure there are meaningful pre-K opportunities for all Nevada children. [Written testimony was also provided, [Exhibit E](#).]

Chair Bilbray-Axelrod:

Is there anyone else in the room wishing to testify in support? [There was no one.] Are there any callers or anyone on Zoom wishing to testify in support?

Lynn Chapman, State Vice President, Nevada Eagle Forum:

We support S.B. 102 (R1). We want our children to be successful throughout their school career, so let us get them off on the right foot. A child who is a little more mature is more apt to be able to handle all types of situations that may come up in a school setting. I worked with children in our church with the Awana program for ten years. I worked with 3-, 4-, and pre-kindergarten 5-year-olds. There was a big difference between the three age groups. For example, just having the three different age groups following directions was sometimes a bit challenging.

We should let our children be children, mature a bit before putting them into the school setting all day. If parents really need to get their children ready for a school setting, especially for low-income families, there is always Head Start and many churches provide low-cost settings for young children.

I would also like to say we support the amendment that was presented. Please support S.B. 102 (R1).

Erin Phillips, President, Power2Parent:

I am calling in support of S.B. 102 (R1). We have spoken to many parents who feel the pressure of not being sure their child is ready for school—and I am one of them—and then having to make a decision that will affect your child's entire educational career. Many times, when 4-year-olds are put into kindergarten, they are not developmentally ready to read or ready for those concepts. This can really set them on a difficult trajectory for the next 12 years.

I also think it is important to note that over the past ten years or so, the kindergarten standards look more like the previous first grade standards of ten years ago. Also ten years ago, we really were not having statewide, full-time kindergarten. The orders came in on a half-day basis at that point in time. We have really changed the standard as well of what we are expecting our kindergarteners to be able to do. At the same time, I also agree with Assemblywoman Tolles and Senator Hammond. We need to be able to allow parents to

choose if a parent does believe their child is ready. I think there should be a school choice option in the bill that should exist for parents as far as a waiver. However, at the same time, I think the majority of our kindergarteners need to be 5 years old, and I think the data has shown that.

Our position is that delaying kindergarten is what is best for kids overall. We hope you will also support this bill.

Ruby Warren, Member, Carson Montessori Student Legislative Team:

I am in sixth grade, and I am 11 years old. The majority of my classmates are 12 or they are going to turn 12 before me. I am the youngest in my class. After doing some research, I have learned that 6 percent of children are 4 when they start kindergarten. Studies show that when children wait until 5 to start school, their brains are more prepared for learning new things and adapting to new environments. As 4-year-olds, not only are their brains not ready to learn new and harder things, but socially and emotionally they are not ready. They really lack real-world coping skills and the ability to verbalize their needs. Because of their age, they may not be developmentally prepared to start kindergarten.

As someone who is only 11 years old and in sixth grade, I understand the struggles of being younger than everyone else. Sometimes I feel like I am always playing catch up. For example, I do not understand why other children in my class can understand certain math principles better than I can. It is not that I do not think I am smart, but sometimes I feel discouraged. In the end, children who are younger than everyone else can lose self-confidence and not want to work on their problems to try to fix them.

In conclusion, moving the date when children should be a certain age to start school to August 7 instead of September 30 would make children who are younger than most kids in their class wait until the next year to register in school. They will have time to develop properly so when they start school the next year, they will be better prepared for starting school. Giving a child the gift of time is one of the greatest gifts.

Chair Bilbray-Axelrod:

Thank you so much for that testimony. I think you are the perfect example of what we are talking about—someone who is so bright and clearly so eloquent but understands the advantage you would have had by being older in your class. Your testimony really meant a lot to us. Please come back to this Committee as soon as you see another bill that moves you.

Are there any other callers waiting to provide testimony in support? [There were none.] I will close the testimony in support and open testimony in opposition to S.B. 102 (R1). Is there anyone here in the room, on Zoom, or on the phone waiting to provide testimony in opposition?

Selena La Rue Hatch, Private Citizen, Reno, Nevada:

I am calling in opposition to S.B. 102 (R1) because I believe it is an equity issue and moving the goalpost on our parents who have been planning does not actually address the issue that we are not mandating kids to start school until 7. I think a child starting school for the first time at 7 years old is at a much greater disadvantage than a student who starts kindergarten at 4 years old and is 4 for a month.

I think, especially for families in poverty, our kids need to get in school. I say this as a Title 1 teacher. They need to get into schools to have access to food and counseling services and things they might not be getting in their home. I also want to mention that families are planning for when their kids are going to kindergarten. Families that are planning for their child to start kindergarten in 2022 will now have to pay for daycare for an extra year. For my family, that is \$12,000 a year. I do not know that many families who can afford a surprise \$12,000 bill.

Moreover, as I think Assemblyman Flores pointed out, this date has been changed over and over again and we are not seeing changes in achievement. I think it is disingenuous in the materials for this presentation to link Nevada's last-in-the-nation ranking in educational achievement to the start date without mentioning that we are last in our school funding, which is a much larger issue, and first in class sizes. I believe those issues need to be addressed before this.

I also agree with Assemblywoman Tolles that there are children who are ready. My daughter is also the tallest in her class and was also absolutely ready. While she was born on September 7, she was able to start kindergarten early. Her having been held back would have been a great detriment to her. For all of those reasons, I urge this Committee to vote against S.B. 102 (R1).

[[Exhibit F](#) was submitted by not discussed and will become part of the record.]

Chair Bilbray-Axelrod:

Are there any other callers in opposition to S.B. 102 (R1)? [There were none.] I will close testimony in opposition and open neutral testimony. There is no one in the room and no one on Zoom. Are there any callers waiting to provide testimony in neutral? [There were none.] Senator Hammond, do you have any closing comments?

Senator Hammond:

I do appreciate the time you put into hearing our testimony and those who came up to testify in favor and in opposition. I have said this before, there is nothing that is perfect. As a father of four with both tall and short in the family, it was not necessarily about the height—and I understand it can be socially different. For me, I was 5 feet 4 inches for a long time and then, boom, I was 6 feet. I get that. I was gangly for a long time and people noticed it. The whole idea is we are looking at students who, for almost a quarter in school, were not really ready. It seemed that a lot of kindergarten teachers I talked to said those are the ones who struggle the most, not only academically but socially.

If you listened to the young lady's, Ms. Warren's, testimony, I think she was powerful because she has gone through it and remembers it because she is there now. I have been approached with another amendment to add another sponsor to the bill, so I am more than happy to do that as well.

Chair Bilbray-Axelrod:

I will close the hearing on S.B. 102 (R1), which brings us to the last agenda item, which is public comment. Public comment is limited to two minutes and it is to speak on general items in the purview of this Committee. Is there anyone in the room for public comment? [There was no one.] I do not see anyone on Zoom. Are there any callers waiting to provide public comment? [There were none.]

Our next meeting will be Thursday, May 4, 2021, at 1:30 p.m. We do have three bills and it will be a pretty busy couple of weeks from here. We have just over two weeks until we have to get these bills out of our Committee, so we will be meeting every Tuesday and Thursday from now until that deadline, and we will probably be hearing a minimum of three bills each day.

This meeting is adjourned [at 3:15 p.m.].

RESPECTFULLY SUBMITTED:

Sarah Baker
Recording Secretary

Lori McCleary
Transcribing Secretary

APPROVED BY:

Assemblywoman Shannon Bilbray-Axelrod, Chair

DATE: _____

EXHIBITS

[Exhibit A](#) is the Agenda.

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

[Exhibit C](#) is a proposed amendment dated April 27, 2021, submitted by Lindsay Anderson, Director, Government Affairs, Washoe County School District, regarding Senate Bill 36 (1st Reprint).

[Exhibit D](#) is a copy of a PowerPoint presentation titled "Senate Bill No. 102," presented by Kate Lackey, Principal, Skye Canyon Campus, Somerset Academy of Las Vegas, in support of Senate Bill 102 (1st Reprint).

[Exhibit E](#) is written testimony dated April 27, 2021, submitted by Chris Daly, representing Nevada State Education Association, in support of Senate Bill 102 (1st Reprint).

[Exhibit F](#) is a collection of letters in opposition to Senate Bill 102 (1st Reprint).