

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

**Eighty-First Session
May 6, 2021**

The Committee on Education was called to order by Chair Shannon Bilbray-Axelrod at 2:06 p.m. on Thursday, May 6, 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 Marilyn Dondero Loop, Senate District No. 8
Senator Joseph P. Hardy, Senate District No. 12



STAFF MEMBERS PRESENT:

Kristi Robusto, Committee Policy Analyst
Amanda Marincic, Committee Counsel
Nick Christie, Committee Manager
Sarah Baker, Committee Secretary
Melissa Loomis, Committee Assistant

OTHERS PRESENT:

Jhone Ebert, Superintendent of Public Instruction, Department of Education
Caroline Edgeworth, Member, Hope Means Nevada
Lauren Edgeworth, Member, Hope Means Nevada
Chris Daly, representing Nevada State Education Association
Mary Pierczynski, representing Nevada Association of School Superintendents
Katherine Dockweiler, School Psychologist; and Director, Government and Professional Relations, Nevada Association of School Psychologists
Erica Valdriz, Fundraising Coordinator, Vegas Chamber
Brenda Pearson, representing Clark County Education Association
Ross Bryant, Executive Director, Military and Veteran Services Center, University of Nevada, Las Vegas
Andrew LePeilbet, representing Military Order of the Purple Heart, Disabled American Veterans; and Chairman, United Veterans Legislative Council
Kanani Espinoza, representing Nevada System of Higher Education
Alexander Marks, representing Nevada State Education Association

Chair Bilbray-Axelrod:

[Roll was taken.] The first thing we are going to do is not on the agenda, but I would like to invite Superintendent Ebert, via Zoom, because something very special happened in Nevada.

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

I have been doing the happy dance all morning. I am just tickled pink to share with you that today our Nevada Teacher of the Year was selected as the National Teacher of the Year. We know that teacher appreciation this year is more important than ever. I know you have several teachers on this Committee, and I am thankful for what they do each and every day.

Our educators provide more than instruction. They provide support for their students and families. They provide support through interventions to meet our students where they are with their unique needs. She is the third National Teacher of the Year who is a special education teacher. The program has been going for 69 years. Nevada has twice had a final four in this group, but has never had the national award. It is Juliana Urtubey's recognition and award, but I know this body would want to celebrate her as well.

If you have not had the opportunity to meet Ms. Urtubey, she is a part of a teacher's advisory committee that I tapped into once a week when the pandemic started. They advised me right away of all of the needs of educators and families: social-emotional learning supports, the devices, the connectivity, and teachers needing high-quality curriculum online. The myriad of things the superintendents across our state, teachers, the community, and the public-private partnerships that have transpired during this pandemic, need to keep going beyond this work.

She was one voice of many that was lifted when all could have said this is a horrible situation, but took the crisis and turned it into an opportunity. She is also known as Ms. Earth for her efforts in beautifying the schools. There are many videos, and I know you will take time to look at them and see the great work.

I just wanted to take a moment this afternoon to celebrate one of our own who is the National Teacher of the Year. Dr. Jill Biden, Superintendent Jesus Jara, and I all arrived at the school at 3:45 a.m. to help celebrate her and all teachers. We are very fortunate that she is going to amplify the voice of educators, and she exemplifies the values of equity and inclusivity that drive the work across the state.

Madam Chair, thank you for the opportunity to share this great news with this body and PK-20 who sit here and do the great work on behalf of our children, the educators, and the community as a whole.

Chair Bilbray-Axelrod:

Thank you, Superintendent Ebert. We are so proud, and it is wonderful news; the total bright spot in this legislative session. We will get back to the task at hand. We have three bills, but they will be taken out of order. We will start with Senate Bill 249, then Senate Bill 151 (1st Reprint), and then end with Senate Bill 193 (1st Reprint).

[Committee rules and protocol were explained.] I will open the hearing for Senate Bill 249, and welcome Senator Dondero Loop.

Senate Bill 249: Revises provisions relating to education. (BDR 34-81)

Senator Marilyn Dondero Loop, Senate District No. 8:

I could not be prouder to be a teacher today. I taught for 30 years and I promise you, I never had a day when I was sorry I was a teacher.

With me today on Zoom are Caroline and Lauren Edgeworth, who are Hope Means Nevada teens. They are here to present with me. I am pleased to present Senate Bill 249 for your consideration. Before I start, I would like to say, while I am the only official sponsor on this bill, I want you to know that all teens are truly my copilots and cosponsors. I know this statement is just symbolic of them, but I would like to acknowledge those who have assisted their friends, have been involved in teen mental health activities, and especially those who suffer from mental illness.

Quite simply, the bill before you today provides additional authority for our mental health and behavioral health professionals to certify that pupils may be excused from attending school. The bill also provides additional information to students concerning mental health resources.

I think we all recognize that the COVID-19 pandemic has provided challenges for our students' mental health and behavioral health. The impact of isolation due to remote learning has magnified the urgent concerns about student safety and well-being. In May, 29 percent of parents in the United States reported that isolation was harming their children's emotional or mental health. Another 37 percent anticipated that lockdowns would have more effect if they continued. In June, 30 percent of high school students said they were feeling depressed, and in November, the Centers for Disease Control and Prevention (CDC) released a report alerting the nation about the mental health crises among students.

According to the CDC, between April and October 2020, hospital emergency departments saw a 31 percent increase in visits from school-aged children for mental health needs. We have known for some time that students need increased access to behavioral health services. A 2018 internal survey conducted by the Nevada Association of School Superintendents indicated that students' behavioral health needs was a top concern of superintendents across the country. Here in Nevada, it is safe to say, our superintendents are also concerned about student mental health, especially in light of recent increases of the number of student suicides. However, these tragedies had been a serious problem even before the pandemic, and it is clear we need to do more to address this issue.

Under Senate Bill 249, student identification cards will now include contact information concerning suicide prevention. This action will provide students with free and confidential support in times of suicidal crisis or emotional distress. An additional tool we need to employ concerns the authority to make a determination and certify that a student is unable to attend school or that it is not advisable for that person to attend school. Under current law, only a physician can make that determination. With the understanding that mental health and behavior health concerns may be a factor in making this decision, it is important to authorize the trained specialists in these professions to also make that determination if it falls within the scope of their practice.

At this time, I would like to describe the two significant sections in the bill itself. Section 1 requires the back of any identification card for a pupil in a public school, including charter schools, will now include mental health resource information, including the telephone numbers of national and local suicide prevention hotlines.

Section 2 makes three changes to the statutes concerning excused attendance in school. First, it adds behavioral health to the list of authorized conditions that would allow a child's attendance to be excused. Second, S.B. 249 allows a mental health or behavioral health professional to certify that a child is not able to attend school or that a child's attendance is inadvisable. Third, the bill prohibits an excused attendance from having a negative effect on a school's accountability rating.

In closing, it is clear that our K-12 students may face social, emotional, and situational pressures that affect their school performance. Unfortunately, the COVID-19 pandemic has amplified these pressures. Our students need information about mental health resources that are available to them. In addition, as we emerge from the pandemic, it will be necessary to provide mental health and behavioral health professionals with the ability to make informed judgments about whether a student is able to attend school, or whether attendance is even advisable. Senate Bill 249 accomplishes these policies.

I would like to introduce Caroline and Lauren Edgeworth, who are sisters. They have been very involved in leading the charge with teens involved with Hope Means Nevada. There are teens from all different schools all over the county. Lauren and Caroline have just sort of taken the lead here. As you can see, they are standing in the locker room. They have been in several things today, and we had to excuse them from school for a minute. If you would allow them time to speak, I would be so pleased. Lauren and Caroline, welcome, and thank you so much for doing what you are doing and helping.

Caroline Edgeworth, Member, Hope Means Nevada:

My sister, Lauren, and I are both high school students at Bishop Gorman High School in Las Vegas. We want to say thank you for giving us the opportunity to share our stories.

As Senator Dondero Loop mentioned, we are the cochairs for the Hope Means Nevada teen community, which is a statewide group of students who are aged 10 to 21. We are all working together to eliminate teen suicide in Nevada, while normalizing conversations around mental health. Our mission is to destigmatize these conversations. We want teens across Nevada to start talking about how they are truly feeling. We want to remind each other that it is okay to not be okay. It is okay to be sad, scared, angry, or lonely. We need to start talking about how to be mentally and physically healthy. Our campaign motto is #askfive, which promotes people to ask five people how they are truly doing.

We know that mental health education is suicide prevention. Sadly, we have already lost 23 students to death by suicide this year in Clark County alone. That is more than double compared to previous years. We know that many more kids our age are suffering with loneliness, anxiety, and depression. Almost all of our friends have experienced something similar during the pandemic, and my sister and I have as well.

Even before the pandemic, one in five of us already suffered with mental health issues, and the rate of youth in distress was already on the rise. Teens with mental health conditions increased by more than 50 percent between 2007 and 2017. Suicide is one of the leading causes of death among teenagers, and this year has been very difficult for both my sister and me. The pressure of schoolwork, being disconnected from our friends and teammates has been overwhelming. We have lost our rites of passage in high school, such as homecoming, prom, sports—which are a large part of our identity in recruiting—and seniors have also lost graduation. The list continues.

I was only a sophomore when the pandemic began, and recognizing what was happening to our community and our friends, we jumped at the opportunity to get involved with Hope Means Nevada. We were fortunate enough to watch a TED Talk by Hailey Hardcastle on the benefit of mental health days. It really made sense to us. As athletes, students, and people who just want to give back and be involved in our community, we are sometimes overwhelmed with stresses of life: schoolwork, friends, and trying to be perfect all the time on social media. There are days where we just want a break—a break from everything in life.

In the summer of 2020, we watched Hailey Hardcastle show us that it was okay to take one of these days because one single day can make a difference and save a life.

Lauren Edgeworth, Member, Hope Means Nevada:

We want to talk about how this bill can help. Once a mental health day is taken, it is noted by the students' counselors, and we hope this will activate a chain of events where the students are evaluated and it is determined what type of assistance they need. The parents should also know that a mental health day was taken, and they will also be notified. If a day or two or three are taken, there should be a system in place to get those students the mental health assistance they need.

Nevada ranks one of the lowest in the country for mental health assistance, and we hope that this will change with the enactment of this bill. While using teen mental health days as a way to start the conversation with parents and counselors, this would be a strong tool to identify teens who are struggling. We believe if we had had this bill in place, we could have saved those 23 lives.

Depression and suicidal thoughts are often suffered in silence, unbeknownst to teachers, parents, and even close friends. Sometimes teens do not want to betray their friends' trust by alerting a parent or a counselor, so they stay silent. We think that this bill could provide a very easy way for a teen who is struggling to raise a red flag to their community.

Will there be abuse of the bill? Of course. Just like sick days, there may be rare occasions of abuse, but we cannot let that supersede the number of lives that will be saved. A mental health day is a very powerful tool, and they are able to quickly send a message of "I am struggling and may need assistance." Since it does set off a chain of events from the counselors, including evaluation, and since there is still some stigma with mental health, especially with boys, I believe students who really need these days will take them. Most kids I know do not even want to miss school when they are feeling ill, so we believe this is a powerful tool that will catch the early stages of a child suffering from mental health issues.

Caroline Edgeworth:

We believe this bill will not only teach kids at a young age how to take care of themselves and practice self-care and self-management, but it could literally save lives. Now students from multiple other states are also trying to pass these laws. We believe students everywhere deserve a chance to feel better.

The core concept is that physical and mental health are equal and should be treated as such. In fact, they are connected. Take health care for example—CPR [cardiopulmonary resuscitation]—if you have training, you could save someone's life. How about mental health care? I was trained in 7th grade in CPR in my health class, so what if I was trained in 7th grade on how to handle my mental health or how to respond to a mental health crisis with my friends? I would love to see a world where we have a toolkit of how to help a friend, a family member, or even a stranger through a mental health crisis. These resources should especially be available in schools because that is where children are struggling the most.

We hope you agree that it is always okay to not be okay, and that it is okay to take a break.

Lauren Edgeworth:

Just like we take a sick day, we should have a mental health day to replenish and nourish our mental health. It could be the difference of saving a life. I would like to very much encourage you to watch the TED Talk by Hailey Hardcastle. It is such a powerful message, and we believe it will save children's lives. While there will be abuse with the bill, we must remember the importance and effect of it on the teens who truly need it. Please help look after the teens in our life, especially the ones who look like they have it all together, and look after yourselves, too, and once in a while, take a break.

We support S.B. 249, and we are extremely grateful to Senator Dondero Loop for bringing this bill to our State Legislature for consideration. Thank you all for your time in allowing us to tell our story. I hope everyone has a great day.

Chair Bilbray-Axelrod:

Senator, are you ready for questions?

Senator Dondero Loop:

We are open for questions.

Chair Bilbray-Axelrod:

I believe either you or one of the other presenters made a comment that a mental health day would alert the counselors. If you would reference that part.

Senator Dondero Loop:

Usually, when students are taking days, and multiple days, that is a red flag of some sort in a school. A lot of times the students will be called into the counselor's office, as well as if a student has been in the counselor's office. We are hoping this bill will allow someone besides the general physician—in other words the counselor the students are seeing in the school, a professional counselor they may be seeing out of the school, whoever they are seeing—to be able to write that note. Right now, the only way to get excused is with a general physician's note.

Chair Bilbray-Axelrod:

Are there any questions from the Committee?

Assemblywoman Torres:

I do appreciate the intent of the bill. I do have some concerns about how this would be put in place and what systems this would take. In the classroom now, if students want to take a mental health day, they still have the ability to do so. They would be absent and, essentially, when the parent notifies the school, the parent is able to then excuse their child.

I understand why you want there to be something in the system that labels it a mental health day so we are aware of that; however, I am just wondering what that looks like. Not only would that be an additional type of day they have an absence for, but then we are going to say they would be excused from the rating system for accountability, that the rating system would not be applicable for mental health days, but it is applicable. I have had many students who have had terminal illnesses and their absences still impact our star rating. Why would this be applicable to one and not the other?

I do not see anything in this legislation requiring counselors to follow up with students after a mental health day. I am wondering if you would speak to that.

Senator Dondero Loop:

You are right. This bill does not encompass everything in a school. This is the mental health piece. You are right; students take days for a lot of different reasons, but what we want to do in this bill is to make sure if students were considering ending their lives or have some severe mental health problems, they have, in a way, permission to take those days. We know there are many students who are sick, but these days would also be so students can feel safe and not harm themselves. I think that is a really important piece in this pandemic and in this day and time.

The reason it would hopefully not harm the school star rating is because, as we all know and as you just mentioned, the star rating is based on absences. Perhaps that is another bill at another time. This bill is just focused on mental health today.

Assemblywoman Torres:

I am concerned that this might decrease the number of students receiving services on campus because they would stay home. I know, at my school and at other schools I have worked at in the past, when we have a student who is in crisis, oftentimes they speak to their teachers or their friends about it—which is the flag for us. If they were not on campus, we would not be able to respond, and we would not be able to get them services. We would not be able to ensure that they have a counselor and a support system. I am concerned that this is not the way for us to achieve that goal. I am very much in agreement with your goal and ensuring that students have access to taking those days as necessary, but I believe that they currently do have that ability. I am concerned with their not being in school to get those services and the help they need.

Senator Dondero Loop:

I am willing to take that chance with this bill to help kids. We had four kids at Damonte Ranch High School in Reno who completed a suicide within four months of each other.

If I could have saved those four kids with this bill, I am willing to do that. While I recognize what you are saying, that the kids might not be on campus, I encourage you to watch the TED Talk by Hailey Hardcastle. It is a pretty powerful story.

Assemblywoman Torres:

It is not that I do not want to help kids, I just want to make sure kids get the mental health support they need. I think we do that in schools. I am concerned that they might not get that support. I want to make sure that whatever legislation we pass ensures the students are getting the support they need on campus.

Assemblywoman Miller:

I have some questions about the way the bill is drafted. I fully understand the intent. My colleague brought up some questions already. First, I absolutely love the part about it not impacting the star ratings of the schools. I think that is critical and would love to—as my colleague said—maybe amend the bill. We have students who will be out for months and months for physical reasons, so I think that should open a bigger conversation that these things should not be held against schools when a student is in the hospital for three months, or terminal, or home, or going through any type of treatment. So, I love that part.

Originally the way the bill was written and the way I interpret it, it reads as if—whether there is a crisis going on or the students just need some mental health time or services—the parents can call in and say they are going to keep the student home for the next couple of days for whatever mental health related issue. During the conversation, it sounds a little more like the school could invoke it—the school or the counselor or maybe the kids. What I was picturing as the copresenters were speaking is going down to the counseling office because maybe something happened. We know often the kids tell their problems at school. At that point, they hang out all day in the counseling office and just cannot go back to class that day.

My first question is, how do you envision that it would actually be invoked? From the parent and the student or from the school? My other concern, and I wonder about this because currently, parents can call and excuse their kids for no reason. There is no difference between excused and unexcused. The parents call and it is fine. With the Family Educational Rights and Privacy Act, not all parents want to necessarily give that information to the school. I wonder if there is any concern with that. I may just want to tell the school I am keeping my kid home for the next three days. I may not always want to divulge other information. I am sure you follow my question.

Senator Dondero Loop:

I would say any and all of the above, and I believe this is the intent of the bill. Many times, these are our very high-end kids. These are not just kids who are at risk all the time. These are all kids. It crosses lines everywhere. If a student came to me as a counselor, I might call a parent and tell the parent I think he just needs a day at home. Not ten days, just one. They would also need a note. This is not just a parent calling the school to say they are keeping

their kid home. These three days will be isolated out and are mental health days. If they are used, you would need a physician, a psychologist, a counselor, or someone of record to say that student needs that mental health day.

As was said before, there will be abuses. There are abuses with the ten-day system. There are abuses all the time. But I am willing to chance those abuses to save these kids.

Assemblywoman Miller:

I think that clarifies it a little bit for me. The way the bill is written, it talks about a qualified physician in behavioral health. As a parent, I would not need to take my child to a therapist or a doctor and get a letter, but it can be invoked by the school counselor. The school counselor would count under that umbrella of who can invoke it. The bill just says a qualified physician. That is why it seems very one-sided. It starts from the home, but it can also start at the school.

Senator Dondero Loop:

Anytime there are children involved who are under 18, there has to be a parent involved. There is not a big choice. There needs to be a parent, a guardian, a grandparent—there has to be someone involved who is the adult taking care of that child.

Assemblywoman Miller:

I just want to make sure the separation between legislation and the interpretation of implementation is clarified that it could be a school psychologist, a school counselor, or even a principal who could invoke it. In the example you gave, you would call the parent because the student is having a hard time or something happened and ask the parent to pick him up because you think he just needs a day and, again, that does not count against him. I do not think it is very clear in the bill.

Senator Dondero Loop:

Section 2, subsection 2 says, "A certificate"—which means a note—"in writing from any qualified physician, mental health professional, or behavioral health professional acting within his or her authorized scope of practice" It does not say principal or teacher. It says, "mental health professional or behavioral health professional."

Assemblywoman Miller:

Does that cover school counselors?

Senator Dondero Loop:

I believe "mental health professional" would cover the school counselor, but I would check that to make sure. I have not had anyone question that. Certainly, our counselors are mental health professionals. The psychologists on our campuses are mental health professionals. I am not an attorney and I am not legal here at the Legislative Counsel Bureau, but I certainly feel they would be under that scope of practice. However, once again, they would not be

able to do that without talking to the parent. It would be different if I take my child to an outside therapist, for example, for counseling and that counselor says something. I am already involved.

Chair Bilbray-Axelrod:

Ms. Marincic, would you respond?

Amanda Marincic, Committee Counsel:

Under section 2, subsection 2, a school counselor could be considered a mental health or behavioral health professional as long as they are a mental health professional in that field. A school counselor who may be a social worker would follow under that category.

Chair Bilbray-Axelrod:

We have a question from Assemblywoman Hansen.

Assemblywoman Hansen:

I understand this is a really heavy subject. I certainly appreciate what you are trying to do and could probably be supportive of it, but a few things are going through my mind. First of all, I have not seen the TED Talk, and I promise I will watch that, but for kids to have a mental health day, I am trying to see how this is going to work if it is law. Students can take a mental health day and the school keeps track that the child had a mental health day versus a regular absence. When the students take that mental health day or days, are they at home with our services and is there a plan?

I think kids need a break. I have had discussions before with my kids. We had some kids before the advent of a lot of social media and some after. Sometimes, in my day, I needed to stay home. Kids can be brats at school and treat others badly and some kids need a break. Now, kids do not get away from that. Here is my concern: I love the idea of a mental health break, but they are not taking a break from social media, which I think is a lot of the culprit. I know you have no control over that. I feel like we are trying to address it, and I think that is what you are going for, but I am wondering about the other influences and they are still not getting away from the problem. What do those services look like when they take mental health days?

Senator Dondero Loop:

If we could legislate parenting, then we would, but we cannot. I think when a child takes a mental health day, they have probably already worked with a mental or behavioral health professional. I would hope, and I would have every confidence, that person would give some parameters about what might need to be happening the day that child takes a mental health day. If the child is seeing an outside counselor, they may very well be going to see that counselor or a general physician on that day.

Certainly, all of us who are pre-social media understand the influences of social media with children. There is no way for us, in any bill that we write, to legislate what happens inside a home with a phone or a computer. Could a mental health professional say to a parent,

"I would suggest that your child not be on the screen tomorrow and just really take a break"? Sure. Unless something else is going on, I cannot go to the house and see if that is happening. I appreciate what you are asking, but I do not think that is something we are trying to legislate in this bill.

Assemblywoman Hansen:

I appreciate what you are trying to do. Have mental health professionals been involved in this legislation? Do we have examples of this in other states that have done it?

Senator Dondero Loop:

Yes. Actually, I have a whole file here. Oregon passed a bill in 2019. Virginia, Colorado, Florida, and Washington have passed bills. I have more information, including Indiana, Maine, Utah, West Virginia, and Wisconsin. There are many states that have this legislation.

Assemblywoman Tolles:

Thank you for addressing this incredibly important issue. It is always heartbreaking, and it has been particularly heartbreaking this past year. I think we all share that same passion for protecting our kids. I do not know if we addressed this, but in section 1, it states listing information on the back of the identification cards.

There was similar legislation, Assembly Bill 167, that passed from our house that also addressed that issue. One of the things that came up in that discussion was including SafeVoice through the Department of Education in that list of resources because we are trying to direct our kids to that statewide resource. Another thing that came up was offering a text message option, not just phone numbers. The third thing that came up was the cost for some of our districts in being able to put that on the back of an identification card. There is a district that does not have a printer that does both sides, apparently. I am just wondering if you have had a chance to talk with the school districts and the Department of Education about that piece.

Senator Dondero Loop:

Yes. I believe Clark County is already in the queue to do that. They would have to speak to that because I have forgotten what they said. It was a few months ago when I had that conversation with them. Maybe Esmeralda County, but those kids in high school do not go to school there. I am trying to think of what high school would not have identification cards that would be from Lifetouch or another company. Those are the companies that make the student identification cards anyway. This information would be on the back of that student identification card.

Yes, you are absolutely right. It does say telephone number, but the idea is there would be SafeVoice information that students would have access to. It is very similar to when you use a public restroom anywhere. On the back of the door there is always information about sex trafficking hotlines. SafeVoice and suicide hotline information would be on student identification cards.

Chair Bilbray-Axelrod:

We are going to move on to testimony in support. We will allow equal time for support, opposition, and neutral. Is there anyone in the room who would like to testify in support?

Chris Daly, representing Nevada State Education Association:

We are in support of Senate Bill 249. I think the conversation here in the Committee reveals clear concern for a student's mental health is warranted and very appreciated. In particular, our leadership is appreciative of the language in section 2, subsection 4, which states that one of these excused absences related to behavioral health shall not count against the Nevada School Performance Framework or the system of school accountability. When it does, it gives schools a counterincentive to support, in this case, the mental health students when schools guard against these types of things on their reports. We appreciate that language.

[[Exhibit C](#) was submitted as written testimony in support of Senate Bill 249.]

Chair Bilbray-Axelrod:

Is there anyone else in the room or on Zoom who would like to testify in support? [There was no one.] Are there any callers waiting to testify in support? [There were none.] I will close testimony in support and open testimony in opposition. Is there anyone in the room or on Zoom? [There was no one.] Are there any callers waiting to testify in opposition? [There were none.] I will close testimony in opposition and open testimony in neutral. Is there anyone in the room or on Zoom who would like to give neutral testimony?

Mary Pierczynski, representing Nevada Association of School Superintendents:

There are parts of S.B. 249 that we really appreciate, such as the additional days not impacting the star rating for schools. We think that is important. Also, regarding the information on the back of the identification card, we think most districts can accommodate that. That may be of extra help to some students.

This is a very important issue; there is no question about that. The issue we are trying to work on right now are the mechanics of carrying out the dictates of the bill. We are in the neutral position as we continue to work with the sponsor, who has been a champion for education for many years.

Chair Bilbray-Axelrod:

Are there any callers waiting to provide neutral testimony? [There were none.] I will close testimony in neutral. Are there any closing remarks? [There were none.] I will close the hearing on Senate Bill 249. I will open the hearing on Senate Bill 151 (1st Reprint). Welcome back, Senator Dondero Loop.

Senate Bill 151 (1st Reprint): Revises provisions relating to education. (BDR 34-77)

Senator Marilyn Dondero Loop, Senate District No. 8:

I am pleased to present Senate Bill 151 (1st Reprint), which builds upon our previous efforts to increase the number of specialized personnel in our public schools. The personnel I am focusing on today are the behavioral and mental health professionals who work in our schools—counselors, psychologists, and social workers.

To this end, last session we required the State Board of Education to examine best practices for staffing and develop nonbinding recommendations for the ratio of pupils for each of these specialized personnel groups. These professionals bring years of education and training to their positions. They are dedicated to ensuring that all students in Nevada have access to quality education and the support they need to grow, learn, and feel safe, yet they are subject to working conditions that limit their opportunity to provide services to Nevada's public school children.

For example, counselors are trained to assist students with academic and career planning and personal and social development. However, due to staffing shortages, their duties are often focused on administering standardized tests, supervising lunchrooms, acting as substitute teachers, and making attendance phone calls.

Similarly, school psychologists are experts in education and psychology. They are qualified mental health professionals who work with students in crisis. They have specialized training to improve the school climate as a prevention measure. They are able to develop prevention strategies in mental health, substance abuse, bullying, and delinquency. However, they are most often assigned to assess children for special education services and develop an Individualized Education Plan.

School social workers are licensed by the Board of Examiners for Social Workers. They are trained to implement small group intervention strategies and identify more intensive interventions for individual students. They target multiple risk factors in home, school, and community settings, and identify warning signs of violent behavior. They also work to provide support for a crisis.

What do school counselors, psychologists, and social workers have in common? They are qualified mental health professionals who are often underutilized for their primary purpose in our public schools. In addition, Nevada's public schools are understaffed in these professions. Even the U.S. Department of Education listed all three areas as experiencing shortages in personnel. According to the National Alliance on Mental Illness, even before the coronavirus disease of 2019, approximately one in six children in the United States experienced a mental disorder each year. The National Association of School Psychologists estimates that up to 60 percent of students do not receive the treatment they need. Data shows that it is critical to reach these students when they are young, as more than half

of mental health challenges begin before the age of 14. According to the Education Commission of the States, federal data suggests that school counselors, psychologists, and social workers might confront overwhelming caseloads as the pandemic continues.

I think we all recognize the COVID-19 pandemic has significantly increased the demand for the services of our school counselors, psychologists, and social workers. The impact of isolation due to remote learning has magnified the urgent concerns about student safety and well-being. I think we can all agree that we need this group of trained professionals now more than ever.

In a 2020 Statewide Plan for the Improvement of Pupils, the State Board of Education recommended the following nonbinding best-practice ratios: for school counselors, 1 per 250 pupils; for school psychologists, 1 per 500 to 700 pupils; and for school social workers, 1 per 250 pupils. Needless to say, Nevada does not have the personnel needed to meet those staffing ratios. Most alarming, our current ratio of school-based mental health professionals to students is four to five times greater than the national recommended ratios. The data provided in the report by the Department of Education concludes that statewide, we would need an additional 819 counselors, 649 school psychologists, and 1,395 social workers.

Now that we know the scope of the problem, I will go over the bill so we can talk about next steps. Senate Bill 151 (1st Reprint) contains two major components to address these next steps. In the first of these, contained in section 1 of the bill, the board of trustees in Nevada's largest school districts, Clark and Washoe, are required to develop a plan to accomplish two objectives. The plan should describe how the districts will improve the ratio of pupils to this group of personnel in order to achieve the ratios recommended by the State Board of Education. The plan must also include strategies to recruit and retain the counselors, psychologists, and social workers, as well as establish annual targets for meeting the recommended ratios for these workers. The two districts must submit a report to the Department of Education concerning their plan to improve these ratios and the effectiveness of its efforts to recruit and retain the behavioral and mental health professionals. The report must also describe what the district plans to do during the next school year to meet the targeted ratios. The Department of Education is then required to compile this information and submit it to the Governor, the Legislature, and the State Board.

The second major component of S.B. 151 (R1) may be found in section 2 of the bill. The licensing board for our educators, the Commission on Professional Standards in Education, is required to establish continuing education requirements specific to school counselors and school psychologists. In a similar manner, the Board of Examiners for Social Workers is required to establish continuing education requirements for our school social workers. Currently, most of these professionals participate in continuing education opportunities as part of their commitment to their profession but receive no state level credit. This section of the bill will address that oversight.

I am hopeful, by taking these next steps with our largest school districts, it will focus the attention on the critical roles these professionals provide for our schools. It also moves Nevada toward nationally recognized best practices. I am especially hopeful that this focus will help school districts recruit and retain more mental health professionals.

Now I would like to invite Dr. Katherine Dockweiler, who serves on the State Board of Education and is a nationally certified school psychologist and policy researcher committed to the improvement of the education system.

Katherine Dockweiler, School Psychologist; and Director, Government and Professional Relations, Nevada Association of School Psychologists:

I would like to provide some historic context with regard to the provisions outlined in this bill. The work toward improving staffing ratios for school-based mental health providers began in 2018, with the Statewide School Safety Task Force within the Department of Education. As a member of that group, we were tasked with finding systemic, long-term solutions to improving student well-being and safety in Nevada.

Presentations were made by national and local experts, statewide data were carefully reviewed, and high-impact, high-efficacy targets were chosen. Establishing staffing ratios for Nevada's school-based mental health providers, as well as developing a strategic plan for successfully achieving those ratios, were determined to be two foundational targets to ultimately improve the mental and behavioral health services available to our students. These provisions were passed in 2019 under Senate Bill 89 of the 80th Session.

Since 2019, a collaborative of stakeholder groups has been working closely to explore best practice ratios within each professional domain, along with a variety of potential avenues for attaining these ratios. This collaborative has included the state associations for psychologists, school counselors, school social workers, the Department of Education, and other related professional organizations.

With the first foundational component now passed and recommended ratios established, it is time for the second foundational component—the strategic plans—to be developed and carried out by districts to further support growth toward achieving these ratios.

The steps outlined by Senator Dondero Loop are essential for continued progress toward improving student well-being and safety. Specific measurable targets for recruitment and retention will help districts determine if their efforts are having the desired impact, and will allow an opportunity to shift efforts in a timely manner. If staffing goals are not set and progress not measured intentionally in that regular interval, we will never know if we are on track to achieving our goals.

Now more than ever, our students need access to school-based mental health providers, and this bill will help achieve that.

Chair Bilbray-Axelrod:

Are there any questions from the Committee?

Assemblywoman Nguyen:

My question is in section 1. I see it looks like the school districts are required to submit these plans to the Department of Education. Is there any reason the Department of Education is not responsible for this or is it not a collaborative effort between the two of those to determine that kind of responsibility?

Senator Dondero Loop:

The board of trustees in each school district in those large counties whose population is 100,000 or more, as you can see by the bill, is asked to develop that plan. That plan would then be submitted, and I believe there will be some disaggregation of that data together with the Department of Education.

Assemblywoman Nguyen:

Is it for the Department of Education to ultimately create a statewide plan, or is it just for these individual school boards or individual areas to do their own localized plan?

Senator Dondero Loop:

In section 2, subsection 2, it states, "The Commission shall adopt regulations establishing continuing education requirements" That will also be part of this plan that comes out of the School Board.

Assemblywoman Nguyen:

They will be localized and not statewide. Is that correct?

Senator Dondero Loop:

Yes.

Assemblywoman Hansen:

Would you repeat the ratios, Senator? I think you said the first one was 1 to 250. Was that for counselors? Would you also repeat the ratios for school psychologists and social workers?

Senator Dondero Loop:

In the 2020 Statewide Plan for Improvement of Pupils, the State Board of Education recommended the following nonbinding best practice ratios: for school counselors, 1 per 250 pupils; for school psychologists, 1 per 500 to 700 pupils; and for school social workers, 1 per 250 pupils.

Assemblywoman Hansen:

My next question is for Dr. Dockweiler. Based on those ratios, we would need 819 counselors, 649 psychologists, and 1,395 social workers. In the psychology private

practice realm in Nevada, we know we run very low on licensed psychologists in our state. We know what the need is, just like teachers. We know what the need is, but are we going to have trouble finding them to hire and have them qualified to be in the schools?

Katherine Dockweiler:

Yes, we do have a shortage of mental health providers in the community and within schools. Our hope within the school setting—similar to what we have developed with our teacher pipelines—is to create school-based mental health pipelines so we can begin getting individuals into the profession and educational setting and then work them through a supported network to make our workforce more robust and to increase the pipeline of school-based mental health providers to ultimately ensure licensure in either school psychology, school counseling, or school social work.

Senator Dondero Loop:

To add to that, in section 1, subsection 1(a), strategies to recruit and retain are part of the overall plan.

Assemblywoman Tolles:

It is great to be back on this topic because, as you know, we worked really closely together on this effort in 2018. I am glad to see the work continue, and I am glad to see this bill come forward because we are nowhere near there yet. I also want to piggyback on some of the things Assemblywoman Hansen said. I think it is important to make sure we are engaging with our higher education community on this so we are building that pipeline. I appreciated the answer because that was going to be my question—How are we doing that? I know it is in section 1, subsection 1, but it may be good to just get it on the record. I do not know if we actually have to add it to the text of the bill, but I think it is incredibly important because we have to build up that pipeline.

My question is more specific to section 2 in regard to the continuing education. More just out of curiosity because do we not already have continuing education for school counselors and school psychologists, or is this something new? I assumed we have the same continuing education requirements like we would for anyone else in the mental health field.

Senator Dondero Loop:

I will start, but will have Dr. Dockweiler jump in. Yes, we do have continuing education, but many times our mental health workers do not get credit for that.

Katherine Dockweiler:

I believe the intent behind this portion is to align state level requirements with what we are required to obtain nationally. For example, there are certain requirements I need to meet every three years as a nationally certified school psychologist. We need to align those requirements with our state level requirements so we are not creating a duplicate system, or make sure there is an alignment between national best practice and what is required in the state for each of those three professions.

Assemblywoman Tolles:

This may be for follow-up beyond this hearing. I am curious to know how many hours and who is going to teach—just the implementing side of that, practically speaking, to make sure we do not run into a roadblock for implementation. We have put this in statute and we want to make sure we have that process in place to meet them on the other side. Feel free to follow up with me after the hearing, but that is the nature of my question.

Chair Bilbray-Axelrod:

Seeing no further questions from members, we will move on to testimony in support. Is there anyone one in the room who would like to provide testimony in support of S.B. 151 (R1)?

Chris Daly, representing Nevada State Education Association:

The Nevada State Education Association (NSEA) is in support of the goals of S.B. 151 (R1) to reduce the caseloads of licensed educators, such as school counselors, psychologists, and social workers, while also providing meaningful professional development.

Common sense tells us reasonable caseloads for other licensed education professionals are significant in helping students succeed. That is why NSEA has been supportive of efforts across legislative sessions to address the issue of unreasonable caseloads for specialized instructional support personnel. We applaud Senator Dondero Loop for continuing her efforts to address this issue this session.

Senate Bill 89 of the 80th Session directed the State Board of Education to develop recommendations for the ratio of students to specialized instructional support professional personnel based on national best practices. The Board recommended one school counselor and one school social worker per 250 pupils, and one school psychologist for 500 pupils. Current caseloads are far from these recommended targets. As of 2020, Nevada's ratios were 1 to 463 for counselors, 1 to 1,843 for psychologists, and 1 to 1,174 for social workers.

While much of this work rose out of school safety concerns, the COVID-19 pandemic and impact on schools and kids has further elevated the importance of counselors, psychologists, and social workers in school communities. Students returning to school buildings this year found systems to support their mental health and social-emotional needs totally overburdened. Nevada schools are in desperate need of more highly trained counselors, psychologists, and social workers. With starting pay and benefits averaging between \$62,000 and \$77,000 per year, recruitment and retention in these rigorous fields is very difficult. That is why NSEA has been talking about treating these occupations similarly to teachers who have become nationally board-certified with a 5 percent salary enhancement. We realize that earlier in the session, this was a bit of a nonstarter with the state's budget situation. We think with this week's economic forum projections that perhaps this Legislature could find funds for this in the budget. If so, this would help with recruitment and retention, while also incentivizing school counselors, psychologists, and social workers to achieve the highest standards in their profession. [Written testimony was also submitted, [Exhibit D.](#)]

Chair Bilbray-Axelrod:

Seeing no one else in the room and having no one on Zoom, are there any callers waiting to testify in support?

Erica Valdriz, Fundraising Coordinator, Vegas Chamber:

The Vegas Chamber is in support of S.B. 151 (R1). The Vegas Chamber supports having a high-quality, comprehensive school counseling program in our state. We believe the count of students who are enrolled in distance learning because [unintelligible]. They deserve the best support and benefits from our school system.

The Vegas Chamber cares about this program because it supports student achievement, which will increase Nevada's graduation rate. With necessary supports in place, school counselors and school psychologists are uniquely equipped to promote academic success and help Nevada students become college-ready or career-ready. Thank you for your time. We urge your support for this bill.

Brenda Pearson, representing Clark County Education Association:

The Clark County Education Association (CCEA) supports Senate Bill 151 (1st Reprint) and thanks Senator Dondero Loop for working with us on this bill. This bill ensures that every school district reflects upon progress made to get to the long-term goal of State Board recommended ratios for mental and behavioral health professionals. This bill also includes accountability measures to ensure that districts develop and follow a plan that contains strategies to recruit and retain mental and behavioral health professionals.

Currently, our school psychologists, counselors, and school social workers, have already dealt with high professional to student ratios. With the anticipated rise of mental and behavioral health issues due to the COVID-19 pandemic, it is incredibly important to have accountability measures in place to make sure our long-term goals can be met and that we can be agile in our approach to creating pipelines for mental health professionals in education.

It is clear that a reduction in caseloads for our mental health professionals will lead to increased student success in academics and will help to develop the social and emotional growth factor linked to academic success. Though the ultimate goal of this bill projects us 15 years into the future, the reporting mechanism in this bill will ensure that we keep our eye on the target and achieve our goals.

When looking at the cost of mental and behavioral health, known as wraparound services, in K-12 education, we must understand that this is a specified area where federal COVID-19 pandemic relief funds can be utilized. In addition to the full implementation and funding of the Pupil-Centered Funding Plan, it is imperative that we as stakeholders, impacted communities, and legislators commit to the fact that our students need us today. We cannot wait for another legislative session to create, implement, strengthen, and fund these services. Mental health, just like education, is not just a talking point.

Located in the exhibits on the Nevada Electronic Legislative Information System are ten comments in support from mental and behavioral health specialists in the Clark County School District who could not be here today because they are on the clock. [Comments mentioned were not received.]

Now it is your turn to make sure we all do our part to ensure that every student can have the recommended ratio of mental and behavioral health professional to student to ensure their achievements and outcomes are a top priority. The CCEA thanks every stakeholder for their effort and looks forward to supporting the development of mental health supports in K-12. [Written testimony was also submitted, [Exhibit E](#).]

Chair Bilbray-Axelrod:

Are there any other callers waiting to provide testimony in support of S.B. 151 (R1)? [There were none.]

[[Exhibit F](#) and [Exhibit G](#) were submitted but not discussed and are included as exhibits of the meeting.]

I will close testimony in support and move to testimony in opposition. There is no one in the room or on Zoom. Are there any callers in opposition? [There were none.]

[[Exhibit H](#) was submitted but not discussed and is included as an exhibit of the meeting.]

I will close testimony in opposition and open testimony in neutral. There is no one in the room or on Zoom. Are there any callers in neutral? [There were none.] Are there any closing comments from the presenter?

Senator Dondero Loop:

In closing, it is clear that our K-12 students face many social, emotional, and situational pressures that affect their school performance. Unfortunately, the COVID-19 pandemic has amplified those pressures. School safety concerns will not magically disappear when students return to the classroom. We should have mental health professionals available in our schools who can work individually and collectively to create school environments that encourage growth and enable children to feel school is a safe place for them. Those essential support services provided by each of these professional groups all contribute to this environment, and we must do better to ensure that we help them to meet the needs of our students.

If I have learned one thing in this building with my many terms, it is we have to start somewhere. While both of these bills [[Senate Bill 249](#) and S.B. 151 (R1)] may not be all-encompassing and may not be everything we want, if we do not start somewhere, we wait another two years to start somewhere, and then we do not start somewhere again. I urge your support.

Chair Bilbray-Axelrod:

I will close the hearing on Senate Bill 151 (1st Reprint). I will open the hearing on Senate Bill 193 (1st Reprint) and welcome Senator Hardy.

Senate Bill 193 (1st Reprint): Revises provisions relating to the education of veterans and their spouses and dependents. (BDR 34-382)

Senator Joseph P. Hardy, Senate District No. 12:

I am thrilled to have the opportunity to stand up for veterans. In full disclosure, I am a veteran, but this particular bill, dealing with education in the Assembly Committee on Education, is an opportunity that we have to show our support for veterans.

Senate Bill 193 (1st Reprint) requires the Board of Regents of the University of Nevada to submit to the Legislature a report concerning student veterans, and also requires the Board to give preference in admission to certain veterans in each nursing program and program for the education of teachers. Having said that, in preference, veterans still have to qualify for the programs. Veterans cannot go into a program they do not qualify for. However, if there are two people, one a veteran and one not and they are both equally qualified, then the veteran would have that preference.

The bill also removes the time limitation for matriculating in the Nevada System of Higher Education (NSHE) for certain veterans. The timeline is interesting because it used to be five years and now we are proposing removing that limitation because veterans do not necessarily go back to school right away. Their children and their spouses may not even be old enough to come back. One of the challenges we have is making sure veterans' survivors have an opportunity to go to college.

Ross Bryant, who may or may not be on Zoom, testified in the Senate and will probably have that opportunity in the Assembly as well.

The spouses and dependents using the 9/11 educational assistance can go tuition free. It prohibits the assessment of tuition charges against veterans, spouses, and dependents using the 9/11 educational assistance and prohibits the assessment of tuition charges against students using the Survivors' and Dependents' Educational Assistance through the U.S. Department of Veterans Affairs.

I would be happy to answer any questions to confuse you with my answers.

Chair Bilbray-Axelrod:

Do you have someone else to testify?

Senator Hardy:

That would be great.

Ross Bryant, Executive Director, Military and Veteran Services Center, University of Nevada, Las Vegas:

I am very honored to be in support of the bill presented by Senator Hardy that would help with in-state tuition for any family member or veteran who has in-state tuition or would be charged out-of-state tuition. The current law states after a five-year period, they would be charged out-of-state tuition.

The federal government has just recently passed a law, and this bill would put us in compliance with federal law so any of these veterans' benefits would be good forever. It does not expire in 15 years. Some veterans who have family members might choose to go to work to raise their children and go to school later. That means if they attended the University of Nevada, Las Vegas (UNLV) later, they would not be charged out-of-state tuition.

We also have over 300 family members at UNLV who have their parents' benefit because they extended their service during the 20 years of this war and have benefits that their parents had. That would also extend to them so they also have in-state tuition. This would also include Chapter 35 benefits—for any veteran who is 100 percent disabled, their children get a stipend. This bill would also ensure they get in-state tuition. A lot of those kids traveled the globe and moved every couple of years with their parents, so they probably did not attend high school in Nevada unless they were stationed at Nellis Air Force Base. This bill is very instrumental in helping to bring more veterans and military family members to NSHE.

Chair Bilbray-Axelrod:

Are there any questions from Committee members?

Assemblywoman Hardy:

My question is about the report from the Board of Regents. Do they have to break it down by institution, or is it over all the institutions for the different categories listed in the bill?

Senator Hardy:

As I understand it, it is for the whole system. It is a system issue. The Legislative Committee on Education will get that report, as well as the Director of the Legislative Counsel Bureau. We will see that report as well, and I think that is important for us to know where we are at and what we can predict and plan for. We are not out of the loop.

Assemblywoman Hardy:

I am surprised there is not already some kind of report. I am sure they already collect the information, now it is just putting it into one report. As you said, the Legislature will see it, so we know what is going on with veterans.

Senator Hardy:

If I may, Madam Chair, Mr. Bryant is probably intimately involved with those numbers. That is part of his life and he may want to chime in.

Ross Bryant:

Currently, all NSHE schools already do an annual veteran report from Assembly Bill 76 of the 78th Session. That report would continue. I think the tracking of in-state tuition would be added to that annual report. Before, we did not report on that, we reported on numbers, programming, and graduation rates and retention. That report is already happening. It would just be enhanced with the requirements from this new bill.

Chair Bilbray-Axelrod:

This bill came out of an interim committee that I happen to be vice chair of. I am very happy this bill made it through. We did have a similar bill from Assemblywoman Titus [Assembly Bill 165]. I do not know if you are familiar with that bill.

Senator Hardy:

I am willing to learn.

Chair Bilbray-Axelrod:

I do not think there is any conflict, and if there is, we can let legal figure that out. I just wanted you to be aware. I think the language should be okay, but they are similar, as does happen in this building a lot. Are there any other questions?

Assemblywoman Hansen:

I want to make sure I am understanding something. Section 3 states, "A Board of Regents shall require each nursing program in the System to give preference in admission to veterans of the Armed Forces" I want to understand what it means by "preference." Some of those programs are very competitive. I am the mother of nurses who were not military, and I am the mother of several members of the military. Because those programs are so competitive, particularly Orvis School of Nursing at the University of Nevada, Reno (UNR), when we say preference if there is a choice between a veteran applicant and a nonveteran applicant, do they open an extra spot, or are they going to compete for the same spot?

Senator Hardy:

There is a qualification needed in order to go to nursing school. This does not open a spot, it only allows if two people are equally qualified, then it goes to the veteran. The bill does not say the veteran has preference over everyone no matter what. This is just two people, one veteran one not, equal qualifications, it goes to the veteran.

Assemblywoman Hansen:

That makes me uncomfortable. I love our veterans and they should have preference. I may talk to you offline to see if this is done in other states and some of the history behind it.

Assemblywoman Tolles:

Once again, Assemblywoman Hansen and I are thinking some of the same things. I was also going to ask about this section. Section 3 is nursing and section 4 is teachers. She asked my question about preferences, but my next question would be why we are choosing those specific degrees—nursing and teaching?

Senator Hardy:

I am aware that there are veterans who want to be nurses or teachers. To Assemblywoman Hansen's point, those programs are very competitive. This is an attempt to have veterans have some opportunity they would not have otherwise. However, they have to have the qualifications. This is not to give them extra qualifications, it is to allow them, with the same qualification, to have the veteran chosen.

Assemblywoman Tolles:

What I think I heard you say is it has to do with the competitiveness of those programs. I know engineering would also potentially be a natural fit with a lot of our veterans coming out of the military and having some training in that particular area or other programs. Did you consider other programs or just nursing and teaching because they are particularly competitive?

Senator Hardy:

Just those programs were considered. I am a very amendment-friendly kind of guy. I do not know the competitiveness or the drive that we have in the engineering program, for instance. It is narrowed, obviously, and I would not be surprised when it works and we see that it works without putting people at a disadvantage—because they still have to be qualified—if that is something that could happen and should happen, either now or in the future.

Chair Bilbray-Axelrod:

I actually misspoke. It was not Assemblywoman Titus' bill; it was Assemblywoman Hardy's bill. To be clear, our Committee has taken a look at the two bills and they are not in conflict.

Amanda Marincic, Committee Counsel:

The two bills are not in conflict, so they can both pass.

Assemblyman Flores:

Did you indicate whether or not we have data on the number of applicants we have for veterans who are not getting in? I see the language talking about requesting that we keep data on the ones we are retaining—the ones that are being admitted into the programs that we are accepting. That makes a lot of sense to me. I am trying to understand if we know how many students are applying who identify as veterans and have access to the GI Bill but are being denied. I think that would be a strong indicator of how many veterans we are turning away. I do not know if anyone has any idea as to that information.

Senator Hardy:

I think that is an excellent point. This bill does not require it. I would not be surprised if Mr. Bryant knows the answer, or at least some of it, because he deals with that.

Ross Bryant:

I have been doing this job for nine years. Here is what has happened. I do not have exact data of how many veterans apply, but after 20 years of combat, we have many combat medics and medical corpsmen from the Navy who served with the Marine Corps on multiple

tours. Many of them want to continue their career in nursing. When they get here, I know at UNLV, there is a certain number of seats and it is very competitive. If applicants do not have a 4.0 average, they can barely get a seat. A lot of those veterans get frustrated and leave the state to go to Texas, Florida, Illinois, or other places that have veteran preferences. Veterans may not have a 4.0 average, but they are qualified for all the requirements based on combat medical experience and they can get into those programs. I know in Florida there are basically five seats for every state school earmarked for veterans. I do not have the exact number.

We are able to get some of those veterans to go to Nevada State College with the intent that they will maybe stay in Nevada and help with the nursing shortage. It is the same thing with the teaching programs; they would get into the teaching curriculum and stay in Nevada to teach. Many of them end up paying more expensive education bills to go to Touro University Nevada to get their nursing degree, and then they have some problems financially.

That is a little bit of the background that has been going on here for a long time. There have been discussions with nursing over the years, but obviously academically, I think it helps the school to show they have a higher grade point average rating for the nursing curriculum students. Therein lies the challenge for some veterans to get into the nursing program who have great experience to be a nurse.

Assemblyman Flores:

In collecting the data of the number of veterans we are actually enrolling, I think there is an opportunity for us to also consider looking at how many we are pushing away. If we start doing this, we are going to have to have a box checked saying individuals are veterans. I think it would be easy for us to start tracking, moving forward, how many we are still saying no to. I think it would be useful for the work he is doing, it would be useful for us to know how many folks we are pushing into other states, and also to highlight how good a job we are doing in retaining. Perhaps that could be something you could consider, Senator. However, that is up to you, and I am just bringing it up.

Senator Hardy:

Let me propose this. I think that is an excellent idea. I am very open to amendments. If we put that amendment in "my bill," and whether it gets a fiscal note or not, I do not care, as long as Assemblywoman Hardy's bill processes at the same time. I think we have a win-win situation where no matter what, we could do what you are proposing and then do the "clean way" of doing it with what Assemblywoman Hardy is doing. That may be a very facile way to accomplish something because I do not then see a risk of having someone say it may bring a fiscal note. You know how that is going right now. I am amenable if you would like to do that.

Assemblyman Flores:

It is up to you Senator. It is your bill. I do think it would be good to know not only how many we are keeping, but also how many we are still pushing away.

Senator Hardy:

I think that would be good information.

Assemblywoman Torres:

I do appreciate the intent of the bill. Do we have anyone from NSHE on the line? I think my question would be better suited to NSHE. [There was no one]. I am going to ask the question on the record so NSHE understands what the question is. Hopefully, they can get back to us and we can follow up at a later date.

I looked at Assembly Bill 165 in comparison to Senate Bill 193 (1st Reprint). I am not understanding why one bill was sent to the Assembly Committee on Ways and Means and the other bill was not. In comparing the fiscal notes, it seems the only difference is—because the language is identical—for whatever reason, A.B. 165 said there is a greater impact on small institutions. I am hoping NSHE can clarify that and send us more information. Assembly Bill 165 did pass out of this Committee. I do not understand why one would have a greater fiscal impact when it is the exact same language.

Senator Hardy:

Welcome to the Legislature.

Assemblywoman Hansen:

This may be a question for legal. If we follow the idea that was brought up by Mr. Bryant that some states have more seats available—I think you mentioned Florida—if for some reason we had instead of "preference" we ask NSHE or the schools to open a seat, or two, or three, that are reserved for veterans in addition to what they already allow. Is that something NSHE can do on their own, or do we legislatively have to do that through this bill?

Senator Hardy:

At great risk, I am going to say NSHE can do whatever they want if we give them the money. There are limitations, however, on how much money we give because there is space. The nursing programs, for instance, require a space in order to meet their criteria for being in nursing school. There are space requirements, teacher requirements, and professor requirements. Heretofore, we doubled the nursing size some time ago in NSHE at UNR. We did that legislatively because we said that is what we need to do. We all know we do not have enough nurses or doctors. We do not have enough, enough, enough.

Yes, this could be a fiscal note much greater than maybe alluding to what Assemblywoman Torres was talking about and alluding to what Assemblywoman Hardy's bill is concerning. The people who put Assemblywoman Hardy's bill in Ways and Means may be prescient knowing that you were going to think of that and then say we need how many millions of dollars more in NSHE. You still have to have the space.

To Mr. Bryant's comment about Touro, this is fair disclosure, I work at Touro and I am in a position where I look to train and how to train third- and fourth-year students in their clinical years. There are clinical rotations as well as the space for the textbook years of nursing school. Those all have to come together in one pathway that works. Yes, we can double it, but we have to do something in order to do that.

Assemblywoman Hansen:

Thank you for raining on my parade. I will take my ball and go home now.

Senator Hardy:

We are having a rainfall of money. I just say that. I am not on the Senate Committee on Finance, so do not tell anyone I said that. That is reality. Where do we want to spend it?

Chair Bilbray-Axelrod:

Are there any other questions? [There were none.] There is no one on Zoom or here in the room to testify on this bill. We may have a call from NSHE, and if anyone from NSHE can hear me, you may want to follow up on Assemblywoman Torres' question. Are there any callers waiting to testify in support of Senate Bill 193 (1st Reprint)?

Andrew LePeilbet, representing Military Order of the Purple Heart, Disabled American Veterans; and Chairman, United Veterans Legislative Council:

I represent the combat wounded veterans of the Purple Heart, the 65,000 disabled American veterans in the state of Nevada, and I am the current chair of the United Veterans Legislative Council, representing the 250,000 veterans in our state and 500,000 Nevadans when you include their families.

We are in support of S.B. 193 (R1). We ditto the Senator's comments and Ross Bryant's comments. All we can say at this time is it is the right thing to do. It is attached to one of our past sessions when we have been so short of nurses and teachers. I think that is one of the reasons these programs may have been picked because they are two key areas with the shortage of teachers and nurses in our state. This has been going on through the Legislature for some years now.

With all the experience these veterans have, we could sure use their talents to give to our schools and hire them in our state. We support the bill strongly.

Kanani Espinoza, representing Nevada System of Higher Education:

With regard to Assemblywoman Torres' question, I will relay the message to NSHE and have someone get back to the Assemblywoman and the Committee regarding the various questions asked today. As it stands, NSHE is in support of S.B. 193 (R1) as written and would like to thank the sponsors, specifically Senator Hardy, for engaging us in the legislation. We will work with the Senator on forthcoming amendments and get all that clarifying language to you all. We appreciate that Senator Hardy put on the record the clarification for qualifying for specific programs.

In recognition of your time, I would like to thank you for hearing this bill and encourage your support. I can stand for any other specific questions, if needed.

Chair Bilbray-Axelrod:

I appreciate your offer to connect NSHE with Assemblywoman Torres. I would ask that NSHE connect with the Committee and then we can get the information out to everyone. Are there any other callers waiting to provide testimony in support? [There were none.] I will close testimony in support and open testimony in opposition. There is no one in the room or on Zoom. Are there any callers waiting to testify in opposition? [There were none.] I will close testimony in opposition and open testimony in neutral. Are there any callers waiting to provide neutral testimony? [There were none.] Senator Hardy, do you have any closing comments?

Senator Hardy:

No, I do not. Thank you.

Chair Bilbray-Axelrod:

I will close the hearing on Senate Bill 193 (1st Reprint). The last agenda item is public comment. Public comment is not to rehear any of the bills we have heard, it is to talk about things in the general purview of this Committee. Is there anyone in the room wanting to provide public comment?

Alexander Marks, representing Nevada State Education Association:

Like Superintendent Ebert, I would like to take a moment to gush a little bit about our member, Juliana Urtubey, being named 2021 National Teacher of the Year. We are very proud at the Nevada State Education Association (NSEA) to have her as a member, as well as our affiliate, Nevada Education Association of Southern Nevada (NEASN).

I would like to read a couple of statements from our President, Brian Rippet, as well as the Nevada Education Association (NEA) President, Becky Pringle, who obviously could not be here today. From Brian Rippet:

In a year that was easily one of the most challenging of all of our lives, Juliana has made a profound difference in the lives of her students as well as her community. Ms. Earth, as she is known to many, is the epitome of what it means to be an educator from her focus on educational equity, community gardens and murals, and social and behavioral growth. She is an inspiration to her students as well as a role model for all educators seeking to make a difference in the lives of our children in Nevada. The NSEA family is extremely proud to have her representing our state as well as our union.

From Becky Pringle, President of the National Education Association:

Juliana embodies our core values that public schools and educators should inspire imagination, cultivate curiosity and critical thinking, and ensure all of our students can thrive and live fulfilling lives, no matter their race, background, ZIP Code, or ability. She is working to nurture these values today and grow tomorrow's inventors, artists, leaders, and yes, educators. To her, teaching is much more than a job, it is a calling, and she strives every day to connect with every student to discover their passions as well as their potential. On behalf of NEA's more than 3 million members, we congratulate Juliana for nurturing a love of learning, helping students grow, and setting expectations for students that best meet their learning needs. Her work paves the way for a better, brighter tomorrow for all of our students. The NEA, NSEA, and NEASN are excited for her to spend the next year serving as an ambassador for public education and advocating for all educators and students at the state and national level.

Chair Bilbray-Axelrod:

As we said, we are very excited. That was a great representation. Are there any other callers waiting to provide public comment? [There were none.] We will be meeting on Tuesday, May 11, 2021, at 1:30 p.m. I think we have two bills scheduled for that day.

This meeting is adjourned [at 3:55 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 written testimony dated May 6, 2021, submitted by Brenda Pearson, representing Clark County Education Association, in support of Senate Bill 249.

[Exhibit D](#) is written testimony and a proposed amendment dated May 6, 2021, submitted by Chris Daly, representing Nevada State Education Association, regarding Senate Bill 151 1st Reprint).

[Exhibit E](#) is written testimony dated May 6, 2021, submitted by Hawah Ahmad and presented by Brenda Pearson, representing Clark County Education Association, in support of Senate Bill 151 (1st Reprint).

[Exhibit F](#) is written testimony dated April 21, 2021, submitted by Phillip A. Moreno, President, Western Association for College Admission Counseling, in support of Senate Bill 151 (1st Reprint).

[Exhibit G](#) is written testimony submitted by Keeli Killian, Past-President, Nevada School Counseling Association, in support of Senate Bill 151 (1st Reprint).

[Exhibit H](#) is written testimony submitted by Barney Wadley, Private Citizen, Dayton, Nevada, in opposition to Senate Bill 151 (1st Reprint).