

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

**Eighty-First Session
May 11, 2021**

The Committee on Education was called to order by Chair Shannon Bilbray-Axelrod at 1:37 p.m. on Tuesday, May 11, 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

STAFF MEMBERS PRESENT:

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

Minutes ID: 1094



OTHERS PRESENT:

Edward Ableser, representing Blockchains, Inc.
Felicia Gonzales, Deputy Superintendent for Educator Effectiveness and Family Engagement, Department of Education
Erika Valdriz, Fundraising Coordinator, Vegas Chamber
Arielle Edwards, Government Affairs Specialist, City of North Las Vegas
Brenda Pearson, Director of Strategic Initiatives, Clark County Education Association
Tammy Malich, Cochair, Educational Equity Task Force, Las Vegas My Brother's Keeper Alliance
Christina (Christy) McGill, Director, Office for a Safe and Respectful Learning Environment, Department of Education
Alexander Marks, Communications Specialist, Nevada State Education Association
Jim Hoffman, Member, Legislative Committee, Nevada Attorneys for Criminal Justice
Arash Ghafoori, Executive Director, Nevada Partnership for Homeless Youth
Patricia Julianelle, Senior Strategist for Program Advancement and Legal Affairs, SchoolHouse Connection, Washington, D.C.
Joanna Jacob, Manager, Government Affairs, Clark County

Chair Bilbray-Axelrod:

[Roll was called. Committee rules and protocol were explained.] We have two bills today. I will open the hearing on Senate Bill 172 (1st Reprint) and welcome, Senator Denis.

Senate Bill 172 (1st Reprint): Revises provisions relating to education. (BDR 34-185)

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

I am here today to present Senate Bill 172 (1st Reprint), which strengthens Nevada's dual credit system. I will begin with a little bit of background to provide some context for S.B. 172 (R1) before going over the bill's details.

Research indicates growing interest in dual credit programs, which allow high school students the opportunity to receive both high school and college credits at the same time for a course taken. After the financial crisis around 2009, interest in these programs increased as students and their families, in dire economic conditions, sought low-cost solutions to further strengthen their educational and career goals. Some believe we will see a similar surge of interest as a result of the conditions stemming from the COVID-19 pandemic. According to a June 2020 article from The 74, a nonpartisan organization, the number of high school students who participate in dual enrollment programs has more than doubled over the past two decades. The report further indicates that after COVID-19's effect on schools, dual enrollment in summer classes has skyrocketed, and early signs point to a similar trend for the fall. At one college featured in the report, summer dual enrollment increased 270 percent. By June 2020, the same school had seen a 225 percent increase for its fall program. At other featured colleges, summer dual enrollment increased 15 percent, 60 percent, and 71 percent.

Research also suggests that students participating in dual enrollment programs are more likely than their peers who are not participating in such programs to finish high school. They also have greater success in postsecondary endeavors, whether that student chooses higher education or the workforce. However, despite the success of these programs, access to dual enrollment is not equitable. According to a 2019 report published by the National Center for Education Statistics of the U.S. Department of Education, while 38 percent of white and 38 percent of Asian students participated in at least one dual enrollment course, only 27 percent of Black and 30 percent of Hispanic students participated in these courses.

What does all this mean? We know that through certain programs, like dual credits, students are guided on a more transitional focused path to life after high school. We know this program ultimately supports the workforce pipeline and postsecondary pathways by providing meaningful learning and skills. We need to ensure that all our students, including those from different socioeconomic backgrounds, those who are middle- or low-achieving, and those in our rural communities, have the same opportunity for lifelong success.

Section 1 of S.B. 172 (R1) includes dual credit and international baccalaureate courses in the list of courses for which the State Board of Education must provide a uniform grading scale, and requires the Board to assign the same weight to such courses as is assigned to advanced placement (AP) courses in certain circumstances.

Section 5 of S.B. 172 (R1) removes the enrollment application process and prerequisite requirements for a student to participate in a dual credit course. Section 1.5 also removes provisions relating to cooperative agreements to offer dual credit courses and instead requires each school district and charter school to establish a dual credit program or partner with another district or charter school with an established dual credit program, whereby students may enroll in such a course at a higher education institute.

To ensure these changes target the inequities in accessibility and provide other meaningful data, S.B. 172 (R1) also requires the board of trustees at the school districts and the governing bodies of charter schools to report information on their dual credit programs. That may include the number and demographics of pupils enrolled in these courses, the number of teachers involved with such courses, the associated costs, and the program outcomes. The specific content of the reports must be prescribed in collaboration with various educational stakeholders.

Finally, to provide the Legislature flexibility to make any necessary changes, section 2 of the bill requires the Legislative Committee on Education to study dual credit programs during the 2021-2022 Interim and make recommendations to improve the system.

In conclusion, I urge your support of S.B. 172 (R1). This bill removes barriers for students seeking to further their education or bolster their career skills. The bill also serves as a workforce development strategy for Nevada. It may help support the state's workforce

pipeline, potentially bringing more students into high-demand fields, like those in science, technology, engineering, arts, and mathematics, and a career in technical education fields. This strategy will further leverage Nevada's economic competitiveness.

Thank you, Madam Chair and members of the Committee, for considering S.B. 172 (R1). I have Mr. Ableser here with me, who will finish out the presentation, and then we would be glad to take questions.

Edward Ableser, representing Blockchains, Inc.:

I want to thank Senator Denis for sponsoring this much-needed piece of legislation. Over the past two years, Blockchains, Inc. has developed the first dual credit high school level class in the nation that teaches students across Nevada introductory principles of blockchain technology. This exciting endeavor was met with open arms from the Nevada System of Higher Education (NSHE) institutions, whose professors eagerly helped in developing this course. Once developed, the Department of Education and local schools jumped at the chance to offer this course to their students. The response we have received from seniors this year who took the course as part of the pilot program was overwhelmingly supportive. So far, the program has been a success. That said, the education initiative did meet certain challenges. Through Tri-Strategies' work with Blockchains, we found gaps in the current dual credit system that this bill intends to correct.

First, students experience complications around the articulation of dual credit toward all NSHE institutions. In most cases, unless the high school has a specific memorandum of understanding (MOU) with the NSHE institution, the students' credits might not easily transfer and be applied toward their program of study. This bill removes that requirement for an MOU and for a student's application, which in turn removes the barriers that schools and students face when accessing dual credit programs. Furthermore, this bill removes language that narrows which institutions are able to receive the dual credit and, instead, makes receiving dual credit available to all.

Second, students experience limited access to dual credit programs. Some school districts lack dual credit programs or accessible opportunities to participate in the diverse array of classes which are offered throughout the state. The passage of S.B. 172 (R1) would result in all districts and public charter schools providing their students with dual credit opportunities. This will empower Nevada students to build college credits while finishing their high school diploma, allowing educational access and opportunities that will accelerate and enhance professional careers.

Third, students experience inequity in the cost of dual credit, as costs are currently dictated by geographic boundaries and NSHE institution participation. This inequity is unfair to the broader student population, especially when higher costs prevent students from accessing critical educational opportunities. Senate Bill 172 (1st Reprint) attempts to address this cost

inequity issue by having the Department of Education prescribe the data of demographical and programmatic information which must be submitted by the school districts to the interim Legislative Committee on Education for review, presentation, and consideration of possible legislative remedy based upon the result of those reports.

The industry behind this bill would love the opportunity to work with the Department of Education to create the data points of which our schools and colleges can provide so we can make informed decisions about cost inequity. As amended into the first reprint, S.B. 172 (R1) also remedies the disproportionate weight value that a student receives for their high school diploma from a dual credit course in comparison to higher weighted values, such as those for AP or international baccalaureate courses.

Lastly, while working with NSHE and the Department of Education on these gaps, Superintendent of Public Instruction Ebert and Chancellor Rose, along with their staff, assembled a dual enrollment work group that is charged with creating policies to fix costs, teacher qualifications, and district support. As a member of the public participating in this cross-agency collaboration, I can tell you they are diligently working on amazing ideas that will assist in solving the problem of cost inequity for our students. I am encouraged by their collective efforts and dedication to addressing these gaps in the current system.

Furthermore, as you can see by the vast amount of business support and industry support that have signed up in support of this bill, employers desire a well-trained workforce equipped and ready to work. These proposed changes will assist all dual credit and career technical education pathways in this state, empowering Nevada students to aggressively advance their postsecondary studies and gain advanced skills to find a high-wage career upon graduation.

I appreciate your time and attention this afternoon. I am available for any questions you might have.

Chair Bilbray-Axelrod:

I would like to home in on the dual enrollment work group you mentioned. Can you tell us the makeup of that work group? Are they still meeting? Are they going to come back with recommendations or have they already, and if so, to whom?

Eddie Ableser:

The dual enrollment work group that has been assembled has constituencies of Department of Education representation across the state, and I believe every institution that participates within NSHE as well. It is a pretty robust group. They are self-organized and divided into three subgroups: a price subgroup; a teacher qualification subgroup; and a district support subgroup. Over the past six months, they have been working as a collaborative to create recommendations and bring forth to the broader whole as policy so NSHE and the Department of Education would create changes for subsequent years.

Cost has been one of the biggest issues. I am happy that I get to serve in that capacity to oversee the conversations around cost. I think what we are learning is just how entrenched the cost issue really is in Nevada. There are different NSHE institutions providing different costs for a variety of things, and there is not generally a rhyme or reason to it. Leaders within NSHE and the Department of Education have been working to fix that issue and bring forth recommendations to the broader whole. Once they do that, I think they will make that public to the Committee and other members in the education system.

Chair Bilbray-Axelrod:

You said the work group did it at their own accord, which I am always a fan of. They are meeting, and that is great, but it is obviously not an open meeting. I would like to get that information and be able to disseminate it. It seems to be a theme that we are getting a lot of these dual credit bills. I know we had one in 2019 and another one earlier this session. We have this one that seems specifically for blockchain. This happens in the Legislature. People are doing things in silos. I think this needs to be a broader conversation that involves legislators or business folks. I am trying to get a better idea, because otherwise we are just going to keep spinning our wheels and doing this very piecemeal, which is the way it seems it is happening thus far. I want to get that on the record.

I think we have the Department of Education on the line if they would like to weigh in on this, that would be great.

Felicia Gonzales, Deputy Superintendent for Educator Effectiveness and Family Engagement, Department of Education:

Thank you for the opportunity to speak on this. I am actually a cochair on the dual enrollment task force. The purpose of this task force is what Mr. Ableser outlined in those three areas. Once we have those recommendations, we will present those recommendations to Superintendent Ebert and Chancellor Rose, and then they will be presented to the Board of Regents.

The point of this work is to take a look at current policy and pricing that are in place, and take a look at things that are currently allowable as far as roadblocks that we can remove without legislation. If legislation is needed, it would be brought forth in the next legislative session. At this point, we are working toward making these recommendations to create policy through the Board of Regents in order to streamline and normalize pricing and teacher qualifications.

Chair Bilbray-Axelrod:

I would just ask, when that report is made available, if it could go to me so I can disseminate the information. I think that is important so when we come back in two years, we will have more information and more data to help facilitate. I think we are going to keep seeing this issue over and over as different technologies emerge.

Are there any questions from Committee members?

Assemblywoman Nguyen:

I am not sure whom this question is for. I was one of those kids forever ago who took advantage of dual credit programs. I completed my junior and senior year in high school in the community college in my town. I know these programs have been around for a long time. I also know that here in Nevada, there are a lot of MOUs that exist between NSHE and school districts in order to get discounted rates on credits to allow for some courses to be accepted in lieu of other courses. As an example, if there is a political science class, that could count for a U.S. government class.

Section 1.5 removes all these cooperative agreements. Are we using the MOUs and these cooperative agreements interchangeably? What happens with these existing MOUs that created these dual credit programs that are already established between these partnerships?

Senator Denis:

It does not get rid of those, but it gives the opportunity for school districts to individually be able to do that. Currently, they have the opportunity to make an agreement through NSHE. What we are trying to accomplish in this bill is to make it easier to be able to have dual credits. Allowing the districts to be able to have those will also help in removing that barrier.

Assemblywoman Nguyen:

I am still not quite following how this is different from what currently exists.

Eddie Ableser:

Currently, the MOU structure is a mandate that any dual credit course must have an MOU in place between the school and institution. Let me be clear, this is not a specific distributed ledger technology bill. This applies to every single dual credit course in the entire state. We happened to learn about it through a pilot program with blockchain technology. What we had to do was submit an MOU with each school and their NSHE institution multiple times rather than a universal MOU that went before the State Board of Education. It is a very laborious and cumbersome process to get every single school. Mind you, our pilot was only four schools. We had to do it four times and assist those individual schools to get the MOU in place with NSHE institutions as approved by the Department of Education.

We are trying to remove that barrier and allow each school to have their own cooperative agreement with an NSHE institution, which they are able to do already. It does not prohibit that; it just takes away the mandatory function of going through the State Board of Education to get approval each and every time the school wants to do a new dual credit course.

Assemblywoman Nguyen:

I really do not understand why it would go through each department. Why would the MOUs not be created through the other entities and NSHE to make sure there is consistency?

Chair Bilbray-Axelrod:

I will have our legal counsel get you off the hot seat for a second.

Amanda Marincic, Committee Counsel:

Regarding the cooperative agreements or MOUs, this bill provides flexibility to school districts. They can still enter into an MOU or a cooperative agreement, but they are no longer required to. For any agreement that is currently in existence with the school district and an institution of higher education, that could still be in place and this bill would not affect that.

I will note in section 5, which repeals *Nevada Revised Statutes* (NRS) 389.300, that statute touches upon what they were talking about earlier regarding the prerequisites. That section currently requires pupils to apply to enroll in a dual credit course and meet all the prerequisites. That is being repealed in this bill.

Assemblywoman Nguyen:

Thank you, that does answer my question.

Assemblywoman Gorelow:

I love dual credits. I love the idea of expanding them and letting more students take advantage of them. I do have a concern with section 5 and NRS 389.300 in reference to eliminating prerequisites for classes. Prerequisites are a basic understanding of material in order to advance to another level of class. I am concerned that by removing a prerequisite, that might be setting students up for failure. Could you elaborate a little more on that? What type of classes could students take that would not need a prerequisite? Students would not jump to calculus without having algebra I and II.

Eddie Ableser:

The idea of prerequisites does not go away with this bill; NSHE and the Department of Education institutions are still going to create what prerequisites are necessary for the dual credit courses. What we learned in our experience is that every NSHE institution has a different prerequisite for the courses that students are taking. These MOUs, as ubiquitously assigned, do not really make sense because NSHE institutions determine they may want a computer science established course before students take CIT [computer information technology] 280. Maybe they want a math course. Each institution has the ability to work with the school district to establish what that prerequisite is. The bill does not eliminate prerequisites.

I do not know if Deputy Superintendent Gonzales wants to add to this, but I know there are requirements in order to keep that dual credit accredited with the NSHE institution. Those prerequisites have to be met. It is not like a student could just enter in. Certainly, they can test out of it. I know I had that opportunity when I was in college as well. Do you want to add to this at all, Deputy Superintendent Gonzales?

Felicia Gonzales:

What Mr. Ableser is explaining is exactly the intent as we at the Department of Education understand it. These prerequisites do not go away, they are just not required within this section of NRS.

Assemblywoman Torres:

I want to get some clarification on part of the text of the repealed section, NRS 389.300 on page 5 of the legislation. It looks to me that in current statute, it requires our students to enroll 60 days ahead of time for those dual credit courses. As I understand it, this would take away that requirement so the students could register a little later. As an educator, I think about how short our semesters are—90 days. It requires students to register a third of the way into the semester for the following semester. I can see that being challenging for students, not knowing if they will be ready for the next course. I just want to ensure that is true and the students would not have that requirement. I think that would give the Department of Education and school districts a little more flexibility.

Eddie Ableser:

You are correct. Removing that language takes away the mandate the statute places on that agreement. It has been one of the prohibitive things we have seen in our current pilot program. We had students who were interested and met all the qualifications and met the prerequisites, but could not enroll in some of the programs through the initial pilot program because they did not enroll within that 60-day measure. As you know, that is a far-out spot and students change their minds often.

It does not preclude the school district or the school from having that embedded in the MOU, because oftentimes NSHE institutions need to know what their enrollment looks like in order to fully serve the class. However, it does not mandate it either. It opens the door for flexibility so the individual MOU that the school and the NSHE institution have can accommodate for late enrollment into the course.

Chair Bilbray-Axelrod:

Thank you for that clarification. I think we were all reading that differently, so it is important to have it on the record. Are there any other questions from members? [There were none.] Is there anyone in the room who would like to testify in support of S.B. 172 (R1)?

Erika Valdriz, Fundraising Coordinator, Vegas Chamber:

The Vegas Chamber is in support of S.B. 172 (R1). The Chamber supports the accessibility it provides high school students to receive dual credit to better prepare for higher education and our future workforce. The Vegas Chamber has been supportive of the streamline of access from K-12 education to higher education and workforce pipeline. Thank you for your time, and we urge your support of this bill.

Chair Bilbray-Axelrod:

Seeing no one else in the room for support, or on Zoom, we will go to callers waiting to testify in support.

Arielle Edwards, Government Affairs Specialist, City of North Las Vegas:

We would like to state for the record that we are in support of S.B. 172 (R1). We would like to thank the bill sponsor for bringing this bill forward. We appreciate that this bill will allow for reporting, as this will allow for students to have more access to dual enrollment opportunities to achieve their educational goals. We thank you for your time and consideration on this piece of legislation.

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 for anyone in the room or on Zoom. [There was none.] Are there any callers waiting to testify in opposition? [There were none.] I will close testimony in opposition. Is there anyone in the room or on Zoom who wishes to provide neutral testimony? [There was no one.] Are there any callers waiting to provide neutral testimony?

Brenda Pearson, Director of Strategic Initiatives, Clark County Education Association:

The Clark County Education Association (CCEA) is neutral on S.B. 172 (R1). Although CCEA agrees dual credit programs must be accessible to every student, we feel this bill is premature. Currently, there is a task force working on the standardization of the cost of dual credit programs to mitigate, and in some cases end the variability in cost from school district to school district. Until that task force is able to standardize the cost per credit that a student will pay should they enroll in a dual credit program, we must be hesitant with our support for an undefined dual credit program.

However, CCEA appreciates the reciprocity that is given to school districts that partner with other school districts to receive the same per-credit price via the cooperative agreements. The CCEA believes that a fundamental key to economic diversification lies in the development in the K-12 to postsecondary workforce pipeline, including dual credit programs. We know Nevada's economic diversification is dependent on the full restoration of all budget cuts to the K-20 education delivery system and the optimal funding of the pupil centered funding plan. As such, we must urge this Committee to be cautious when opening the gates to privatized education program development without regulations necessary to ensure students walk away with a tangible skill.

The CCEA thanks the Committee and all sponsors for their effort, and looks forward to supporting the full maturation of dual credit programs that will come with this session. [Written testimony was also submitted, [Exhibit C](#)].

Chair Bilbray-Axelrod:

Are there any other callers waiting to provide neutral testimony? [There were none.] I will close neutral testimony and invite Senator Denis to make final remarks. I just want to get one more thing on the record. There have been some concerns brought to me. I think it was covered in the presentation, but I just want to have it on the record. Some school districts currently have MOUs, contracts, or something that is working really well. It is not the intent of this bill to undo any of those things or add any extra burdens. Is that correct?

Senator Denis:

That is correct.

Chair Bilbray-Axelrod:

Do you have any final comments?

Senator Denis:

As I listened to questions and comments, I want to address a few things. First, while Blockchain folks did see an issue that needed to be resolved, this bill does not just address their issues. This is a bill that does address dual credit, especially the barriers in place that make it hard for all kids to be able to participate.

Madam Chair, you asked about being able to standardize in the committee that is meeting. I know the Legislative Committee on Education that meets in the interim has addressed these issues in the past, and I am sure will continue in the future to be able to look at presentations and be able to suggest legislation as we move forward. Therefore, there is also a legislative opportunity to talk about these issues.

This bill does not necessarily address all the issues as was mentioned earlier. It does not address all the issues with dual credit, but the thing that drew me to it is the fact that it removes some of the barriers so more kids have an opportunity to participate. It also provides some consistency throughout the state on how the dual credit courses are done. I urge your support, and I thank you for the opportunity to present the bill.

Chair Bilbray-Axelrod:

I will close the hearing on Senate Bill 172 (1st Reprint). I will open the hearing on Senate Bill 354 (1st Reprint), which revises provisions relating to discipline and restorative justice for certain pupils. Welcome back, Senator Denis.

[Senate Bill 354 \(1st Reprint\)](#): Revises provisions relating to education. (BDR 34-842)

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

This afternoon I will be presenting Senate Bill 354 (1st Reprint), which builds on our continuing work to improve and increase transparency in school discipline and ensure students experiencing homelessness are not unduly burdened by the school discipline practices.

Many of you may remember former Assemblyman Tyrone Thompson's passion for helping, mentoring, and service to others. Last session we passed a bill he sponsored, Assembly Bill 168 of the 80th Session, which creates restorative justice processes in our schools. We also enacted measures he requested to ensure students experiencing homelessness were not left out when enrolling in the Nevada System of Higher Education or charter schools. It is my sincere hope that Assemblyman Thompson's legacy of making a difference in the lives of students who most need our help will not be forgotten.

Building on the successful implementation of the policies I just mentioned, I requested Senate Bill 354 (1st Reprint) to ensure students who are experiencing homelessness or who are unaccompanied receive special consideration in the processes established to implement restorative justice in schools.

The bill also seeks to address transparency to school discipline trends by creating an indicator within the Nevada School Performance Framework to recognize and highlight schools that are working to reduce the frequency of suspensions, expulsions, and the removal of students from school.

Finally, to the extent funds are available, S.B. 354 (R1) requires the Department of Education to create a statewide restorative justice framework.

At this time, I would like to go through the sections of the bill and then answer questions. I also have another presenter. Section 1 requires the Department of Education to include data in the statewide system of accountability to recognize schools that reduce the frequency of suspensions, expulsions, or the removal of students.

Section 2 requires the Department of Education to develop a statewide framework for restorative justice practices and sets out certain parameters for the framework, including providing information identifying and addressing the needs of homeless, unaccompanied, and foster students; providing for the improvement of school climate, culture, and safety and school outcomes; and providing training.

Sections 2.3 and 2.7 recognize the statewide framework for restorative justice created in section 2, in *Nevada Revised Statutes* (NRS) Chapter 388, System of Public Instruction.

Section 3 requires data on school discipline to be disaggregated by certain subgroups of students and types of offenses to the extent possible under federal law, and that the disaggregated data be posted on a school's website.

Section 4 is a conforming change that ensures suspensions and expulsions are not related to homelessness. The provisions detailing this change are later in the bill.

Section 5 relates to districts' restorative justice plans. Senate Bill 354 (1st Reprint) requires each school district's board of trustees to solicit input from students on the plan. It also requires the district's plan to align with the statewide framework for restorative justice.

Section 6 requires a school administrator to determine whether a student is experiencing homelessness before removing the student from the classroom or the school. The section also requires a school that is removing a student from the classroom or school for more than two school days to provide: (1) education services, and (2) appropriate positive behavioral interventions and support, trauma-informed support, and a referral to a school social worker or counselor.

Section 7 recognizes foster, homeless, and unaccompanied students in existing processes related to conferences held following a student's removal from school. It requires a conference to include consideration of and interventions to mitigate the impact of homelessness on a student's behavior.

Section 8 modifies provisions that require a principal to deem a student a habitual disciplinary problem by adding a requirement that the principal determine whether the student's behavior is caused by homelessness. This section also makes changes to recognize unaccompanied students in certain processes related to plans of behavior for students who are suspended.

Section 9 makes a similar change, recognizing unaccompanied youth in conferences for suspended students.

Sections 10 and 11 prohibit a school from suspending or expelling a student unless it has been determined that the student behavior was not caused by homelessness or being in foster care. Similarly, section 12 prohibits a school from suspending or removing a student from school without providing a plan for restorative justice. This provision is similar to what is currently required for students who are expelled.

The bill is effective upon passage and approval for adopting regulations and other administrative tasks, and on July 1, 2022, for all other purposes. This will give the Department of Education and districts time to develop the policies and procedures needed to carry out the provisions of the bill.

That concludes my part of the presentation. I also have Tammy Malich with me to present.

Tammy Malich, Cochair, Educational Equity Task Force, Las Vegas My Brother's Keeper Alliance:

We would like to thank the Senate Committee on Education, especially Senator Denis, as well as recognizing Assemblywoman Torres and the late Assemblyman Tyrone Thompson, who carried the bill the first time around to start this work. This cleanup, I think, is going to be very helpful as we continue to advocate for kids.

The Educational Equity Task Force of the Las Vegas My Brother's Keeper Alliance is really focused on promoting optimal education outcomes, specifically for marginalized youth—youth of color [page 2, [Exhibit D](#)]. The task force monitors policies that contribute to disproportionality and looks for evidence-based recommendations to increase opportunities for students of color to succeed. We also look at programs that promote access and opportunity for early childhood education, grade-level academic performance, and high school graduation—all success indicators.

In our work, we look at punitive discipline and the impact of punitive discipline [page 3, [Exhibit D](#)]. The basis for the preceding bill [[Senate Bill 172 \(1st Reprint\)](#)] as well as this bill, centers around punitive discipline and the negative student outcomes, like lower academic performance, higher rates of dropout, decreased academic engagement, and repeated suspensions and expulsions for youth who face punitive discipline.

In 2013, the American Academy of Pediatrics issued a statement basically urging that exclusionary practices are inappropriate and only used in the most extreme and dangerous circumstances. The U.S. Department of Education, the U.S. Department of Health and Human Services, the National Education Association, and the National Association for the Education of Young Children have all also publicly recognized the ineffectiveness of suspension and expulsion and resulting harm. It also carries significant civil rights implications, and it disproportionately impacts students of color, particularly African American and Native American students.

The benefits we see in research around restorative practices is that they promote self-regulation, teach positive social skills, and develop work- and career-ready attitudes [page 4]. For a long time, we have heard about the impact or the ill-preparedness of youth in working together and solving conflict. It does a lot around that. It minimizes disruption, distraction, and friction with interpersonal relationships and actually minimizes bullying. It improves relationships, not only between and among students, but between students, teachers, staff, and other administrators. It holds wrongdoers more accountable than simply exclusionary practices and helps youth succeed according to standard measures, including but not limited to test scores.

I will not reiterate all of the sections, but there are a couple of things I would like to highlight [page 5]. Section 1 of the bill, as Senator Denis pointed out, really protects a subsection of students who are addressed in NRS 385A.250. The next slide [page 6] shows specifically that group: pupils who are economically disadvantaged; pupils from major racial and ethnic subgroups; pupils with disabilities; English learners; migratory children; bigender; homeless; foster care; and whose parent or guardian is a member of the Armed Forces or a reserve component of the National Guard.

In section 2 [page 7], some of the things the standards for the statewide framework for restorative justice must include are identification for homelessness or unaccompanied youth and/or pupils in the foster system; address occurrences that disproportionately impact the students listed on the previous slide; and provide improvement—what the plan is to improve the school climate and culture.

We can skip section 3, as Senator Denis covered that [page 8].

In section 5 [page 9, [Exhibit D](#)], I think one of the noteworthy points is the written report that would be required to be issued to the Superintendent of Public Instruction addressing those occurrences, removals, and also the plan of action. What is the plan on the part of the district to address that moving forward?

There was a change in section 6 at the request of districts [page 10]. We learned a lot through distance education, and we learned that we sometimes have to provide content in a variety of ways. This section would require schools to come up with an opportunity to provide instruction for students who are removed for more than two school days, so three days or more, so they can continue education to prevent the loss of credits or to diminish academic disengagement. We think the fact that the state is in a much better position right now with devices and access to broadband than we were a year ago, that might be an opportunity for schools to think about how they continue engaging youth, even when they are at home awaiting a conference, going through a process, or receiving the impact of exclusionary discipline. It also requires principals to determine the impact of the removal of a student who is homeless. When we think about homeless youth, one of the obvious things people think of is the fact that there is oftentimes no dwelling. The other thing is the food insecurity that comes with homelessness. For many of our homeless youth, the place they count on to get food or access to food is their school. When we remove them from school, there is an unintended consequence that impacts the ability to access food.

It is pretty self-explanatory, but making sure everyone understands that for unaccompanied youth, although we recognize that on enrollment, it is not well spelled out in current statute that we could allow the unaccompanied youth to advocate for himself or herself to return to school [page 11]. Sometimes those young people do not have anyone to advocate for them to get them back in school, especially when it is a minor offense. That would provide districts the security and safety to have language in statute to allow them to go ahead and hold that conference, address the situation, and get that child back in school.

It does not require or disallow districts to discipline kids who are homeless, but it does ask that they take that into consideration as they are assigning a discipline consequence. Maybe if transportation is a barrier, we would hope they would look at alternate ways to get the student to and from, such as a bus pass, a location closer to where they are couch surfing, a shelter, or whatever they are doing to address their homelessness. How do we get kids access and not create more barriers?

Sections 8 and 9 were very well covered so I will skip those [pages 12 and 13].

Regarding sections 10 and 11 [page 14], I just want to point out the differences based on the offense. In section 10, that is the "shall" part of the law in current statute, so for certain offenses, state law requires discipline and there is specific discipline. Section 11 is the discretionary offense area where principals have some authority to use exclusionary practices, even when it is not required by statute. Once again, we ask that there be

a consultation with a liaison for homeless youth, a social worker or counselor on site, to look at homelessness and foster care status and look at the impact or relationship between that trauma and the behavior, and to take into consideration, as we are coming up with a plan for the student, how we can keep the student's needs at the forefront of that plan.

Ultimately, we believe S.B. 354 (R1) helps Nevada students stay in school [page 15, [Exhibit D](#)]. We know the benefit of kids finishing school with a high school diploma and then going on further, which is what we hope, but at a minimum we need to get that high school diploma in their hands. How do we help serve kids? It protects students who are experiencing homelessness as well as those in the foster care system, increases positive behavioral interventions and trauma-informed supports. The State of Nevada has done such a great job in the last two sessions bringing in more support in those two areas. This bill takes it to the next step. It ensures that unaccompanied youth are not impacted by the barrier of not having an adult in their life who advocates for them.

Ultimately, the Las Vegas My Brother's Keeper Alliance advocates for youth of color, homeless youth, youth in the foster system—who are also overrepresented, by the way, with youth of color. We worked with many stakeholders on this. We think it is a great example of results of collaborative work. I provided references [page 16] to the information that is referenced within the presentation. I thank Senator Denis, and I thank the Committee for considering S.B. 354 (R1). [[Exhibit E](#) was also submitted.]

Chair Bilbray-Axelrod:

I will open the hearing for questions from the Committee. Section 11 is the one that is glaring to me. I so appreciate this bill and I appreciate the little-known fact that the McKinney-Vento Homeless Assistance Act of 1987 was actually signed into law under President Ronald Reagan and the 100th Congress, which was the first session that my father served with Congressman John Lewis and Congresswoman Nancy Pelosi, both as freshmen. That bill was fought hard for because the homelessness in this country at that time was absolutely paramount and no one had really discussed it. It was extremely stigmatized. I think this is the tone and tenor of that bill. We are realizing there are so many more issues that go with kids being in a homeless situation.

I am worried that the language currently written is putting an undue burden on those counselors to make that determining cause. I am wondering if we could have language that says the presumption is that homelessness is a cause, unless it can be determined otherwise. I believe that is the goal. I just think we cannot assume that however it manifests—and I am not saying all homeless children have behavior problems; I am sure they do not—but I think we can assume that is partially the reason if there is a behavioral issue, that the homelessness is part of the issue. I think that is what you believe and that is probably the intent of the bill. Is that correct? For the record, you are shaking your head yes.

Tammy Malich:

Yes, that is the belief. I did speak with Washoe County and Clark County. I spoke with the leadership and staff at the Title I homeless office in the Clark County School District just to get a sense if they felt it was reasonable for both the office as well as their school site advocates to manage this. They expressed that it was very reasonable. I like the language that you proposed. There was some hesitation around making a statement or an assumption that it was a result of homelessness, so I do like the language you recommended as well.

Chair Bilbray-Axelrod:

I would ask the sponsor if he would entertain that language if we move forward?

Senator Denis:

Yes. That is still the intent. I understand what you are trying to get to, and I would agree with that.

Assemblywoman Hansen:

I have some data questions. Do we know how many homeless students we have in the state? I am assuming we track that. Also, how many students do we have who are in foster care? Do you happen to have those statistics?

Tammy Malich:

Both of those data points are tracked. I will send those to you. I do not want to make up two numbers off the top of my head. I will verify those right now and send them to you.

Assemblywoman Hansen:

On your PowerPoint where it talks about the benefits of restorative practices [page 4, [Exhibit D](#)], I have tried to practice that as a parent. At times, you have to discipline sharply, but then afterward show an increase of love because you do not want them to think you are their enemy. I understand restorative justice is trying to do that. On that slide, the second to the last bullet point says, "Holds wrong-doers accountable for the effects of their actions on others." I am interested to hear some examples of how that plays out with some of these children who are over 11 years old, middle school age, or high school age.

Tammy Malich:

The most obvious ways it happens, especially for older youth, is making them come to terms with the impact of their wrongdoing. Whether schools are using a tribunal or circles, which a lot of schools use, the expectation with restorative practices is two-fold: (a) that there be some area of restorative behavior for the wrongdoer, if you will; and (b) the restoration for the student who was wronged.

Oftentimes, it is allowing that student remedy, letting them have a voice in the remedy, letting them talk about the impact of the wrongdoing, and requiring the person who committed the offense to be accountable for that. With young children, we do not generally suggest putting them in the room together, so that would not necessarily be the case. However, with high school students and college students, that is a typical process, letting

them face each other, but talking those students through and giving the student whom the wrongful act was committed against a voice and an opportunity to weigh in on what they feel. What information would they like to have shared? What is the impact of the hurtful behavior? We find in research that is far more rewarding for the student whom has been wronged versus, oftentimes, a student who does something egregious to another student and we punish the wrongdoer. The victim never really knows what happens. There is no outcome for them. They may not see the other party for a couple of days, but there is not necessarily any repair for them. Restorative practices provide a lot of opportunity to repair that relationship or repair it internally for the individual student.

Senator Denis:

Regarding the previous question about the number of homeless students, the Department of Education in the 2018-2019 school year listed 18,624 students.

Chair Bilbray-Axelrod:

Thank you for that information. I think we can make the assumption that in the last year, while the intent was to keep people in their homes during the pandemic, we know that did not always turn out the way we had hoped.

Assemblyman Flores:

I was trying to walk through hypotheticals and maybe move away from the words "expulsion" and "suspension." I am thinking about a scenario where we have chronic absenteeism. I think ten consecutive absences will get students withdrawn from school. We have a student who is struggling with housing. Does this bill address a scenario like that where I am couch surfing, going from point A to point B consistently, and I may hit that threshold? Does this bill contemplate that conversation?

I need to understand the behavioral intervention we are talking about. Hypothetically, we have a student who is, fortunately, not facing any housing insecurity issues and we have the same equally situated student—meaning the same grade, same classroom, same scenario—but is experiencing housing insecurity. Both of them are involved in misconduct. Could you walk me through how that hypothetical would play out? A student without housing insecurity, what is going to happen after this bill passes? What is going to happen with the housing-insecure student? I just want to put them each in their own lane to see how it will play out.

Tammy Malich:

Say two young people get into a fight at school during lunch. It is entertaining for those watching, but a nightmare for the administrators, having been one myself. The difference might be we talk through the situation with the students, try to understand the mitigating circumstance, and resolve that if we can. The final outcome may be short-term removal. A three-day suspension might be the course of action the school wants to take. For the homeless youth, the consideration might be in talking to that youth about the home

insecurity, potential food insecurity, or other needs. There might be an outside agency referral or an internal social worker referral. There might also be an agreement with that young person on how we can accommodate getting food to that young person during those three days. There may be an in-school suspension option or a distance learning option to keep that student focused and on track. I would hope that would give both students the ability to stay engaged during the learning process, but one student may be better equipped to request their work and get it picked up every day so they have that opportunity. The homeless student may not have that opportunity. That may be some of the differences that would be put into place for those two students.

Assemblyman Flores:

In that exact hypothetical, one of the students is experiencing housing insecurity and the other student is not. Let us say the student who is not experiencing housing insecurity is making fun of the other student, saying, "You are poor," and that is what triggers the fight between the two. Obviously, someone making fun of another kid saying they are poor does not allow for the other student to react in a violent way, but if that happened and it triggers a very personal issue for that child, do you see that hypothetical, as you described it, playing out similarly in that scenario—just the fact that it is what was said to the homeless student that triggered the incident?

Tammy Malich:

It could play out similarly. If I were handling the situation, I feel like a more appropriate course of action is to engage in a tribunal situation, a restorative process with both of the students, young men or young women, whichever the case, and talking the students through the impact of making fun of someone and the self-restraint that is required. I think it is a teachable moment for both young people, and I think it is an opportunity for the school to train students on appropriate behavior and how we handle things, depending on either student, of course. I think the lesson learned for the student making fun of another is when you make fun of someone, sometimes they turn around and punch you. I think that is one of the life lessons that we talk the student through and help them see the impact from the other student's eyes.

For the homeless student, I think there is a great lesson as well. Sometimes there are people on this earth who are going to be insensitive or make statements that sometimes are intentionally harmful and sometimes not intentional, but harmful nonetheless, and how we respond and behave to those impacts the future course. If you are on the job and a customer makes an inappropriate comment and you punch them, you lose your job and the impact of that. I think it presents a great opportunity to talk kids—especially high school kids but even younger kids—through the impacts of bullying and hurtful statements, as well as how we maintain our self-control and decorum and continue to keep ourselves focused instead of letting others write our history for us. I think that would be the most appropriate way to handle it.

Assemblyman Flores:

Going back to my original question regarding the ten consecutive absences, does this bill in any way impact that scenario? If there is a student experiencing housing insecurity who has ten consecutive absences, it is my understanding the school would withdraw that child. Would this in any way play into that balancing act we talked about and understanding if the absences were in any way correlated to the housing insecurity?

Tammy Malich:

Yes and no. The ten consecutive absences would be when we are talking about the whereabouts of a student being unknown. Despite our attempts, we really do not know where that student is, and we have not been able to locate that student. That is a different scenario. However, suspensions do count as absences against a student, so parent conferences are required. When we put a student out for disciplinary reasons, save a few, it counts against the student as an absence. However, some might argue it is an absence beyond the student's control, but it impacts the student's attendance, and it also impacts the school's attendance when the school's attendance rate is calculated. It would not cause a student to be withdrawn.

To your point, the impact for homeless students is often greater in that they often have other attendance issues related to being homeless. If you add in those absences that are related to getting into a fight or behavior incidents, it can compound the issue and put them in a situation where they jeopardize their credits.

Assemblywoman Torres:

I like this bill, especially with the additional language from Chair Bilbray-Axelrod. That gives me the clarity I need for the legislation. However, obviously we have had a number of restorative justice bills this legislative session: Assembly Bill 194, Assembly Bill 67, and now Senate Bill 354 (1st Reprint) as well. I am wondering if perhaps the Department of Education could get us some type of crosswalk about what this is going to look like when all three bills take effect. It is obviously a significant number of changes to what restorative justice looks like in Nevada. I want to make sure we have a full understanding of what that looks like.

Chair Bilbray-Axelrod:

I think that could probably best be answered by Ms. McGill on Zoom.

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

We put together informal crosswalks for us regarding the three bills. It represents almost 54 pages of changes to the NRS, so we can clean that up as best we can and share it with those who might find it useful as well.

Assemblywoman Torres:

That would be appreciated if you could send it to the Assembly Committee on Education. I believe our committee manager will make sure it is posted on the Nevada Electronic Legislative Information System.

Chair Bilbray-Axelrod:

Are there any other questions from the Committee? [There were none.] I will open the hearing for testimony in support of S.B. 354 (R1).

Alexander Marks, Communications Specialist, Nevada State Education Association:

The Nevada State Education Association (NSEA) supports S.B. 354 (R1) to make important updates to Nevada's system of restorative justice, including requiring the Department of Education to develop a statewide framework for restorative justice.

The NSEA believes in the principles of restorative justice, which proactively build healthy relationships and a sense of community to prevent and address conflict and wrongdoing. The NSEA always takes a strong stance for the safety of our educators.

The issue of student discipline continues to be one of the more vexing ones for all educators. During the 2017 Session, the NSEA worked to improve Nevada's system of progressive student discipline. Last session, this was replaced with the restorative justice model. Unfortunately, school districts were not provided with the guidance and resources necessary to successfully implement, and student and educator safety has been compromised. Senate Bill 354 (1st Reprint) provides this important missing piece.

Every day, educators make our students feel welcome in the classroom and at our school sites. Many utilize learning circles, conflict resolution, and mediation to deal with challenges and resolve conflicts. However, this work is often independent of a broader school culture. It is necessary for there to be a proactive district- and school-wide plan to implement restorative practices that is seamlessly integrated into the classroom, curriculum, and culture of the schools. This also means providing needed trainings to foster an environment where restorative discipline systems can be successful. Restorative practices should extend throughout the school site and should engage all staff to create and maintain a safe physical space, supportive school climate, an engaging academic environment, and healthy relationships between students, peers, and staff. [Written testimony was also submitted, [Exhibit F](#).]

Chair Bilbray-Axelrod:

Seeing there is no one else in the room for support, is there anyone waiting on Zoom or on the phone to provide testimony in support?

Brenda Pearson, Director of Strategic Initiatives, Clark County Education Association:

The Clark County Education Association (CCEA) is in support of S.B. 354 (R1) and thanks the Senate Committee on Education for bringing this bill forward. After reviewing and supporting Assembly Bill 67 and Assembly Bill 194, the CCEA acknowledged that we must have a Department of Education-led framework statutorily provided to help support our educators as they transition to restorative practices.

Additionally, the CCEA is in support of the prohibition on a suspension or removal of a pupil from school without first providing a plan of action based on restorative justice. Though we are in strong support of this bill, the CCEA believes that this bill, along with A.B. 67, A.B. 194, and all preceding restorative practice bills, is just the first step. Acknowledgement of behavior issues due to the child's circumstances around homelessness and foster care is important. However, those are not the only life events that impact the development of a child.

The CCEA expressly supports the submission of an annual report of accountability delineating the discipline of pupils, but we would be remiss if we did not stress the importance of utilizing this data to improve practices across our state. The collection of data must inform actions that will lead to the reduction of racial disparities. This data is a tool to inform our evolving practices and must be used as such.

The full implementation of S.B. 354 (R1) will help provide some much-needed resources to specific populations in tandem with this mandate that an educational plan must be had. However, we are not able to allow our students, our future, to become disinterested in their education. The CCEA appreciates the intent of this bill and we encourage this Committee to look for the significant publication materials on juvenile justice to ensure these changes are something that can be standardized, unbiased, and easy for our educators to adopt and students to understand.

Thank you, again, to this Committee for hearing this bill. We look forward to continuing our work to strengthen restorative practices within our schools. [Written testimony was also submitted, [Exhibit G](#).]

Jim Hoffman, Member, Legislative Committee, Nevada Attorneys for Criminal Justice:

The Nevada Attorneys for Criminal Justice supports S.B. 354 (R1). We believe strongly in restorative justice as a way to correct wrongdoing on the initial level, while at the same time protecting and enhancing the safety of the community as a whole.

Senate Bill 354 (1st Reprint) would ensure this principle is applied in a way that recognizes the special challenges faced by children experiencing homelessness, so we support it.

Arash Ghafoori, Executive Director, Nevada Partnership for Homeless Youth:

The Nevada Partnership for Homeless Youth (NPHY) is one of Nevada's most comprehensive service providers for young people experiencing homelessness. I am here today to express our full support for S.B. 354 (R1).

In over ten years at NPHY, I have seen countless youth experiencing homelessness be incorrectly labeled in school as troublemakers, disruptive, poorly behaved, or not caring about school or wanting to succeed. However, these students are exhibiting behaviors as signs of larger, underlying issues outside of the school, such as not having a safe or stable place to sleep, take a shower, or study; extreme hunger; or experiencing abuse and neglect or other traumas caused by serious family breakdowns and/or life on the streets.

These stressors can cause youth to be distracted in a classroom, worry of the peers who are bullying them, and cause mental health challenges that can manifest in difficult behaviors, resulting in students experiencing homelessness being subjected to punitive discipline measures at a rate twice that of their peers.

The truth is schools are often the last bit of refuge that many young people have where they can count on a meal, supportive adults, consistency, connections, and hope for a brighter future. Contrary to what many may think, students experiencing homelessness are often incredibly invested in school; they just need understanding and support to succeed.

Nevada is experiencing one of the worst instances of youth homelessness in the country. In the 2018-19 school year, we had over 18,000 students who were homeless in K-12. What happens when you give an out-of-school suspension to a homeless student who may be living in a night-only shelter, in a weekly, in a car, or on the streets? Bad things happen quickly on the streets, and removing them from school makes them more vulnerable to labor or sex trafficking, drugs, gang involvement, or leaving school permanently. It also removes them from one place of stability, consistency, and support—their lifeline, which is their school.

It is an unsafe, dangerous, and harmful practice to put students in these situations to be suspended or be removed from school as a result of out-of-school factors beyond their control. Senate Bill 354 (1st Reprint) aims to keep our most vulnerable students safe by seeking to ensure students experiencing homelessness are removed from school only when absolutely necessary. This increased positive behavioral intervention and trauma-informed support have been shown to increase attendance and decrease serious behavioral incidents. It will make sure students experiencing homelessness are not inadvertently subjected to more trauma by schools than they are already experiencing in their complicated lives, and puts schools in a position to better support students experiencing homelessness.

For these reasons and more, NPHY is in full support of S.B. 354 (R1) and the positive, collaborative work of Las Vegas My Brother's Keeper Alliance, [unintelligible], SchoolHouse Connection, state and local officials, and others driving this important legislation.

**Patricia Julianelle, Senior Strategist for Program Advancement and Legal Affairs,
SchoolHouse Connection, Washington, D.C.:**

SchoolHouse Connection has been working closely with Nevada school districts and homeless advocates for several years now, and we strongly support S.B. 354 (R1).

Senate Bill 354 (1st Reprint) responds to the direct experiences of students experiencing homelessness as well as students of color. There is research from multiple states that shows students experiencing homelessness are subjected to punitive discipline measures at twice the rate of their housed peers, and also more often than other poor students. As we just heard from Mr. Ghafoori, for homeless students, school can be a lifeline, providing emotional support, positive connections, and basic needs like food and safety. When homeless students are removed from school, they may literally have no place to go, nothing to eat, and no one to keep them safe.

We have already heard a lot about the value of restorative practices and other positive disciplines, not only for individual students but also for the overall school climate and for the classroom environment. In the interest of time, I will just say ditto to all of that.

This bill will keep students safe and it will mitigate the impact of their trauma and homelessness on their education. The access of homeless students to education has more significant consequences than Committee members might realize. When students experiencing homelessness do not get a high school degree, they are four times more likely to continue experiencing homelessness as they move into young adulthood and start their own families. By helping address behavior in a positive and proactive way while students are in school rather than pushing these vulnerable children out of school, S.B. 354 (R1) can actually help reduce homelessness in Nevada.

Senate Bill 354 (1st Reprint) will promote transparency in school discipline, it will help schools adjust disproportionalities in discipline, and it will recognize schools that do a good job and are able to reduce frequency and disproportionality of suspensions, expulsions, and removals. It builds on existing Nevada law and existing personnel, particularly the homeless liaisons who already exist in every school district in Nevada. It will also advance educational equity.

For all these reasons, SchoolHouse Connection strongly supports S.B. 354 (R1) and we urge you to support it as well. Thank you for the opportunity this week. [Written testimony was also submitted, [Exhibit H](#).]

Arielle Edwards, Government Affairs Specialist, City of North Las Vegas:

The City of North Las Vegas is in support of S.B. 354 (R1) and appreciates the plan to develop a statewide framework for restorative justice for our students. We would like to thank the bill sponsors for their work on this important bill and urge your support and passage.

Joanna Jacob, Manager, Government Affairs, Clark County:

Clark County is in support of this measure. I want to thank Senator Denis, Ms. Malich, and all the people who have worked on this bill for including our people who are in foster care in this measure. We know for our pupils in foster care, school may be the only safe place the child has, much like our homeless youth, and which has been stated by the previous callers.

Schools provide a supportive environment and supportive staff members and peers. Removing a foster care child from school could further retraumatize the child. We know they are subject to trauma that puts them behind. We feel this bill will help the wraparound services we are so often trying to do for our foster care kids by bringing to the table the foster care liaisons at the pupils' schools in any determination or discipline that may be made in the school. We also know the decision to expel or suspend a foster child does have repercussions on not just the child's academics but also on their placement ability. We have had foster care placement disruptions because of the impacts that may happen on our caregivers and foster care parents who may have to take time off work and other things. Our foster care kids may not have an adult who is advocating for them on a permanent basis. Those are some of the challenges we know they face.

We are in support of this bill and would like to thank Ms. Malich and everyone who included foster care kids in this bill. Assemblywoman Hansen, I know there was a request for data, so I did put out that request to see if we can be responsive to that request during the hearing.

Chair Bilbray-Axelrod:

Are there any other callers waiting to testify in support? [There were none.] I will close testimony in support. Is there anyone waiting to provide testimony in opposition? [There was no one.] I will close testimony in opposition. Is there anyone waiting to provide neutral testimony? [There was no one.] I will close neutral testimony. Are there any closing remarks?

Senator Denis:

I did get some additional information from the Division of Child and Family Services, Department of Health and Human Services. There are approximately 5,000 foster care children statewide. Thank you for the opportunity to present this bill. I think it is an important issue. We have kids, through no fault of their own, who have issues that may cause them to not be able to get the education they need. This bill aims to help the students overcome those issues in order to continue in their educational pursuits.

Chair Bilbray-Axelrod:

I will close the hearing on S.B. 354 (R1). That brings us to the last item on the agenda, which is public comment. As a reminder, each person has two minutes for public comment. Public comment is to discuss things within the purview of this Committee. I see no one in the room for public comment. Is there anyone waiting on Zoom or on the phone to provide public comment? [There was no one.]

The Committee is in great shape. We have heard all our bills. Other bills are exempt, so we will still have Committee meetings over the next 18 days. We will also be having a work session coming up. There will also be a surprise presentation that I am sure you will enjoy. Are there any other comments from Committee members? [There were none.]

This meeting is adjourned [at 3:10 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 11, 2021, presented by Brenda Pearson, Director of Strategic Initiatives, Clark County Education Association, in neutral to Senate Bill 172 (1st Reprint).

[Exhibit D](#) is a copy of a PowerPoint presentation titled "Senate Bill 354 Assembly Committee on Education," submitted by Tammy Malich, Cochair, Educational Equity Task Force, Las Vegas My Brother's Keeper Alliance, regarding Senate Bill 354 (1st Reprint).

[Exhibit E](#) is a letter dated May 11, 2021, submitted by Tammy Malich, Cochair, Educational Equity Task Force, Las Vegas My Brother's Keeper Alliance, in support of Senate Bill 354 (1st Reprint).

[Exhibit F](#) is written testimony dated May 11, 2021, submitted by Alexander Marks, Communications Specialist, Nevada State Education Association, in support of Senate Bill 354 (1st Reprint).

[Exhibit G](#) is written testimony dated May 11, 2021, presented by Brenda Pearson, Director of Strategic Initiatives, Clark County Education Association, in support of Senate Bill 354 (1st Reprint).

[Exhibit H](#) is written testimony submitted by Patricia Julianelle, Senior Strategist for Program Advancement and Legal Affairs, SchoolHouse Connection, in support of Senate Bill 354 (1st Reprint).