

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

**Eighty-First Session
May 29, 2021**

The Committee on Education was called to order by Chair Shannon Bilbray-Axelrod at 3:32 p.m. on Saturday, May 29, 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 Lisa Krasner
Assemblywoman Elaine Marzola
Assemblyman Richard McArthur
Assemblywoman Rochelle T. Nguyen
Assemblywoman Jill Tolles
Assemblywoman Selena Torres

COMMITTEE MEMBERS ABSENT:

Assemblywoman Melissa Hardy (excused)

GUEST LEGISLATORS PRESENT:

None

STAFF MEMBERS PRESENT:

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



OTHERS PRESENT:

None

Chair Bilbray-Axelrod:

[Roll was called. Committee rules and protocol were explained.] We have two work sessions. We will start with Senate Bill 194 (1st Reprint).

Senate Bill 194 (1st Reprint): Revises provisions relating to education. (BDR 34-676)

Kristi Robusto, Committee Policy Analyst:

Senate Bill 194 (1st Reprint), sponsored by Senator Roberta Lange, was heard by this Committee on May 25, 2021 [read from [Exhibit C](#)]. It establishes the State Seal of Civics Program, and outlines the requirements needed for a high school graduate with a high level of proficiency in civics to earn the State Seal. The superintendent of public instruction must adopt regulations to allow the superintendent to provide a school, student, or school employee with a civics education excellence designation.

The bill requires the results from the civics exam currently administered to high school students to be reported to Nevada's Department of Education (NDE). Additionally, S.B. 194 (R1) adds civics to the list of subjects included within social studies and requires the corresponding establishment of standards of content and performance. Starting with the graduating class of 2027, social studies instruction must require a high school student to complete a service learning project.

Finally, the bill includes additional communities in the list of communities whose culture, history, and contributions must be examined within the standards of content and performance for ethnic and diversity studies. There is one proposed amendment by Assemblywoman Bilbray-Axelrod which does the following:

1. Revises the score required on the civics examination from at least 85 percent to at least 90 percent in section 3, subsection 1, paragraph (b), subparagraph (2);
2. Adds provisions requiring NDE to develop a model rubric for the required service-learning project in section 3, subsection 1, paragraph (c); and
3. Deletes section 9, subsection 5.

Chair Bilbray-Axelrod:

Before we take a motion, are there questions on S.B. 194 (R1)?

Assemblyman Flores:

First, I want to thank everyone who worked on this amendment. I want to understand the rationale of going from 85 percent to 90 percent.

Chair Bilbray-Axelrod:

I spoke with several members of the Committee and the bill's sponsor. We concluded 90 percent was an A-minus, whereas 85 percent is a low-to-mid B. We were happy with that because this seal is going on the diploma. Students work hard for it.

Assemblywoman Tolles:

Thank you for this legislation. My only regret is that both of my daughters, who were very engaged with the civics program, would have loved to have this. I am so glad future generations of students will be able to strive to meet the standards set with the amended version. That is a good goal for them, to push themselves and feel proud of that seal on their diplomas. I am glad to support this bill.

Chair Bilbray-Axelrod:

I second that. My daughter will be a senior in 2025. I hope this will be an option by that time, even though we put 2027 as the date for implementation. We know schools can do it earlier if they have it put together. Are there any other questions? [There were none.] I will take a motion to amend and do pass Senate Bill 194 (1st Reprint).

ASSEMBLYWOMAN KRASNER MADE A MOTION TO AMEND AND
DO PASS SENATE BILL 194 (1ST REPRINT).

ASSEMBLYWOMAN HANSEN SECONDED THE MOTION.

Are there any comments?

Assemblywoman Miller:

I do not support the amendment increasing the requirement from 85 percent to 90 percent. I know this is voluntary; students do not have to do this. I know that when I look at the equity gaps and the things we put before our students, we have a group of students who are already working themselves so hard—they are overachievers; they spend hours and hours and hours trying to maintain that status. They will already have so many other accolades when they graduate. Sometimes, I want those students to slow down a bit and enjoy life and enjoy being young. Then, there is another group of students who work just as hard. They just do not have the extra blessing that students who are more academically inclined received. You can look at 85 percent and say, That is just a B. For some students, a B is a huge achievement. It would give those who have to work harder an opportunity to achieve a special accolade as well. In the spirit of being more inclusive and giving wins and celebrations for more of our students to build their confidence, I appreciated the original bill's 85 percent. Increasing it to 90 percent is not something I support, so I will vote no on this measure.

Assemblywoman Gorelow:

I would like to echo what my colleague said. I have concerns with the required service-learning project. There are so many classes that have learning projects. This summer, I will be working on some of them with my kids: on bee boxes and bat boxes. I will vote this out of Committee, but will reserve my right to change my vote. I think that may be asking too much.

Kristi Robusto:

The amendment deletes section 9, subsection 5, which would thereby delete the requirement for the class of 2027 and going forward to complete a service-learning project as a high school student. Instead, it requires that those attempting to receive the State Seal of Civics complete a service-learning project for that particular accolade.

Chair Bilbray-Axelrod:

It was removed from the requirement.

Assemblywoman Gorelow:

Thank you. I was misreading it.

Chair Bilbray-Axelrod:

I will call for the vote.

THE MOTION PASSED. (ASSEMBLYWOMAN MILLER VOTED NO.
ASSEMBLYWOMAN HARDY WAS ABSENT FOR THE VOTE.)

I will assign the floor statement to Assemblywoman Krasner. Our final bill on work session is Senate Bill 353 (1st Reprint).

Senate Bill 353 (1st Reprint): Requires the Department of Education to review certain assessments. (BDR 34-528)

Kristi Robusto, Committee Policy Analyst:

Senate Bill 353 (1st Reprint) was sponsored by the Senate Committee on Education on behalf of the Legislative Committee on Education and heard by this Committee on May 27, 2021 [read from [Exhibit D](#)]. The bill requires Nevada's Department of Education (NDE) to review certain examinations and assessments administered to pupils for their educational benefit, cost, and redundancy in information, skills, or abilities measured. The bill also requires NDE to adopt regulations prescribing limits on the actual instructional time taken to conduct the assessment and the total number of assessments administered in a school year.

If assessments exceed these limits, a school district's board of trustees or a charter school's governing body must request a waiver from the State Board of Education. The bill makes an appropriation to NDE for costs related to contract services and adopting regulations to carry out provisions of the bill. There are no amendments for this measure.

Chair Bilbray-Axelrod:

Before I take a motion, are there any questions? I apologize; I told NDE they did not need to be here for the work session. We will make sure we get the question on the record and will get back to you soon.

Assemblywoman Miller:

Our legal counsel may be able to answer my question. The question comes from the discussions after the hearing on this bill. The intent of the bill is to examine the standardized diagnostics and tests that are given to students. We are talking about tests for which the whole school stops, and everyone takes the test. It costs money, and teachers have no choice in it—it is assigned from the federal government, the state, the districts, or the schools. It is not to measure what teachers are doing as part of their daily and weekly instruction and lesson, a unit or chapter test or a quiz. Could that be clarified? Some people told me they thought this would do an inventory of what teachers were doing in their classrooms on a daily and weekly basis. I want to make sure that is not the intent. Teachers need to do their formative and summative testing and quizzes as part of their lessons, instructions, and measuring. Here, we are talking about the SBAC [Smarter Balanced Assessment Consortium], the aimswebPlus, and MAP Growth testing. Would legal counsel clarify that? Is this written in a way that we are not talking about when the teacher gives a weekly math test.

Amanda Marincic, Committee Counsel:

That is correct. The bill requires the Department of Education to review examinations and assessments that are required to be administered under *Nevada Revised Statutes* (NRS) Chapter 390, which includes both state and federal required examinations. It would not require the Department to review assessments by teachers; they can still do that under this bill.

Assemblywoman Miller:

A few years ago, the Department did one on state and federal and came back with that. The real pinch is the additional ones required by the districts. If you look at the total number of tests administered that are required by the state and federal governments, they do not result in the utter exhaustion; it is from the additional tests required by the districts and individual schools. Does the bill clarify this is to get at those additional tests that are not already required by the state and federal governments?

Amanda Marincic:

May I have a minute to look something up?

Chair Bilbray-Axelrod:

Absolutely. We will take a one-minute recess [at 3:46 p.m.]. [The meeting reconvened at 3:48 p.m.]

Amanda Marincic:

This bill is limited to those examinations administered under NRS Chapter 390. I do not see anything in that chapter for school district examinations. However, the bill does not prohibit the Department from reviewing those examinations. While it is not specifically clarified in the bill, they can certainly do that.

Assemblywoman Miller:

This, then, is a repeat of what is already being done by Senator Joyce Woodhouse's bill in 2017. It resulted in the Department's examining testing. When the results came back, they were disappointing because the results showed what the federal and state governments require. We are trying to get at all the additional tests. I appreciate the clarification. As a result, this bill is duplicative of what has already been done and does not address what we are trying to capture. In that case, there will be a floor amendment. "Authorizes" means you can do something; we need to require this.

Chair Bilbray-Axelrod:

With that, I would take a motion to do pass Senate Bill 353 (1st Reprint).

ASSEMBLYWOMAN MILLER MADE A MOTION TO DO PASS
SENATE BILL 353 (1ST REPRINT).

ASSEMBLYWOMAN KRASNER SECONDED THE MOTION.

Are there any comments? [There were none.]

THE MOTION PASSED. (ASSEMBLYMAN MCARTHUR VOTED NO.
ASSEMBLYWOMAN HARDY WAS ABSENT FOR THE VOTE.)

I will assign the floor statement to you, Assemblywoman Miller, so you can explain your amendment on the floor. We are closing the work session and moving on to public comment. [There was none.]

Thank you, Committee. You have been wonderful in helping me navigate through chairing for the first time. Thank you for your wonderful questions and your thoughtfulness. I know all of us agree that it really is all about the kids. To my Committee staff, you are amazing. Every chair has talked about it. There is so much work behind the scenes. It is like the ducks gliding across the water with their feet moving below the water.

Assemblywoman Krasner:

Thank you, Chair Bilbray-Axelrod, for all your hard work and efforts in chairing the Assembly Committee on Education. Former Assemblyman Tyrone Thompson, who passed away, was the previous chair. He always did a great job. He listened and worked together with everyone. That is what you have done.

Chair Bilbray-Axelrod:

I know I had very big shoes to fill. I hope I did him proud.

Assemblywoman Tolles:

I believe this will be our last time meeting. This is my third term on this Committee. It has always been an honor to serve here. I was grateful for Assemblyman Flores for stepping up last session in very sad and difficult circumstances when we lost our chair, Tyrone Thompson. Assemblyman Flores stepped up and chaired two committees and landed this plane well. Our Vice Chair, Assemblywoman Miller, took on the deep dives into so many deep issues over the interim, during a pandemic. She was fearless about tackling big issues. I have much respect toward you and toward Chair Bilbray-Axelrod. Chair Bilbray-Axelrod, you jumped in here without having served on this Committee before. You were a quick study to make every student across our state proud by diving in and doing your homework. You have led us incredibly well. It has been an honor and a pleasure to serve with all of you on this Committee.

Chair Bilbray-Axelrod:

I hope we do not have another meeting. It has been a pleasure to serve with all of you. This meeting is adjourned [at 3:55 p.m.].

RESPECTFULLY SUBMITTED:

Joan Waldock
Committee Secretary

APPROVED BY:

Assemblywoman Shannon Bilbray-Axelrod, Chair

DATE: _____

EXHIBITS

[Exhibit A](#) is the Agenda.

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

[Exhibit C](#) is the Work Session Document for [Senate Bill 194 \(1st Reprint\)](#), presented by Kristi Robusto, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit D](#) is the Work Session Document for [Senate Bill 353 \(1st Reprint\)](#), presented by Kristi Robusto, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.