

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

**Eighty-First Session
March 9, 2021**

The Committee on Education was called to order by Chair Shannon Bilbray-Axelrod at 1:39 p.m. on Tuesday, March 9, 2021, Online. 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:

Assemblyman Tom Roberts, Assembly District No. 13
Senator Moises (Mo) Denis, Senate District No. 2
Assemblyman Howard Watts, Assembly District No. 15

STAFF MEMBERS PRESENT:

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



OTHERS PRESENT:

Felicia Gonzales, Deputy Superintendent, Division for Educator Effectiveness and Family Engagement, Department of Education
Lindsay Anderson, Director, Government Affairs, Washoe County School District
Christine Saunders, Policy Director, Progressive Leadership Alliance of Nevada; and representing Nevada Immigrant Coalition
Alexander Marks, Communications Specialist, Nevada State Education Association
Will Adler, representing Pyramid Lake Paiute Tribe
Brian Melendez, Chair, Nevada Statewide Native American Caucus
Marla McDade Williams, representing Reno-Sparks Indian Colony
Alyssa Gurule, Intern, Battle Born Progress
Natalie Weeks O'Neal, Treasurer, Nevada Statewide Native American Caucus
Paige Barnes, representing Nevada Association of School Boards
Taylor Patterson, Executive Director, Native Voters Alliance Nevada
Misty Haji-Sheikh, Volunteer, Toiyabe Chapter, Sierra Club
Sabra Newby, Vice President, Government and Community Affairs, University of Nevada, Las Vegas
Christi Cabrera, Policy and Advocacy Director, Nevada Conservation League
Teresa Melendez, Vice Chair, Nevada Statewide Native American Caucus
Elizabeth Mercedes Krause, Vice President, Indigenous Educators Empowerment; and Secretary, Nevada Statewide Native American Caucus
Shea Backus, Private Citizen, Las Vegas, Nevada
Ethan Doig, Senior Advisor, Nevada Statewide Native American Caucus
Laurie Thom, Private Citizen, Yerington, Nevada

Chair Bilbray-Axelrod:

We have one bill and a work session for this afternoon. We are going to do the work session first and then move to the bill hearing. At this time, we will open the work session and start with Assembly Bill 38 and the proposed amendment.

Assembly Bill 38: Revises provisions relating to career and technical education and work-based learning. (BDR 34-302)

Kristi Robusto, Committee Policy Analyst:

As nonpartisan staff, I am not here to advocate for issues. I am here to assist members with policy issues brought forward to this Committee. Our first bill on work session today is Assembly Bill 38. The bill is sponsored by the Assembly Committee on Education on behalf of the Department of Education (NDE) and was heard by the Committee on February 16, 2021 [[Exhibit C](#)].

Assembly Bill 38 revises the membership and duties of an advisory technical skills committee appointed by the superintendent of a school district that has established a program of career and technical education and exempts such a committee from Nevada's Open Meeting Law. Additionally, instead of appointing an advisory committee, the bill allows the

superintendent or their designee to consult with certain stakeholders to perform the advisory committee's duties. The bill also revises certain provisions governing work-based learning programs of school districts and charter schools, including application requirements, program content, reporting requirements, and student evaluations. While originally there were no amendments, one has been proposed for section 2, subsection 6, regarding adding disaggregated data as required by the report.

Chair Bilbray-Axelrod:

Do we have someone from NDE to discuss the proposed amendment? We might have to table this bill. I think there is an appetite for the Committee to see the proposed amendment and have further discussion. If there is someone from NDE who could discuss it briefly, I would appreciate that.

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

This friendly amendment is submitted by Yvette Williams of the Nevada Black Caucus. She did submit a recommended amendment to NDE yesterday, and after reviewing it, we did, in collaboration, decide to accept one piece of what she proposed to section 2, subsection 6(a), which revises the language to read "the number of pupils desegregated by race, ethnicity, and special populations participating in a work-based learning program." As I mentioned before, that was something we agreed upon.

There were other suggestions proposed, but in reviewing what is already outlined in the comprehensive local needs assessment that each district is required to complete along with their request for an allocation of the Strengthening Career and Technical Education for the 21st Century Act (Perkins V) funding, they must address specific items related to special populations and closing those opportunity gaps. If you have any additional questions for me, I am happy to take them.

Chair Bilbray-Axelrod:

We are going to table this, and we can probably put it on work session for Thursday, when we will have time to talk about it. We will move on to our next bill. I appreciate the timing, but it is very difficult for members to read over an amendment when we receive it so soon before the meeting. We will take this up again on Thursday.

We will move on to the next work session item, Assembly Bill 57.

Assembly Bill 57: Temporarily suspends certain requirements relating to certain teacher and administrator evaluations. (BDR 34-434)

Kristi Robusto, Committee Policy Analyst:

Assembly Bill 57 suspends until the School Year (SY) 2023–2024 the current requirement that pupil growth account for 15 percent of the evaluation of a teacher or administrator who provides direct instructional services to pupils. The bill also suspends until SY 2023–2024 the current requirement to establish pupil learning goals.

There is one proposed amendment to this measure. This amendment is proposed by Brad Keating, Director, Government Relations, Clark County School District (CCSD), and Brenda Pearson, Ph.D., Director, Strategic Policy Initiatives, Clark County Education Association (CCEA). The proposed amendment from CCSD and CCEA to Assembly Bill 57 provides that the amendatory provisions of section 2 of this bill notwithstanding, a teacher who is subject to an agreement between a school district and an employee organization, which was entered into before the effective date of this bill and that provides an incentive to teachers based on pupil learning goals, may continue to develop learning goals to satisfy the requirements of that agreement. Learning goals developed in this section will account for the percentage set in section 2 of this bill. The Committee has the amendment [page 2, [Exhibit D](#)].

Chair Bilbray-Axelrod:

Before we take a motion, are there any questions about Assembly Bill 57?

Assemblywoman Tolles:

I appreciated this Committee's discussion around the student learning goals and this assessment process in general. It is something this Committee has had discussion about for several sessions, and I agree that it is something we need to keep digging into further. I appreciate the intent of wanting to pause, especially given our current circumstances, but I am not comfortable with the timeline or how far out it extends. I will be voting no, but with great respect for those who brought it forward and the intent of the bill.

Chair Bilbray-Axelrod:

This has been the discussion. We have been talking about the fact that it does go a little further out than some people are comfortable with, and I know we talked about this in Committee. Ms. Anderson, could you state for the record what the idea was behind extending it out to 2022-2023?

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

To address that question, I would like to refer to the presentation from Washoe County School District Superintendent Kristen McNeill, when she indicated that the educational impact of this pandemic on students will not be solved just through one regular school year. It is going to take time for our students to recover and reengage, and we believe this policy makes sense over the biennium.

I just want to reinforce that our professional educators are committed to student achievement and growth whatever the formal evaluation metric may be. The pause in student learning goals simply removes the stick over this biennium so they are empowered to set aggressive goals for their students without the hesitation related to their formal evaluation and assess their students specifically tailored to addressing those academic gaps instead of trying to measure their performance. That was the thought process behind the biennium in this proposal.

Chair Bilbray-Axelrod:

I do think we will see the repercussions of what COVID-19 has done to our students for many years beyond that, even. Let us hope we can have some sort of normalcy after year 2022-2023. Do we have any more questions from the Committee?

Assemblywoman Torres:

A quick question for clarification: I want to understand with the amendment if the student learning goal is going to count as a part of the evaluation score for the schools that are a part of that special program, or if it would not count. I have received several questions from educators in my community specifically about that portion.

Lindsay Anderson:

I am not sure I am the best person to answer that. In consultation with CCSD and the CCEA, it is our understanding that it will not count toward their evaluation as we discussed in the Committee meeting; they will prepare the student learning goals as part of the agreement they have between their two organizations.

Assemblywoman Torres:

I appreciate that. I wanted to make sure we got it on the work session discussion.

Chair Bilbray-Axelrod:

Are there any other questions from the Committee? [There were none.]. With that, I will take a motion to amend and do pass A.B. 57.

ASSEMBLYWOMAN NGUYEN MADE A MOTION TO AMEND AND DO PASS ASSEMBLY BILL 57.

ASSEMBLYWOMAN TORRES SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYMEN HANSEN, KRASNER, MCARTHUR, AND TOLLES VOTED NO. ASSEMBLYWOMAN HARDY WAS ABSENT FOR THE VOTE).

I will assign the floor statement to Assemblywoman Torres. The next bill on work session is Assembly Bill 105.

Assembly Bill 105: Revises provisions governing interscholastic activities. (BDR 34-517)

Kristi Robusto, Committee Policy Analyst:

Assembly Bill 105 requires that any board formed to govern the Nevada Interscholastic Activities Association (NAIA) include at least two members who are parents or guardians of pupils participating in sanctioned sports. This bill also requires that any advisory board to a governing board include at least two members who are pupils currently participating in a sanctioned sport [[Exhibit E](#)].

Assemblyman Roberts has proposed the following amendment to this measure, which does the following:

1. Amends subsection 2 of section 1 to change from two to three the minimum number of board members who must be parents or guardians of pupils who participate in a sanctioned sport. Also, provide that these parent or guardian board members meet the following requirements:
 - a. One shall be a resident of Clark County;
 - b. One shall be a resident of Washoe County;
 - c. One shall be a resident of a county other than either Clark or Washoe Counties and;
 - d. None shall be an employee of or an immediate family member of an employee of a school district.
2. Amends subsection 3 of section 1 to impose the same geographical restrictions and other conditions upon members of the advisory board who are pupils.
3. Provides that the parent or guardian board members and pupil advisory board members shall serve terms consistent with other board members and serve in full year increments during any year a pupil participates in one or more sanctioned sports.
4. Adds an effective date of July 1, 2022.

Chair Bilbray-Axelrod:

Before we take the motion, are there any questions on this bill? I know we have the bill sponsor here with us.

Assemblyman McArthur:

This is just a point of clarification on the wording. In section 1, subsection 2 of the bill, it says "Any board formed to govern the Nevada Interscholastic Activities Association . . ." and I want to make sure when it says "any board" that you cannot have more than one board governing the NIAA. I am not sure what that means, and I want to make sure it is not more than one board at a time.

Assemblyman Tom Roberts, Assembly District No. 13:

I would refer that to legal counsel. It is my interpretation from working with the amendment that that paragraph referred to the opening paragraph, which states that if you do form a nonprofit, it only applies to that one board, but I would need clarification from legal counsel.

Chair Bilbray-Axelrod:

I know we do not have our legal counsel here, but Ms. Robusto, I think you are able to communicate with her. Would you like to weigh in?

Kristi Robusto:

My understanding in communication with our legal counsel is that was also correct as Assemblyman Roberts explained it when we worked on the conceptual amendment. I can certainly reach out and see if our legal counsel has any additional updates, but that was my interpretation and understanding as well.

Chair Bilbray-Axelrod:

I think it is important that we have that on the record. With that, I will take a motion to amend and do pass A.B. 105.

ASSEMBLYWOMAN NGUYEN MADE A MOTION TO AMEND AND DO PASS ASSEMBLY BILL 105.

ASSEMBLYMAN FLORES SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYWOMAN HARDY WAS ABSENT FOR THE VOTE).

I will assign the floor statement to Assemblyman Flores. We will move on to Assembly Bill 136.

Assembly Bill 136: Adopts changes to the Revised Uniform Athlete Agents Act (2015). (BDR 34-766)

Kristi Robusto, Committee Policy Analyst:

Assembly Bill 136, sponsored by Assemblywomen Bilbray-Axelrod and Cohen, was heard by the Committee on February 25, 2021 [[Exhibit F](#)]. This bill revises provisions of the Revised Uniform Athlete Agents Act to prohibit an agent from providing anything of value that might affect the athlete's eligibility to participate in their chosen sport, unless (1) the agent notifies the student's educational institution within 72 hours of doing so; and (2) the student athlete or a minor student's parent acknowledges on record that this action could result in the athlete's loss of eligibility. Additionally, this bill prohibits an agent from encouraging other individuals to act on the agent's behalf to engage in such prohibited actions. There are no amendments for this measure.

Chair Bilbray-Axelrod:

Before we take a motion, are there any questions about this bill? [There were none.] I will take a motion to do pass A.B. 136.

ASSEMBLYWOMAN NGUYEN MADE A MOTION TO DO PASS ASSEMBLY BILL 136.

ASSEMBLYWOMAN TOLLES SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYWOMAN HARDY WAS ABSENT FOR THE VOTE).

I will assign the floor statement to Assemblywoman Gorelow. We will now move on to Senate Bill 83 (1st Reprint).

Senate Bill 83 (1st Reprint): Revises provisions relating to certain assessments. (BDR 34-527)

Kristi Robusto, Committee Policy Analyst:

This bill was sponsored by the Senate Committee on Education on behalf of the Legislative Committee on Education and heard by this Committee on February 23, 2021 [[Exhibit G](#)]. The bill authorizes Nevada's Department of Education (NDE) to temporarily waive or pause the requirement to administer certain federally required examinations that measure the achievement and proficiency of students if the U.S. Department of Education (DOE) allows for such a waiver or pause. If such a waiver is allowed, the bill also authorizes NDE to temporarily waive or pause certain reporting requirements based on assessment results measuring student achievement and proficiency. The bill also makes conforming changes to other statutes related to the temporary waiver or pause to administer such assessments.

There is an amendment proposed by Senator Moises Denis which is intended to allow NDE to conform its reporting requirements under state law to federal law during any waiver or pause relating to reporting. The current version of the bill only allows the results of testing to not be included in NDE's reporting during the period of any testing waiver. Specifically, the amendment adds provisions in section 6.7, subsection 3, to allow NDE to temporarily waive or pause the requirement to make public school ratings that are compliant with federal law if the DOE grants a waiver or otherwise pauses these requirements [page 10, [Exhibit G](#)].

Chair Bilbray-Axelrod:

I know we do have some questions from the Committee, so I will now open it up for questions.

Assemblywoman Hansen:

I understand the bill and what we are trying to accomplish here, but I am curious though. If we do assessments for this period, do we not have to report them? Or are we saying we are not going to do them during this period? I was curious if we were going to have an opportunity if we have some assessment data and we do not have to report it, would we have access to it if we needed it for our own understanding in our state?

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

The purpose of the bill is to give flexibility when we are in a situation like we are now: if the feds give us the ability to waive doing the assessment because of circumstances, we want to try to mirror that so we would have the same flexibility at the state level. I think you are

asking, If we do not have to give it to the feds but we still do it, do we still have access to the data? Is that correct? I would have to ask NDE, but I would think that the data would be available. I think it is how we would use it where we would need the flexibility.

Assemblywoman Hansen:

I understand the pause completely. I just need to know if we are going to do assessments even though we do not have to report them. If we did, would we have access to that data even though we do not have to report it to the feds? That is what I am trying to clarify.

Senator Denis:

This is not a mandate to not do it, but it gives the flexibility that if we get the waiver, we can choose to not do it. It would be up to NDE.

Chair Bilbray-Axelrod:

I think it is fair to say that if the assessments are done and the information is there, we would be able to access that data. Are there any other questions? [There were none.] I will take a motion to amend and do pass Senate Bill 83 (1st Reprint).

ASSEMBLYWOMAN TOLLES MADE A MOTION TO AMEND AND DO
PASS SENATE BILL 83 (1ST REPRINT).

ASSEMBLYWOMAN TORRES SECONDED THE MOTION.

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

I will assign the floor statement to Assemblywoman Marzola. I will now close the work session on the agenda and move on to our bill hearing. I will now open the hearing on Assembly Bill 88.

**Assembly Bill 88: Makes various changes relating to governmental entities.
(BDR 34-147)**

Assemblyman Howard Watts, Assembly District No. 15:

I would like to start by recognizing that we are gathered on the occupied territory of the Washoe people, who have served as stewards of this land since time immemorial. With the Chair's permission, I will start by providing some context on why I think now is the time to take action on racially derogatory naming practices, and then I will walk you through the bill itself and the amendment I have submitted [[Exhibit H](#)] and take questions.

It comes as no surprise that Nevada and our nation have a complicated and conflict-filled racial history. From slavery and genocide to discrimination, the actions of the past ripple into the present and require us to recognize and address their lingering effects. One of the legacies that periodically needs to be addressed is the language that we use as we look back and realize the terms that were once acceptable and commonplace no longer are.

Assembly Bill 88 looks at this language in two areas—our school identities and our place names. I will start first with schools. After many years of advocacy by Indigenous people, we are in the midst of a major shift away from the use of stereotypical and derogatory depictions of Native Americans. The Washington, D.C., football team and Cleveland baseball team stand out as major recent examples in U.S. professional sports. The NCAA [National Collegiate Athletic Association] in 2005 adopted a policy calling for the removal of such mascots in colleges and reports that two-thirds of the roughly 3,000 have been replaced. In our local schools, about half of the roughly 2,000 remaining Native American mascots and symbols have been retired between 2014 and 2020. Legislatures and education boards in several states have taken action to address this issue as well. Here at home, Hey Reb was recently retired at the University of Nevada, Las Vegas (UNLV), my alma mater. Having evolved from the Confederate uniform-wearing wolf named Beauregard and evoking elements of the "mountain man," Hey Reb troubled many community members, including Native students and alumni.

Next, let us shift our attention to place names. In 2015, a group called Vocativ cross-referenced every term in the Racial Slur Database against the 2.2 million official names tracked by the United States Geological Survey and found more than 1,400 places containing racial slurs, with 60 here in Nevada. Examples include Negrohead Peak, Dago Spring, Chinaman Diggings, several locations using the word "squaw." A few months ago, just across the border at Lake Tahoe, the Squaw Valley Alpine Meadows Ski Resort committed to change the Squaw Valley name after talking with Native communities and learning about its offensive nature. The word "squaw" is likely a corruption of an Indigenous word for female reproductive organs or women, and was used as a derogatory term to describe a man who would do "woman's work" or was married to an Indigenous woman. It is often sexualized, with Squaw Tit here in Nevada as one example. That place name is still on the books today.

Assembly Bill 88 would make clear that the Nevada State Board on Geographic Names should reach out to local communities and recommend changes to more appropriate names. I would also be remiss if I did not note the fact that many of these places had names given to them by Paiute, Shoshone, and Washoe people long before the arrival of Europeans and their descendants. Take Doso Doyabi, the new name given to the second highest peak in Great Basin National Park here in Nevada. Before renaming, it was the state's sole Confederate monument having been "officially" named after Jefferson Davis, the president of the Confederate States. In consultation with Shoshone tribal members, they renamed it to Doso Doyabi, which means "white mountain," the name it had been called before receiving that so-called "official" name.

Some may be concerned that we are erasing history, but I must respectfully disagree and address that up front. By creating a record of the debates and decisions on these issues, A.B. 88 is in fact making history. It also causes us to take a second, deeper look at things we often take for granted and educate ourselves. Ultimately, I believe we can find words that honor the stories of these places and institutions while also honoring the diverse cultures and communities that call Nevada home.

With that, I will walk you briefly through the bill and amendment. Section 1 of this bill requires that the board of trustees for each school district and governing board of each charter school in the state adopt a policy that prohibits the usage of names, logos, mascots, songs, or other identifiers that are racially discriminatory. In particular, we are looking at offensive depictions of Native Americans, but the language is broader to cover other offensive depictions as well. Should a school choose to use an identifier associated with a federally recognized Indian tribe, the board must obtain permission for the use of this identifier from that tribe. This preserves tribal sovereignty and ensures that these communities are involved in the discussion and decision-making process when these issues are being considered.

Section 2 of the bill has to do with allowing the Board of Regents of the University of Nevada to adopt a similar policy. This section is being stricken from the bill under my proposed conceptual amendment [[Exhibit H](#)]. Since I first requested this bill, UNLV has officially retired the Hey Reb mascot, which addresses one of the reasons I wanted to ensure that the board was included within this legislation, and the Board of Regents already possesses the ability to create a similar policy. They do not need statutory authority to do so. I believe that there is no problem with the Rebels now that the problematic mascot is no longer associated with it, and this amendment will also eliminate the fiscal note submitted by the Nevada System of Higher Education.

Section 3 establishes a policy mandate for the Nevada State Board on Geographic Names to recommend new names for landmarks that contain racially derogatory language. My conceptual amendment removes the requirement to consider "a natural person with a racially discriminatory history" under sections 1 and 3 so we can focus first on the most egregious language and symbols. I know there is ongoing debate about the people whom things are named after, with the renaming of the airport in Las Vegas being one major example. I think those are conversations that are certainly worth having. For the purposes of this bill, I really wanted to focus on creating a framework and prioritizing addressing the most egregious words and symbols.

Section 4 sets the effective dates for schools to have these policies in place, and my conceptual amendment removes the requirement for the Nevada State Board on Geographic Names to submit recommendations by a certain date. This is a volunteer-driven body that meets infrequently and requires community input to make these changes, and we want to provide space for that process to happen without creating an arbitrary deadline for them.

I believe that our state will only become stronger and serve as a moral example to others by coming together to confront and address these historical inequities. I ask for your support of [A.B. 88](#), and I am happy to take your questions.

Chair Bilbray-Axelrod:

I do have a few questions, but I will open it up to the Committee first. Do members have any questions?

Assemblyman McArthur:

I have a point of clarification, and I do not know exactly what it is supposed to mean. In section 1, subsection 1, we are talking about all the schools and universities, but you specifically mention "gifted pupils." Why are we pulling that out? I do not understand that. Why are we mentioning them specifically?

Assemblyman Watts:

I would potentially defer that question to our legal counsel. I wanted to make sure it applied to every K-12 institution in the state, and that is how the bill came back. It includes the school districts and the governing bodies for charter schools as well as the university school for profoundly gifted students. That is not something I specifically asked for, but I wanted to make sure it included every K-12 within the public purview.

Chair Bilbray-Axelrod:

I am curious about that as well. Do we have a university school for profoundly gifted pupils in the state of Nevada?

Assemblywoman Hansen:

I believe that would be the Davidson Academy at the University of Nevada, Reno, which is housed on that campus. I think I heard it is a university charter for gifted students.

Chair Bilbray-Axelrod:

It must not fall under the purview of the other things mentioned. I was thinking it was like Hogwarts School of Witchcraft and Wizardry. Oh, well. Do we have other questions from members? [There were none.]

Could you tell me the makeup of the Nevada State Board of Geographic Names? I had never heard of that board before, and you said they meet infrequently, but what is the makeup? Are members appointed? Who, exactly, is on it?

Assemblyman Watts:

The State Board on Geographic Names consists of one representative selected by the following agencies: the Bureau of Mines and Geology; a faculty member from UNR; a faculty member from UNLV; the Division of State Library, Archives and Public Records within the Department of Administration; the Department of Transportation; the State Department of Conservation and Natural Resources; the Nevada Historical Society; the Bureau of Land Management; the Forest Service; the National Parks Service; as well as the Inter-Tribal Council of Nevada or any successor organization. Additionally, I believe Assembly Bill 72 is currently seeking to add an additional representative from the Nevada Indian Commission.

The goal is to have representation from folks who are involved in the naming of these various places and landmarks. Very briefly, to describe how this works, naming or renaming things is a decision made by the U.S. Board on Geographic Names, so our state board engages with members of the public in our communities and makes recommendations. Usually, when

those recommendations are well-founded, well-reasoned, and have gone through that community process, they are then adopted by the U.S. Board on Geographic Names, and that is what makes the change effective.

Assemblywoman Miller:

Many people who were part of the working group last year during the Interim Committee had recommended this, so they will be ecstatic to know that this is happening. I will preface my question by saying that there are many of us who, once we know that a term, a phrase, a custom, a logo, whatever it is, is offensive to a particular group of people, automatically accept it and stop using it. But we know there are still many people out there who feel entitled and emboldened, and who really feel like it is their right to continue using phrases and mascots and names. I am always curious why you would want to continue doing something when you know it hurts other people.

For some people, it is enough to say that a group came forward and said a name is offensive and they would like it changed. There is also a part of the population that will resist that. People will ask if we are trying to erase history, as if we want to hold onto things that hurt and traumatize others. Have you considered any type of education or informational piece so that when requests are made to change things, the community actually understands why? Just as you explained in the beginning, when you gave us some definitions of what this term means and why it is so hurtful and offensive, I wonder if education is a piece you have considered or would consider so there is some kind of communication or information offered so people can really understand what the origins of that word or mascot or name or phrase is and why it is so hurtful and offensive.

Assemblyman Watts:

That is one of the main reasons I am trying to bring this bill forward and why it is structured the way it is. The goal is to create a policy and a process. We have seen this come up before. To give a couple of examples: We have discussed Hey Reb, but there is also the Warriors of Western High School in Las Vegas. We know these issues exist across the state, but every time this gets brought up, it falls to whatever entity is in charge to try to figure out how to navigate that process. Bringing this bill forward and bringing attention to this issue helps provide the start of some of that education as well as requiring all these entities to develop this policy so they think through how someone can come forward when they find something to be problematic, insensitive, or offensive. How do we negotiate that? How do we gather input? How do we make that decision? How do we communicate that decision? I think having that policy in place will create a better environment when these issues get brought up to have a community dialogue, to educate everyone, to bring everyone together and get those perspectives. I think that is the better approach compared with trying to create something that makes a blanket decision on removing every type of word and trying to lay out which specific words need to be removed or creating a blanket ban.

Looking particularly at Native American mascots, we have the Owyhee Combined School located on the Duck Valley Indian Reservation. If they have Native imagery—a logo or an identity they support—I certainly do not want to step on their sovereignty and their identity

and tell them they cannot use it. Similarly, Elko High School's mascot is the Elko Indians, and they have communicated with the Elko band of the Te-Moak Tribe of Western Shoshone Indians, who have written a letter expressing that they feel the way the school portrays that identity is not offensive.

Again, I think this policy strikes that balance, allowing some local control and discretion while seeking to implement a policy that means everyone needs to think very carefully and take a close look at how these names and images may be perceived by other people, have that discussion, and come to a decision in an open, transparent, participatory way.

Assemblywoman Miller:

I think that is the key, empowering the actual impacted community and community members; they are the voices that need to be heard and responded to.

Chair Bilbray-Axelrod:

Do we have other questions from the Committee? [There were none.] We will move on to testimony in support, opposition, and neutral for A.B. 88. We will begin with support.

Christine Saunders, Policy Director, Progressive Leadership Alliance of Nevada; and representing Nevada Immigrant Coalition:

Last year was a year of reckoning like none before, in which hundreds of thousands of people across the nation took to the streets demanding action to address systemic racism after the murders of George Floyd and Breonna Taylor. Yet terms in our state like "rebel" still retain a connection to overtly racist systems of oppression and the Confederate generals symbolic of white supremacy culture as they serve as a reminder of the Civil War and the slaveholding South.

Indigenous mascots are a form of cultural appropriation—the unacknowledged or inappropriate adoption of the customs, practices, and ideas of one people or marginalized society, typically by a more dominant people or society, often presenting stereotypical images that desecrate traditions. Indigenous communities are also the original stewards of this land. We must look to change names that serve as acknowledgement of those who removed Indigenous people from their lands and [unintelligible] nonnative and inappropriate names for those areas.

In addition, there are real impacts of racial stereotyping and inaccurate racial portrayals, particularly in a place of learning. They have been found to be harmful to the self-esteem and development of Black, Indigenous, and people of color communities. In fact, the American Psychological Association called for an end to using Indigenous mascots over 15 years ago because of a concern for students. In the past year, brands like Aunt Jemima, Uncle Ben's, Cream of Wheat, Land O'Lakes, and even Disneyland have all committed to making changes to their racist imagery. It is long past due for Nevada to acknowledge our past and make amends to the diverse population that calls Nevada home. We ask that you pass this bill.

Alexander Marks, Communications Specialist, Nevada State Education Association:

We fully support this bill prohibiting the use of any name, logo, mascot, song, or other identifier that is racially discriminatory in Nevada's schools. At our 1991 representative assembly, the National Education Association adopted a new business item to discourage the initiation and continued use of prejudicial and derogatory names and symbols of ethnic groups for schools, sporting teams, and mascots. In the last 30 years, we have reaffirmed this position on numerous occasions because educators have long known the use of racially discriminatory language and symbols in schools is wrong and contributes to a hostile learning environment for many students of color.

Twenty years ago, the U.S. Commission on Civil Rights issued a statement calling for an end to the use of Native American images and team names by nonnative schools. The statement reads, "The stereotyping of any racial, ethnic, religious or other groups when promoted by our public educational institutions, teach all students that stereotyping of minority groups is acceptable, a dangerous lesson in a diverse society. Schools have a responsibility to educate their students; they should not use their influence to perpetuate misrepresentations of any culture or people." We urge the passage of this bill. [Written testimony was also submitted, [Exhibit I](#)].

Will Adler, representing Pyramid Lake Paiute Tribe:

The Pyramid Lake Paiute Tribe would like to add their names in support of this bill. It is long overdue that we develop a process to rename some of the improperly named facilities around the state. Essentially, this is a process that can be done respectfully and in a measured fashion. I think we can get a lot done in a positive fashion in the state of Nevada.

Brian Melendez, Chair, Nevada Statewide Native American Caucus:

We support this bill as a moral step toward justice in education. As an Indigenous leader of the state, I am intimately aware of the power of symbolic and structural racism and the harsh impact these institutional applications have on our identities as tribal people and future government-to-government relations.

This is not the first time tribal leaders, community organizers, and advocacy groups have spoken against racist mascots and monuments or derogatory place names. As Indigenous leaders from across the nation mobilize around these particular issues, we ask for your mindful consideration and care. More importantly, we ask that you listen and acknowledge what constituents of color—your constituents—are saying on this matter. As it stands, these historic and symbolic vestiges stem from a place of hate and fear and have no place in a productive and prosperous future.

To be clear, our position is not simply a fickle sensitivity to subtle prejudice, but a call to rebrand what human dignity looks like in Nevada for all people of color. There can be no healing without reconciliation, and now more than ever, we must confront racism where it sleeps. As leaders, you have the power and authority to make right these historical wrongdoings. We hope you will pass this legislation.

Marla McDade Williams, representing Reno-Sparks Indian Colony:

The Reno-Sparks Indian Colony would like to go on record in support of this bill. In 2014, Indian Colony Chairman Arlan D. Melendez joined other leaders throughout Indian Country to speak against racially offensive mascot names. At the time, the National Indian Education Association adopted a resolution noting "the limited and sparse representations of Native Americans in the media and popular culture comprise a significant portion of what children learn about Native people and thereby impact their identity formation by reinforcing stereotypes about Native cultures from the past and present."

On a personal note, I went to Elko High School, whose mascot is the Indians, as Assemblyman Watts discussed. While someone from the tribe may have submitted a letter saying the name is okay with the tribe, it is not necessarily okay with everyone in that community. Certainly, there is an awareness there, because at some point, the caricature Indian head was changed to be a more respectful representation of a Native headdress. That does not change the fact that in representing the Indians, there are the offensive and sometimes flat-out racist comments thrown at the athletes.

Growing up, I constantly heard talk about how the high school mascot was the Indians, but there was not a Native on the team, and it was not for a lack of talent. I was a Native student athlete and I had to compartmentalize and separate myself from the jeering about my culture. As a student, you are powerless to do anything else, and you have a mixed sense of pride for your school. We agree with the closing sentence of the letter submitted by the Las Vegas Indian Center [[Exhibit J](#)] that mascots reinforce stereotyping and prejudice.

Alyssa Gurule, Intern, Battle Born Progress:

I am an intern at Battle Born Progress and a student at the College of Southern Nevada. We support this bill because it is past time we prohibit the use of racially discriminatory identifiers on school property and other geographic locations. Their use not only perpetuates racial stereotypes, but also has psychological consequences. We must make our schools and other geographic features a welcome environment for anyone who sets foot on these properties. A welcoming environment does not include names, mascots, or symbols that are racially derogatory. Nevada is currently the ninth most diverse state, and it is essential that we begin making these changes. We believe that passing this bill will be a step in the right direction toward confronting systemic racism and making everyone feel like they are accepted in Nevada.

Natalie Weeks O'Neal, Treasurer, Nevada Statewide Native American Caucus:

I am a member of the Fort Peck Assiniboiné and Sioux Tribes of Montana. I have lived in Las Vegas for years now, and I am the parent of a child who attends school in the Clark County School District. I am also an educator for college campuses in Las Vegas for health care education. I wanted to speak to thank the Committee for taking this issue up, and I am in support. As a former Division I Native American basketball player, I have firsthand experience with the derogatory impact that Native mascots have, not only on athletes, but on those who are compelled to think it is okay to have a Native mascot, which therefore normalizes behavior and stereotyping of these racially derogatory meanings. When I went to

play at Arkansas State University, their team mascot was the Indians, and the mascot showed up in full headdress despite knowing there was an identified Native American player on the court that night—me. It was very hurtful to see them with signs that read "Squaw" and "Go Back to the Reservation." My university was the University of Idaho, nowhere specific to any Native American mascot at the time. It was very hurtful at a very young age, and I took that with me. Now as an adult, I have taken that forward for the past 20 years to ensure that I educate anyone who is interested in hearing.

It is not just bringing up racial mascots; let us be honest, it is Native American mascots. There is no such thing—and if you find this offensive, then you must put yourself in our shoes—there is no such thing as, say, the New Jersey Jews. We could go on and on about different ethnic groups, but I will not go there because it would be derogatory and demeaning. For people to say it is ok to use the term "Indian," especially if you got one letter from one individual from a tribe, that one person does not represent everyone. I urge you to please consider this bill in support.

Paige Barnes, representing Nevada Association of School Boards:

We support A.B. 88, the process established in the bill, and the intent to respect all of Nevada's communities. We encourage your support.

Taylor Patterson, Executive Director, Native Voters Alliance Nevada:

We are in support of this bill. It is long overdue to remove the imagery, names, and other identifiers that have shamed our people. While many people have assumed any representation is good and we should be honored by these things, that cannot be further from the truth. This is harmful. Our children should not have to see these representations and wonder why their people are seen as no more than "vicious savages" or "squaws," not to mention the disservice this does to non-Natives who cannot imagine a Native person who is not reminiscent of a John Wayne film. We need more accurate representation and getting rid of these relics is a step in the right direction.

Misty Haji-Sheikh, Volunteer, Toiyabe Chapter, Sierra Club:

I am a leader of the Sierra Club's justice, equality, diversity, and inclusion efforts. On behalf of the Sierra Club and our more than 30,000 members and supporters statewide, I am speaking in support of A.B. 88.

Sierra Club's mission is to explore, enjoy, and protect the planet. We want all people to feel welcome in our shared public spaces. Too often in the past, leaders of European descent used names that disrespected Indigenous cultures or unnecessarily insulted other races and ethnicities. Over the last year, our country has seen the extreme pain that comes from persistent, systematic racism, which is the antithesis of our mission. We aim to replace the names that were chosen to honor people in the past, despite their racist tendencies, in respect for ways our criminal justice, education, and health care systems fail communities of color at far greater rates than European Americans. We wish to avoid the insensitive naming of a school mascot or mountain peak.

We appreciate this bill for the process it sets forward to heal the sting of racist names in a variety of ways they appear in Nevada at the broad scale necessary. We at Sierra Club are working hard to make changes so people of all ages, ethnicities, disabled or able-bodied, genders, religions, special needs, LGBT; and places of origin are included, welcome, and comfortable. We hope this will be adopted by others so schools and public buildings will be included. We see our Nevada as a model for the country.

There is some opposition from teachers that it costs money to make these changes and the money should be spent on education. We understand their point. I wish to point out that making these changes is long overdue and will serve as a learning experience, both within and outside the classroom. Replacing racist place and mascot names will better appeal to people who visit this place we call home. For these reasons, we urge you to support this bill. [Written testimony was also submitted, [Exhibit K](#)].

Sabra Newby, Vice President, Government and Community Affairs, University of Nevada, Las Vegas:

We applaud the spirit of equity and inclusion within this bill. These goals are shared by President Whitfield and UNLV, which is why Hey Reb was officially retired earlier this year. I wanted to make a statement that with the elimination of the Nevada System of Higher Education (NSHE) from this bill in the conceptual amendment Assemblyman Watts has offered, the fiscal impact submitted by UNLV through NSHE can be eliminated.

Christi Cabrera, Policy and Advocacy Director, Nevada Conservation League:

The Nevada Conservation League is here in strong support of this bill. We are especially supportive of section 3, which requires the Nevada State Board on Geographic Names to recommend changes to the names of geographic features or places that are racially discriminatory. Broken and racist systems must be addressed before we can have a healthy and just environment, and it is past time to change the offensive names of public lands and spaces.

Our public spaces and historic sites tell a story about Nevada's history and should reflect a narrative that is inclusive of communities who have made positive and lasting contributions to our great state. While our country continues to reckon with our racist and bigoted past, this is an important step Nevada can take to rightfully reclaim and retell our history in a manner that honors those who came before us, and allow our country to heal from the hurtful and dangerous narratives of the past. The outdoors are, and should be, a place for everyone, and all people should feel welcome across every part of our state. We urge the Committee's support.

Teresa Melendez, Vice Chair, Nevada Statewide Native American Caucus:

I am calling in support of this bill. There have already been so many important things shared. I want to talk about the importance of the mascot issue and bring to people's attention the study conducted by IllumiNative, a Native nonprofit that works for social justice and Indigenous issues, who have a project called "Change the Name." They conducted a national survey, so we finally have national data, reinforcing all the important and correct

things previous callers have identified—that Native mascots do not honor Native people, and these mascots, team names, and imagery are racist. We finally have scientific studies proving that Native mascots demonstrate direct negative impacts on Native Americans, and they affect, reflect, and reinforce stereotypes.

One thing I want to add is that these mascots also cause higher rates of depression, suicidal ideation, self-harm, and substance abuse in Native youth and creates discrimination in schools against Native students. Racist mascots increase negative stereotypes of Native people and create the false perception of Native people as aggressive. You can find more on that study if you Google it, but I also wanted to speak to the perspective as an Indigenous person of this country, though not from these lands. When we are talking about correcting and renaming things and recognizing our history and recognizing that the Indigenous people of this land have already named the lakes, mountains, and valleys, that their ancestors are from these [unintelligible] and have always been here.

Elizabeth Mercedes Krause, Vice President, Indigenous Educators Empowerment; and Secretary, Nevada Statewide Native American Caucus:

I am calling in favor of this bill. Thank you for hearing our testimony on this deeply emotional topic. I think you have heard how emotional many of the speakers are today. I feel the same way. I wear many hats, but today I speak as an Indigenous woman, mother, neighbor born and raised in Nevada, and as an educator under the umbrella of the organization Indigenous Educators Empowerment.

I am so emotional to finally hear this bill. Many of us in the community have been waiting so long for this to happen, so I want to make my statement very clear. I implore you to follow good community relationship standards, decency, and the lead that extensive qualitative and quantitative research leads us to, which is the retirement of these gross images and the names where they are found in our state.

I want to reiterate what others have said: There is no honor in these names. If we want to respect and get to know the culture of our 27 tribal neighbors here in Nevada, we need to change these gross images. These caricatures are gross misrepresentations of my plains culture, and they falsely assume they represent people in Nevada. There is no representation there. We are still here, and we are so much more than a caricature. Please see us as neighbors, allow us to feel respected, and protect all the children in our community from the documented harm caused by misrepresentations of Native American people.

I also want to share the official statement of the National Congress of the American Indian. It states, ". . . rather than honoring Native peoples, these caricatures and stereotypes are harmful, perpetuate negative stereotypes of America's first peoples, and contribute to a disregard for the personhood of Native peoples." These caricatures, as we have heard from other speakers, would never be accepted for any other community. We are still here. Please, do not reduce us to a stereotype and, even worse, say it is an honor. Even students like my own children who did not go to a school with mascots had to face them playing school sports and during other district-wide events where all the schools are represented. You must realize

that these mascots affect more than the students who study under them. I will skip through the research, but you can very easily look up the American Psychological Association statement and look at the lengthy list of research and resources and educate yourself on the topic.

It is truly harmful, and I want to ask you to lean with your other neighbors in the community, organizations like the Nevada State Education Association, UNLV Native American Alumni, UNLV Native American Student Association, the College of Southern Nevada Native American Alliance; and also note that the National Indian Education Association actually wrote a letter to former Clark County School District Superintendent Pat Skorkowsky asking for the removal. Please consider what you have heard today. Listen to your hearts and the research as you make your decision with your vote.

Shea Backus, Private Citizen, Las Vegas, Nevada:

I am here in support of this bill. While I am a third-generation Nevadan, I am also an enrolled member of the Cherokee Nation. As a child, I spent my summers on my grandparents' ranch outside of Talala, Oklahoma. This 80-acre ranch was land allotted through federal policy of dividing communally held Indian land. It must be noted that this land is not where my ancestors originated, as the Cherokees were a part of the U.S. efforts to relocate tribal members under the Indian Removal Act of 1830 to Indian territory. While this law required the government to negotiate removal treaties fairly, voluntarily, and peacefully, it was frequently ignored, and Native Americans were forced to vacate lands they had lived upon for generations.

I want to thank Vice Chair Miller for highlighting the need for ongoing discussion about term usage that appears derogatory. For years, Cherokees have been one of five tribes commonly referred to as the "five civilized tribes"; this term has been institutionalized in federal government policy, but it really is not okay as it is a form of colonization and control. The Five Nations themselves have been less accepting of it. I am here to testify in support of A.B. 88 because with all of the ethnic stereotyping set forth about Native Americans, the use of mascots and other symbols ultimately promote misunderstanding, implicit biases, and prejudice, which contributes to other problems faced by Native Americans.

With this ethnic stereotyping, one does not really understand the cultural history of each Native person they may meet. While Nevada has 27 tribes within our state borders, there are numerous tribal members from tribes located outside of our great state who reside in urban areas and have stories about their family, as I do. I ask this Committee to support this bill so we may refrain from using state funding to promote racial injustice.

Ethan Doig, Senior Advisor, Nevada Statewide Native American Caucus:

There have been a lot of advocates and allies working on this issue, and it has taken years of discussion and dialogue, not just within tribal spaces in the state, but across the country to get where we are today. Nevada is home to 27 unique tribes and colonies and has one of the

largest growing urban Indigenous populations in the country. Visibility is critical to beginning the hard work of overcoming the generational trauma of erasure and genocide. These racist and derogatory place names, monuments, mascots, songs, and towns reinforce this erasure and embolden the beneficiaries of Native invisibility.

You have heard from many people from the Nevada Statewide Native American Caucus and other organizations, and we would like to urge you to support this legislation and be active participants in not just your own education, but the education of others. That is really what this bill is about. It brings Native peoples forward in a healthy way, but it also empowers people to educate themselves on these subjects that are oftentimes relegated to caricatures and misrepresentations. I would appreciate your support in righting these historical wrongs.

Laurie Thom, Private Citizen, Yerington, Nevada:

I am a citizen of the Yerington Paiute Nation. I am speaking in support of this bill to make culturally respectful and safe learning environments for our children and others in our great state. Historical trauma is real. It is present in the lives of our Indigenous people here in Nevada. As a past high school athlete, I played in and attended athletic events that reinforced negative stereotypes of our Indigenous people. From adults spitting on young Native athletes, seeing entire gyms full of non-Natives doing the "tomahawk chop" but still yelling at us for the "dirty Indians to go home to the rez," it is difficult for Indigenous parents to raise well-rounded Indigenous children in a world that refuses to see that the racist acts are hurtful and derogatory. I support this bill personally because I would like to make sure that Nevada is respectful of our Indigenous people and that our children have a good future. As Nevada's leaders, I ask that you vote in support of this bill and support this catalyst for positive change for future generations.

Assemblyman Flores:

I wanted to say to Laurie Thom: Thank you for all the work you do on behalf of so many Natives in the state of Nevada. It is always an honor and a pleasure to hear from you.

Chair Bilbray-Axelrod:

Are there any other callers in support? [There were none.] Are there any callers in opposition? [There were none.] Are there any callers in neutral? [There were none.]

Assemblyman Watts, do you have any closing remarks to make to the Committee? I believe all the folks calling in support did an excellent job.

Assemblyman Watts:

I agree. I think the people who called in to provide testimony in support said it better than I ever could. Clearly, this is a complicated issue, and I think A.B. 88 is a very positive first step in addressing that issue in a positive and constructive way. I noted this in my initial remarks, but I believe that we can confront our history, that we can preserve our history, and that we can make history when we pass this bill. I urge the Committee's support.

Chair Bilbray-Axelrod:

With that, I will close the hearing on A.B. 88. We will now move on to public comment. Are there any callers wishing to testify for public comment? [There were none.] Are there any comments from members before we adjourn? [There were none.]

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

RESPECTFULLY SUBMITTED:

Sarah Baker
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 [Assembly Bill 38](#), presented and submitted by Kristi Robusto, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit D](#) is the Work Session Document for [Assembly Bill 57](#), presented and submitted by Kristi Robusto, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit E](#) is the Work Session Document for [Assembly Bill 105](#), presented and submitted by Kristi Robusto, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit F](#) is the Work Session Document for [Assembly Bill 136](#), presented and submitted by Kristi Robusto, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit G](#) is the Work Session Document for [Senate Bill 83 \(1st Reprint\)](#), presented and submitted by Kristi Robusto, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit H](#) is a proposed conceptual amendment to [Assembly Bill 88](#), dated March 7, 2021, presented and submitted by Assemblyman Howard Watts, Assembly District No. 15.

[Exhibit I](#) is written testimony dated March 9, 2021, from the Nevada State Education Association, presented and submitted by Alexander Marks, Communications Specialist, Nevada State Education Association in support of [Assembly Bill 88](#).

[Exhibit J](#) is a letter dated March 8, 2021, submitted by Rulon Pete, Executive Director, Las Vegas Indian Center, in support of [Assembly Bill 88](#).

[Exhibit K](#) is written testimony dated March 9, 2021, presented and submitted by Misty Haji-Sheikh, Volunteer, Toiyabe Chapter, Sierra Club, in support of [Assembly Bill 88](#).