

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

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

The Committee on Education was called to order by Chair Shannon Bilbray-Axelrod at 1:32 p.m. on Thursday, March 11, 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](http://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:**

None

**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 for Educator Effectiveness and Family Engagement, Department of Education  
Rebecca Feiden, Executive Director, State Public Charter School Authority, Department of Education  
Alexander Marks, Communications Specialist, Nevada State Education Association  
Chris Daly, Deputy Executive Director, Government Relations, Nevada State Education Association  
Tom Wellman, President, Nevada State Education Association-Retired  
Steven Horner, President-Elect, Nevada State Education Association-Retired; Vice President, Clark Retired Education Association  
Ignacio Prado, Executive Director, Futuro Academy Charter School  
Victor Salcido, Executive Director, Charter School Association of Nevada  
Darlene Anderson, Private Citizen, Henderson, Nevada  
Sheila Moulton, Private Citizen, Las Vegas, Nevada  
Deborah Earl, Vice President, Power2Parent  
Eileen Gilligan, Principal, Doral Academy of Nevada, Saddle Campus  
Kim Hammond, Principal, Doral Academy of Nevada, Red Rock Campus  
Kelly Gerdes, Principal, Doral Academy of Nevada, Fire Mesa Campus  
Tom Clark, representing Stride, Inc.  
Bob DeRuse, Director, ACE Charter High School  
Cyrus Hojjaty, Private Citizen, Las Vegas, Nevada  
Valerie Friskey, Private Citizen, Dayton, Nevada

**Chair Bilbray-Axelrod:**

[Roll was taken. Committee protocols were explained.] We have one bill and a work session this afternoon. We are going to hear the work session first and then move on to our bill hearing. At this time, I will open the work session on Assembly Bill 38.

**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. The bill on today's work session is Assembly Bill 38, sponsored by the Assembly Committee on Education on behalf of the Department of Education and heard 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.

There is one proposed amendment to this measure, which was proposed by Yvette Williams, Chair, Clark County Black Caucus. The proposed amendment provides that subsection 6(a) of section 2 require that the information for the report on the number of pupils participating in the work-based learning program be disaggregated by race/ethnicity and special populations.

**Chair Bilbray-Axelrod:**

Before we take a motion, are there any questions on A.B. 38?

**Assemblywoman Miller:**

We all appreciate the fact that we have the ability to read through the full amendment thoroughly. Now that I have, when I look at the full amendment submitted by Chair Yvette Williams from the Clark County Black Caucus and I look at the portion the Department of Education (NDE) is accepting as a friendly amendment, I am wondering when I look at section 2, subsection 2, paragraph (a) and section 2, subsection 2, paragraph (b), there is some really strong stuff in there. "Stuff" is not a great word but again, there are some great policies that talk about describing and providing the activities and ensuring equal access and the strategies to overcome barriers in providing these programs and activities.

I am wondering if someone from NDE can explain to us why these portions of the amendment were eliminated. There was one portion accepted about aggregating the data by special populations, but I am wondering why the other sections were not accepted.

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

Thank you for that question, Vice Chair Miller, and an opportunity to also provide the reasoning behind why it was reduced down to just section 2, subsection 6. We had the opportunity to have a couple of conversations with the Clark County Black Caucus, specifically Yvette Williams. We were able to explain that all of the recommended amendments are actually already being done.

Each school district must complete a comprehensive local needs assessment. It, in detail, addresses inclusion, special populations, preparation, equal access, and addressing disparities or gaps in performance, which is what the Clark County Black Caucus was looking for in career and technical education accountability. That satisfied what the Chair was looking for because it is already in place. The local education agency (LEA) or districts must address these topics within the comprehensive local needs assessment. If a district does not address how they are closing gaps, we have the ability to send that needs assessment back to them to address it since the needs assessment is included as part of the request for application.

In addition, this language is also in the comprehensive local needs assessment. It states that if the LEA has two consecutive years of underperformance on any of the performance indicators outlined in that needs assessment, the LEA or district will be required to conduct targeted program improvement and report such to the department in conjunction with state guided technical assistance. When we shared all this information with Ms. Williams, she was satisfied, and she agreed to the one amendment because it did enhance our bill.

**Assemblyman McArthur:**

I have a question concerning the committee that is listed on the first couple of pages. This may just be a question of curiosity. It looks like there are ten groups; this could be a huge committee. The first one says businesses and industries, that could be a large group in there. In section 1, subsection 1, paragraph (a), subparagraph (7), it references "special populations." There are six groups in special populations. My question is, it looks like this could be a very large committee but there are no standards, regulations, or anything set up for this committee. I wondered if that was left out on purpose, left out for the people that formed this committee to do it themselves, or if there was a reason that the regulations were left out.

**Felicia Gonzales:**

The special populations are actually specified in Strengthening Career and Technical Education for 21st Century Act (Perkins V), and it outlines each one of those groups that we must include when we make decisions. That is why we are moving to "in consultation with" because, you are correct, it could be a very large group and that is why in Perkins V they moved it to "in consultation with." As I explained, there is a comprehensive local needs assessment that must be completed and within that each district or LEA—which could be a district or charter school—must outline how they consulted with each one of the entities that is outlined in *Nevada Revised Statutes*.

**Chair Bilbray-Axelrod:**

Thank you, Ms. Gonzales. We do have one more question, but I want to remind the Committee that we have already heard this bill. This is a work session, so if we could keep our questions specifically to the work session documents and the amendment that you have just seen.

**Assemblywoman Torres:**

I want to understand the definition of "special populations." It might be somewhere else in statute, but if you could give me the definition of "special populations," so I know what that includes.

**Felicia Gonzales:**

It is male, female, American Indian or Alaskan Native, Asian, Black or African American, Hispanic, Latino, Native Hawaiian or Pacific Islander, white, two or more races, individuals with disabilities, individuals from economically disadvantaged families, individuals preparing for nontraditional fields, single parents, out-of-work individuals, English learners, homeless individuals, youth in foster care, youth with parents in active military, and migrant students.

**Assemblywoman Torres:**

Thank you. I am excited to see that this would capture so much of that data.

**Chair Bilbray-Axelrod:**

Seeing no more questions from the Committee, I will take a motion to amend and do pass Assembly Bill 38.

ASSEMBLYWOMAN TOLLES MADE A MOTION TO AMEND AND DO  
PASS ASSEMBLY BILL 38.

ASSEMBLYMAN FLORES SECONDED THE MOTION.

Are there any comments on the motion before we vote? [There were none.]

THE MOTION PASSED UNANIMOUSLY.

I will assign the floor statement to Assemblyman McArthur.

This will close our work session on the agenda, and now we will move on to our bill hearing. [Protocols for testifying were explained.] I will open the hearing on Assembly Bill 109. This bill revises provisions relating to charter schools. Assemblywoman Gorelow, please begin when you are ready.

**Assembly Bill 109: Revises provisions relating to charter schools. (BDR 34-529)**

**Assemblywoman Michelle Gorelow, Assembly District No. 35:**

Good afternoon, Chair Bilbray-Axelrod and members of the Education Committee. Thank you for your time today for allowing me to present Assembly Bill 109. This bill comes from the interim Legislative Committee on Education and makes changes to required licensing of charter school teachers who provide instruction.

Currently, *Nevada Revised Statutes* (NRS) provides that all special education and English as a second language charter school teachers must be licensed. At least 70 percent of charter school teachers must either be licensed or have subject matter expertise as defined in statute. Charter school teachers for specific subject areas, including but not limited to English language arts, mathematics, and science, must be licensed or have subject matter expertise. Current law defines subject matter expertise as a person with a degree, license, or certificate in the specific field in which they are teaching and at least two years of experience in that field. The statute also differentiates how a teacher may demonstrate experience and qualifications based on whether the school where they are employed has shown consistent performance at or above three stars on the statewide system of accountability for public schools.

Assembly Bill 109 eliminates the current flexibility within the requirement in exchange for a uniform system. Specifically, section 1 of the bill deletes the current provisions and instead mandates that all teachers at charter schools be licensed to teach pursuant to Chapter 391 of NRS. Sections 2 through 7 of the bill make conforming changes to NRS to reflect the updated change. Finally, section 8 allows all teachers employed by a charter school as of July 1, 2021, to continue to teach without a license until July 1, 2026. At this time, I would like to turn it over to Rebecca Feiden.

**Rebecca Feiden, Executive Director, State Public Charter School Authority,  
Department of Education:**

Good afternoon. I am here today to answer any questions that the Committee may have. I will provide some brief context. As the Committee is likely aware, this topic came up at numerous meetings of the interim Legislative Committee on Education during the 2019-2020 Interim. At the end of that interim session in late summer, we were asked by the Legislative Counsel Bureau (LCB) staff to share any proposed changes to help clarify the statutes related to teacher licensure, which entails NRS 388A.518.

In order to come up with that proposal, we did three things: First, we looked at the aggregated data for our schools and found that there were very few unlicensed teachers in our schools. Last year, there were 36; this year, that data shows there are 39 unlicensed teachers. Second, we talked to charter school principals about the hiring process and the licensure process. Third, we looked back at the history of that statute.

We put forth a memo, which is posted today as an exhibit. The proposal that we put forth is at the bottom of page 2 [[Exhibit D](#)]. I am happy to answer any questions that the Committee has today regarding the statute or the context with regard to charter schools in general.

**Chair Bilbray-Axelrod:**

Thank you. I will open it up to questions.

**Assemblywoman Nguyen:**

I have some concerns because there was so much "red" that was crossed out, and there were only about two lines of "blue" inserted. On first blush it seems like that, so I did go back and look at some of the interim work to see what some of the discussion was that led to this bill being proposed.

I have some concerns. You said it impacts 39 teachers as a whole right now, but who are those teachers? I am imagining they are in these little niche programs or electives, and we are always cutting things in the arts and music and those kinds of programming. It seems like this would limit and cut some of those types of unique programming in the arts. Can you address some of that?

**Rebecca Feiden:**

The majority of these individuals at this point are folks teaching in what we refer to as "specials," so our non-core content areas. Those might include traditional specials such as dance or physical education, but also some unique ones: photography, media arts, yoga—some kinds of niche classes that charter schools sometimes have because of the unique models that they operate under their charter contract.

**Assemblywoman Nguyen:**

In the Clark County School District or outside of the charter schools, do we have individuals who are able to teach in these "niche" areas, for lack of a better term? Or is there a mechanism to allow people to teach in these niche areas without having to have a full teaching license?

**Rebecca Feiden:**

I do not operate a school district, so I do not want to speak on behalf of a school district. My understanding is that one thing that does make charter schools unique is having this carve-out. Currently, it is 30 percent that can be unlicensed and again, based on the numbers we have, between 2,000 and 2,500 charter school teachers. Very few of them fall into that category of being unlicensed, but my understanding is that is unique to charter schools.

**Assemblywoman Gorelow:**

In the Clark County School District, and I will assume probably in the Washoe County School District as well and the other districts throughout the state, they can do a business and industry (B&I) license. Many of those niche areas get special licenses and can just show expertise in that area, but they still get licensed.

**Assemblywoman Nguyen:**

Let us say you are teaching at a charter school and you are very limited because you taught some sort of orchestral instrument and you did not have a teaching license. Could you go and get one of these business and industry licenses fairly easily and then continue to work at the charter school under that license? Or would you have to get a full teaching license?

**Assemblywoman Gorelow:**

I am not actually positive on that, but what I would like to note is that many of the orchestral performers do actually have degrees for research. Last night I was looking at the Las Vegas Philharmonic and not everybody had their bio listed. For those who did have their bio, all but two listed degrees as either bachelor's degree or master's degree. There is one doctoral degree. Of the two who did not list their degrees, one of them was teaching at the University of Nevada, Las Vegas and the College of Southern Nevada, so I will assume that they do have a degree.

As someone who has played an instrument since I was in the fourth grade, what I can tell you is that I could teach someone to play the flute; I cannot teach someone to play a trumpet or play a stringed instrument. The flute is known as a "C" instrument and there are other instruments that are known as "B-flat" instruments, so their tone is different. I do not have expertise in music theory, so just because you can do something does not necessarily mean that you can teach it.

I know we have all met some really brilliant people, especially in some of the math and sciences. Yet when you ask them to explain a problem to you, they are talking way above your head. I think it is important to understand that being an expert in a field does not necessarily translate into being able to teach—especially when you are going to manage a classroom, because that in itself is a very valuable skill.

**Chair Bilbray-Axelrod:**

Before we continue, I did want to reach out to Ms. Robusto who did have some clarifying comments regarding charter schools' abilities and business and industry licensing.

**Kristi Robusto, Committee Policy Analyst:**

In consultation with legal—even though legal counsel is not currently on the call—we discussed this previously, and it was per legal that a business and industry endorsement does not require a holder to otherwise have a license issued pursuant to Chapter 391 of NRS. Therefore, a person holding this endorsement would not be able to teach in a charter school with the way section 1 of A.B. 109 is currently written.

The *Nevada Administrative Code* 391.120 sets forth requirements for a person to receive a secondary license with an endorsement in career and technical education, which would be covered under A.B. 109. I also received clarification from the school districts that all of their teachers have to be licensed. Some do have a B&I license, but they all must go through the Department of Education. These are just some clarifying points for the Committee.

**Chair Bilbray-Axelrod:**

To put a finer point on it, you are saying that under current NRS, if one of these teachers in this specialty area had a business and industry license, they are not eligible to teach at that charter school. Is that correct?

**Kristi Robusto:**

I am not legal counsel, but per legal counsel's email, that is my understanding. If A.B. 109 as written were to pass, a teacher who is unlicensed but had a B&I endorsement would not be able to teach at the charter school the way the bill is currently written.

**Assemblywoman Miller:**

I want to dig in a little deeper into something that the bill does state. Director Feiden just mentioned that there are currently 39 teachers who do not have a license, and we heard the majority—I am not sure what number that is, and I do not expect you to know it offhand—are not teaching in academics. The bill states that anyone currently employed to teach at



a charter school before July 1, 2021—so that means they are currently teaching there now—actually has until July 1, 2026 to obtain the license. If we go back and review some of the interim discussion and work, that was a concern because we certainly did not want anyone to end up unemployed because of this. However, it was agreed upon that five years was ample time to finish a degree and get licensed.

I know it appears that this is a bill only impacting 39 individuals right now, but sometimes we need to be proactive. I know when I have spoken to people who want to open charter schools, the strategies were actually the fact that they did not have to rely on licensed teachers. My question is, if this does not impact those individuals currently teaching, that they have five years in order to obtain their license, is there a concern that this law would impact the hiring practices for the schools going forward for the next school year?

**Rebecca Feiden:**

When we did some research on this over the summer, one of the things we did was talk to our schools about this statute in particular. The circumstances they cited most often were unique circumstances related to hiring where, for example, a small charter school might only have one period a day of a dance class. If that is the case, hiring a full-time person for that job could be hard, but they want someone from the community who does not have a teaching license, right?

There are some unique circumstances that come up because some of our charter schools are small, some of them have very unique programs, and some of them do not have the economy of scale of a large school district that might be sharing people across multiple instances. Those were the most noted types of circumstance that came up: unique content areas, small number of courses taught, or something along those lines. That was why the focus of the proposal we put forth was leaving the exemption strictly for the non-core content.

**Assemblywoman Miller:**

I am going back to something Assemblywoman Gorelow stated about the difference between being an expert in something and being able to actually teach that. Even as Dr. Feiden was saying, maybe that one individual, that one dance teacher in the community who can come in and teach, even with all of our specials—because I never want to minimize the importance or the need for any of our electives or specials or arts—they still have specific standards that must be taught, and with those standards there is a specific pedagogy and way to teach it. My question is, with the individuals who are hired to teach different arts, athletics, or electives that are happening, knowing that the standards are still required to be taught, how do the schools or the charter school authorities ensure that they are trained and actually able to teach those standards?

**Assemblywoman Gorelow:**

Speaking from my own experience, again, going with my flute playing, I did teach for about two years while I was in college. I can teach flute; I cannot teach a trumpet player or a clarinet player. I could possibly fake it with a saxophone player because their fingerings are pretty similar to a flute, but that becomes a skill that takes you past just what you know.

When we are talking about some of the other specialties like dance or physical education, I would want somebody who does not just know how to do tap but also knows ballet, also knows jazz, and knows the proper techniques so that our children are not getting injured. It is one thing to go out and have fun and do the "YMCA" but when you are talking about some dance classes, there is always a possibility of injury. It is the same when we are talking about physical education teachers; there is a possibility of injury. I think it is important that we are looking at people who are qualified, have received additional training, and, again, know how to manage a classroom.

**Assemblywoman Tolles:**

Thanks for bringing this discussion forward. I probably have a unique perspective where I am coming from because I have been teaching for almost 17 years now, and I never needed a license in higher education, nor do any of my colleagues. I think we are really good, effective teachers, so I might have an interesting perspective on this in general. I know we have a problem with getting teachers into the workforce and I am wondering—I do not know if I heard it in this discussion—what problem are we trying to solve with a small handful of specialty teachers, many of them part-time, not being licensed? If somebody could help explain that to me.

**Assemblywoman Gorelow:**

I will start off by answering and then I will punt this one to Ms. Feiden. You do have a unique perspective, Assemblywoman Tolles, in that you have been teaching at the higher education level. However, for many of the elementary schools and middle schools, we are also talking about classroom management and making sure the 40 kids you have are able to absorb the information. You have five kids in one corner who know it already so they are talking and goofing off, and you have another ten who are struggling with the information, so balancing your time with them can be a challenge.

When you have some of these classes—physical education, dance, band classes—those classes can have even more than 40 kids. My band class had 68, and you are trying to work with one section of the woodwinds and you look over and the brass section is goofing off and blowing spit all over the floor because that is what their instruments do and that is what high school kids do. There is a difference between our higher education and our elementary, middle school, and even our secondary high school level as well. At this point, I will ask Ms. Feiden if she would like to add to that.

**Rebecca Feiden:**

Thank you, Assemblywoman Gorelow. I just wanted to briefly add that when we looked back at the statute, at its original drafting back in 1997 and to where it is today, the reality is it has become significantly more complex. I think I said delicately over the summer, and I will say again, I do think the statute is not a model of clarity; I do think there is reason to clarify and simplify the statute for ease of implementation as well as ease of oversight. But again, that is through the lens of the State Public Charter School Authority of the Department of Education and through the experience that we have had and the conversations that we have had. We did not sponsor this bill, but we are happy to answer questions, and I do think there is a need to help clarify the language a bit.

**Assemblywoman Tolles:**

I definitely do not mean to suggest that we should get rid of licensing or that there are not unique challenges there; it is just more explaining my mind frame whenever we have conversations about this. I do notice that there was an exhibit and there was a proposed amendment, so I was wondering if the State Public Charter School Authority could walk us through what that proposed amendment entailed because I have it here before me [[Exhibit D](#)].

**Chair Bilbray-Axelrod:**

I do not believe that amendment came from the State Public Charter School Authority. Is that correct, Ms. Feiden?

**Assemblywoman Tolles:**

I should clarify it is from the interim memo that was given September 11, 2020. [Unintelligible] language in the second section of that, some proposed language that I just wanted to ask for some clarification and to walk through that.

**Rebecca Feiden:**

Again, the request was potential proposals to clarify the language; what you see before you is just that. At the bottom of page 2 [[Exhibit D](#)] we proposed first that we maintain the requirement for special education and English as a second language teachers to be licensed as currently required. We add and clarify that all core content areas—so all core subjects—those teachers would be required to be licensed and that at least 70 percent of all teachers would have to be licensed.

Again, those who were not licensed would have to be outside of the core content, outside of English as a second language and special education. It is far less than 30 percent right now, but we stuck with the construct of the initial statute as written. For our nonlicensed teachers, we continue to require that they be background-checked as is established in NRS 388A.515, as well as some qualifications related to their experience and expertise.

Finally, Assemblywoman Gorelow did a very thoughtful and clear explanation of a statute that we sometimes find confusing. Two of the confusing parts of that statute are the subject matter expertise component and the differentiation based by school performance.

We recommended doing away with both of those as I think they lead to some complexity that, candidly, does not serve schools or the authority particularly well, given the conversations we have had. Hopefully, that provides a summary, and that was our attempt to help provide some suggestions on clarifications to the teacher licensure statute.

**Assemblywoman Marzola:**

I have a couple of questions if that is okay. My first one is on page 4, line 13. I see that "teachers" has been deleted, and it has been deleted in section 3, section 4, and section 5. I am just wondering why.

**Kristi Robusto:**

With regard to sections 2 through 7 of the bill, as Assemblywoman Gorelow noted during her initial remarks, these are conforming changes to the bill. When legal wrote the bill, they had gone through and saw other statutes that would be impacted by the changes in section 1 and have updated those statutes accordingly.

For example, in section 2, where it says "NRS 388A.5334 is hereby amended to read as follows: 1. The Department shall adopt regulations that establish a procedure for the notification, tracking and monitoring of the status of criminal cases involving," then it deletes "teachers and," and continues "administrators who are employed by a charter school but are not licensed pursuant to chapter 391 of NRS." That is a conforming change because section 1 would require that all teachers at a charter school be licensed; therefore, that statute would no longer apply to them.

**Assemblywoman Marzola:**

Thank you for that answer, but if we go to section 8, it actually gives the teachers who are employed by a charter school, on or before July 1, 2021, until 2026 to be licensed. Who is monitoring them for that amount of time?

**Kristi Robusto:**

That is a clarification for which I will have to reach out to our legal counsel and get back to the Committee.

**Assemblywoman Marzola:**

If this bill passes, will it eliminate the business and industry licensed teachers from teaching in charter schools as a whole?

**Assemblywoman Gorelow:**

I do not believe that it will, but I will get clarification from Ms. Feiden.

**Rebecca Feiden:**

I did not have the details on the legal opinion that Ms. Robusto provided earlier. I might ask her to speak to that since she has had that conversation with LCB's legal counsel.

**Kristi Robusto:**

I am a policy analyst, not legal counsel, but per legal counsel's advice—and I would be happy to get more information for the Committee following this hearing from them in writing—business and industry endorsements are not required to otherwise have a license issued pursuant to Chapter 391 of NRS. If a teacher is unlicensed and decides to only do a B&I endorsement, they would not be able to teach in a charter school with the way section 1 of A.B. 109 is currently written.

**Assemblyman Flores:**

From my understanding, this impacts fewer than 40 teachers, and we are not talking about core subjects. The real concern here is that section 1 as written is slightly overburdened with the amount of text, but there is no actual heavy fear or concern that has been brought forth. Am I oversimplifying any one of those statements?

I have gone through the whole conversation, and I am saying that it is fewer than 40, we are not talking about core subjects, and we have a lot of crossing out of text. I still have not been able to understand where the meeting of the minds occurred; there are stakeholders involved in a conversation saying we have a huge problem right here, if we do not do this, here is what is going to continue to happen. Or if we are saying these schools where we have this situation are underperforming. I am just trying to understand beyond saying we want clarity in the NRS; on top of that we are trying to fix this other thing. I may have missed it, but on top of there being a lot of language here, the stakeholder meeting agrees that we also need to do this because there is a huge problem right here. If you could help me, please?

**Assemblywoman Gorelow:**

I think that a lot of this is to conform and make sure that all of our teachers are qualified, not only in the subject matter but in classroom management and other specific skills that are necessary for teaching. It is my understanding that there may be a couple of teachers who are in core classes and are not certified, but yes, the majority of them are in what we call the "specials." Even though these are unique and niche classes, these are still areas in which an employee or a teacher should have specific skills and knowing—I keep going back to a band—the difference between a B-flat instrument and a C instrument and being able to help with that. I think it is more for conformity, making sure that everybody is licensed and are capable of teaching our children to the best of their ability. If Ms. Feiden would like to add to that, please chime in.

**Rebecca Feiden:**

I do not have anything to add. Again, this was not our bill. We are just here to answer questions, and we have received some questions on it, so there is nothing to add at this point.

**Assemblyman Flores:**

I appreciate the desire to want conforming changes and/or to say we want everybody to have this basic skill set. It is just that I have a hard time when we are talking about niche subjects because—and I may be wrong in this assessment, maybe Assemblywoman Gorelow, you can help me with that—my perspective is that if you have a subject matter expert, I am just going

to use a very simple analogy that may not specifically pertain to this, but let us say a welder. Someone has been a welder for 20 years and they want to come into the classroom. I always imagine these folks have been in the industry a long time. They have had employees underneath them, they have been in a supervisory role, they have to be teaching their employees, they have run a business, and they have been in a role where they have been teaching people consistently because part of knowing an area very well is that you have been doing it for so long that you usually have people underneath you. I always feel that these individuals, while they have not sat in a classroom or have gotten a degree like some of us have, still have a unique, very strong skill set that is helpful with managing other humans— younger, but managing humans.

I always see these particular types of niche areas as having a whole different subset of how we define whether or not they are capable and/or able or prepared to manage because their life has given a lot of those skill sets to them just by the nature of what they do. Maybe I am wrong and maybe you have had an opportunity, not necessarily yourself, but in talking with stakeholders that they have walked into some of these classrooms and they have had conversations with some of these instructors and realized that there is a huge problem here. They are grossly underprepared in classroom management. If that is what we are saying, then absolutely I get that, but I do not know that we are saying that or if we have that as actual feedback that we are getting. Because they do not have it, they are not performing at that same level. Maybe we have some information on that.

**Assemblywoman Gorelow:**

It is my understanding that a welder would be able to get a business and industry license and they would be able to teach. In talking to legal counsel, that might not be what is going on with section 1. I do not believe that is the intent, that someone with a business and industry license could not teach, so I will work with legal and clarify that for you. Last night, I was doing some research and watching the hearing from a year ago and I do not remember hearing anything about the business and industry license, so let me do some more research and clarify for you.

**Assemblyman Flores:**

I think Assemblywoman Torres has clarified that for me. It is her understanding that it does not come into this discussion, but I appreciate that and thank you for your indulgence, Madam Chair.

**Chair Bilbray-Axelrod:**

Thank you, Assemblyman Flores. I know we have a question from Assemblywoman Hansen, but if I could talk to either Ms. Feiden or someone else from the charter school representatives? If we could find out if that is what they are seeing, if they are seeing issues with people who are unlicensed. That could be a real issue that we are not aware of, so maybe we could get some follow-up on that.

Have the school districts been involved at all in this conversation? The reason I ask that is because all I keep hearing from the school district is we need more teachers. If the charter schools now have to have fully licensed teachers, is there a concern that they might poach some of the teachers from the district? I would hate for that to be an unintended consequence of this bill. Assemblywoman Gorelow, do you remember anything coming up in the interim committee in regard to that?

**Assemblywoman Gorelow:**

When I was reviewing the testimony from the hearing about a year ago, I believe it was just Ms. Feiden who was at the table; I did not see anyone from the school district, but that may have happened a little bit later on. I was specifically watching this portion; the testimony talked about the managing and growth of the charter schools. This was not discussed a whole bunch in the interim committee meeting.

**Chair Bilbray-Axelrod:**

Thank you for that, and I can follow up offline with folks at the district.

**Assemblywoman Hansen:**

I have two questions. I am having some confusion here. The bill is asking for all teachers to be licensed but, Ms. Feiden, you are here on behalf of the State Public Charter School Authority to answer questions that we might have, which I appreciate. In the briefing memorandum that we have in regard to clarifying language [[Exhibit D](#)], the State Public Charter School Authority is recommending the 70 percent stay there, right? This bill is asking for all teachers to be licensed, do I have that correct? It is a little confusing because I know we have you here as a resource, but I just do not want to blur the lines.

**Rebecca Feiden:**

Just to be clear, our memo was drafted over the summer in response to a request regarding clarification. We took the vantage point of okay, what should we clarify, and that was what was put forth in our proposal. We do think that there may be some unintended consequences of the current bill's language. We did not come up with a new proposal today; we simply put forth what we had previously provided regarding clarification because that context was important as we thought about what has happened with this section of statute and this conversation over the last 18 months.

**Assemblywoman Hansen:**

What was the genesis for this bill? What problems were we seeing? Do we have any real anecdotes of what was going on that this bill will solve? Do we have any real-life examples that you could share with us?

**Chair Bilbray-Axelrod:**

Assemblywoman Hansen, I think you are asking something very similar to what Assemblyman Flores asked. I did put a call out there for some examples. Assemblywoman Gorelow, if you want to respond, but you kind of said the same thing in a different way. I think this has been put out there and sort of a call to folks to see if there might be some real-life examples.

**Assemblywoman Hansen:**

I appreciate that; I think maybe it was asked of the State Public Charter School Authority or somebody in that world. I was just curious if Assemblywoman Gorelow—I know with me, I have constituents who bring issues for bills—had any constituents or people in her circle who have concerns.

**Chair Bilbray-Axelrod:**

This is an interim committee bill that Assemblywoman Gorelow was asked to present. I just want to make sure that is clear on the record.

**Assemblywoman Gorelow:**

Yes, as a reminder, this is a committee bill. However, from personal experience, I have a friend who had a daughter in a charter school during middle school. It ended up that the math teacher was not certified and used to go home and have her husband explain the math questions and then come back the next day. However, I did not share that story in the interim committee and in the review of the minutes, nobody came up to share a story like that. However, since you asked, that is one of my own personal experiences, but it had nothing to do with this bill being brought forth.

**Chair Bilbray-Axelrod:**

Thank you, and I think we can all agree that those core subjects should not even be on the table and we need to have licensed teachers. I think we are all in agreement on that one. I think that I have Assemblywoman Hardy next and I do want to get to all the questions, but I just checked and we have 14 people on the line to testify. Maybe if everyone is okay with this, this will be the last question from the Committee. If there are more questions that come up after testimony, I am okay with that, but this will be the last question for now.

**Assemblywoman Hardy:**

I do not want to belabor the point, but when I read a bill, in my mind, I always try and ask myself, what is going on? Is there something that needs to be corrected, or a problem that has been stated, and why the change? I think that is what we are all trying to get at here, and we mentioned that there are 39 individuals in this situation. I think those are just my thoughts, and that would be my question: What are we trying to get at here in a limited scope? I think in all of our questions, that is what was going through my mind. I am sure that that will be answered somehow. Thank you.



**Chair Bilbray-Axelrod:**

Yes, I think that question has come up several times. Committee, there will be an email going around from Deputy Superintendent Gonzales putting a finer point on it about the B&I and the district, so be on the lookout for that. It will be coming from Ms. Robusto. With that, I will open testimony in support, opposition, and neutral of A.B. 109. Please remember to clearly state and spell your name and limit your testimony as closely as you can to two minutes. I know people are quite passionate, so be as close as you can. I would appreciate that. We will begin with testimony in support of A.B. 109.

**Alexander Marks, Communications Specialist, Nevada State Education Association:**

In keeping with Nevada State Education Association's (NSEA) theme of "listen to educators," I am going to read some comments about the need for a bill like A.B. 109. Selina La Rue Hatch up north comments [Mr. Marks read from [Exhibit E](#)]:

All students deserve a rigorous and quality education, supported by highly trained and qualified teachers. Students at Charter Schools are no different from students in public schools in this respect. It seems like basic common sense to insist that teachers at Charter Schools are held to the same standards as teachers in public schools across Nevada. Why this isn't already law is beyond me and speaks to the disturbing lack of accountability Charters have faced in our state. Teachers are teachers. Regardless of the type of school that employs them. They should be held to the same standards, and in the state of Nevada that means a teaching license.

Gary Murphy down south in North Las Vegas comments:

Charter schools should have the same standards as far as teacher licensure as public schools. Especially, because charter schools receive state money. Also, Nevada students deserve a licensed teacher in the classroom and not just teachers with substitute licenses.

From a recent article in the *Nevada Current*, the State Public Charter School Authority was unclear how many teachers only have a substitute license, so I think that is worth addressing.

A retired member up north, Susan Kaiser comments:

The art of teaching is a craft learned through study, hard work and application in the classroom. Successful educators are those who have been trained in best practices, interpret student learning challenges, and respond to their unique needs to facilitate their success. Completing a credential program and participating in ongoing professional development is why students in public schools generally outperform their peers in charter schools. There is no substitute for an educator who has earned their teaching credential rather it is just a beginning in their journey as a lifelong learner. Every student deserves to learn from a certified educator.

We have plenty more. They will be on our website if you would care to read them. The key is that licensure should be required. Assembly Bill 109 is a commonsense measure and one more way to ensure accountability.

**Chris Daly, Deputy Executive Director, Government Relations, Nevada State Education Association:**

Nevada State Education Association, the voice of Nevada educators for over 120 years, supports A.B. 109 requiring all charter school teachers to be licensed [Mr. Daly read from [Exhibit F](#)]. Assembly Bill 109 is an important accountability measure to help level the playing field between charter schools and neighborhood public schools while also helping ensure every Nevada student has access to a highly qualified teacher. During the last legislative session, as well as in the interim, NSEA pushed for greater accountability for charter schools. We applaud the interim Legislative Committee on Education's introduction of A.B. 109, a commonsense measure to require all teachers who provide instruction at a charter school be licensed to teach in this state.

The explosive growth of charters has been driven by deliberate, billionaire-backed efforts to exempt charters from the basic safeguards and standards that apply to our neighborhood public schools. This growth has created an uneven dynamic, undermining local public schools and communities, without producing an overall increase in student learning and growth. It is important to note that most recent studies have shown that traditional public schools outperform charter schools when accounting for student demographics. We know charter schools in Nevada teach a lower percentage of students who are English learners, students in poverty, and students with individualized education plans.

Regarding the profession of teaching, education leader Linda Darling-Hammond has said:

Teaching is the profession on which all other professions depend . . . . There's a pretty wide and deep basket of knowledge that teachers need to have. They need to understand how people learn, and how people learn differently. They need to know how people develop in social and emotional and academic and moral and physical ways, and how all those areas of child development interact with each other. They need to understand the relationship, for example, between emotion and learning. Teachers also need to know how to build a curriculum that gets kids from wherever they are to the curriculum goals we have for them. They need to understand assessment—how not only to give a test and give a grade . . . but also how to assess how kids are learning and then either reshape the teaching or help students revise their own work so that they can improve.

Great teaching takes so much more than just subject matter expertise or even excellence in another field. Assembly Bill 109 recognizes this and honors the profession of teaching and the educators who have committed significant time and energy in rigorous study and practice to become great teachers. Thank you.

**Tom Wellman, President, Nevada State Education Association-Retired:**

I was employed by the Clark County School District for 32 years. I was a classroom teacher and a school counselor. I successfully retired from the school district and am currently serving as president of the Nevada State Education Association-Retired program. I may be retired, but I still care very deeply about Nevada and public education. I am here this afternoon to offer my public comments regarding A.B. 109. Every student deserves to be in a classroom with a licensed, certificated teacher regardless of their ZIP Code. A licensed teacher is prepared to instruct students in the subject they are certified in to teach. This ensures that students receive a well-rounded education and are more thoroughly prepared to move on to the next level of instruction. Students who receive instruction from a licensed teacher are more well-rounded and better prepared to go on to higher education or technical studies and are prepared to take their place in a global economy. Students and parents deserve this accountability from the teachers in our schools and classrooms. I support A.B. 109 and urge you to move this bill forward into law.

**Chair Bilbray-Axelrod:**

Thank you, Mr. Wellman, and thank you for your years of teaching our kids.

**Steven Horner, President-Elect, Nevada State Education Association-Retired;  
Vice President, Clark Retired Education Association:**

I live in Assembly District No. 35 and Senate District No. 39. I am the president-elect of the Nevada State Education Association-Retired and the vice president of Clark Retired Education Association. I agree with the previous testimony. I just want to add that to maintain a license, you have to continue your education and as a non-licensed teacher, they would no longer have to continue with their education and that is an important part. I am a "me too," and I strongly urge the passage of A.B. 109. I will submit my testimony in writing. Thank you very much. [Written testimony was not received.]

**Ignacio Prado, Executive Director, Futuro Academy Charter School:**

All in all, I think on balance the bill represents our reality. We have no unlicensed teachers in our building currently. There was a discussion earlier about anecdotal evidence: we did at one point—when we only had kindergarten and first grade, and 115 students—hire an adjunct professor from the College of Southern Nevada to teach some Spanish classes who came for a very limited number of hours per week on a contracted basis. This person did not hold a teaching license at the time and then, obviously, as we scaled up, our plans changed, and now that position and that enrichment program is being taught by a licensed teacher who is currently employed full time at our school.

On the whole, I support the concept of generally licensing our teachers, especially in the core areas. I would just submit that perhaps the friendly amendment that has been referenced may just provide for us to have some opportunities to do some of these specials. To my recollection, I do not recall anybody necessarily having complaints or reporting complaints at the time about that teacher. If anything, I recall our gratitude that we were able to provide that elementary Spanish opportunity that is really unusual. As far as the support, I would just qualify that I support the bill in general and would hope that we can adopt the amendment.

**Chair Bilbray-Axelrod:**

Mr. Prado, under our standing rules, if you are in support you are in support of the bill as it is written. It sounds to me like you like the bill, but you would like to possibly incorporate amendments. If it is okay with you, I will put your testimony in opposition. For the record we know that you like the general concept of the bill but you just think it should be slightly amended. Is that fair to say?

**Ignacio Prado:**

Yes. I actually attempted to select the neutral option. I submitted my testimony in writing so I think that is probably the most accurate. If this bill became a law, it represents operational reality anyway. [Written testimony was not received.]

**Chair Bilbray-Axelrod:**

Thank you, Mr. Prado, for calling in, and thank you for all you do. [There were no more callers in support.] With that, I will close the testimony in support and open testimony in opposition to A.B. 109.

**Victor Salcido, Executive Director, Charter School Association of Nevada:**

We had originally signed in under neutral, but based on some of the responses from the Legislative Counsel Bureau concerning that B&I issue that was discussed, that forced me to change and file under opposition—at least until that issue is clarified because that changes the calculation quite a bit as far as the impact it would have.

I believe everything that happens in this Committee should be focused on the best results for the students. What is best for our children? And I have zero doubt that every single member of this Committee wants that. It is not easy to run a campaign, put yourself out there, and dedicate all the time that is necessary to serve once you are elected, but you do it because you want to do good. You serve on this particular Committee because you want to do what is good for our students. I believe that is how we should look at this bill. I believe it should be student-focused and student-first. After all, that is why we all agree that we want licensed teachers, because we believe that it leads to better outcomes for the kids. It is as simple as that.

By the same token, I see these 38 or 39 teachers out of approximately 2,400 positions that we are talking about here, and I ask myself, does having them on campus teaching these particular subjects benefit our students? Does it enrich their educational experience? I would answer that it does. Because of that I reached these two conclusions: First, we want licensed teachers for the benefit of the students; and second, we want these enriching options for the benefit of our students.

I believe we can come to a commonsense compromise that would be for the benefit of our students. I believe we have a good opportunity to achieve that here: student-focused and student-first.

**Darlene Anderson, Private Citizen, Henderson, Nevada:**

I have a great concern with the limited outcomes of children who are high in poverty, who have disabilities, or learn differently, simply because I saw where Nevada's Department of Education dropped down to. High school students still work with children; I do not know exactly who they work with, but I did see legislation that was written that children up to age four could work with an uncredentialed person. I am sorry—with all of the behavioral issues and the high incarceration rate, unless children are not learning by the third grade then we need to fear.

As former Assemblyman Tyrone Thompson demonstrated, all children can learn given the same access to the same services. I believe that the intervention of bills written in Nevada allow for manipulation of federal law, but it does not, in essence, because there are still basic requirements in Title I, under the Individuals with Disabilities Education Act, and for the teacher training for teachers who do not want to teach those children. You do not have enough teachers simply because teachers get to choose where they work and all services are equitably divided, but when you have higher functioning programs, teachers want to work there. With lower functioning programs, teachers do not want to work there, temporary teachers and this is dysfunctional. I have never seen anything like this in my life. It is called manipulation, supplanting.

I have seen it, and I am frightened because some kids never have an opportunity and you need to know suicide is real and thank you. I live right over here at Lake Mead and Boulder Highway, and I do not know my district. I have been here for three years, and I have participated in democracy stuff, voted and all that other stuff. I am getting little information even in the livestreams, little information about how things are governed here. But when you see it, it is frightening. Thank you.

**Chair Bilbray-Axelrod:**

Thank you, Ms. Anderson. I think Assemblywoman Considine is in your district, but do not quote me on that. I am guessing.

**Sheila Moulton, Private Citizen, Las Vegas, Nevada:**

I want to tell you that I am a member of the State Public Charter School Authority, but today I do not represent the authority, only my own personal views. Thank you, Chair Bilbray-Axelrod, and members of the Assembly Education Committee. I speak in opposition to A.B. 109. I know the importance of quality teachers in a classroom; I served as a substitute teacher in the Clark County School District (CCSD) before being elected and serving 12 years as a CCSD trustee. During those trustee years, I recall needing to hire over 3,000 teachers a year. Often, as the school year began, we were hundreds of teachers short and using long-term subs.

I do have three grave concerns over A.B. 109: the first is the loss of flexibility. Current statutes allow for flexibility, especially in areas of career and technical education. As a growing number of charter schools bring on some of these curriculum changes, I think we need that flexibility. The second is a dire need for teachers. Now is not the time to put more stipulations on the recruitment and hiring of experienced, qualified teachers in subject areas that are not required in the core areas of education. Our current statute does allow for experienced teachers with a lot of oversight and accountability to teach in our charter schools. The third is trust and accountability. After I left the CCSD board, I was invited to become a member of the committee to form the Mater Academy. As I did this, I knew I had the trust in the board and the school leadership that they would hold teachers accountable. I believe this is paramount in charter schools.

I thank you for all of your public service. I know that this Education Committee is laser-focused on good education for our students, but I do stand in opposition to A.B. 109.

**Chair Bilbray-Axelrod:**

Thank you for your testimony, Ms. Moulton. It is good to hear from you.

**Deborah Earl, Vice President, Power2Parent:**

Power2Parent is an organization that represents thousands of parents and stakeholders in Nevada. We are against A.B. 109 because it will affect a charter school's ability to provide enrichment programs. Enrichment experiences make charter schools unique. Parents often choose charter schools because they want their students exposed to a broad range of specials.

There is not any evidence to suggest that requiring a few teachers to get licensure in their respective specialty field would make a difference in the quality of education delivered, especially since these teachers are subject to the same administrative oversight and performance reviews that licensed teachers are subject to. Unlicensed teachers can work under the supervision of a licensed teacher similar to how a physician assistant operates under the supervision of a medical doctor. Assembly Bill 109 seems to be a solution in search of a problem. We ask the Committee not to pass the bill and allow charter schools the ability to maintain some flexibility in hiring practices.

**Eileen Gilligan, Principal, Doral Academy of Nevada, Saddle Campus:**

Doral Academy of Nevada is an arts integration K-12 public charter school system: four K-8 campuses and one K-12 campus, serving approximately 6,000 students. The mission of Doral Academy calls upon students to be engaged in an academically challenging and personally meaningful learning environment with an emphasis on arts integration. Students in grades K-5 are exposed to the following art mediums: music, visual arts, violin, theater, dance, and media arts. These experiences provide students with exposure to the art forms that they might not typically be exposed to, and often students develop a newfound passion and appreciation for the arts. I have a statement prepared by one of my teaching staff. I would like to read this on the behalf of Ms. Tara Hurd, my media teacher:

I am a Las Vegas native and I earned my bachelor's degree in communication from the University of Nevada, Las Vegas. Immediately after college, I went to work in the marketing industry and worked for R&R Advertising where I spent most of my career. I had the opportunity to work with many different clients from a variety of industries and brands both large and small. From there, I worked at The Smith Center for the Performing Arts and supported the marketing and promotion of this much-needed arts center. I was able to see firsthand the commitment to supporting teaching and learning in and through the arts. When the opportunity to teach media arts at Doral Academy came along, I had obtained my substitute license and was ready to pursue teaching. I was grateful to get the opportunity to have my education and career experience valued and given the chance to bring that experience to the classroom. Since then, I have realized that teaching is the right fit for me and I was inspired to obtain my teaching license. I am now licensed to teach grades K-8 in Nevada, and I continue to teach my favorite subject. I would like to add as a parent of a child that attends this school, I am very grateful that many of the other specialists have field experience and are able to bring that to the classroom as well.

As you can see, someone with this type of background is an asset to our program and allows us to expose our students to media arts beginning at the elementary level. While we strive to have teachers licensed, this allows us the flexibility to find the staff that can truly enrich the student's experience with real world applications. In closing, Doral Academy staff would be in support of this bill if amended to 95 percent of teachers being fully licensed. Thus, allowing schools to have some flexibility in hiring non-core teachers that support our schools vision and mission.

**Kim Hammond, Principal, Doral Academy of Nevada, Red Rock Campus:**

The Doral Academy of Nevada, Red Rock Elementary School campus has earned a five-star rating since we opened five years ago. Doral Academy is an arts integration K-12 public charter school system, with four K-8 schools and one K-12 school serving 6,000 students. In my arts integration charter school, we serve 790 students and we have the wonderful ability to provide supplemental enrichment to our students in addition to core curriculum.

In addition to our students receiving a weekly music class from a fully licensed music specialist, we are also able to provide a violin program to expose students to an instrumental experience. I have found that hiring a part-time violin teacher for elementary students is a very challenging process due to the unique and specialized qualifications of that position. The success of our program requires a teacher who specializes in the teaching of elementary violin methods such as the Suzuki method, and most of our violin teachers in the Doral system also perform in a professional capacity.

In our school's opening year, we hired a part-time violin teacher for three periods a day to teach violin to elementary students in a classroom setting. This teacher was also a professional violinist who performed with the Philharmonic. With the leadership of this violin teacher, we developed a partnership with the Nevada School of the Arts (NSA) during our first year. Together with NSA, we established an after-school violin conservatory where students were given the opportunity to sign up for private and semiprivate violin lessons here at the school campus taught by our teacher, who is also an employee of the Nevada School of the Arts. This program was a great benefit to our students of working parents as they were able to access private lessons at the school campus while their parents were still at work.

In addition, our violin teacher taught private lessons at a fraction of the cost of lessons at the Nevada School of the Arts. Furthermore, the school offered scholarships to students who needed financial assistance to attend our conservatory. The half-time violin teacher position is a very unique position and requires specialized qualifications. For charter schools to continue the unique and specialized programming that schools of choice have to offer, Doral Academy would support the licensing bill at 95 percent of the school staff to allow for non-core specialized teachers to continue the important work they do with our students that provides exposure and appreciation for the arts in our schools.

**Kelly Gerdes, Principal, Doral Academy of Nevada, Fire Mesa Campus:**

I would like to share with you a statement prepared by my amazing dance teacher, Nicole Binder:

As a professional ballet dancer, I have had the opportunity to perform in over 18 countries and 21 states. I began my career at the age of seven as a scholarship student with numerous professional ballet companies and now have over 50 years of experience in dance. After retiring from the professional ballet world, I began teaching in professional ballet schools as well as three years in Cadwallader Middle School show choir, Gilbert Academy of Creative Art's Go-Move-Dance program through Nevada Ballet Theater's outreach programs, and many more. In 2015 I was hired by Ms. Gerdes to teach the dance program for Doral, Fire Mesa. This was a true dream for me since I was teaching kindergarten through eighth grade as well as continuing the Go-Move-Dance afterschool program. In the six years that I have been with Doral, Fire Mesa, I have collaborated with other specials in creating performances with our dance students. These performances have not only been for our school community, but also the Doral Gala, the Cirque Du Soleil Mystère cast, crew, and director on the stage at Treasure Island Hotel and Casino, and the Springs Preserve 5k Run fundraiser for children. We have been recognized numerous times by Nevada's congressional delegation for our student performances. I not only teach our students dance, but also teach our students how to train hard, discipline themselves, a healthy etiquette, trust and confidence in themselves, experiences from around the world, a professional commitment, self-drive, and connecting dance to life.



In closing, I first met Ms. Binder when she worked with the Nevada Ballet Theater and taught the Go-Move-Dance after-school program at Gilbert Magnet School. When I opened Doral, Fire Mesa six years ago, I knew I immediately wanted Ms. Binder to teach dance. Her experience, passion, background, love for teaching, and the experiences she gives students are outstanding.

Although the state of Nevada does have a business and industry license for dance, it is only applicable for Grades 7-12. As of now, there is not an option for kindergarten through fifth grade, as it is not a core subject. In closing, Doral Academy staff would be in support of the bill if amended to 95 percent of teachers being fully licensed thus allowing schools to have some flexibility in hiring non-core teachers who support the schools' visions and missions. Thank you.

**Chair Bilbray-Axelrod:**

Do we have any other calls in opposition? [There were none.] I will close opposition testimony and open neutral testimony. Is there anyone wishing to testify in neutral on the bill?

**Tom Clark, representing Stride Inc.:**

Stride, Inc., formerly known as K12, Inc., is a partner with the Nevada Virtual Academy, a three-star, public, distance-learning charter school here in Nevada. First, I am happy to report that the students enrolled in the Nevada Virtual Academy are doing extremely well during this pandemic. Our teachers and staff are extremely proficient at teaching students in a virtual setting and everyone is doing really well. In regard to A.B. 109, I called to confirm just yesterday that 100 percent of the teachers at the Nevada Virtual Academy are licensed, but we may at times employ experts as teachers for the same reasons discussed by the previous speakers and members of the Committee.

**Bob DeRuse, Director, ACE Charter High School:**

Thank you, Chair Bilbray-Axelrod and Committee members, for your consideration today. ACE [Academy for Career Education] High School is a Washoe County School District-sponsored charter school. We are a small, 200-student, ninth through twelfth grade, career and technical education high school with a focus on industry-level learning experiences in the construction, manufacturing, and transportation trades for our students.

We currently have two B&I-licensed teachers. I know that discussion came up earlier, and it is our understanding that these licenses allow an educator to teach specific occupational trades or subject matters in Grades 7-12 through a B&I endorsement. If we could get further clarification on that, that would be very helpful as related to A.B. 109. I am here in neutral because as a charter school, we have always employed licensed and qualified staff for our classrooms, so this bill as written does not presently impact our school. In looking at the big picture, the pipeline of teachers is drying up rapidly in Nevada.

In my almost 30 years in education, the number of qualified candidates interested in becoming a teacher is no longer there. When a position opens up at a charter school, and I assume possibly at a district school, it is always red-alert time to jump on the hiring process to make sure no opportunity to hire a teacher is missed because there are so few of them available now. Having seen the Department of Education's presentation on class size overview from February 11, 2021, it showed Nevada is almost 3,000 teachers short to meet the current demand and almost 10,000 teachers short to meet the national average for an appropriate student-teacher ratio.

It is our hope that the Committee, as well as your counterparts on the Senate side, can continue to work with the Department of Education and other leaders to find new and innovative ways to develop individuals to become classroom teachers. We hope we can all work together to recruit, develop, train, and retain professional, licensed teachers for the betterment of Nevada's students in all schools—both charter and district.

**Chair Bilbray-Axelrod:**

Thank you, Mr. DeRuse. Are there any other calls in neutral? [There were none.] I would like to give the opportunity for Assemblywoman Gorelow to give closing comments.

**Assemblywoman Gorelow:**

I do want to say that Assembly Bill 109 is an accountability measure. This bill will ensure that charter school teachers are held to the same standards as public school counterparts. Fifteen other states do require charter school teachers to be certified in the same manner as traditional public school teachers. I also would like to take a moment to thank everyone for your questions, and I know I have some homework to do and get some answers back to some of you. I also want to thank everyone who called in in support, opposition, and neutral. We appreciate your voice and being a part of the process.

**Chair Bilbray-Axelrod:**

With that I will close the hearing on A.B. 109, and I will move into our final item which is public comment. [Public comment protocols were explained.]

**Cyrus Hojjaty, Private Citizen, Las Vegas, Nevada:**

I am just curious, we have this very large public education system, compulsory schooling: are students really learning? That is really my question. We wake up early in the morning, take all the lessons, do all the homework, cram for exams: are we really learning?

A lot of people like to point out grades as a symbol of whether people have understood the concepts. I really do not see that as true education. I see real education as somebody absorbing the material and contributing to the real world. We often think that the schools here are underperforming because of the grades but, in reality, I do not see grades as a measure of true education, nor credentials.

I think that one of the reasons why students do not do so well is mainly due to parental influence. Many of their parents did not do well in school while they were younger. The reality is, credential level really necessarily determines how smart you are.

We talk all about funding: how are we going to get funding at this rate if the United States national debt keeps skyrocketing? Do you really think we can have a ratio of debt to gross domestic product of 500 percent? Tell me, do you really think this is going to work? Because at this rate, we certainly are.

My question is, are kids really learning? Doing the homework, cramming for exams, is this real education? Or maybe we have to admit that more and more students need more flexible ways of learning or perhaps more people learn on their own. Because all of the stress, all of the pushing, and all of the inconvenience of the system, are kids really learning? Let us talk about this because I do not really think that grades and credentials are somehow a measure of true education. It is kind of like saying, well, 100 degrees in Las Vegas is the same level as 100 degrees in Atlanta. We know that is just not how things actually feel. Why are we doing this? Should we think about that maybe we need to understand that this "few size fits" approach does not work for everyone. People tell me I am very smart, but the SAT exams do not reveal that. Is this really worth it? Are kids really learning?

**Valerie Friskey, Private Citizen, Dayton, Nevada:**

I am a resident of Assembly District No. 39. I retired after teaching for 45 years in Nevada, the last 37 years in Lyon County. I am in the Nevada State Education Association-Retired group. I am here to encourage you to consider the need for all education employees across the state to have access to quality, affordable health care upon retirement.

Our members are facing escalating costs of health care and prescriptions. Please keep in mind that Nevada is a Windfall Elimination Provision and Government Pension Offset state, and many of our retired members will not have access to affordable health care because they will not and do not qualify for social security or Medicare. Once you qualify for Medicare through your spouse or work enough hours in another job paying into social security, public school employees in Nevada are on their own to search for health care.

Currently, as my colleagues retire, they face insurance costs from \$800 to \$1,000 or more per month after spending their entire career as public school employees. Working together, I hope we can solve this problem. Thank you for your time.

**Chair Bilbray-Axelrod:**

Do we have any other callers in public comment? [There was no one.]

I just received a message from Vice Chair Miller that possibly there were people who were trying to call in to testify but were not let in. If that is the case and you are one of those people, I apologize profusely. I am looking and it looks like we had everyone who is registered, but if you would please submit your comments in writing, I will make sure that

every member of the Committee receives that. Let me just say again, I apologize; I do not know what to say. Please send your emails to our Committee and we will make sure those comments get out to all Committee members. Thank you for that. Are there any other comments from members before we adjourn? [There were none.] Our next meeting will be Tuesday, March 16, 2021, at 1:30 p.m. This concludes our meeting for today.

This meeting is adjourned [at 3:19 p.m.].

RESPECTFULLY SUBMITTED:

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Sarah Baker  
Recording Secretary

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Paris Smallwood  
Transcribing Secretary

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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 a memorandum, dated September 11, 2020, submitted by the State Public Charter School Authority, Department of Education, regarding *Nevada Revised Statutes* 388A.518.

[Exhibit E](#) is a document titled "Educator Comments on AB109," submitted by Alexander Marks, Communications Specialist, Nevada State Education Association, regarding [Assembly Bill 109](#).

[Exhibit F](#) is a letter dated March 11, 2021, submitted by Chris Daly, Deputy Executive Director, Government Relations, Nevada State Education Association, in support of [Assembly Bill 109](#).