

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

**Eighty-First Session
April 8, 2021**

The Committee on Education was called to order by Chair Shannon Bilbray-Axelrod at 1:17 p.m. on Thursday, April 8, 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 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
Amanda Marincic, Committee Counsel
Nick Christie, Committee Manager
Sarah Baker, Committee Secretary
Melissa Loomis, Committee Assistant



OTHERS PRESENT:

Kate Marshall, Lieutenant Governor
Elliot Malin, Private Citizen, Las Vegas, Nevada
Dillon Hosier, Chairman and CEO, Israeli-American Civic Action Network
Lenna Hovanessian, Private Citizen, Las Vegas, Nevada
Natalie Pen, Private Citizen, Las Vegas, Nevada
Andy Armenian, Private Citizen, Las Vegas, Nevada
Larmaya Kilgore, Private Citizen, Las Vegas, Nevada
Jshauntae Marshall, Cofounder, No Racism in Schools #1865
Jennifer Ashley Ciballo, Private Citizen, Las Vegas, Nevada
Amber Jones, Private Citizen, Las Vegas, Nevada
Tita Carra, Private Citizen, Las Vegas, Nevada
Eric Jeng, representing Asian Community Development Council
Jesse Cruz, Private Citizen, Las Vegas, Nevada
Kenya Prince, Private Citizen, Las Vegas, Nevada
Lorenzita Santos, Outreach Coordinator, One APIA Nevada
Jhoana Rubio, Private Citizen, Las Vegas, Nevada
Veronica McKinney, Private Citizen, Las Vegas, Nevada
Cherish Smith, Private Citizen, Las Vegas, Nevada
Tarina Elliott, representing Nevada Statewide Native American Caucus
Miriam Gomez, Private Citizen, Las Vegas, Nevada
Christine Saunders, Policy Director, Progressive Leadership Alliance of Nevada
Sean Coleman, Private Citizen, Las Vegas, Nevada
Nestor Sanchez, Private Citizen, Las Vegas, Nevada
Monique Mouawia, Private Citizen, Las Vegas, Nevada
Haddee Martinez, Private Citizen, Las Vegas, Nevada
Andrea Espinoza, Private Citizen, Las Vegas, Nevada
Jerell Clark, Private Citizen, Las Vegas, Nevada
Jameela Lewis, Private Citizen, Las Vegas, Nevada
Chris Daly, Deputy Executive Director, Government Relations, Nevada State
Education Association
Athar Haseebullah, Executive Director, American Civil Liberties Union of Nevada
Kai Stanton, Private Citizen, Reno, Nevada
Pedro Rosas Rubio, Private Citizen, Las Vegas, Nevada
Nixie Sosa, Private Citizen, Las Vegas, Nevada
Lindsay Anderson, Director, Government Affairs, Washoe County School District
Warren Hardy, representing Council for a Better Nevada
Maureen Schafer, Executive Director, Council for a Better Nevada
Peter Grema, Private Citizen, Las Vegas, Nevada
Paul J. Moradkhan, Senior Vice President, Government Affairs, Vegas Chamber
Kent Ervin, representing Nevada Faculty Alliance
Andrew Clinger, Chief Financial Officer, and Interim Director of Government
Affairs, Nevada System of Higher Education
Daniel Crossman, Legislative Auditor, Audit Division, Legislative Counsel Bureau

Jana Wilcox Lavin, representing Opportunity 180
Debb Oliver, Executive Director, Nevada Association of School Boards
Rebecca Feiden, Executive Director, State Public Charter School Authority
Daniel Pierrott, representing Pearson Education, Inc.
John Bentham, Board Chair, Somerset Academy of Las Vegas
Renee Fairless, Lead Principal, Mater Academy of Nevada
Lee Esplin, Lead Principal, Somerset Academy of Las Vegas
Victor Salcido, representing Charter School Association of Nevada
Sarah Nick, Policy Analyst, Department of Education
Tim Ranzetta, Cofounder, Next Gen Personal Finance

Chair Bilbray-Axelrod:

Today we have four bills to hear and a work session. I will now open the hearing on Assembly Bill 56.

Assembly Bill 56: Requires instruction on the Holocaust and other genocide for pupils enrolled in high school. (BDR 34-426)

Kate Marshall, Lieutenant Governor:

I am presenting the conceptual amendment to Assembly Bill 56, which rewrites this bill to mirror Assembly Bill 231 with the addition of the phrase, "such as the Armenian Genocide," in section 1 and the addition of a member to the committee in section 1, subsection 4 [[Exhibit C](#)]. I stand ready to answer any questions.

Chair Bilbray-Axelrod:

Are there any questions from the Committee?

Assemblywoman Krasner:

Why did you decide to choose the Armenian genocide as the example alongside the Holocaust?

Lieutenant Governor Marshall:

I was guided, and I am very grateful to the Anti-Defamation League of Nevada, State Superintendent of Public Instruction Jhone Ebert, The Israeli-American Council, and members of the Armenian community who are familiar with the Armenian genocide. It is through their guidance and recommendation that I brought that amendment.

Assemblywoman Krasner:

I am sorry, did you say the Anti-Defamation League of Nevada supports your bill?

Lieutenant Governor Marshall:

Yes, that is correct.

Chair Bilbray-Axelrod:

We will move on to testimony in support of A.B. 56.

Elliot Malin, Private Citizen, Las Vegas, Nevada:

Today I am testifying in memory of all those who perished during the Shoah. Today is Yom HaShoah, the day we in the Jewish community recognize the atrocities of the Shoah, or what you know as the Holocaust. The reason we, and especially I, talk about it so often is to never let the memory fade of those in my family and over 11 million other human beings—6 million of whom were Jews—who perished at the hands of Nazi Germany. Part of the reason we recognize this and honor them, their memories, and their stories is to teach the world what bigotry can do to others. I appreciate the Committee for taking this positive step in recognizing the Shoah with education and for recognizing the Armenian genocide, a community that has for so long deserved recognition for what has happened to them and their ancestors. Thank you for hearing this bill on Yom HaShoah and honoring the memory of all those who have lost their lives to the hands of evil.

Dillon Hosier, Chairman and CEO, Israeli-American Civic Action Network:

I will echo the comments of the previous caller, and I stand in strong support of this bill. [Written testimony was also submitted, [Exhibit D](#).]

Lenna Hovanessian, Private Citizen, Las Vegas, Nevada:

I would like to say that on Yom HaShoah, we give our respect to the Israeli-Jewish community for the 6 million who were lost in the Holocaust. I would also like to give this in memory of the 1.5 million Armenians who were killed in the Armenian genocide. I look forward to working together with the Jewish-Israeli community and other communities like the Armenian community who have been impacted by genocide's horrors and atrocities. Our community wholeheartedly supports this bill and we look forward to working together.

Natalie Pen, Private Citizen, Las Vegas, Nevada:

I am a University of Nevada, Reno alum and a Las Vegas native. I would like to make a public comment on behalf of myself and my peers. Las Vegas is a melting pot, but racism and discrimination are still very prevalent. It does not excuse microaggressions, discrimination, or racism. I would also like to point out that Title IX does exist in postsecondary institutions for older students, and I feel like it should be the same for high school students as well. I believe that passing this bill is a step toward a more positive future and is also an option for solutions for these types of situations. I do think it is part of the responsibility of a school district to keep their students safe.

Chair Bilbray-Axelrod:

Thank you for the call. I believe you were referring to a different bill we heard on Tuesday, April 6, 2021, on Title IX [[Assembly Bill 384](#)].

Andy Armenian, Private Citizen, Las Vegas, Nevada:

I want to simply say that I am in support of [A.B. 56](#).

Chair Bilbray-Axelrod:

We will close testimony in support and move on to opposition. Are there any callers who wish to testify in opposition? [There were none.] We will move on to neutral. Are there any callers? [There were none.]

[[Exhibit E](#) was submitted but not discussed and is included as an exhibit for this hearing.]

I will close the hearing on A.B. 56. I am inclined to go ahead and work session this bill.

ASSEMBLYMAN FLORES MADE A MOTION TO AMEND AND DO
PASS ASSEMBLY BILL 56.

ASSEMBLYWOMAN NGUYEN SECONDED THE MOTION.

Are there any comments or questions on the motion? [There were none.]

THE MOTION PASSED. (ASSEMBLYWOMAN KRASNER VOTED NO.)

I will assign that floor statement to Assemblyman Flores. We will move on to our next bill, Assembly Bill 371.

**Assembly Bill 371: Enacts provisions governing discrimination based on race.
(BDR 34-697)**

Assemblywoman Brittney Miller, Assembly District No. 5:

I am here today to present Assembly Bill 371. I am also joined by some copresenters whom I will introduce at the end of my presentation. "Whereas, Systematic racism and structures of racial discrimination create generational poverty, and perpetuate debilitating economic, educational and health hardships and disproportionately affect people of color, causing the single most profound economic and social challenge facing Nevada." These words are taken directly from Senate Concurrent Resolution 1 of the 32nd Special Session that this body passed just this last summer during the midst of the Black Lives Matter movement, declaring racism as a public health problem. We now find ourselves in the middle of the Stop Asian Hate movement.

At the beginning of last year, I met with leaders at No Racism in Schools #1865 and learned about their tireless efforts to request that school districts develop policies to address racially charged and hate incidents. Last summer, during the Interim Committee on Education, we had to put together a working group as required from Senate Bill 332 of the 80th Session to study safe and respectful learning environments free of bullying, cyberbullying, and discriminatory harassment. That working group also recommended instituting a protocol.

This bill seeks to ensure discrimination based on race is appropriately disclosed, investigated, tracked, and effectively dealt with in schools. The issue is that students do actually report these incidents, but far too often, they find that their reports are minimized, reduced, or

dismissed. Rather than start from scratch, this measure builds upon the existing framework of the bullying protocols to ensure students are also free from discrimination based on race in the school environment. Under existing laws, reports of bullying must be investigated. The same would be required for discrimination.

I will briefly review a few major sections of the bill, including what will already be applied per the amendments that have been submitted [[Exhibit F](#) and [Exhibit G](#)]. Sections 1 and 2 of the bill require that incidents based on race are included in the accountability reports to the state and school boards. Section 4 establishes a definition of discrimination based on race. Section 5 requires that incidents be categorized as discrimination based on race in Infinite Campus and accountability reports. Section 6 requires that restorative justice practices be applied for both the victims and offenders. Sections 8 through 24 include existing laws on the provisions of and affirm that safe and respectful learning environments must be maintained, and that no form of discrimination based on race is accepted. Section 19 recommends that members of school safety teams are representative of the students and/or impacted groups in that school and encourages working with community members and groups. Section 21 requires the Office for a Safe and Respectful Learning Environment within the Department of Education (NDE) and district staff to review incidents and make appropriate recommendations regarding interventions or training to address patterns or trends they discover in certain schools. Finally, section 25 includes accountability measures for staff to comply with.

The main point of this measure is to ensure the investigation takes place, because this is literally the first step toward any possible justice, and it is our job to ensure that students have safe and respectful learning environments conducive to their academic and social growth. Additionally, there is one more amendment. We have a very short time between when we receive a bill and when we must turn it in to be introduced on the floor—in this case, I had all of one hour. I had to secure additional signers on the bill afterward, so there is an amendment to add 27 additional signers from both houses onto this bill [[Exhibit H](#)]. I would now like to turn the presentation over to my copresenters, and after that, I would be happy to address any questions.

Larmaya Kilgore, Private Citizen, Las Vegas, Nevada:

I am in support of this bill. I manage the education and youth development pillar at Nevada Partners with Athar Haseebullah, and so often we hear disturbing and unfortunate stories from Clark County School District (CCSD) students who experience the harsh realities of racism in school.

I am here today to share my own personal story. Growing up, my parents instilled in me the rules when navigating in white spaces. However, they never explained to me the complexity of being a Black student entering white educational institutions. Dr. Elijah Anderson, Sterling Professor of Sociology and African American Studies at Yale University, said it best when he explained that Black students entering white spaces either leave because they are not welcome, or stay and endure the constant sting of disrespect on the basis of being Black.

I wish I could say I was one of the students who left the space; however, my mother strongly believed at the time that quality education could only come from a white institution, even if that meant sacrificing my own mental health. Unfortunately, I was one of the students who experienced constant injustice and cruelty from white staff, faculty, and students who never faced any disciplinary actions.

Just imagine that for a second—five days a week, you must report to the same classroom, see the same people, and interact with the same people who essentially do not want you there. They barely acknowledge you as human, and your complaints about their behavior and treatment fall on deaf ears. Realistically, they feel empowered and justified because they know that there is no disciplinary system in place or repercussions for their behavior.

So, what do you do? You go down the psychological rabbit hole. If I fight a white student and severely harm him, I face charges and school expulsion. If I express myself to the teacher, I am viewed as a threat and singled out for the remainder of the year. You switch classes, but the treatment does not change because it is a systemic problem. If I report that concern to my counselor, they say, "Well, are you sure you are not just being hypersensitive?" Your parent advocates on your behalf and the school leadership's response is, "If you are not happy here, you can leave."

I still carry the emotional scars from the racism I experienced in high school and my postsecondary education. I was a student who was kicked out of the lunch line for correcting staff that young Black men who are students should not be called "boy." I was the student who spent countless hours in the hallway because I refused to be Jim from *Huckleberry Finn* every time we did popcorn reading. I was the student who received low scores on assignments when my "pro-Black" ideologies did not align with those of the teacher, the student asked to leave the classroom when I refused to recite the Pledge of Allegiance, and the Black student who constantly got into arguments with white students who were so arrogant about their ignorance, and those same students were backed by the teacher.

The constant discrimination, isolation, and microaggressions that I experienced in high school caused me serious psychological damage. It is not right that Black students and other students of color must fight against and bear the emotional scars from racism in an environment that is meant to teach them. Honestly, my high school and postsecondary educational experiences are what inspired me to do the work that I do today.

Currently, I am the project manager over the youth development and education pillar as well as the civic participation and social justice pillar at Nevada Partners. I work closely with multiple levels of government and policy experts to dismantle discriminatory systems of education, mass incarceration, voter suppression, and public health. I am adamant about establishing partnerships with businesses and community stakeholders to develop programs, events, and policies that educate marginalized communities and combat unjust systems.

I spent eight years advocating and fighting for myself as a student at Palo Verde High School and the University of Nevada, Las Vegas (UNLV). I was so focused on surviving in school that academics was not my priority. This bill, ladies and gentlemen, is necessary. Policies need to be in place to address these racially motivated incidents in schools. Sadly, my story is just one of so many. Black students and students of color should not have to survive in school and deal with the increased anxiety and poor mental health outcomes from ongoing racist experiences that go undocumented. Black students and students of color deserve the same as their white counterparts; they deserve the opportunity to thrive. That is why I am in full support of this bill.

Jshauntae Marshall, Cofounder, No Racism in Schools #1865:

I am in full support of this bill. On March 19, 2019, my son and eight other African-American male students were targeted in a threatened school shooting where two Caucasian males threatened to shoot and kill all African-American students at a CCSD high school. At that time, it was identified that there was an absence of accountability, protocol, and process, even withstanding there being an anti-bullying policy in place.

Since then, we have fought endlessly to eradicate racism within CCSD at an administrator, educator, and student level. It is for that reason that we continue to stand in full support of this bill, and we assure you it is necessary. As parent advocates, we volunteer our time to respond to hate-motivated behavior on school campuses monthly. We receive incident reports where there are no responses at schools, or the response is inadequate. We will not stand down, and we will continue to fight alongside Assemblywoman Miller in her efforts.

Jennifer Ashley Ciballo, Private Citizen, Las Vegas, Nevada:

I am a senior at UNLV and I completely support this bill. It is important that schools and administrators treat racism as they do bullying, because both are incredible issues that impact our youth. When I was in high school, I had stereotypes pushed against me for being Asian. For example, people would come up to me and ask me to do their nails, and if I said no, they would mock me with their so-called "Asian accents." When I would bring this up to administrators, they would simply disregard my feelings and tell me to ignore the comments because "that is what normal high schoolers do." My sibling, who is also in high school, has faced multiple situations of racism for being Asian, and as an older sibling, unfortunately and regretfully I could not give her any advice or comfort, because growing up, I was always disregarded and invalidated by the education system when it came to racism. Racism should not be an everyday occurrence. It should not be something that normal high schoolers do. It needs to be addressed, and people need to be held accountable for their actions and words. No one should be desensitized from racism.

Amber Jones, Private Citizen, Las Vegas, Nevada:

I am here as a parent of a child who experienced racism in the sixth grade when a teacher singled him out and sent him to the principal's office regarding a behavior that took place when another child made a joke and my son laughed. He is an African-American child, and he was the only one sent to the principal's office because of his supposed "aggressive

behavior" and his attitude in responding, trying to defend himself by saying that he did not do anything wrong. He was just laughing at the joke, but he did not say or do anything, and he was the only one pointed out. Being a mother and trying to explain to your child that racism happens and what to do about it, when I went to the principal and the administration, I did not have any support, and I actually had to have my son removed from the classroom because of the continued racism. I am also in support of this bill.

Tita Carra, Private Citizen, Las Vegas, Nevada:

I am a news personality and I own a tech company here in Las Vegas. My story is very similar to the ladies who joined us here today. I experienced a lot of microaggressions and particularly discrimination with a school dean who blamed me for something that I did not do. When I tried to explain myself, they did not hear what I had to say, and they actually wanted me to admit to something that I did not do. They got security involved to confiscate my backpack and really violated my privacy without my consent. It was very traumatizing for me, because up until that point, I had never been a confrontational kid. I was in school clubs, and was the vice president of the Caribbean club at Las Vegas High School where I experienced this discrimination. I remember the dean, when he could not get me to admit to something I did not do, saying specifically to another dean and a security guard who were in the office, "I am tired of these little Mexican girls lying to me." I felt outnumbered, and I felt like I did not have anyone there to support me. When you are a kid, you think that adults are supposed to be there to protect you, but I felt defenseless. Thankfully, my mother got involved, and she was able to really home in on what was happening. They threatened to expel me, which could have kept me from being the first person in my family to graduate from high school, the first to graduate from a junior college, and then, of course, the first of my family to graduate from a university. I am 100,000 percent in support of this bill.

Assemblywoman Miller:

I will close by saying that I myself, as a staff member and even as a legislator, have many stories like those we heard today. I see firsthand what happens in our schools, and that is why I am so passionate about making sure that we provide the safest environment for our students, both physically and emotionally, so they can thrive. I am open to questions.

Chair Bilbray-Axelrod:

Do we have questions from the Committee? [There were none.] I will move on to testimony in support.

Eric Jeng, representing Asian Community Development Council:

We ask for your support of this bill. Assemblywoman Miller already talked to us about this bill almost a year and a half ago, and especially right now, with the rise of anti-AAPI [Asian American and Pacific Islander] racism and hate, this is a critical bill to protect our students when they go back to school.

When CCSD released their parent return survey, I found it lacking that the nation's fifth-largest school district did not provide the racial breakdown for parents' information. However, we looked nationwide. According to the U.S. Department of

Education, the IES [Institute of Education Sciences] survey released two weeks ago, only 15 percent of Asian parents want their kids back in school. If you look at the top three public school systems—Los Angeles, New York, San Francisco—Asian parents are all listed as the least likely to send their students back to school once school reopens. It is not hard to figure out why. Asian parents, that model minority—we know that our parents would love for us to go back to school, but with the rise of anti-AAPI hate, we have heard so many heartbreaking stories. We do not want our students to be the next ones. Especially locally, when we have school board trustees recklessly using anti-Asian racist slurs without repercussions, do you really think that our students themselves are safe? We urge your full support for this bill.

Jesse Cruz, Private Citizen, Las Vegas, Nevada:

I am a current senior at Canyon Springs High School in CCSD, and I would like to give my support of this bill, which will allow students to file reports of racism and discrimination in which they will be heard regardless of wherever the concern may come from. I personally attend a majority-minority school with a decent amount of Black, Indigenous, and people of color, and teachers and staff members who still continue to show favoritism or bias toward students of different races. In many cases, Black students specifically experience the harshest punishments from faculty members with different ethnicities, and it is something that should absolutely be addressed. Student safety is the absolute bare minimum guarantee when it comes to what schools should enforce. Bullying should always be addressed no matter the scope, especially when it comes to issues of someone's race.

Just two years ago, Black students at Arbor View High School were threatened with death and violence, despite half of the student population being white and the other half being of mixed race. Bullying needs to be taken seriously. Even the smallest microaggression can create an atmosphere of intolerance and hate, allowing for their normalization within school culture. It is not something that will be addressed overnight; however, I believe it is imperative for the advancement of equity in our school system. No one deserves to be bullied, harassed, or discriminated against by anyone, much less their peers or mentors, and this bill will allow a way for students to voice their concerns in a way that will help them and address the past trauma as well as anything else that happens on campus.

Kenya Prince, Private Citizen, Las Vegas, Nevada:

I am in support of this bill. I am a Las Vegas native, and I experienced racism in elementary, middle, and high school. In elementary school, I was called the N-word, a nigger—and if hearing the word "nigger" on this call makes you uncomfortable, imagine how I felt in the fourth grade. The child who called me the N-word was not disciplined. She told me she was sorry. She was not expelled; she was not anything. I was called burnt, blackie, Blackie Chan, and in high school, I was one of the two Black girls on the debate team. I experienced so much racism for my color that it is ridiculous, and I am still traumatized from being called those names.

I stand in full support of this bill because it is much needed. We need an outlet—not just Black Americans, but Indians and Mexicans, all of us people of color—we need that outlet and that sense of safety to go and tell people about this. I told my parents, and they were

inflamed. I am really passionate right now. I feel this bill definitely needs to be passed. We need to work together to make America great. If you want to stop systematic racism, I urge every Assembly person to be for this bill. Why would you not be?

Lorenzita Santos, Outreach Coordinator, One APIA Nevada:

I am testifying in support of A.B. 371 because of the increased anti-Asian violence against AAPI students [[Exhibit I](#)]. According to Stop AAPI Hate, about 13 percent of all AAPI hate crimes are done to our youths. Many of the hate crimes that our youth face include verbal harassment, physical assault, and even being coughed at or spat upon. Our AAPI students should feel safe at school, whether that be in a classroom or on their computer. This bill ensures that anti-Asian bullying and cyberbullying is properly categorized and reported. We must support our AAPI students. I urge you to support A.B. 371.

Jhoana Rubio, Private Citizen, Las Vegas, Nevada:

This bill defines discrimination based on race as an act which is based on the race, color, culture, religion, language, ethnicity, or national origin of an individual in a way that causes harm or creates a hostile learning environment. Because the racial diversity in Las Vegas ranks among the best in the country, people of color continue to face racism and microaggressions at a high rate. By passing this bill, we will be holding perpetrators accountable and school districts will be forced to hold racism at as high a scale as they hold bullying.

In my personal experience in middle school, my technology teacher constantly expressed her subtle yet obvious microaggressions against her students of color because of their socioeconomic status and also made remarks against my mother, questioning her legal status in the United States. Because you represent us, I hope you will take my testimony into account. I support this bill.

Veronica McKinney, Private Citizen, Las Vegas, Nevada:

I am a born and raised Nevada CCSD resident and I graduated in the class of 2012. I would like to state my support for this bill. I am a white woman, but I have seen racism from elementary school all throughout high school and even at UNLV, from a girl being made fun of for a different kind of hair to a Middle Eastern middle school student being called a terrorist for all three years, to a Black woman being manipulated in high school to only do racial pieces, and the dean saying she could speak well even if she was a Black woman. With all of this, I really do believe that schools need to have some type of protection. Through Title IX we have a protection for sex, and I think we should have the same for race.

Cherish Smith, Private Citizen, Las Vegas, Nevada:

Today I am going to tell you about how undocumented racism has changed my life in the most horrific way. I was being bullied by students because I was Black in Durango High School, and I was judged and mistreated predominantly by the white staff. My junior year, another classmate of mine came to me and wanted to fight me for no reason. She followed me all the way home with her group of friends on the bus, which I had to take every day to and from school. The school had a policy that you are still on school property until you

touch your doorknob. Well, I made it all the way home to my door and then she dragged me away, which started a physical altercation. The whole situation was recorded, and when I went to school, I showed the principal the video. Instead of trying to help me, they sent me to a continuation school, and I was removed from the county school district. They said because I was not in my home, I was still on school property. I had made multiple reports of her bullying me, and my mother also made multiple reports. However, nothing ever happened. Instead of disciplining the aggressor, they gave me a maximum sentence and kicked me out of the school district right after continuation.

Not only was I an honors student, but I was never in trouble and had never been in detention. I was forced to move to Texas to finish school. This affected me so much, because racism traveled in the school system, not just in the Las Vegas school district where I was a victim. I felt alone, shoved out, and blatantly uncomfortable. I still want the school system to know that regardless of how hard they fought to make sure I was unsuccessful, I beat that. The school system did not care about my education, because they only saw me as an angry Black girl, but I beat the odds. I graduated on time and did it with high honors in all six subjects. I hope you pass this bill and make the changes you did when I graduated five years ago. There is a change that needs to be made, and I am in full support of this bill.

Tarina Elliott, representing Nevada Statewide Native American Caucus:

I am a Western Shoshone Native American woman from northern Nevada, but I now reside in Clark County. I support this bill because I believe discrimination based on race is absolutely unacceptable in Nevada's schools, where the majority of students are of color. Students deserve institutions that will legally address instances of hatred and discrimination directed at them. This bill would amend the law to address racial discrimination alongside bullying and cyberbullying. This is a moral necessity for the future of Nevada's schools and kids. This is more than just discrimination from peers, but also the discrimination from educators and employees in the education system that students and staff who are minorities must overcome every day.

I personally have been discriminated against, not only as a student, but also as an employee, with crude comments and mascots used to make fun of my race. My own child attends a Clark County school and was told by her coach that she was not allowed to braid her hair for games because "it is not a pow wow," that her savage appearance is affecting our game, and he also threatened to cut her braids off if she did not perform to the standards expected. Unfortunately, because of a lack of support in this matter, the coach is now coaching at another school; he was moved off that campus to somewhere else because of unions backing him. I support this bill.

Miriam Gomez, Private Citizen, Las Vegas, Nevada:

I am an undergraduate student at Nevada State College. The first thing I would like to touch upon is that when you are in the actual classroom learning, there are teachers who, when they hear students call other students racial slurs, sometimes pretend to not hear it, to completely overlook the situation, to not have to deal with the paperwork, I believe. I think it also has a lot to do with how staff and administration have favorites in school, because they will most

likely tell you—and a lot of people have touched upon this today—to ignore any harassment being done because it is just what kids do these days. I think that is not a good way to deal with the situation, especially if you are not only invalidating someone because of how they are feeling, but because of how they look. I would also like to say that I never understood why, when I refused to stand for the Pledge of Allegiance, it was the last straw for some teachers, but it was not the last straw when some kid in my history class called me a "dirty Mexican" for telling them that I did not support the 2016 presidential election.

Christine Saunders, Policy Director, Progressive Leadership Alliance of Nevada:

I am here in support of this bill. The global pandemic and the rise of the Black Lives Matter movement have created a watershed moment for change. The year 2020 was a year of reckoning like none before, where hundreds of thousands of people across the nation took to the streets to demand action on systemic racism after the murders of George Floyd and Breonna Taylor. In fact, this legislative body acted in that moment to declare racism a public health crisis in the state. Since then, we have also seen a rise in anti-Asian hate crimes related to the pandemic.

Our schools are meant to be safe learning environments, but they are no exception from the experiences of racism and hate. In fact, according to the FBI's [Federal Bureau of Investigation] hate crimes statistics, schools were the third most likely location for hate crimes to occur in 2019, and the number of hate-based incidents at schools has only been increasing over the years. Racial discrimination in schools impacts students' ability to learn, their self-esteem, mental health, and feelings of safety. This bill requires that when reports of racially motivated incidents are made, school districts follow the same established investigatory protocols as with bullying. This holds educational staff and administration accountable for reporting and addressing such issues. Racism is a learned behavior. We must take action to address it immediately at our schools. We urge your support of this legislation.

Sean Coleman, Private Citizen, Las Vegas, Nevada:

I am in support of this bill because throughout all my years of school, I witnessed instances and moments of racism and discrimination, with the most outstanding being my senior year at Cheyenne High School. The school knew that my parents were going through a separation. In that year, a student had been killed who was my childhood friend for a very long time. And that same year, I got shot in the face. I was only seventeen, and I was going through it. I went to a party, and I was at the wrong place at the wrong time, but because of everything that happened at the school, they kicked me out of school, saying I was a danger to the school, even though in the police report it said it was an accident, and I was at the wrong place at the wrong time.

This is not the only time I have experienced instances of racism. I recall at a track meet—because I was actually top 25 in the state for track and field—I won a race, and another white student from Desert Oasis High School said, "I cannot believe I let a half-step nigga beat me." Now the referees and his coach heard him say that and did not say anything, and people from my own school did not say anything. It hurt a lot, because we have come so far from

the chains we were in many years ago, but I feel like the fighting has gotten us nowhere. I am in support of this bill because I feel there must be a change, and in order to see a change, we have to be the change. This bill will give us that.

Nestor Sanchez, Private Citizen, Las Vegas, Nevada:

I want to voice my support for this bill because Las Vegas is a very diverse city, and I was privileged to grow up in it, but there are stereotypes rooted into certain cultures. For example, I am a Hispanic male, but I tend to have lighter skin, so throughout my time in CCSD, I have had to defend my position—I had to tell people I was Hispanic, and they would say I did not look like it because I did not have the general appearance. It is frustrating, and it is something my siblings have also gone through because they do not fit the stereotype. Having something like this bill will make it easier for people who have similar issues falling into stereotypes to be able to voice their concerns so they do not feel like they do not belong to the culture that they actually are.

Monique Mouawia, Private Citizen, Las Vegas, Nevada:

I am the parent of a child in CCSD. I was born and raised in Las Vegas, and I went to school and university out here. I am in support of this bill for many reasons, but I would like to share one anecdote that highlights its necessity: when my daughter first started kindergarten, like most parents, I attempted to move to an affluent neighborhood so she would have the best education public school could offer.

However, that translated to her being one of two minorities in her kindergarten class. My daughter was talked down to even though she was well above the rest of her kindergarten classmates when it came to her academics and her ability to learn fairly quickly. Her teacher continued to address her boredom in class as misconduct. I was able to transfer her to a school in a predominantly Black neighborhood where she was placed into a program for accelerated students. She has continued to attend that elementary school and continues to excel.

Though she was cast aside originally because of the color of her skin or how uncomfortable her appearance made other people feel because she was so smart, she was then able to go to a school where the other kids look or sound like her and then excel, which highlights how many other children are going to school in schools that are not as diverse and have the potential to accelerate and excel in class but are not given the opportunity because of the color of their skin. I should not have had to move her into a school that was more diverse so she could get the attention and the push she needed to excel. I want to highlight that, and that is why I am in support of this bill.

Haddee Martinez, Private Citizen, Las Vegas, Nevada:

I went to a middle school in a bad neighborhood where students were treated with such a strict policy. Half of the students at that school were magnet students because it was a select school, and the majority of the population were students of color. I was told to speak English while assisting someone during their first day of school, but they did not understand English, and it was my job as a school ambassador to help them. I have always felt like

I should not say my race or ethnicity due to feeling that it would impact me somehow and I would be told I was a "beaner." I would choose not to wear something from my culture to school because I felt like I would get pointed out and laughed at, or someone would say something, and if that did happen, nothing would be done about it. I was once called a racial slur by a student who was not of color, and the only discipline they received was a slap on the wrist with a warning. Then I heard someone of color call someone else a racial slur, and they were suspended with no warnings at all. This is how students are treated, but neither the schools nor the school district do anything to help them feel like they matter and that there is some sort of support for them when incidents occur. I would like to say that I do support this bill.

Andrea Espinoza, Private Citizen, Las Vegas, Nevada:

I am currently a high school senior attending Veterans Tribute Career and Technical Academy. I am in support of this bill. I would like to touch on the topic of microaggressions and aggressions I have experienced in elementary school, not only mine but those of my siblings. In elementary school, this began with a student teacher who was helping my elementary school teacher. When we would have popcorn reading and I would stutter, she would throw microaggressions toward me and other students of color, saying that the reason I am not allowed to popcorn read anymore is because I have a lower education due to my low socioeconomic status.

I would also like to touch on the topic of microaggressions within the disciplinary system of CCSD. As a student who received disciplinary actions in middle school, it was very prominent to me being a person of color—specifically, Mexican American—that I had received a harsher punishment than those of my counterparts, my white peers; I was suspended for standing up for myself. When a physical altercation happened with a couple of students, another Mexican-American student and the other a white student, my Mexican-American peer was expelled while my white peer received a slap on the wrist and was told to not start physical altercations anymore. These are just some small experiences I have had from moving from another city and state to attend CCSD. I am in full support of passing this bill.

Chair Bilbray-Axelrod:

With that, we will close testimony in support and move on to opposition.

Jerell Clark, Private Citizen, Las Vegas, Nevada:

I am in support of this bill. I have kids who are minorities, as well as myself, and being from the South and moving to Las Vegas, there was not really any difference. It was nearly the same thing in my experience; nothing really changed, and I cannot afford to let my kids experience the same things that I experienced, because I have to be the leader and I have to lead by example. The only way I can do that is by doing my part to make sure that my kids do not experience the same things that I went through or even anywhere close.

As we know, the world is changing, and I cannot say that people are becoming more sensitive, but they are becoming more aware of the things that are affecting America's life. As minorities, we have been affected from the beginning, and we are always going to be affected until someone steps up and makes some changes. I am in support of this bill because I need this bill to make sure that my kids have a future as equal as everyone else who walks on this Earth.

Chair Bilbray-Axelrod:

We will move your testimony into support, which we have already closed. We will move that testimony to its rightful place. Are there any other callers in opposition? [There were none.] Do we still have callers on the line who wish to testify in support? Since we did not have any opposition, if there are more callers, we can return to testimony in support.

Jameela Lewis, Private Citizen, Las Vegas, Nevada:

I am speaking today in support of this bill because of my experience. I was raised in Reno, Nevada, where Black folk make up only 2.81 percent of the city's entire population. I have experienced racism in school since kindergarten, and because I did not come from a place of privilege or money, I was often in schools with low socioeconomic standing.

I remember being told that I talked too much and that I had to stay inside at kindergarten at Bernice Mathews Elementary School. I remember going to Rita Cannan Elementary School—and if you know where that is, it is off Silverada Boulevard and Wedekind Road—and being made fun of because of how I spoke, because I used AAVE [African American Vernacular English], because I was different, because my hair was curlier. I remember being told that my lips looked like they had Kool-Aid on them and to wipe my mouth.

I remember going to Hug High School, where I asked a teacher why they would not call on me when I raised my hand, because that was a problem I had. Yes, I was a talkative student, but I was also really engaged in class. When I asked, they ignored me, and then I asked if it was because I was Black. They said yes. I remember being handcuffed in front of my peers on campus because I was defending someone in a fight. I remember going to college at UNLV and being told I was going to have the police called on me because I was standing up for myself and for Black folk on campus. That is the school system we have here in Nevada, so I support this bill because I want to make a change for my nephews, for my sisters who are still in school, and I urge you all to support this. If you are not racist, please support this bill.

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

We support A.B. 371 to define and include discrimination based on race in existing law related to bullying [[Exhibit J](#)]. Educators understand that a respectful learning environment is necessary for students to best be prepared for learning. School communities should embrace students so they feel safe and welcome. Any incident of racism at school clearly is counter to creating a safe and respectful learning environment and needs to be taken very seriously. Reports of racially motivated incidents should be validated and seriously investigated.

This bill requires reports of racially motivated incidents to be investigated with the same protocols as incidents of bullying. With heightened public dialogue about systemic racism and protests under the banner of Black Lives Matter and Stop Asian Hate movements, now is the time for Nevada to do more to address the serious problem of racism in schools.

Athar Haseebullah, Executive Director, American Civil Liberties Union of Nevada:

I am in support of this bill. I will not go into personal testimony about my own experiences with racism. I think the Committee has heard a lot of testimony in that vein today and I am appreciative of the Committee for listening to that testimony and taking that into account.

I do know that a couple of fiscal notes were placed on this bill by the state and local governments, and I do want to emphasize to this Committee that by passing this bill, I think you are doing the right thing, and I think the community agrees with you. Obviously, after Senate Concurrent Resolution 1 of the 32nd Special Session was passed, racism has been identified as a public health crisis, but I do want to note that with the infusion of cash coming from the federal government into both the state and local governments, as well as the school districts, there should be no reason why a policy that will help alleviate concerns that minority students are facing should not be passed.

Chair Bilbray-Axelrod:

I believe there are fiscals listed, but if you open them up, they are all zero.

Assemblywoman Miller:

This is not a money committee; there are some fiscals, but based on the amendments, I am working with some of the districts with the possibility of getting them removed. The same goes for NDE.

Chair Bilbray-Axelrod:

Thank you for the clarification. I misread that. I must have missed one.

Kai Stanton, Private Citizen, Reno, Nevada:

I am very surprised I have heard so many responses. I thought my child was the only one. I graduated in Minden, and my father and my uncle both served as officers in Nevada. I was very disturbed when my 10-year-old came home in 2019 and told me that while he was talking to his classmate, the teacher asked him why he was talking to the other student. His words, which were recorded on video, were "Do not look the white boy in the face. Go sit in the back of the classroom," The teacher then proceeded to march him to the back of the classroom.

Not only was I shocked and appalled about the verbiage, but when I asked why that happened and followed up with emails and various meetings, the basic response was that it was a joke. I was deeply concerned about how a child so little can process that level of a joke, let alone an adult. We do not communicate like that in our home. We have been very strong advocates for the law and I have been part of the process myself, as an educator who advocates for understanding and the sensitivity of making sure all education is given equally

across the board, no matter what background you come from. We are a battle-born state, incorporating everyone to make sure that we grow stronger as a unity. I think documentation is very important when you are looking at so much passion being communicated, but when you see it in documentation as well as saying together as a battle-born state that we will grow together. I strongly believe that this bill will do that for us, and I am in strong support of that, not just as a parent but as an advocate for a growing, diverse Nevada.

Pedro Rosas Rubio, Private Citizen, Las Vegas, Nevada:

Racism has happened to me many times in school, and one of them was when I did not understand any English and other students treated me differently and tried to speak Spanish, but they were asking if I jumped the border or saying stuff like that. It made me feel uncomfortable and like I could not fit in because other students made me feel inferior. I think we need to get rid of this because there are many students who are struggling and made to feel like they are not at home.

Nixie Sosa, Private Citizen, Las Vegas, Nevada:

I would like to say that I give my full support for this bill because I believe that to dismantle systemic racism and inequity, holding students, teachers, and staff accountable would be very important. Though oppressive words and actions are disregarded as something that can be brushed off, these experiences stick with and scar students. For example, I had a racist teacher who stereotyped me as an angry Latina and reported to the dean that I supposedly wanted to assault them, that they felt threatened by me, and that I should be kicked out of school. Luckily for me, I worked with the dean and they saw my record—I was almost a straight A student—so they could not believe these allegations. What they did was sit me down with the teacher and talk about what we could do to better our relationship. There was no communication; nothing got better. The teacher passed me in that class with a D, and that made me feel terrible, because I wondered what I did to deserve these types of grades when I was working for my future and my family's future. I believe that implementing a place where we could anonymously report these teachers and have them be held accountable would ensure that students have a brighter future and are safe inside a school environment.

Chair Bilbray-Axelrod:

We will close testimony in support and move on to testimony in neutral.

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

I wanted to add for the record that the Washoe County School District Board of Trustees adopted a resolution in October 2020 proclaiming that discrimination and harassment will not be tolerated, and resolved to create a system-wide commitment to creating an unbiased, inclusive, and anti-racist society through education. An accompanying action plan has also been adopted based on a collaborative approach with our community, with concrete steps to address these instances. We share the commitment to addressing racism in schools.

Chair Bilbray-Axelrod:

We will close testimony on A.B. 371. Assemblywoman Miller, do you have any closing comments?

Assemblywoman Miller:

Yes. I would like to remind people that students in CCSD alone represent 178 different countries speaking 79 different languages. For the past six years, I have had the privilege to teach in a school where our students speak 59 languages. I love the opportunity to be in a school with kids from all over the world, where I get to learn, help them celebrate their cultures, and help them feel strong, confident, and proud of who they are. But the truth is, we still have these racist acts. In a state or town or school district where we have such an opportunity to be together, to integrate together, and to learn from one another, it almost makes it even more painful that we still have these issues.

Last summer, we passed Senate Concurrent Resolution 1 of the 32nd Special Session; we need to make sure that those specific words, "systemic racism and structures cause debilitating educational hardships," are not just words on a piece of paper. Actions speak louder than words, and this bill is our opportunity to put these words into action. The truth is, as beautifully diverse as the state of Nevada is, we have the unique opportunity to be the state to lead the way on this. I am asking you to join forces with me and all these students to lead the way. Let us end the racism.

[[Exhibit K](#) was submitted but not discussed and is included as an exhibit for the hearing.]

Chair Bilbray-Axelrod:

With that, I will close the hearing on A.B. 371 and take a motion to amend and do pass.

ASSEMBLYWOMAN NGUYEN MADE A MOTION TO AMEND AND
DO PASS ASSEMBLY BILL 371.

ASSEMBLYWOMAN TORRES SECONDED THE MOTION.

Are there any comments or questions on the motion? [There were none.]

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

I will assign the floor statement to Assemblywoman Miller. Now we will move on to Assembly Bill 416.

Assembly Bill 416: Directs the Legislative Auditor to conduct audits of the Nevada System of Higher Education. (BDR S-753)

Warren Hardy, representing Council for a Better Nevada:

We bring Assembly Bill 416 before you partially as a result of the 2020 General Election's Ballot Question 1. That question to take the regents out of the *Nevada Constitution* failed very narrowly, and as we testified earlier this session, we think the public was confused about much of that bill.

What they were not confused about, based on our communications with them and upon the polling that was done, was that they want the Legislature to audit the Nevada System of Higher Education (NSHE). They want the Legislature to be involved in NSHE. In fact, even the proponents of Question 1 last year said the Legislature has the authority over the purse strings and controls the process through those purse strings. The other reason that I am pretty interested in this is that I spent one term on the Senate Committee on Finance, and I would not trade a million dollars for that experience, but I would not pay a nickel for another one just like it. No offense to my colleagues who loved the budget—I was not one of them—but it became pretty clear to me that the Legislature provides something in the order of \$1 billion to NSHE to function and to run the universities, yet we do not have a tendency to ask questions as a Legislature. I am unaware of any other executive agency that has not been audited the way we have left NSHE alone. I think in the interest of transparency, and based on what we overwhelmingly heard from the public during the Question 1 campaign, it is not only appropriate but incumbent upon the Legislature to conduct this kind of study.

The bill before you, in its original form, would take somewhere on the order of 300,000 auditors and 17 years to accomplish, so thank you for reaching out and putting me in touch with the Legislative Counsel Bureau (LCB) Audit Division. I worked with them to come up with an amendment that is a much more focused representation of what we would like the Audit Division to consider [[Exhibit L](#)]. With the failure of Question 1, it is true that the Legislature's authority is somewhat limited except for this area, and we want to take full advantage of that.

One of the things I recognized when I served on the Senate Committee on Finance is that some of the self-supporting funds and investment accounts at NSHE are a bit of a mystery to the Legislature. The chair of the Assembly Committee on Ways and Means brought this up during the 32nd Special Session in the summer of 2020 about some of these accounts.

Specifically, what we are looking for with this legislation is an audit of a couple of things. First would be the sources and uses of private money donated; we really do not have a strong accounting for those who give donations and the philanthropists who provide money like they so generously did last year with the medical school, so we would like an audit of that. We also want to look at the capital projects at the University of Nevada, Reno (UNR) and the University of Nevada, Las Vegas (UNLV) and what is happening there. We have tried to give the leeway to the Audit Division to go where that study follows them; our anticipation is certainly not that they study every capital improvement project, but that they do enough to recognize that proper standards are being implemented there. And then we want to look at the reserve accounts and the self-supporting budget accounts that are within the system—these can be very confusing for the Legislature to understand in the regular Assembly Committee on Ways and Means and Senate Committee on Finance process of the Legislature, so we think a look into that is important.

Maureen Schafer, Executive Director, Council for a Better Nevada:

We were also a leading member of the Question 1 campaign and echo the remarks by Mr. Hardy regarding the voice of the voters on the importance of an audit. I represent community leaders from labor, business, and philanthropy whose purpose is to engage in issues that impact a higher quality of life for all Nevadans.

Today we do support passage of this bill, since NSHE currently receives a biennial investment of approximately \$1 billion from the Legislature in taxpayer funds. This important and generous investment ranks 16th in per-pupil funding nationally in higher education funding. At the same time, NSHE is the only government agency receiving public funding that is not subjected to public audit of their budget activities. To our knowledge, every Nevada agency that receives public funds—the Department of Agriculture, the Department of Motor Vehicles, the Department of Transportation as examples—routinely undergoes audits through the LCB's Audit Division as a matter of internal consistency of audit practices and an external show of public trust for the accountable and transparent use of Nevada taxpayer funds.

With a \$1 billion biennial budget, NSHE would be responsible to follow the same good governance principles the Legislature has put in place and rightly asked for and required from other agencies that do receive our state funds. Those agencies have complied with this requirement, and it is time for us to consider NSHE to be required to comply with the same auditing practices in the best interest of stronger governance practices and principles, increased accountability, transparency, and improved public trust. We strongly urge the passage of this bill.

Chair Bilbray-Axelrod:

As Mr. Hardy referenced, we are working off the conceptual amendment. Are there any questions from Committee members? [There were none.] I will open testimony in support of A.B. 416.

Peter Grema, Private Citizen, Las Vegas, Nevada:

I am an undergraduate student at UNLV and a legislative intern for Senator Dallas Harris. I am calling in support of this bill, which is needed to ensure that NSHE is held accountable and that there is full transparency regarding higher education dollars in our state. The Nevada System of Higher Education should be audited during the next biennium to have a full accounting of resources to ensure that tax dollars and grants are being used appropriately to bolster student outcomes and success. It is the third-largest line item in the Nevada state budget, and yet it lacks sufficient oversight, and there have been numerous controversies regarding regents and the system as a whole.

I have done research on the Board of Regents and have compiled a list of over 120 news articles over the past five years detailing controversies and problems with the Board, former chancellors, and the treatment of certain institutions in the state. This much negative media

coverage toward a certain subject is indicative of a much larger issue. A legislative audit can help uncover leftover dollars and delineate how much school support is coming from tuition versus grants.

During an NSHE budget hearing earlier this session, officials at NSHE said that they do not know which faculty positions are funded by research grants and which are funded by tuition. This is an example of one of the issues that could be studied and uncovered during an audit of NSHE. Improving our institutions of higher education can play a vital role in addressing Nevada's economic issues and helping to diversify our economy. To do so, we must make sure that we have a full accounting of the resources at NSHE.

Paul J. Moradkhan, Senior Vice President, Government Affairs, Vegas Chamber:

We are in support of this bill and the conceptual amendment that has been discussed today by Mr. Hardy. For the sake of transparency, we were also supportive of Question 1 in the 2020 election cycle. As you know, the Vegas Chamber has been a longstanding advocate of audits and financial oversight to help ensure transparency and accountability of taxpayer-funded projects and programs. We have also had productive conversations with NSHE leadership and appreciate their outreach in the past several months.

Kent Ervin, representing Nevada Faculty Alliance:

We work to empower faculty to be fully engaged in our mission to help students succeed. Higher education is an investment in the future of Nevada [[Exhibit M](#)]. We support A.B. 416 authorizing financial and performance legislative audits of NSHE. The Legislature has the authority and the responsibility to ensure proper and efficient use of public funds for all state agencies and divisions.

We do note that the bill as written provides for a very ambitious audit. Among the reasons stated in support of this bill is tracking the performance of the new funding formula implemented in 2014. That is a laudable goal, and it is important to have accurate information that is presented in a fair manner. Numbers can be cherry-picked to point to a particular conclusion: by selecting time frames, by selectively including student fees and tuition or other non-state funds along with state appropriations, by including non-formula budgets along with the formula-funded instructional budgets, and by comparing gross amounts instead of per-student amounts that account for enrollment changes.

To illustrate how we believe the trends in state formula funding of the seven instructional budgets of the colleges and universities should be properly compared, two charts are attached [page 2, [Exhibit M](#)]. They show that since the resident Weighted Student Credit Hour formula was established, the state-appropriated formula funding of similar institutions, per student full-time-equivalent, have tended to converge as was expected from the formula. Unfortunately, the state funding has largely converged to lower levels, especially after adjusting for inflation. We support the audit to present in an independent way these kinds of data and to have an independent authority doing that.

Chair Bilbray-Axelrod:

I will close testimony in support and move on to opposition. Are there any callers? [There were none.] We will move on to testimony in neutral.

**Andrew Clinger, Chief Financial Officer, and Interim Director of Government Affairs,
Nevada System of Higher Education:**

This legislation would require a legislative auditor to conduct a performance and compliance audit of NSHE. We view this as an opportunity to help identify areas for improvement within NSHE. A periodic review such as this is necessary for every organization to ensure limited resources are being used appropriately and that there is transparency, and NSHE is no exception.

We are testifying in neutral because some of our smaller institutions have expressed concern related to the additional staff resources necessary to meet the requirements included in the original version of the bill. However, some of those concerns may have been eliminated with the amendment. If this legislation passes, we look forward to working with your auditors to provide the information they need to meet this bill's requirements.

Daniel Crossman, Legislative Auditor, Audit Division, Legislative Counsel Bureau:

The Audit Division is always willing to tackle challenges posed by the Legislature, in this case an audit of NSHE. We appreciate the opportunity to also have some input on the conceptual amendment. Notably, the proposed conceptual amendment will help the Audit Division be able to focus our limited resources on a more specific audit scope while still being able to complete the other work we are asked to do by the Legislative Commission. We appreciate your time and confidence in us to perform these tasks.

Chair Bilbray-Axelrod:

We will close testimony in neutral. Mr. Hardy, do you have any closing comments?

Warren Hardy:

Thank you for hearing this important bill today. I would like to bring up an issue that Mr. Ervin mentioned, because I think it is important. We did contemplate an audit and review of the funding formula in this bill, and in talking to the Audit Division, that is a fairly large scope, and probably should have its own independent audit. The issue he brought up about looking at that funding formula now that we are a few years out from having adopted it, we believe it is a very critical issue and should be considered. We do not want to overwhelm your staff; if this bill passed in its original form, it would have been the largest audit they have ever undertaken, and that is not what we are trying to achieve here.

Along those lines, I should indicate that the Audit Division did submit a fairly substantial fiscal note based on the original bill, and that should be significantly diminished. Obviously, there are expenses associated with doing this kind of audit, but we think it is penny-wise and pound-foolish not to do it. That is specifically why we chose the Audit Division—first of all,

based on my 30 years in the Legislative Building, I have complete confidence in that group of people, but we also thought it would be a more cost-effective way to do it. We look forward to the opportunity to work on this audit.

[[Exhibit N](#) was submitted but not discussed and is included as an exhibit for the hearing.]

Chair Bilbray-Axelrod:

I know we started talking about this quite a while ago, and I actually loved the first bill, but I understand that it was way too expensive, so I am very pleased with this one as well. I will close the hearing on A.B. 416 and take a motion to amend and do pass.

ASSEMBLYWOMAN NGUYEN MADE A MOTION TO AMEND AND DO PASS ASSEMBLY BILL 416.

ASSEMBLYWOMAN MILLER SECONDED THE MOTION.

Are there any comments or questions on the motion? [There were none.]

THE MOTION PASSED UNANIMOUSLY.

I will assign the floor statement to Assemblywoman Tolles. I will pass the virtual gavel to Assemblywoman Miller, since I will be presenting the next bill.

[Assemblywoman Miller assumed the Chair.]

Vice Chair Miller:

I will now open the hearing on Assembly Bill 419.

Assembly Bill 419: Revises provisions governing charter schools. (BDR 34-751)

Assemblywoman Shannon Bilbray-Axelrod, Assembly District No. 34:

A conceptual amendment to Assembly Bill 419 is available online, and I will be speaking to that amendment throughout my presentation today [[Exhibit O](#)]. This Committee has heard testimony nearly every session since laws governing charter schools were enacted in 1997 on how to improve our network of schools and their sponsorship, whether they are school district charters, one of our higher education institutions, or the State Public Charter School Authority (SPCSA). This continual drive for improvement led me to request A.B. 419, which aims to further refine charter school governance in our state.

I am sure many of you were surprised when I was named chair of this Committee, but I have to say that I was absolutely delighted. This bill was something I had been thinking of doing for some time. After it was announced that I would be Chair of Education, I was immediately contacted by Opportunity 180, who had been working on a charter school governance bill that became the beginnings of this bill. I leapt at the chance to do some of

the things I had been thinking about over the past several years, and they had a good foundation. That is the bill you see before you today.

I will go through the bill and proposed amendments in detail. First, section 2 and all references to section 2 in the bill are proposed to be removed. In section 3, the amendment asks that the sponsors of all charter schools—not just the SPCSA—establish standards for the governance of charter schools so that governing bodies have a clear understanding of the performance benchmarks and targets that must be met for their school. Under the amendment, the SPCSA is not required to publish a list of approved training programs on charter school governance as paragraph (b) of subsection 1 will be deleted. Additionally, members of the governing body will need to complete training before the opening of the charter school and every three years after. The amendment proposed to delete paragraph (c) of section 3, subsection 3, which would have required additional training. Speaking of training: It is essential that members of the SPCSA are up to speed on their responsibility. The authorization of sponsors of charter and charter school governance, section 4, requires SPCSA members to undergo training to establish their competency in these areas.

During the 80th Session and over the course of the interim, stakeholders expressed concerns regarding educational management organizations and the lack of transparency regarding their financial and business activities despite being paid with taxpayer public charter school funds. Sections 5 and 6 require a charter school governing body to disclose information regarding service providers, including charter management organizations and educational management organizations, and post certain details online. As I have said before and I am sure I will say again, this is about transparency and daylight; if everything is great, everything is great, but we need to have accountability.

The proposed amendment would modify section 5, subsection 1 by moving it into *Nevada Revised Statutes* (NRS) 388A.320 to require that members of a charter school governing body disclose certain conflicts of interest. It would also modify section 5, subsection 2 by requiring the definition of educational management organization to be posted on the website of the charter school's governing body.

Section 6 is also proposed to be amended by requiring in subsection 1 that the governing body of a charter school that receives services from an educational management organization post on its website any contract associations between the member of the governing body or persons related to a member or other charter school group or system of charter schools. Section 6 would be further amended to specifically authorize charter school sponsors to review information or contracts with educational management organizations disclosed under paragraph (b) and requests that additional details be provided, investigations be conducted, or other actions.

This bill also seeks to improve charter school accountability. Section 7 requires underperforming charter schools that have not requested a change in sponsorship to submit a report to the Legislative Committee on Education on the actions a sponsor has taken to reconstitute the school's governing body or terminate the charter contract. The proposed

amendment would clarify that the reports must be submitted on actions taken of a charter school that has received a 1- or 2-star rating in the immediately preceding three years.

Section 8 of the bill is proposed to be deleted by the amendment [[Exhibit O](#)]. Section 9, subsection 2, paragraph (g), relates to the application forms for a new charter school. The proposed amendment would modify section 9, subsection 5 to require a sponsor to consider academic, financial, and organizational performance of any charter school that holds a contract with a charter management organization or educational management organization that an applicant is proposing to contract with for a new charter school. These provisions would also apply to amend charter contracts to expand existing charter schools.

Finally, the proposed amendment would add new sections to require a system of charter schools that enroll 2,500 or more pupils across 2 or more campuses to have an advisory position such as an executive director who (1) in a supervisory role oversees the charter school; (2) serves as the person of contact for the organization with which the system of charter enters into a contract, including an educational management organization; and (3) is not a principal of one of the schools within the system of charter schools.

I did want to quickly address that there is a fiscal impact, and I understand that the SPCSA and the Department of Education (NDE) have submitted fiscal notes on this measure and the cost of developing regulations and administering the programs established by this bill. It is my understanding that with the amendment, SPCSA's fiscal note should significantly decrease. I will be talking to NDE regarding their fiscal note as well.

Jana Wilcox Lavin, representing Opportunity 180:

At Opportunity 180, we are committed to ensuring that every kid has access to a high-quality education that ensures they graduate from high school college- and career-ready and that they are prepared to decide their own future. While you have heard from us before in this Committee around our big bet on school leadership, another important lever to ensuring a great school for every kid is good governance. As the Chair mentioned, we began working on the foundation of this bill more than a year ago. Organizationally, we support the development and implementation of sustainable school governance models that are accountable to putting kids first. Good governance, as we have heard throughout this session, is really the cornerstone of strong school systems.

This bill aligns to our work in two key ways. The first is obviously linked to good governance via training, and the second is related to increased information about schools that partner with management organizations to continue to increase transparency and understanding of those relationships and how those relationships work in support of Nevada's students. In the case of the training requirements noted in this bill that may have costs associated with them, we want to share with you that Opportunity 180 was recently awarded a federal grant through a competitive process with the U.S. Department of Education. Those funds can be used to provide technical assistance to support the broader public charter school sector, including increasing shared best practices among public schools, districts and charters, as well as supporting governance training as articulated here. We will be able to

provide technical support using those funds for good governance efforts and other technical assistance through 2024. The original intent here was really anchored on good governance standards aligned to good governance training across the public charter school sector, as well as increased transparency. I would be happy to answer any questions that come up along the way.

Assemblywoman Bilbray-Axelrod:

I so appreciate the grant funds that will be available.

Debb Oliver, Executive Director, Nevada Association of School Boards:

I am here today to speak of the benefits of strong school board governance. We have worked with Nevada's school boards, including the State Board of Education, to implement Silver State Governance, a student outcomes-focused framework for board training and coaching whose motto is, "Student outcomes do not change until adult behaviors change." The intention of this framework is to translate existing research and the collective experience of dozens of board members and superintendents into a set of tools that boards can use to identify their strengths and weaknesses, as well as to track progress along their journey toward improving student outcomes. Having a strong, unified standard of board governance in place for school boards to opt into will benefit all students.

One of the outcomes of Silver State Governance is for school boards to spend 51 percent or more of their agenda items and school board meeting minutes on goals that improve student outcomes. Specifically, this is what students know, demonstrate, and do. Inviting charter school boards to participate in Silver State Governance and other governance training programs, like some that the Nevada Association of School Boards provides, could have an incredible impact on student achievement.

Other training opportunities that enhance Silver State Governance include a certification in school board governance, a five-course series that takes a deep dive into school board governance, new board member training, which is imperative for new school board trustees to be introduced to and to understand their role, and also board president training. We have had five public school districts and the State Board of Education go through the initial two-day Silver State Governance training. The State Board will continue with their coaching starting with a goal-setting session tomorrow. An example of a school board's progress could be Lincoln County School District. They began implementing Silver State Governance in February 2020, and through the COVID-19 pandemic, the district has seen an increase in their student outcomes, which they are tracking quarterly, and are on track with their interim goals.

I would like to note for the record that good governance, Silver State Governance, still accounts for the guardrails and compliance that school boards are required to do, such as their fiduciary responsibilities, and maintaining compliance with state and local regulations. The coaching provided through Silver State Governance aligns these activities to the purpose of the school board, which is to create the best student outcomes for the students whom we

serve. Again, strong school board governance benefits all students. I am available for questions.

Assemblywoman Nguyen:

I have a question about section 9 in the amendment [[Exhibit O](#)], the section about supervisors or executive directors, and I wonder if it is typical that we as the Legislature legislate this; it kind of seems like a staffing issue. I wonder if that is something that school boards typically do because they know their school situation. What is the intent there? Are we trying to solve a performance issue?

Assemblywoman Bilbray-Axelrod:

I am very prepared to answer that question because that is something I believe in more than anything else in this bill, or at least in the top five. It occurred to me in the very beginning in the Assembly Committee on Education when we had Mary Pierczynski come in and talk about the superintendents of all the rural counties. All the rural counties—every single one—have a superintendent, from Esmeralda County, which has 81 students, to Eureka County, which has 349. But the one that really jumped out at me was Churchill County, which has 3,361 students. All of these districts have a superintendent position that oversees their school district.

We have many charter organizations in our state with 5,000 or 6,000 kids, so if you do not have a position like a superintendent or executive director, you are basically putting much more onus on each individual principal to communicate their needs up to the service provider educational management agency. We are trying to have someone be the go-between in that supervisory role to disseminate that information and really be there to set these schools up for success. I kid you not, there are several charter schools in Nevada that have that many students.

Assemblywoman Nguyen:

This bill would require that a high-level executive position cannot be the same principal. Do we have any concerns for those charter schools that are not very large?

Assemblywoman Bilbray-Axelrod:

In the bill, it is listed that it is for charter school systems that have over 2,500 students and over two campuses. We are talking about our larger systems, where we want to make sure there is that oversight. This is about governance, oversight, and daylight, and really setting these schools up to succeed. We need to give them the tools they need to be successful, and that includes all these things.

Assemblywoman Nguyen:

I have one other question regarding the 2,500. I know there are high schools in Las Vegas that have 2,600 or 2,700 students, which is a lot of kids in a high school, but that is the size of most of our high schools. I know that seems like a large number, but I am concerned that having to hire yet another position to oversee the executive director when it cannot be the lead principal is added cost, and I do not know what that number is based on.

Assemblywoman Bilbray-Axelrod:

I created the number after that conversation, when I found out that Churchill County had 3,361 students and a superintendent, but the bill also says a school system must have more than one campus, so there would be two principals. I believe most systems already have this superintendent or executive director position, so this is just putting into statute that that position needs to remain. We do not want to be in a position where, because of cost-cutting and financial gain of the educational management organization, that position is abolished, because you lose the oversight that gives a charter school the ability to be an advocate for themselves to their educational management organization.

Assemblywoman Tolles:

As I read this, this could lead to having to hire an additional person, presumably in the six-figure category, to fulfill this the way that it is written if, in fact, the only person currently serving in that advisory executive director role is also serving as a principal. I shared that same question and concern. Why would it be a negative to have that person also be serving as a principal? Are we concerned that they would not be able to represent their school system as well as fulfill their duties as a principal? I really appreciate this bill and the amendments, so maybe I am not understanding why that is a conflict for them to still serve as a principal as well.

Assemblywoman Bilbray-Axelrod:

I do not believe it is a conflict—that is not my concern—but if anyone has ever met a principal, their role is that school. They are not out there going to every other school within their charter and trying to find out their needs. We need one advocate, and like I said, I believe that every charter system over 2,500 is already doing this and, if not, we did give them the time.

Rebecca Feiden, Executive Director, State Public Charter School Authority:

My quick review is that there are three charter holders that have what they refer to as a lead principal that may be impacted by this. Again, most of those over 2,500 do have some sort of superintendent, executive director, or some other person who is not a dedicated principal, but there are perhaps up to three who may need to take a look at their organizational chart and their staffing structure.

Assemblywoman Bilbray-Axelrod:

For the record, I did want to point out to the Committee that in the amendment, we did put the timeline for that specific provision out further. It would not impact current budgets, so they could work on that in the following year for July 2022.

Assemblyman Flores:

If we do have a scenario now where we have a principal serving in that role, have we identified issues where we realized that we have to make sure that we cannot have a principal serving in that role?

Assemblywoman Bilbray-Axelrod:

I am aware of one instance where a principal of a charter moved into that position, thereby leaving their principal role, and they refilled the principal position at that individual school. That person got a better title after having served as a principal of the charter school, and I think that is a natural progression and the way you would probably see positions filled.

Assemblyman Flores:

I am still trying to understand the problem. I get what you have indicated—it is a natural progression to move up into that role—but I am still trying to understand what the trigger was to saying that we cannot have the principal fill that role. It may just go back to your previous statement; I think we have all had an opportunity to engage with principals, and we know how incredibly busy, committed, and passionate they are to their schools. Maybe that is the bottom line of where this is coming from, that because you see them so committed to a specific school that you do not see that they can fit that role. I assume that is the logic behind it.

Assemblywoman Bilbray-Axelrod:

What you have to remember is that most of these educational management organizations are out of state, and a lot of times, the person filling the executive director position is asked to fly in for meetings, travel around to each campus, and be responsible for training all the principals. This is, once again, about governance. I think that is really the key here, and it is important to remember that one educational management organization, the largest one in the state, is based in Florida, so not only does that executive director lose a day flying there and back, they are there for the meetings as well. If anybody knows a principal, it is very difficult—when you miss a day or two, you are very behind when you get back. It is not typical to have everything in the same location; there is a lot of travel, communication, budgets, and grant writing, which is another thing an executive director would be responsible for. There is a lot more that goes into it than your typical principal—who, by the way, does a lot.

Assemblywoman Marzola:

The charter school space is a new space for me, so I am trying to wrap my head around it. Are you putting section 9 in to improve student learning goals, outcomes, and student achievement as a whole?

Assemblywoman Bilbray-Axelrod:

Absolutely. That is the entire basis for this bill. It is about proper governance, accountability, daylight, and what is in the best interest of our students.

Vice Chair Miller:

We will now open testimony in support.

Daniel Pierrott, representing Pearson Education, Inc.:

We are in support of this bill and the amendment [[Exhibit O](#)]. We will continue to work with the bill's sponsor to ensure high-quality education for all Nevadans.

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

We support A.B. 419 to provide additional regulation of Nevada charter schools [[Exhibit P](#)]. Over the last several years, the Nevada State Education Association has been calling for greater accountability and controls for charter schools, including a cap on charter school expansion. While this proposal was not successful, the Legislature passed a five-year Growth Management Plan for charters. Interestingly enough, while the Charter School Authority was developing this Growth Management Plan, they approved nearly 5,000 new charter slots. This past week, we found that charter school slots are projected to increase 8.6 percent in Fiscal Year 2022 and a whopping 15.9 percent in Fiscal Year 2023, while enrollment in neighborhood public schools remains relatively stagnant.

We know 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.

While the SPCSA has made some improvement since last session, including actually conducting site visits, let us be honest with each other—they are only now clearing a relatively low bar of accountability. While it is great the SPCSA has begun to address the baked-in biases against disadvantaged students, when looking at overall charter student populations, charter schools serve proportionately fewer at-risk students, English learners, and students with disabilities. Even with progress on more diversity in new charter seats, there is no path for charters to achieve parity in the foreseeable future.

While A.B. 419 does not address the issue of charter growth or the issue of student mix, it is a modest reform that will provide some additional accountability. This includes the development of qualifications and training requirements for charter school sponsors and members of the SPCSA; the disclosure of information on the operations of charters; and additional accountability for operators of the lowest-performing charter schools.

We learned of the extent of problems with the inner workings of charter operators and charter management organizations in June 2020, when the *Nevada Current* reported on a dispute between the American Preparatory Academy in Las Vegas and their Utah-based, for-profit management organization. This included large payouts to education management organizations that the charter claimed provided little in terms of services and complicated financial relationships related to charter school facilities.

Vice Chair Miller:

We will move on to testimony in opposition.

John Bentham, Board Chair, Somerset Academy of Las Vegas:

I can personally speak to this bill, specifically the new section 9 regarding adding language for an executive director in a supervisory position and not a principal. The Las Vegas system will be celebrating ten years of educating our Nevada youth as we enter the fall term, providing an excellent education of choice for seven campuses serving 9,000 K-12 students. While our Nevada system is young, our sister system in Florida began nearly 25 years ago and has been an innovator in the charter school movement since its founding in 1997. When I joined the board five years ago, we did not have an executive director. Being a professional and an entrepreneur, I initially felt that the potential for an executive director to help guide, assist, and coordinate our growing system would be necessary. Shortly thereafter, the board voted to add an executive director. I voted in favor of this. We hired an extremely qualified individual to serve in this capacity, and he did so for about three years. At this point, it is also important to note that prior to our executive director, Somerset Academy had been successful in achieving primarily 4- and 5-star ratings for our school.

In 2018, I became the board chair, and as such, I worked closely with our executive director and our administrative team. I also made two trips to our sister system in Florida to observe best practices. Since their founding, they had operated without an executive director and had grown to include more than 60 award-winning schools. As I continued my due diligence, I discovered that without an executive director, the Florida system was able to thrive because they were being led by principals. There was increased collaboration between campuses, communication was improved, and the goal was the students, not any particular agenda of an executive director. I soon became a proponent of this methodology.

About two years ago, we eliminated the executive director position in Las Vegas and moved toward a lead principal model since this worked for our sister system for nearly 25 years. The transformation within our Nevada system has been incredible. Our schools are once again thriving. Principals, administration, and faculty are collaborating and sharing best practices to help their children grow educationally. Systems are put in place with fidelity and purpose, and our principal cohorts have made strides in ensuring that we are providing 5-star education on each campus. Additionally, the communication between the board and the administration team is clear, direct, authentic, and not edited in any way.

There are concrete facts that support my opposition. As stated earlier, before we created the executive director position, our schools enjoyed primarily 4- and 5-star ratings. During the executive director tenure, our star ratings began to suffer. In fact, we had several schools receive a 2-star rating. Now, without an executive director for more than two years, our internal testing is once again showing most schools trending toward 4- and 5-star ratings. The Somerset model was created in Florida, and we have adopted and grown it here in Nevada. [Allotted time was exceeded.]

Vice Chair Miller:

You are more than welcome to submit any further remarks in writing, and we will make sure those are included in the record.

Renee Fairless, Lead Principal, Mater Academy of Nevada:

My schools are 100 percent free- and reduced-lunch schools with 96 to 98 percent minority students, and we have consistently within the last several ratings been 3- to 5-star ratings with two shining stars. I am the lead principal at Mater Academy, not an executive director, and one of my major responsibilities is to keep the lines of communication open between all our principals. My school is a replication of the highly successful network of charter schools in Florida in which the lead principal model is the norm.

I am opposed to this bill because I believe it discusses governance in charter schools while ignoring the authority of our governing board. My board chair is Mary Beth Scow, the former highly respected Clark County Commissioner and Clark County School Board member. I believe that my board is fully qualified to determine administrative roles such as a lead principal or executive director. We serve at the direction of the board, and I do not think those decisions should be taken away from the board. I would also like to dispute the idea that there is a lack of transparency. We are monitored by the SPCSA under the direction of Rebecca Feiden. Additionally, we are monitored and must follow all the directives and policies of the NDE. We are audited several times, not just fiscally, but also through all our policies and programs.

Lee Esplin, Lead Principal, Somerset Academy of Las Vegas:

I am in opposition to this bill, especially the last part that seeks to add an executive director. Mr. Bentham spoke previously. With an executive director, we saw a decline in our schools. Since our board chose to move away from having an executive director, we have seen more collaboration and higher achievement; four of our seven schools are 5-star schools, and the other three have made significant growth. One of those schools is the highest-performing elementary school in the state of Nevada. The collaboration between schools has been extremely effective, and the support of administration and others has been more effective without an executive director. I heard previous talk of travel and having to leave; as the lead principal, I have not had to leave the state once. We collaborate on a regular basis—weekly, sometimes daily—and every two weeks we have a meeting. I feel that this bill would take that authority away from our board, away from allowing us to be able to make great educational decisions for our campuses and schools to show the high achievement we have been getting here.

Victor Salcido, representing Charter School Association of Nevada:

I want to thank the bill's sponsor for working with the sector to amend some of the language that was concerning us in the bill as introduced. I look forward to continuing to have those conversations now that these conceptual amendments have been presented. I also think that there are a lot of possible things in this bill that we like, including further transparency and good governance training, and because of that, I hope to be able to support it in its final form.

Unfortunately, I am here in opposition for two main reasons. The conceptual amendment [\[Exhibit O\]](#) discussed here today is just that—conceptual—and until we see final language, it is my understanding that we have to take a position on the bill as written, and we did have some concerns there, namely over the independence of the individual boards, which brings

me to my second point of concern. In the conceptual amendment [[Exhibit O](#)] discussed here today, there was discussion over mandating the creation of a supervisory or executive director role in a school that has multiple campuses.

Personally, I think that in many cases, this could be a good idea. I can easily think of situations where having such a position could be a good thing, but not everywhere, and no two situations are the same. My concern here is that we are mandating from a legislative level questions over staffing and organization that I firmly believe should be left at the board level. It is my understanding that part of the great bargain with public charter schools is more localized control and autonomy in exchange for being held to higher performance and transparency standards and having to do more with less. This issue of mandating a particular position goes to the heart of autonomy and independence of our boards, and that is an argument I will always defend.

Vice Chair Miller:

We will move on to testimony in neutral. Are there any callers? [There were none.] Assemblywoman Bilbray-Axelrod, do you have any closing remarks?

Assemblywoman Bilbray-Axelrod:

I know that a few comments came out during testimony, one that this bill did not address future openings of charter schools. There actually is a section in the bill that specifically talks about low-performing schools within the system not being able to open new schools. I think this bill addresses that as well.

As far as the testimony in opposition, I do have to point out that every single one of the folks who called in were from one specific educational management organization that, I believe, is worried about their bottom line—I do not know how else to say it—and I think that is at the peril of our kids. I do not see how more supervision and someone who looks out and can be that voice is a bad thing, and I feel quite passionately about this.

[[Exhibit Q](#) was submitted but not discussed and is included as an exhibit for this hearing.]

Vice Chair Miller:

With that, I will close the hearing on A.B. 419 and hand the gavel back over to you, Chair.

[Assemblywoman Bilbray-Axelrod reassumed the Chair.]

Chair Bilbray-Axelrod:

We are going to recess. We will be back at 6 p.m. for our work session.

[The meeting recessed at 4 p.m. and reconvened at 6:16 p.m.]

This evening, we are going to complete our work session and finish the hearing with public comment. We have 11 bills on work session, and we will start with A.B. 419, which we just heard.

Assembly Bill 419: Revises provisions governing charter schools. (BDR 34-751)

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 419, which was heard by the Committee earlier this afternoon and establishes various provisions related to the sponsorship and governance of charter schools. There was one proposed conceptual amendment [[Exhibit O](#)] by Chair Bilbray-Axelrod that was presented to the Committee earlier this afternoon. There has been one change to that conceptual amendment, which is to remove part 9 of the conceptual amendment for the Committee's review.

Chair Bilbray-Axelrod:

Before we take a motion, are there any questions on A.B. 419? [There were none.]

ASSEMBLYWOMAN NGUYEN MADE A MOTION TO AMEND AND
DO PASS ASSEMBLY BILL 419.

ASSEMBLYWOMAN TOLLES SECONDED THE MOTION.

Are there any comments or questions on the motion? [There were none.]

THE MOTION PASSED. (ASSEMBLYMAN FLORES WAS ABSENT
FOR THE VOTE.)

I will take that floor statement myself.

**Assembly Bill 19: Revises provisions relating to educational subjects and standards.
(BDR 34-325)**

Kristi Robusto, Committee Policy Analyst:

Assembly Bill 19, sponsored by the Assembly Committee on Education on behalf of the Department of Education (NDE), was heard by the Committee on February 16, 2021. This bill changes what constitutes the academic subject social studies by removing government and including instead civics, financial literacy, and multicultural education [[Exhibit R](#)]. The bill also exempts from procedural requirements for regulation making under the Nevada Administrative Procedure Act the adoption, amendment, or repeal of standards of content and performance for courses of study in public schools by the Council to Establish Academic Standards for Public Schools and the State Board of Education. The bill requires that all regulations establishing standards of content and performance for courses of study in public schools be removed from the *Nevada Administrative Code*. There are no amendments for this measure.

Chair Bilbray-Axelrod:

Before we take a motion, are there any questions on A.B. 19?

Assemblywoman Tolles:

This is a bill that I have wrestled with more than any other one we have had this session, because I am 100 percent in favor of civics, financial literacy, and multicultural education, and yet I have also heard the concerns from our homeschooling community. I teach multicultural communication and, from that standpoint, I recognize that for a lot of the homeschool culture, autonomy is really important. It is a core value for them, so I understand their concern, and I wondered if I could correct my understanding on a couple of things and then ask NDE a couple of clarifying questions.

To confirm my understanding, we are essentially taking legislation this body has passed—and I have even voted on some of these in the past—from the 78th and 79th Sessions, and we are putting that into the conforming language, and the process was that when we put that into the conforming language, that applied across the board to public, charter, private, and homeschools. When we put conforming language in this bill, it was not that any particular group was intentionally left out, it was just that in order to keep it from a bifurcated system, it was applied across the board. Is that correct?

Sarah Nick, Policy Analyst, Department of Education:

Yes. When NDE worked with the Governor's Office for the prefiled draft of A.B. 19, it was meant to make conforming changes so that Nevada's school districts would see the core requirements—again, those are the core subjects that are a part of social studies. We even consulted with Legislative Counsel Bureau legal staff who also shared prior precedence for such a conforming change.

Chair Bilbray-Axelrod:

Our legal counsel might like to weigh in on this.

Amanda Marincic, Committee Counsel:

Yes, Assemblywoman Tolles, you are absolutely correct that this was done as a conforming change regarding the homeschool section to keep the subjects contained within the designated core academic subjects consistent across public, charter, private, and homeschools.

Assemblywoman Tolles:

It is only because they are core content, that is why we see that conforming across the board. Every bill, all the legislative changes we pass, are not always going to be conforming. It is only because it was at that layer of the core content standard; that is why it is being spread across all those entities.

Amanda Marincic:

Again, that is correct.

Assemblywoman Tolles:

I have two more questions I think would be helpful to have answered. The first question goes back to that piece of autonomy expressed so strongly by those in the homeschool community. Could you speak to what we have in statute today about the autonomy around how homeschoolers implement this in curriculum and content? I think that autonomy piece is so important.

Chair Bilbray-Axelrod:

This is probably a good question for our legal counsel.

Amanda Marincic:

Nevada Revised Statutes (NRS) 388D.050, which is section 1 of A.B. 19, provides that the parent of a child who is being homeschooled must prepare an educational plan of instruction which includes those core academic subjects which, as amended, would be civics, financial literacy, and multicultural education, as appropriate for the age and level of the child. It includes that that educational plan must include those subjects. It is basically silent about what age that is taught and what exactly that instruction entails. That is generally left up to the parent based on that educational plan. That is what NRS provides regarding homeschools.

Assemblywoman Tolles:

You stopped just short of "for the age and level of skill of the child as determined by the parent," so that is in statute that the autonomy piece is as determined by the parent, and I think you spoke to the rest. My last question is, and this would be for NDE specifically: Can you speak to your relationship with the homeschool community—what NDE has in place currently, and hopes to continue to put in place in the future, to make sure those conversations are collaborative moving forward.

Sarah Nick:

Nevada Revised Statutes 388D.050 is the same NRS that NDE uses to inform our collaboration with Nevada's families who support homeschooling in their homes. Assemblywoman Tolles, you have also highlighted the two parts of NRS 388.050 that NDE uses to inform its current and future collaboration with Nevada's homeschooled families, which is that parents determine the best and most appropriate education for the age and level of skill of the child, and that this section of NRS does not require a parent to ensure that each subject area is taught each year that the child is homeschooled. The Department of Education looks forward to future collaboration with Nevada's homeschool families, as I have had the pleasure of sharing with homeschool advocates during our legislative session.

Assemblywoman Tolles:

Do we have a point of contact at NDE available today for those continued conversations?

Sarah Nick:

Yes, NDE does have a point of contact for homeschool education. It is posted on our website. For NDE's legislative activity, I still serve as the contact, and for our Nevada families of homeschools who have been in contact with me regarding legislation, I am more than happy to put them in contact with our homeschool point of contact as well.

Chair Bilbray-Axelrod:

Are there any other questions or comments?

Assemblywoman Krasner:

I also struggled with this because I care so much about civics, financial literacy, and multicultural education, but I really care about our homeschoolers and the homeschool community. I know they care about their autonomy, and I respect and appreciate that, but now that I know that NRS 388D.050 is there and the age, level, and skill of the child as well as whether and when those classes should be taught is still going to be determined by the parent, I feel much more at ease.

Assemblywoman Hardy:

This bill has been tough for me too. I have gone back and forth and tried to get as much information from all the different parties affected. I appreciate the further clarifications on what this bill is doing. It was very important to me, too, that the homeschooling parents have the autonomy for their kids—they know those kids best—on how to teach these subjects. I feel much better about it.

Assemblywoman Hansen:

We have all struggled with this, and I completely support those subjects, but I have concerns. I am going to be a no, but I do appreciate the clarifications. I am balancing my concern for autonomy and the culture of homeschooling. After listening to the concerns of the homeschooling community and the process before they got to this bill, there was not much engagement there. I have over 1,400 letters in opposition to 80 in support. My gut right now tells me that I must vote no. I was hoping we would amend out homeschooling in deference to their culture of autonomy, and I know we did not get that.

Chair Bilbray-Axelrod:

Seeing no further comments or questions, I will take a motion to do pass Assembly Bill 19.

ASSEMBLYWOMAN MILLER MADE A MOTION TO DO PASS
ASSEMBLY BILL 19.

ASSEMBLYWOMAN TORRES SECONDED THE MOTION.

Are there any comments or questions on the motion? [There were none.]

THE MOTION PASSED. (ASSEMBLYMEN HANSEN AND MCARTHUR
VOTED NO.)

I will assign the floor statement to Assemblywoman Torres. The next bill on work session is Assembly Bill 231.

Assembly Bill 231: Revises provisions governing education on the Holocaust and other genocides. (BDR 34-97)

Kristi Robusto, Committee Policy Analyst:

Assembly Bill 231, sponsored by Assemblywomen Cohen and Krasner and heard by the Committee on April 1, 2021, requires the Governor's Advisory Council on Education to perform additional duties relating to education on the Holocaust and other genocides, including consulting with organizations with relevant expertise, providing advice on strategies and content, identifying education programs and resources, promoting education on such issues, and submitting a status report [[Exhibit S](#)]. The Council to Establish Academic Standards for Public Schools may establish standards of content and performance for instruction in the Holocaust and other genocides.

Additionally, the bill establishes the Account for Instruction on the Holocaust and Other Genocides in the State General Fund, and requires these funds only be expended for the purpose of providing instruction on the Holocaust or other genocides. Finally, the bill requires the State Board of Education to appoint a subcommittee to study curriculum on instruction on the Holocaust and other genocides during the 2021–2022 Interim and provides subcommittee composition and study requirements.

There is one proposed amendment by Assemblywoman Cohen [pages 2 through 6, [Exhibit S](#)]. It deletes sections 1 through 4 and revises section 5 such that it would create a subcommittee under the State Board of Education to study the best ways in which to provide age-appropriate and historically accurate instruction about the Holocaust and genocide.

Chair Bilbray-Axelrod:

Before we take a motion, are there any questions on A.B. 231? [There were none.]

ASSEMBLYWOMAN KRASNER MADE A MOTION TO AMEND AND
DO PASS ASSEMBLY BILL 231.

ASSEMBLYWOMAN NGUYEN SECONDED THE MOTION.

Are there any comments or questions on the motion? [There were none.]

THE MOTION PASSED UNANIMOUSLY.

I will assign the floor statement to Assemblywoman Krasner. The next bill on work session is Assembly Bill 224.

Assembly Bill 224: Provides for access to feminine hygiene products in certain public schools. (BDR 34-767)

Kristi Robusto, Committee Policy Analyst:

Assembly Bill 224, sponsored by Assemblywoman Duran and heard by the Committee on April 6, 2021, requires that pupils at a public middle school, junior high school, or high school be provided feminine hygiene products in the school bathroom at no cost to the pupil [[Exhibit T](#)]. Additionally, the bill requires the board of trustees of a school district and the governing bodies of applicable charter schools to develop a plan to address the lack of access to feminine hygiene products due to affordability and provide equal access to such products and submit a report on the plan to the director of the Legislative Counsel Bureau by February 1 of odd-numbered years for transmittal to the Legislature. Finally, the bill requires an evaluation of access to feminine hygiene products be included in each school's annual report of accountability.

There are two proposed amendments. The first was presented to the Committee on April 6, 2021, which changes the terminology from "feminine hygiene products" to "menstrual products" throughout the bill and authorizes the acceptance of gifts, grants, or donations [page 2, [Exhibit T](#)]. There is also an addendum for an amendment that revises the bill such that it would propose a two-year pilot program whereby a minimum of 25 percent of the schools must provide menstrual products at no cost inside girls' bathrooms by or before January 1, 2022, for the school years stipulated in the amendment [[Exhibit U](#)]. It also requires that by January 1, 2022, these schools provide two dispensers stocked with such products at no cost to pupils in two bathrooms—one dispenser per bathroom—and it requires the appointment of a committee to evaluate progress on completing a goal of providing these products at no cost for pupils inside these bathrooms by or before the end of the 82nd Legislative Session.

Chair Bilbray-Axelrod:

I will say that the conceptual amendment [[Exhibit U](#)] is not quite right, though it reflects the general intent. We cannot actually name people's names, so we will have an appointed committee, which is what Ms. Robusto alluded to, but I did not want you to be confused if you looked at that conceptual amendment.

Before we take a motion, are there any questions on A.B. 224? [There were none.]

ASSEMBLYWOMAN NGUYEN MADE A MOTION TO AMEND AND
DO PASS ASSEMBLY BILL 224.

ASSEMBLYWOMAN TORRES SECONDED THE MOTION.

Are there any comments or questions on the motion?

Assemblywoman Nguyen:

I see Samantha Glover on Zoom, and I am so excited to be able to vote this out of Committee today. I would like to thank her for being a part of this process.

Chair Bilbray-Axelrod:

Yes, you made the news, Ms. Glover, as did you, Assemblywoman Nguyen. Congratulations.

Assemblywoman Tolles:

I, too, cannot let this moment pass without saying thank you for bringing this legislation forward and advocating so eloquently to bring awareness to the fact that this is a very real issue within our state. I was very aware; I have two teenage daughters, and we were going to go do a girls' camp in Uganda for teenage girls who, on average, drop out of school at 12 or 13 when they start their periods, and they never go back because of this issue. What you did was bring to our awareness that this is not just an issue in other countries; we have these barriers for our girls here in Nevada, and we are providing a very real solution for them. As a woman, a mother of two daughters, and someone who is so incredibly impressed and proud of how you have advocated for this, I want to say thank you.

Chair Bilbray-Axelrod:

Are there any other comments or questions on the motion? [There were none.]

THE MOTION PASSED UNANIMOUSLY.

I will assign the floor statement to Assemblywoman Duran. The next bill on work session is Assembly Bill 235.

Assembly Bill 235: Enacts provisions governing financial education for pupils and their parents and guardians. (BDR 34-42)

Kristi Robusto, Committee Policy Analyst:

Assembly Bill 235, sponsored by Assemblywoman Brittney Miller and heard by the Committee on April 6, 2021, requires the board of trustees of a school district, the governing body of a charter school, and a private school that operates a high school to provide: (1) education to pupils on the importance of financial planning and completing the Free Application for Federal Student Aid (FAFSA); (2) information on events for and encouragement to complete or receive help completing the FAFSA; (3) at least two annual events at specified times for pupils and parents to complete the FAFSA; and (4) coordination with a community college, state college, or university to ensure pupils and their families receive support completing the FAFSA [[Exhibit V](#)]. The bill also requires the board of trustees of a school district and the governing bodies of charter schools to report to the state treasurer on attendance at such events and FAFSA assistance.

There is one proposed amendment [page 2, [Exhibit V](#)] submitted by Assemblywoman Brittney Miller which provides for the inclusion of information on financial aid for Deferred Action for Childhood Arrivals pupils in section 1(a); specifies "high school" as appropriate throughout the bill; revises when the second annual event must be held; and provides additional clarifying language.

Chair Bilbray-Axelrod:

Before we take a motion, are there any questions on A.B. 235? [There were none.]

ASSEMBLYWOMAN TORRES MADE A MOTION TO AMEND AND DO
PASS ASSEMBLY BILL 235.

ASSEMBLYWOMAN NGUYEN SECONDED THE MOTION.

Are there any comments or questions on the motion?

Assemblywoman Hansen:

I appreciate the intent. I am going to have to vote no at this point. Some of my counties are impacted on a fiscal note, and some of this is an extra burden for the administrations, so I would like to see another path to this.

Chair Bilbray-Axelrod:

Are there any other comments or questions on the motion? [There were none.]

THE MOTION PASSED. (ASSEMBLYMEN HANSEN, KRASNER, AND
MCARTHUR VOTED NO.)

I will assign the floor statement to Assemblywoman Hardy. The next bill on work session is Assembly Bill 266.

Assembly Bill 266: Revises provisions governing class size. (BDR 34-704)

Kristi Robusto, Committee Policy Analyst:

Assembly Bill 266, sponsored by Assemblywomen Miller and Anderson and heard by the Committee on April 6, 2021, prohibits administrators and other licensed educational personnel, including, without limitation, counselors, coaches, and special education teachers who may be present in a classroom but do not teach every pupil in the classroom, from being counted in determining the teacher-pupil ratio [[Exhibit W](#)].

The bill also requires the board of trustees of a school district, to the extent money is available, to determine the number of job vacancies in the school district based on the number of teachers who would be required to achieve the recommended teacher-pupil ratio and requires that related information be posted on the board of trustees' website. Finally, the bill requires a person evaluating a teacher responsible for a class size exceeding ratio

recommendations to use the self-rating provided by the teacher—if the teacher performs self-rating—in the sections impacted by class size, and that the teacher provide rationale for such self-ratings.

There are three amendments proposed for this measure:

1. Assemblywoman Miller proposed an amendment [page 3, [Exhibit W](#)] which does the following:
 - a. Adds that the number of substitute teachers filling vacancies or long-term positions must be reported by Nevada's Department of Education;
 - b. Revises how the teacher-pupil ratios are calculated by only including teachers actively providing instruction in section 2, subsection 2(e);
 - c. Clarifies that only a board of trustees of a school district exceeding class size recommendations must develop the strategic plan and present on progress; and
 - d. Revises the information that must be posted on the school district's website and add additional reporting requirements in section 3, subsection 2.
2. Hawah Ahmad, Lobbyist, Clark County Education Association, proposed an amendment [pages 4 and 5, [Exhibit W](#)] which does the following:
 - a. Specifically includes school nurses, school psychologists, and school counselors in section 2, subsection 2(b);
 - b. Clarifies the national standards be from the relevant designated licensure bodies in section 2, subsection 2(c);
 - c. Requires the teacher evaluations include additional class size equivalent weighting for three specific indicators in section 4, subsection 2(f); and
 - d. Revises section 4, subsection 2(b).
3. The Department of Education proposed an amendment [page 6, [Exhibit W](#)] which revises section 4, subsection 2(f) to apply to evaluations of teachers whose overall ratio to pupils exceeds the recommendations, and for those evaluations adds an additional point on each indicator as specified.

Chair Bilbray-Axelrod:

Before we take a motion, are there any questions on A.B. 266? [There were none.]

ASSEMBLYWOMAN TORRES MADE A MOTION TO AMEND AND DO
PASS ASSEMBLY BILL 266.

ASSEMBLYWOMAN NGUYEN SECONDED THE MOTION.

Are there any comments or questions on the motion?

Assemblywoman Tolles:

I want to take a moment to acknowledge the bill sponsor for always being a strong advocate on class size and a leading voice on education. I have always appreciated that. There is one section I am not comfortable with regarding the evaluation, so I will be voting no with much appreciation for the other sections and the leadership Assemblywoman Miller has on this issue.

Assemblywoman Krasner:

I have some concerns, too, and I do want to continue talking to the sponsor. I am going to vote yes to move this out of Committee and reserve my right to change my vote.

Chair Bilbray-Axelrod:

You always have the right to change your vote on the floor, but please let me and the sponsor of the bill know if that is your intention. Are there any more comments or questions on the motion? [There were none.]

THE MOTION PASSED. (ASSEMBLYMEN HANSEN, HARDY,
MCARTHUR, AND TOLLES VOTED NO.)

I will assign the floor statement to Assemblywoman Miller. The next bill on work session is Assembly Bill 319.

**Assembly Bill 319: Establishes a pilot program relating to dual credit courses.
(BDR S-925)**

Kristi Robusto, Committee Policy Analyst:

Assembly Bill 319, sponsored by Assemblyman Roberts and heard by the Committee on March 25, 2021, requires the College of Southern Nevada (CSN) to enter into one or more cooperative agreements in accordance with existing law to create and administer a two-year pilot program for enhanced opportunities for pupils to enroll in dual credit courses through the concurrent enrollment model, specifically aimed at providing opportunities for specific pupil groups [[Exhibit X](#)]. Provisions that must be included in the cooperative agreement are specified in the bill and it authorizes CSN to apply for and accept any gift, donation, bequest, grant, or other source of funding to carry out the pilot program.

Finally, CSN and the entity it enters into a cooperative agreement with must submit a report containing certain information about the pilot program to: (1) the Governor; (2) the State Board of Education; (3) the Board of Regents; and (4) the Legislative Committee on Education. Assemblyman Roberts proposed a conceptual amendment which adds Assemblywoman Sandra Jauregui as a primary cosponsor on the bill.

Chair Bilbray-Axelrod:

Before we take a motion, are there any questions on A.B. 319? [There were none.]

ASSEMBLYWOMAN NGUYEN MADE A MOTION TO AMEND AND DO PASS ASSEMBLY BILL 319.

ASSEMBLYWOMAN KRASNER SECONDED THE MOTION.

Are there any comments or questions on the motion? [There were none.]

THE MOTION PASSED. (ASSEMBLYMAN MCARTHUR VOTED NO.)

I will assign the floor statement to Assemblywoman Nguyen. The next bill on work session is Assembly Bill 384.

Assembly Bill 384: Revises provisions governing sexual misconduct in institutions of the Nevada System of Higher Education. (BDR 34-939)

Kristi Robusto, Committee Policy Analyst:

Assembly Bill 384, sponsored by Assemblywoman Torres and heard by the Committee on April 6, 2021, authorizes the Board of Regents to appoint researchers employed at a Nevada System of Higher Education (NSHE) institution to develop a climate survey on sexual misconduct and require NSHE institutions to conduct the climate survey [[Exhibit Y](#)].

If the Board of Regents requires an NSHE institution to conduct the climate survey, they are required to fulfill certain duties. It also authorizes the Board of Regents to require an NSHE institution to:

- Meet certain requirements such as training personnel, providing policies to reporters, meeting certain timelines related to the grievance process of the institution;
- Adopt a policy on sexual misconduct with certain requirements related to the policy content and adoption;
- Enter into a memorandum of understanding with an organization that assists victims of sexual misconduct, and to require an institution to designate a victim's advocate who must perform certain duties;

- Provide training on the grievance process and programming on the awareness and prevention of sexual misconduct;
- Conduct investigations or hold hearings regarding alleged incidents and sets forth requirements for such investigations and hearings;
- Try to provide for confidentiality; and
- Report on certain information related to sexual misconduct.

The bill also prohibits an NSHE institution from sanctioning a reporting party or witness related to an incident of sexual misconduct, authorizes a student who has experienced sexual misconduct to seek a waiver from certain requirements and academic activities, and authorizes the Board of Regents to impose a fine on an institution that does not comply with related requirements.

Finally, it requires the Board of Regents to compile and submit reports to the director of the Department of Health and Human Services and to the Legislature or Legislative Committee on Education.

There are two proposed amendments to this measure.

1. This conceptual amendment provides a summary of the conceptual amendment [pages 3 through 24, [Exhibit Y](#)] submitted by NSHE for Assembly Bill 384, which revises provisions governing sexual misconduct in NSHE institutions. The conceptual amendment generally proposes to:
 - a. Amend existing definitions that are defined in Title IX to align with Title IX definitions.
 - b. Amend definition of "trauma-informed response" to clarify it includes an understanding of perpetration methodology and how to conduct an effective investigation.
 - c. In sections 12, 13, and 14 condition the actions on the extent that money is available.
 - d. Amend various provisions in the bill to simplify certain requirements.
 - e. In section 25:
 - i. Replace existing considerations for determining whether to grant a request related to confidentiality; and
 - ii. Delete paragraph (d) of subsection 3.

- f. Delete sections 27 and 31.
 - g. Amend section 33 to expand to all NSHE institutions.
 - h. Add a new section providing for an NSHE institution to enter into a memorandum of understanding with local law enforcement agencies.
 - i. Throughout the bill, change "victim's advocate" to "advocate."
2. The proposed amendment from Assemblywoman Torres proposed to add the following Assembly members as cosponsors to the bill: Shannon Bilbray-Axelrod, Melissa Hardy, Glen Leavitt, and Jill Tolles.

Chair Bilbray-Axelrod:

Before we take a motion, are there any questions on A.B. 384? [There were none.]

ASSEMBLYWOMAN NGUYEN MADE A MOTION TO AMEND AND DO PASS ASSEMBLY BILL 384.

ASSEMBLYWOMAN DURAN SECONDED THE MOTION.

Are there any comments or questions on the motion? [There were none.]

THE MOTION PASSED UNANIMOUSLY.

I will assign the floor statement to Assemblywoman Torres. The next bill on work session is Assembly Bill 415.

Assembly Bill 415: Provides for an interim study on public school accountability. (BDR S-752)

Kristi Robusto, Committee Policy Analyst:

Assembly Bill 415, sponsored by the Assembly Committee on Education and heard by the Committee on April 6, 2021, directs the Legislative Committee on Education (LCE) to conduct an interim study concerning the statewide system of accountability for public schools [[Exhibit Z](#)]. The bill requires the LCE to consult with certain persons and organizations with expertise and experience in matters relevant to the development of metrics under and the evaluation of systems to rate school performance.

Finally, the bill requires the LCE, in conducting the study, to:

1. Collect certain data.
2. Evaluate the methodology of the statewide system of accountability in determining certain academic achievement, designations, and growth.

3. Identify existing and additional resources for improving pupil and school outcomes.
4. Evaluate how other states address certain matters in school ratings and performance.
5. Make recommendations concerning any matter relating to the study, including recommendations concerning proposed legislation.

There are no amendments for this measure.

Chair Bilbray-Axelrod:

Before we take a motion, are there any questions on A.B. 415? [There were none.]

ASSEMBLYWOMAN NGUYEN MADE A MOTION TO DO PASS
ASSEMBLY BILL 415.

ASSEMBLYWOMAN TORRES SECONDED THE MOTION.

Are there any comments or questions on the motion? [There were none.]

THE MOTION PASSED UNANIMOUSLY.

I will take the floor statement myself. The last bill on work session is Assembly Bill 418.

Assembly Bill 418: Enacts provisions relating to education. (BDR 34-526)

Kristi Robusto, Committee Policy Analyst:

Assembly Bill 418 is sponsored by the Assembly Committee on Education on behalf of the Legislative Committee on Education and was heard by the Committee on April 6, 2021. The bill requires Nevada's Department of Education (NDE), in consultation with the Nevada State Teacher Recruitment and Retention Advisory Task Force, to develop, implement, and analyze the results of an exit survey for teachers or other licensed personnel who leave employment with a school district, and authorizes NDE to partner with any necessary and relevant entity to complete the exit survey [[Exhibit AA](#)]. The bill requires the board of trustees of a school district to administer the exit survey and report any information received to NDE annually. Nevada's Department of Education will review such data and provide improvement recommendations to the board of trustees. Finally, the bill requires NDE to submit an annual report to the director of the Legislative Counsel Bureau for transmittal to the legislator or Legislative Committee on Education in non-legislative years.

There is one proposed amendment [page 2, [[Exhibit AA](#)] to the measure, submitted by Sarah Nick on behalf of NDE, which provides additional clarifying language related to developing, implementing, analyzing, and reporting on exit surveys.

Chair Bilbray-Axelrod:

Before we take a motion, are there any questions on A.B. 418? [There were none.]

ASSEMBLYWOMAN MILLER MADE A MOTION TO AMEND AND DO
PASS ASSEMBLY BILL 418.

ASSEMBLYWOMAN NGUYEN SECONDED THE MOTION.

Are there any comments or questions on the motion? [There were none.]

THE MOTION PASSED. (ASSEMBLYMAN MCARTHUR VOTED NO.)

I will assign the floor statement to Assemblywoman Gorelow. I will close the work session, which brings us to public comment. Is there anyone who wishes to give public comment?

Tim Ranzetta, Cofounder, Next Gen Personal Finance:

I am providing testimony in support of Nevada Assembly Bill 19, which, among other things, designates financial literacy as a core academic subject to be taught in all public schools. We are a nonprofit focused on financial education in schools. Our curriculum is currently used by 50,000 educators in all 50 states, including 576 teachers right there in Nevada. I want to give a quick shoutout to Jayne Malorni; she is a real gem at the Nevada Department of Education who, among her responsibilities, is an incredible advocate for financial education in your state. She really knows how to get things done.

Like Nevada with this bill, we have seen incredible momentum behind financial education like we have never seen before in this country. We are currently tracking 25 state legislatures with bills very similar in content to A.B. 19. Many states have suffered through COVID-19, which in addition to being a health crisis, has delivered an economic one on top of it with significant job losses.

There are two things I want you to remember from my testimony today. First, who gets access to financial education is a social justice issue. Our research finds that only 5 percent of students currently attend a school in Nevada that guarantees they will take a one-semester course. By passing this bill, you are going to ensure the other 95 percent will receive this essential course and that ZIP Code is not destiny when it comes to financial education.

Secondly, Nevada teachers are up to the challenge. They are ready to teach this course.
[Allotted time was exceeded.]

Chair Bilbray-Axelrod:

Are there any other callers who wish to give public comment? [There was no one.] This meeting is adjourned [at 7:06 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 a proposed conceptual amendment to [Assembly Bill 56](#), presented and submitted by Kate Marshall, Lieutenant Governor.

[Exhibit D](#) is a letter dated April 8, 2021, submitted by Dillon Hosier, Chairman and CEO, Israeli-American Civic Action Network, in support of [Assembly Bill 56](#).

[Exhibit E](#) is a letter dated April 8, 2021, submitted by Chris Daly, Deputy Executive Director, Government Relations, Nevada State Education Association, in support of [Assembly Bill 56](#).

[Exhibit F](#) is a proposed conceptual amendment to [Assembly Bill 371](#), presented and submitted by Assemblywoman Brittney Miller, Assembly District No. 5.

[Exhibit G](#) is a proposed amendment to [Assembly Bill 371](#), presented and submitted by Assemblywoman Brittney Miller, Assembly District No. 5.

[Exhibit H](#) is a proposed amendment to [Assembly Bill 371](#), presented and submitted by Assemblywoman Brittany Miller, Assembly District No. 5.

[Exhibit I](#) is a copy of an email dated April 8, 2021, presented and submitted by Lorenzita Santos, Outreach Coordinator, One APIA Nevada, in support of [Assembly Bill 371](#).

[Exhibit J](#) is a letter dated April 8, 2021, presented and submitted by Chris Daly, Deputy Executive Director, Government Relations, Nevada State Education Association, in support of [Assembly Bill 371](#).

[Exhibit K](#) is a letter dated April 8, 2021, submitted by Yvette Williams, Chair, Clark County Black Caucus, in support of [Assembly Bill 371](#).

[Exhibit L](#) is a proposed conceptual amendment to [Assembly Bill 416](#), presented and submitted by Warren Hardy, representing Council for a Better Nevada.

[Exhibit M](#) is a letter dated April 8, 2021, presented and submitted by Kent Ervin, representing Nevada Faculty Alliance, in support of [Assembly Bill 416](#).

[Exhibit N](#) is a letter submitted by Chester Burton in support of [Assembly Bill 416](#).

[Exhibit O](#) is a proposed conceptual amendment to [Assembly Bill 419](#), presented and submitted by Assemblywoman Shannon Bilbray-Axelrod, Assembly District No. 34.

[Exhibit P](#) is a letter dated April 8, 2021, presented and submitted by Chris Daly, Deputy Executive Director, Government Relations, Nevada State Education Association, in support of [Assembly Bill 419](#).

[Exhibit Q](#) is a letter dated April 5, 2021, submitted by Frank Perez, Board Member, Pinecrest Academy of Northern Nevada, in opposition to [Assembly Bill 419](#).

[Exhibit R](#) is the Work Session Document for [Assembly Bill 19](#), presented and submitted by Kristi Robusto, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit S](#) is the Work Session Document for [Assembly Bill 231](#), presented and submitted by Kristi Robusto, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit T](#) is the Work Session Document for [Assembly Bill 224](#), presented and submitted by Kristi Robusto, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit U](#) is the Work Session Document Addendum for [Assembly Bill 224](#), presented and submitted by Kristi Robusto, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit V](#) is the Work Session Document for [Assembly Bill 235](#), presented and submitted by Kristi Robusto, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit W](#) is the Work Session Document for [Assembly Bill 266](#), presented and submitted by Kristi Robusto, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit X](#) is the Work Session Document for [Assembly Bill 319](#), presented and submitted by Kristi Robusto, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit Y](#) is the Work Session Document for [Assembly Bill 384](#), presented and submitted by Kristi Robusto, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit Z](#) is the Work Session Document for [Assembly Bill 415](#), presented and submitted by Kristi Robusto, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit AA](#) is the Work Session Document for [Assembly Bill 418](#), presented and submitted by Kristi Robusto, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.