

**MINUTES OF THE
SENATE COMMITTEE ON EDUCATION**

**Eighty-first Session
April 26, 2021**

The Senate Committee on Education was called to order by Chair Moises Denis at 1:08 p.m. on Monday, April 26, 2021, Online and in Room 2134 of the Legislative Building, Carson City, Nevada. [Exhibit A](#) is the Agenda. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Senator Moises Denis, Chair
Senator Marilyn Dondero Loop, Vice Chair
Senator Roberta Lange
Senator Fabian Donate
Senator Joseph P. Hardy
Senator Scott Hammond
Senator Carrie A. Buck

GUEST LEGISLATORS PRESENT:

Assemblywoman Susie Martinez, Assembly District No. 12

STAFF MEMBERS PRESENT:

Jen Sturm, Policy Analyst
Asher Killian, Counsel
Ian Gahner, Committee Secretary

OTHERS PRESENT:

Felicia Gonzales, Deputy Superintendent for Educator Effectiveness and Family Engagement, Department of Education
Mary Pierczynski, Nevada Association of School Superintendents
Erica Valdriz, Vegas Chamber
Brenda Pearson, Ph.D., Clark County Education Association
Jhone Ebert, Superintendent of Public Instruction, Department of Education
Christy McGill, Director, Office for a Safe and Respectful Learning Environment, Department of Education

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Chris Daly, Nevada State Education Association
Paige Barnes, Nevada Association of School Boards
Andrew Graf, Counsel, SMART Western States Council
Christopher Ruch, Director of Training, National Energy Management Institute
Alfonso Lopez, SMART Local 88
Jamie Tadrzynski, Nevada State Education Association
Leonardo Benavides, Clark County School District
William Pregman, Battle Born Progress
Rob Benner, Building and Construction Trades Council of Northern Nevada
Rusty McAllister, Executive Secretary-Treasurer, Nevada State AFL-CIO
Marie Neisess, President, Clark County Education Association

CHAIR DENIS:

I will open the hearing on Assembly Bill (A.B.) 38.

ASSEMBLY BILL 38 (1st Reprint): Revises provisions relating to career and technical education and work-based learning. (BDR 34-302)

FELICIA GONZALES (Deputy Superintendent for Educator Effectiveness and Family Engagement, Department of Education):

The bill was prefiled by Governor Steve Sisolak on behalf of the Department of Education (NDE), but this bill was truly filed on behalf of our career and technical partners, especially those in rural districts. Their work demands our students graduate ready to live and work in the communities they grow up in.

Section 1, subsection 1, paragraph (a), subparagraphs (1) through (10) allow a superintendent or designee to appoint an advisory technical skills committee consisting of: representatives of businesses and industries in the community or region; employees of the school district who possess knowledge and experience in career and technical education; pupils enrolled in programs of career and technical education in the school district; parents and legal guardians of pupils enrolled in programs of career and technical education in the school district; representatives of postsecondary educational institutions that provide career and technical education; members of the Governor's Workforce Investment Board described in *Nevada Revised Statutes* (NRS) 232.935 or local entities for the development of the workforce; representatives of special populations; representatives of regional or local agencies serving out-of-school youth, homeless children and youth, and youth who are at risk; representatives of

Indian tribes and tribal organizations, where applicable; and other interested stakeholders, as prescribed by regulation of the State Board.

The superintendent or designee may consult regularly with those listed for eligibility to the advisory committee to carry out the duties of an advisory technical skills committee.

Section 1, subsection 2, paragraphs (a) through (e) define the duties of the advisory technical skills committee as follows: provide input on updates to the comprehensive needs assessment; review the instructional supplies, equipment and operation to determine its effectiveness in preparing pupils to enter the workforce, apprenticeships or college and meet the needs of businesses and industries in the region; advise the school district regarding credentials that are valuable; provide technical assistance to meet the career and technical education standards as prescribed by the State Board; and develop work-based learning experiences.

In keeping with the NDE's legislative priority of alignment, the meetings of the advisory technical skills committee are not subject to NRS 241.

Section 2, subsection 1, paragraphs (a) through (e) allow for pupils to apply credits toward high school graduation if the pupil successfully completes the number of hours in a work-based learning program required by NDE regulation. Section 2, subsection 2, paragraph (e) includes an on-site evaluation of a pupil's performance in a work-based learning program. Section 2, subsection 3, paragraphs (a) through (b) require school district board of trustees or governing bodies to designate a work-based learning coordinator to ensure that each business, agency or organization that will offer employment and supervision of a pupil, as part of a work-based learning program, is suitable for participation. They must also establish and maintain a list of organizations suitable for work-based learning.

Section 2, subsection 4, paragraphs (a) through (c) require work-based learning program approval from the NDE to include a detailed training agreement and plan to be completed for each pupil participating for credit. Assembly Bill 38 removes the three criteria of required hours a pupil must complete to qualify for credit and complete an assessment prescribed by the State Board related to a chosen career pathway or participation leading to a high school diploma. These

changes are made in alignment to the federal Perkins Act and create clarity for our school districts.

Section 2, subsection 6, paragraphs (a) through (b) include updated reporting requirements to include the number of pupils participating in the types of work-based learning offered. The reprinted bill includes an amendment from the Clark County Black Caucus in section 2, subsection 7, paragraphs (a) through (d). This subsection requires reported student data is disaggregated by race, ethnicity and special populations.

SENATOR HAMMOND:

One of the biggest problems we have is getting younger kids into these programs. When you mentioned the clarity in this bill, does it give clarity as to how old a student can be to participate in these programs? Are there restrictions?

Ms. GONZALEZ:

This clarity is provided to all the work-based learning coordinators across the State. Assembly Bill 38 does remove the requirement a student has to be enrolled in a career or technical education program and must complete an assessment to participate. There are many work-based learning types of activities for kids of various ages. What does remain is that sometimes age is restricted by the employers for certain activities.

SENATOR HARDY:

Section 2, subsection 7 states "must be disaggregated on the basis of the following characteristics." Does disaggregated mean it is individualized or should it read "must be aggregated on the basis of the following"?

Ms. GONZALEZ:

The data will be disaggregated. The school districts break down their participation by each of the groups outlined in this subsection.

SENATOR HARDY:

Is the purpose to not have the ability to tell who is who but look at the aggregated data?

MS. GONZALEZ:

The purpose is to break down the data so we have a better understanding of where we are as far as the students who are participating in each subgroup. The concern historically is there are subgroups, and we as a State need to improve in some areas. We need to improve our participation rates in each of these subgroups. That is why we are breaking down these data so we can work individually with school districts.

SENATOR BUCK:

How will you incentivize businesses to partner with schools?

MS. GONZALEZ:

The incentivizing of industry partners is not built into A.B. 38. This bill streamlines how districts can interact with businesses and industries, and better meet their needs on when and how they can meet. It allows for greater flexibility so it is not locked into one specific meeting. The districts do have guidance for identifying and working with businesses to increase work-based learning.

MARY PIERCZYNSKI (Nevada Association of School Superintendents):

We support A.B. 38. We have been supportive of career and technical education throughout our State for many years. We appreciate those people in business and industry who helped us bring opportunities to students. This bill is good. The expansion of additional people in the advisory committee is a good move.

ERICA VALDRIZ (Vegas Chamber):

We support A.B. 38. We fully recognize the advantages and positive investments of career and technical education. The availability of this program and the guidance of the advisory technical skills committee can play a massive role in students' understanding of who they are and where they want to go in life. Technical education contributes a major share to the overall education system and plays an important role in the social and economic development of our city. In this era of unemployment, technical education can ensure a job and a source of income. The Chamber is supportive of the proposed changes in section 1 relating to the composition of the advisory committee to be more inclusive and the proposed requirements of section 2 for schools that offer work-based learning programs.

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BRENDA PEARSON, PH.D. (Clark County Education Association):
I present neutral testimony ([Exhibit B](#)) for A.B. 38.

CHAIR DENIS:

I will close the hearing on A.B. 38 and open the hearing on A.B. 67.

ASSEMBLY BILL 67 (1st Reprint): Revises provisions relating to education.
(BDR 34-293)

JHONE EBERT (Superintendent of Public Instruction, Department of Education):
In 2019, A.B. No. 168 of the 80th Session charted an ambitious vision for restorative practices in Nevada. This vision aligns with the NDE's values of equity, access to quality and inclusivity. We are proud to continue to lead this work in our State. In all of my years in education, this bill was one of the hardest bills to implement. Since its inception, we have been working across the State with our constituents to make sure A.B. 67 is the best it can be.

There are a number of proposed changes in A.B. 67. We created definitions for suspension, expulsion and permanent expulsion in sections 12, 13 and 15, respectively. These make conforming changes to disaggregated data by suspension, expulsion and permanent expulsion in sections 1 through 3. Section 15 also removes a gap in the definitions listed, and this updates State policy and compliance with the federal Individuals with Disabilities Education Act.

The proposed changes create unique discipline policies for pupils with disabilities in charter school applications per section 4 and conforming changes for charter schools and schools for profoundly gifted students in sections 5 through 8. Section 9 makes conforming changes to eligibility for independent study. Overall, A.B. 67 clarifies that a designee of a school board can be used in place of the school board in all instances of student-level discipline. Such hearings and proceedings are to be closed to the public, which is in the best interest of the student. This change is consistent with existing laws associated with hearings in a school district, which is found in section 23.

Assembly Bill 67 creates consistency for references to a student with a disability in section 4, section 22 and section 23. Section 22 clarifies that only suspensions of five or more days can be used to determine whether a student has a record of habitual disciplinary problems. Section 23 provides language

related to the age of a student and clarifies that a student removed for more than one semester must seek educational services.

The amendments adopted on April 15, included in the bill before you, ensure conforming language throughout the bill so that proceedings, like hearings, would be closed to the public and that a school board may appoint a designee. These edits create consistency with all of the revisions in the original draft of A.B. 67 that permit boards of trustees to authorize designees.

Section 24 relates to a student's age. This section responds to stakeholder requests for clarity regarding permanent expulsion of students younger than 11 years of age only in extraordinary circumstances.

SENATOR DONDERO LOOP:

Can you give us information on how many kids we permanently expel in a normal school year? Are they typically high school kids or across the board?

CHRISTY MCGILL (Director, Office for a Safe and Respectful Learning Environment, Department of Education):

We can get you the exact numbers. Permanent expulsion is rare. If students are permanently expelled, we want to ensure we are reporting that. There was confusion around the definition of expel and permanent expulsion.

SENATOR DONATE:

If you have these data, can you also provide demographics as to who the students are? That would be helpful.

SENATOR LANGE:

When someone is permanently expelled, is that student expelled from the school district or that school? Is there communication between the schools, both charter and public?

MS. EBERT:

When a student is permanently expelled from a school, he or she attends either a private school or is homeschooled. We are working to close the communication gap.

SENATOR LANGE:

Is distance education an option for these kids who are suspended or permanently expelled?

MS. EBERT:

If a student is suspended, a packet is always sent home with that student, whether paper or digital, to ensure continuation of learning. When a student is suspended, the individual stays within that specific school setting. When a student is expelled for more than a semester, he or she can use distance learning. For permanently expelled students, you have the private school or homeschool option. Other entities do provide learning at a distance from a national and global level.

CHRIS DALY (Nevada State Education Association):

I present supporting testimony ([Exhibit C](#)) for A.B. 67.

MS. PIERCZYNSKI:

The definitions of expel, suspension and permanently expel are important. Allowing the boards of trustees or their designees to be involved in student-level discipline is important too. We learned a lot with A.B. No. 168 of the 80th Session. We learned we need to be careful about the effective dates we put on bills because we could have eliminated many problems had we done more training with people.

PAIGE BARNES (Nevada Association of School Boards):

We support A.B. 67.

DR. PEARSON:

I present neutral testimony ([Exhibit D](#)) on behalf of the Clark County Education Association for A.B. 67.

ASSEMBLY BILL 194 (1st Reprint): Revises provisions governing the suspension and expulsion of pupils. (BDR 34-176)

MS. EBERT:

We do have a long way to go in supporting all our educators, communities, families and children. There are millions of dollars going into these areas.

CHAIR DENIS:

I will close the hearing on A.B. 67 and open the hearing on A.B. 257.

ASSEMBLY BILL 257 (1st Reprint): Establishes provisions governing indoor air quality in public schools. (BDR 34-212)

ASSEMBLYWOMAN SUSIE MARTINEZ (Assembly District No. 12):

Assembly Bill 257 seeks to address the dangers of poor ventilation and indoor air quality in schools. Even before the pandemic, numerous studies have shown that poor indoor air quality in our schools is putting the health and safety of our students and teachers at risk and impacting student attendance and performance. Studies show that student performance metrics can increase by as much as 15 percent simply by ensuring that classrooms are adequately ventilated.

Covid-19 has heightened these concerns since studies show that it can be transmitted through the air. The Centers for Disease Control (CDC) and Prevention expressly recommend that schools assess and improve their ventilation systems to reduce the risk of Covid-19 spread, yet Nevada has no requirements or standards for ensuring this is done or done correctly.

This legislation does three things. First, it sets forth the steps and standards for schools to assess and improve their ventilation systems when State or federal funds are allocated for improving school air quality. Second, it gives schools the flexibility to allocate available federal funds from the Coronavirus Aid, Relief, and Economic Security (CARES) Act and American Rescue Plan (ARP) Act of 2021 to undertake these steps without mandating these funds be allocated for that purpose. Third, it requires school districts to adopt an addendum to their plans for safe return to in-person instruction required pursuant to the ARP Act that will set forth the district's plan for ensuring adequate ventilation and indoor air quality in schools. This addendum will provide the basis for schools to seek additional State, federal or bond funding, if needed, to carry out this plan.

We have proposed amendments ([Exhibit E](#)) to A.B. 257 passed by the Assembly to address concerns raised by Washoe and Clark County School Districts. Assembly Bill 257, as passed out of the Assembly, created a mandatory program where schools would be required to use federal funds from the CARES Act and ARP Act to comply with the program. The proposed amendments would allow schools to choose whether to use their available

funds to improve ventilation and indoor air quality in their facilities. If a school does choose to use available funds for this purpose, then this bill sets forth the steps and actions needed to ensure proper ventilation and safe air quality in schools.

When I ran for my district, I made a promise to put education first and to be an advocate for the needs of our teachers and children. This legislation does that. The standards set forth in this bill are essential to protecting the health and safety of Nevada's children and teachers both during and after the Covid-19 pandemic.

Throughout this entire process, I, along with our stakeholders, had conversations with the Governor's Office of Energy, NDE, Nevada State Education Association, constituents and any person or organization interested in this piece of legislation. Their input and feedback have been critical toward improving this bill.

ANDREW GRAF (Counsel, SMART Western States Council):

My clients have been working for several years with national and regional research groups to help identify measures to address the pervasive problem of poor ventilation and indoor air quality in schools, even before the Covid-19 pandemic raised the importance of this issue. For the past decade, studies have found most schools contain classrooms which regularly exceed safety levels for carbon dioxide (CO₂) due to poorly functioning ventilation systems. This affects student and teacher health, attendance and students' ability to concentrate and think. High CO₂ levels reduce the brain's cognitive ability, making it harder for students to perform on tests. With Covid-19, there is the added concern of increasing the risk of virus spread.

Studies have also estimated over 50 percent of new HVAC systems and 85 percent of replacement HVAC systems have performance issues due to poor quality installation. This is directly tied to installers who do not have adequate training. As a result, schools often assume they have properly functioning systems but when the systems are tested with a CO₂ monitor during occupancy, we find the classrooms are not providing adequate ventilation. Maintaining proper ventilation is particularly important because school classrooms are small, enclosed areas with a high number of occupants all breathing the same air.

This is not an indictment of Nevada schools. This is a national problem. A 2020 report by the U.S. Government Accountability Office estimated that 40 percent of school districts across the Nation have HVAC systems which need repair, updating or replacement. Assembly Bill 257 gives school districts the tools and guidance needed to address this issue. This bill creates a school ventilation verification and repair program that sets forth requirements for qualified personnel to assess and perform updates to school filtration systems, ventilation rates, HVAC systems and CO2 monitors to meet or exceed minimum health and safety standards, and prepare reports documenting their findings, recommendations and compliance with the program.

When passed out of the Assembly, A.B. 257 created a mandatory program where schools would be required to use available funds to comply with A.B. 257 requirements. The proposed amendment [Exhibit E](#) changes section 6 to require schools to comply with the A.B. 257 program only if a school chooses to allocate, or is required to allocate, State or federal funds to improve ventilation or indoor air quality in its facilities. Schools would thus retain the flexibility to determine how to use available State and federal funds, such as funds from the CARES Act and ARP Act, while also ensuring that ventilation systems meet or exceed recommended health and safety standards for classrooms if the money is spent for this purpose.

Assembly Bill 257 further ensures schools will retain broad flexibility on how they prioritize expenditures by setting a \$200,000 cap on ventilation system repairs, even when this program is invoked. Schools may choose to exceed the cap as needed, but the bill ensures schools will retain flexibility on how they prioritize any additional expenditures.

The second amendment in [Exhibit E](#) fixes a requirement of section 13.5 that stakeholders have correctly pointed out was confusing. The provision requires a school district plan for the safe return to in-person instruction in continuity of services which is a report already required under the ARP Act. That provision does not make sense unless schools are required to complete the program. It creates conflict with schools that do not have the funds available to complete the A.B. 257 program before the deadline for preparing the plan.

Section 13.5 is amended by requiring each school district adopt an independent addendum to their safe return to in-person instruction plan. That change would set forth the district's plan for ensuring adequate ventilation and filtration in

their schools. The addendum can be prepared either concurrently or after preparation of the plan required by the ARP Act. Compliance with this requirement is not a prerequisite for return to in-person instruction, and the provision does not create a new mandate to comply with the plan. Rather, it provides a roadmap for schools to ensure adequate ventilation and indoor air quality in their facilities and can be used as the basis for seeking additional State or federal funds, or supportive bond measures to carry out their plan.

SENATOR LANGE:

This is a complex bill. When section 6 states "to the extent that money is available," what troubles me is if air quality is bad in a building, why would we allow staff and children in that classroom in the first place? To me, the term "to the extent money is available" is the wrong word to use. We need to get this issue fixed. I am not sure if insurance covers fixing this.

I am concerned about portable schools. Portables have terrible ventilation. We have grown at such a rapid rate, and if you drive around in Clark County you see them everywhere. During a hot day or when the air conditioning (AC) has gone out, it is a horrific situation for staff and children to be in.

MR. GRAF:

Section 6 has proposed amendments listed in [Exhibit E](#). Those amendments state:

Money shall be considered available where a school, board of trustees of a school district or governing body of a charter school receives or accepts state or federal funds and allocates, or is required to allocate, those funds to improve ventilation or indoor air quality in schools.

If schools do choose to improve their ventilation, then they need to follow the requirements of the program in [A.B. 257](#). These requirements are two part. It requires an assessment of their filtration, ventilation, HVAC systems and CO2 monitors. Second, it requires a report to be prepared to say what steps need to be done to cure those problems.

SENATOR LANGE:

My problem is even though it says "to the extent money is available" and you have the amended language, it still appears to be a choice. This is a choice if

the school board decides it is important. I am a member of the public too, and it is important we fix the schools and get them up to the standard where it is healthy for the students and staff. The language should be strengthened.

MR. GRAF:
We agree.

SENATOR BUCK:
This bill seems prescriptive. It is common sense for district leaders to monitor classroom air quality. Does A.B. 257 prioritize the use of funds from the CARES Act for this HVAC report over supplemental education spending?

MR. GRAF:
Assembly Bill 257 allows school districts to choose whether or not to use those funds for this purpose. If they do choose, they need to follow the holistic program of A.B. 257 requirements.

SENATOR HAMMOND:
I agree with Senator Buck when she states A.B. 257 is too prescriptive. The requirements of this bill go above and beyond the CDC recommendations. It takes the flexibility away from the schools and school districts to decide where to put the money. What is wrong with looking at the CDC requirements and allowing the flexibility of school districts to accomplish them?

MR. GRAF:
The guidelines in A.B. 257 are consistent with CDC guidelines as of today.

CHAIR DENIS:
To be clear, the amendment proposed is taking away a mandate for the school districts to do this?

MR. GRAF:
Yes, that is correct.

CHAIR DENIS:
Would the only requirement be if they are getting specific money for air quality?

MR. GRAF:

Yes. It leaves the door open, so if the State or any future federal bills require schools to implement indoor air funds for indoor quality or ventilation systems, they have to comply with A.B. 257 requirements.

CHAIR DENIS:

Assembly Bill 257 also provides the schools can choose to do this?

MR. GRAF:

Yes, that is correct.

SENATOR BUCK:

Have you been working in collaboration with Nevada school districts to find out if there are HVAC reports conducted right now?

MR. GRAF:

Some have, but most have not. That is what this program would do. It would have schools create these reports to understand their needs in terms of improving ventilation systems and have guidance provided on what needs to be done.

SENATOR HARDY:

Are these funds only to be used for air quality, or do these funds that come to the school district allow an option to be used for other things?

MR. GRAF:

School districts have access to much of the federal stimulus funding that has come out through the CARES Act, the Coronavirus Response and Relief Supplemental Appropriations Act and the ARP Act. These funds specify that school districts have a broad array of uses for them, including improving indoor air quality. They do have access to use those funds, but they are not required to use those funds for the program in A.B. 257. However, if they chose to, they would need to comply with the terms of the program. Whether they be used for this purpose or required to be, any future federal funds would also need to comply with the terms of this program.

SENATOR DONDERO LOOP:

Have you worked with the districts in Nevada specifically? Not just the large ones, but have you worked with the smaller districts as well?

MR. GRAF:

Yes, we have been working with the school districts on A.B. 257 to engage with them on what the bill requires, how they can meet the requirements and to what extent they can use their funding for implementing the prescriptive requirements of A.B. 257 to get improved air quality in their classrooms.

SENATOR LANGE:

When the school districts create these reports, will they be made public? Will they be presented to the school board? How will you find out what is happening in our schools?

MR. GRAF:

Once the school districts have done the assessment and a verification report saying what improvements are necessary, they will have a report given to the Office of Energy which will be public and available. In addition, the districts will be required to make publicly available their addendum to the safe return plan required as part of receiving federal funding.

SENATOR LANGE:

I want to go back to the portable issue. We talk about school buildings, but the portables are separate. Are the portables included in these tests?

MR. GRAF:

Portables are not included in this bill. Assembly Bill 257 requires they verify their HVAC and ventilation systems, filtration rates and CO2 monitors, and then upgrade those systems. It is highlighting what needs to be done in terms of improving the HVAC, so they do not need to rely on the portable systems for ventilation in their schools.

SENATOR LANGE:

You might have misunderstood what I was asking. I was referring to the portable buildings away from the school buildings. I want to make sure they are included in the testing.

MR. GRAF:

Yes, they will be included in the testing.

SENATOR HARDY:

There is a phenomenon called "sick building syndrome." Have any studies been done on how many "fortress schools"—no windows, no doors, not open to the outside—we have in an area, or are we flying blind? Do we have experience with newer schools built in the last five years that have already taken these ventilation issues into account? Overall, what experience do we have in identifying issues in schools according to their age?

MR. GRAF:

That is one of the major things A.B. 257 seeks to address. We do not have a lot of the information we need to have an understanding of the status of various schools. By requiring these assessments, we will have a better understanding of what needs to be done throughout the school districts, how to improve them and do the actual work.

SENATOR HARDY:

We have newer schools with criteria I hope would include proper ventilation. Do we not include consideration of ventilation in the planning of newer schools? I would be surprised if we do not have this consideration included.

CHRISTOPHER RUCH (Director of Training, National Energy Management Institute):

If you are looking at classrooms which were recently built, I would look to the 2019 study done by Lawrence Berkeley National Laboratory and the University of California, Davis. They found that only 15 percent of schools with brand-new units were meeting the adequate minimum ventilation rate. To your question, yes, there is clarification in the *Uniform Mechanical Code* of how you set up a system. That study found the reasons these new units failed was either the technicians installing them were not properly trained, or more commonly, the units were not properly maintained.

In regard to your question about different types of buildings, we find in various studies on this subject that 50 percent of buildings did not have adequate ventilation, regardless of whether the buildings were new or old. Lastly, you brought up "sick building syndrome." What you find when you look into indoor air quality is 80 percent of indoor air quality issues are addressed by having the minimum adequate ventilation rate. The other 20 percent is severely reduced. Overall, the point is we do see a widespread ventilation problem, and we do know ventilation has a significant positive impact if it is set to even the minimum acceptable amount.

SENATOR DONATE:

I went to old and new schools which had broken AC units. We have not even talked about school buses yet, which is a bigger problem. Can you walk me through the processes to notify parents or community members if an AC unit is not working or if we find out the indoor air quality is not safe? Has that aspect been addressed?

MR. RUCH:

The benefit of doing a ventilation assessment is you understand you have those problems. One of the problems you have with airflow is many times you do not realize it. The 2019 study I mentioned before asked teachers if they thought the air was fine. Of those teachers, 60 percent thought the air was fine even though they were in poorly ventilated classrooms. The first step is recognizing you have the problem. Then once you identify the problem, it is figuring out how to go about solving the issue.

MR. GRAF:

Assembly Bill 257 has prescriptive requirements to test and adjust as necessary. If the ventilation, filtration or CO2 monitors do not meet the minimum standards set forth in the bill, those findings will be documented, and the school district will need to implement those repairs up to \$200,000. They can choose to go above that amount if they desire.

SENATOR DONATE:

From what I read in A.B. 257, there is no clarification as to the timeline on how these actions need to be delivered and communicated to the public. It just says it can be up to \$200,000 but does not go beyond that.

MR. GRAF:

Correct. You would get two reports, and that is where you would see the results. First would be the assessment report prepared by the qualified adjusting or testing personnel to evaluate if additional repairs or adjustments will be necessary. Second, a conclusion report would occur, which would verify what has been done and what steps would need to be taken for further compliance with A.B. 257.

ALFONSO LOPEZ (SMART Local 88):

We support A.B. 257. During this pandemic, it is more important that clean air in public buildings, especially in our schools, is there to protect our children and

teachers. I encourage this Committee to support A.B. 257 with the conceptual amendment presented today.

MR. DALY:

The Nevada State Education Association has supporting testimony ([Exhibit F](#)) for A.B. 257. To add to this testimony, it is a difficult position to talk about the needs of school facilities and the needs to have safe and clean air for those in school facilities to breathe. We need both.

JAMIE TADRZYNSKI (Nevada State Education Association):

After hearing the conversation on A.B. 257, it is important for you to hear from a teacher who is actively in these buildings and what it is like. I started out in a portable in Clark County, and the roof was filled with mold to the extent that one day during class, one of the ceiling tiles collapsed and hit a student. The solution for fixing it was to duct tape a trash bag over the hole. They told me it did not rain often in Las Vegas, so it should not be a problem. However, the mold had come from a faulty AC which had caused the moisture that led to the mold.

After I moved into a building at another school, we have had frequent outages of our AC units. Until October, it can get up to 115 degrees. When you are inside with a class of 45 high schoolers, that temperature continues to increase. This important piece of legislation should be passed for students and our staff members who are in these schools with ineffective air quality.

I have colleagues and students who suffer from asthma and other breathing ailments. It does truly impact the quality of their lives and causes chronic absenteeism in both staff and students. I see this as not only an educational issue but a public health concern. Covid-19 will likely be around for a while. It is important we take into consideration this is more than just a school issue; it is a societal issue.

LEONARDO BENAVIDES (Clark County School District):

We support A.B. 257. At school districts, the quality of air is a priority to us more than ever after everything the world has been through this past year. We are glad through cooperative dialogue, we can make the language in A.B. 257 permissive through the proposed amendment to ensure use of federal funds remains discretionary for districts to address the needs of our students and staff.

WILLIAM PREGMAN (Battle Born Progress):

We support A.B. 257. Nevada students deserve healthy air to breathe in schools. With the spread of Covid-19, our society has learned the necessity for good ventilation and air filtration to slow the spread. For students who already struggle with respiratory illness, such as asthma, A.B. 257 is a step toward alleviating the impacts of such a condition. This bill also has the potential to help our educators and support staff stay safe.

ROB BENNER (Building and Construction Trades Council of Northern Nevada):

Carbon dioxide levels in the classroom have direct effects on the health, attendance rate and learning abilities of our students. Along with the risk of Covid-19, the need for better air quality standards is critical. We strongly support A.B. 257. Passage of this bill would dramatically improve the health and success of Nevada's teachers and students.

RUSTY MCALLISTER (Executive Secretary-Treasurer, Nevada State AFL-CIO):

We support A.B. 257. This is a good use of dollars. We believe it helps ensure the safety of our students and of our educators.

MARIE NEISESS (President, Clark County Education Association):

We support A.B. 257. We appreciate the intent of this bill. However, we are concerned the cost of the functional ventilation systems will come out of the classroom. The Clark County Education Association feels the proposed amendment addresses our concern by eliminating the mandate for using federal funds for the prescribed HVAC reports but instead requires the school that chooses to allocate federal funds for air quality to follow the process in A.B. 257.

Clark County Education Association educators care about clean air quality in our classrooms. They care so much that we included air quality in our memorandum of agreement for the return to in-person learning. When our educators determined the school district did not meet the standards of the agreement, they voiced their concerns with school board trustees. Additionally, the Clark County School District hybrid implementation guide includes HVAC strategies to reduce the risk of Covid-19 transmission.

However, even with Clark County School District being halfway through its independent HVAC evaluation, the infrastructure money is scarce. The Clark County Education Association cares about air quality. To address air quality in

education, we must fund our schools optimally. As such, we urge you to find revenue to fund S.B. No. 543 of the 80th Session optimally and find a source of funding for this bill separate from designated school and emergency Covid-19 relief funds to ensure we put the health and safety of our students and educators first.

SENATOR HARDY:

We heard allusions made to studies and papers on this issue. It would be great to have that information so we can see it.

CHAIR DENIS:

Yes, we did have testimony that referenced studies and papers. If that information could be submitted to the members, it would be appreciated. I will close the hearing on A.B. 257 and open the Committee to public comment.

MR. DALY:

Today is our educator lobby day. It is also our Red for Revenue rally. Today, 37 educators have masked up and are meeting with their Legislators discussing how education funding and the new funding plan will impact them and the students they service.

In the rankings of the states released by the National Education Association just this week, Nevada continues to rank forty-eighth in per student funding. We also have the largest class sizes in the Nation. At 5:00 p.m., hundreds of educators will be joining us downstairs from across the State and converging here in the State's capital under the banner of Red for Revenue. We will call for Nevada to reach the national average in per student funding by the year 2030. To make it there, Legislators need to take bold action. Potential revenue in front of you in this Legislative Session, like Assembly Joint Resolution (A.J.R.) 1, would increase the mining tax and deliver up to \$485 million per year to the State.

ASSEMBLY JOINT RESOLUTION 1 (1st Reprint): Proposes to amend the Nevada Constitution to add and revise terms relating to persons with certain conditions for whose benefit certain public institutions are supported by the State. (BDR C-477)

Those funds could be used to lift up Nevada schools and public education. We invite you Senators to join us downstairs. We invite you to take the pledge and

continue to work with us and other education stakeholders to address one of the most pressing issues facing Nevada.

Ms. TADRZYNSKI:

I am here today to ask you to invest in Nevada and our children by passing A.J.R. 1 and Senate Bill 346.

SENATE BILL 346 (1st Reprint): Imposes a tax on the retail sale of certain digital products. (BDR 32-9)

These bills will generate a significant amount of money for Nevada.

By nature, I am a storyteller, and I tell stories through my students. Nevada is in a crisis when it comes to education. When I started this school year, I had 3 classes that had 60 students. That is unattainable for me as a teacher. That is not fair to me as an educator, and it is not fair to the students. They do not get the time and attention they deserve. I am not at my best when I have that many students; I have a total of 243 students this year.

Other than class sizes and textbooks still in our District which talk about Bill Clinton as an up-and-coming politician, we lack a lot of the support professionals that increasing revenue will provide for the District. We do not have nearly enough counselors, social workers and school psychologists. When there is a tragedy, there is not enough time or resources to adequately address this issue.

Unfortunately, where I work in North Las Vegas, we are not new to violence impacting our students and community. In the six years I have been in the Clark County School District, I have lost four students to violence, and I have lost two more as the perpetrators of violence to the prison system. If we invested more money into our schools, we could invest more into the mental health for our students—not only for those who have been victimized but for those who are left behind.

When we had a student shot on our campus after school a couple years ago, the District sent us counselors for one day. That was not enough. Our kids and staff were hurting. It is hard to work in an environment where your kids are hurting and you do not have the resources, and your staff is hurting and expected to take up the mantle of helping kids when there is no help for us.

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My kids deserve much more than what we are offering them right now. I have seen many kids with the potential, but that fire begins to die in their eyes because many other things are impacting them. I truly believe that increasing this revenue and funneling more money into the schools will help reduce the school-to-prison pipeline, will help reduce the amount of dropouts we have and will bring back classes that have been cut.

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CHAIR DENIS:

Seeing no further public comment, the meeting is adjourned at 2:48 p.m.

RESPECTFULLY SUBMITTED:

Ian Gahner,
Committee Secretary

APPROVED BY:

Senator Moises Denis, Chair

DATE: _____

EXHIBIT SUMMARY				
Bill	Exhibit Letter	Begins on Page	Witness / Entity	Description
	A	1		Agenda
A.B. 38	B	1	Brenda Pearson / Clark County Education Association	Neutral Testimony
A.B. 67	C	1	Chris Daly / Nevada State Education Association	Support Testimony
A.B. 67	D	1	Brenda Pearson / Clark County Education Association	Neutral Testimony
A.B. 257	E	1	Assemblywoman Susie Martinez	Proposed Amendment
A.B. 257	E	1	Andrew Graf / SMART Western States Council	Proposed Amendment
A.B. 257	F	1	Chris Daly / Nevada State Education Association	Support Testimony