

**MINUTES OF THE
SENATE COMMITTEE ON EDUCATION**

**Eighty-first Session
May 3, 2021**

The Senate Committee on Education was called to order by Chair Moises Denis at 1:05 p.m. on Monday, May 3, 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 Natha C. Anderson, Assembly District No. 30
Assemblywoman Teresa Benitez-Thompson, Assembly District No. 27
Assemblyman Tom Roberts, Assembly District No. 13
Assemblywoman Jill Tolles, Assembly District No. 25

STAFF MEMBERS PRESENT:

Jen Sturm, Policy Analyst
Asher Killian, Counsel
Nathan Noble, Intern to Assemblywoman Anderson
Ian Gahner, Committee Secretary

OTHERS PRESENT:

Kent M. Ervin, Ph.D., Nevada Faculty Alliance
Donna Rainone
Brittany Sheehan
Erin Phillips, President, Power2Parent

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Mia Albright
David Brancamp, Department of Education
Chris Daly, Nevada State Education Association
Lindsay Anderson, Washoe County School District
Erica Mosca, Founder and Executive Director, Leaders in Training
Amber Falgout, Northern Nevada Manager, Battle Born Progress
Chris Davin, Executive Director, Henderson Equality Center; Executive Director,
Equality Nevada
Rico Ocampo, Anytown Las Vegas; Advisor, Youth Power Project
Karla Ramirez, Planned Parenthood Votes Nevada
Alida Benson, Nevada Republican Party
Bob Russo
Debra Songer
Felicia Gonzalez, Deputy Superintendent, Department of Education
Alexander Marks, Nevada State Education Association

CHAIR DENIS:

I will open the hearing on Assembly Bill (A.B.) 362.

ASSEMBLY BILL 362: Revises provisions relating to the Nevada Higher Education Prepaid Tuition Trust Fund. (BDR 31-980)

ASSEMBLYWOMAN TERESA BENITEZ-THOMPSON (Assembly District No. 27):

Assembly Bill 362 has four sections, two of which are the most substantive. This bill discusses the prepaid tuition policy plan housed within the State Treasurer's Office. This plan has been around for some time. These are not General Fund dollars; these are dollars in which a policyholder decides to open up a prepaid tuition plan, and then you decide one of the three ways to fund your child's future college. You either make a one-time payment on the plan or make a series of installment payments. Once you enroll into the prepaid tuition plan, your cost at a Nevada System of Higher Education institution is frozen at that time. This protects you against the increased future cost by buying the child's education now.

This plan has been working wonderfully; my argument today is the plan has been working so wonderfully that we need to consider a couple of different changes for the Board of Trustees. The first change is in section 1, subsection 1, which states:

The Board shall adopt and, as necessary, revise a policy for the use of any money in the Trust Fund that is in excess of the amount of money determined by the Board to be required to establish a guaranteed rate for tuition under a prepaid tuition contract.

Section 3 states that people who invest in the program can pay for not only the cost of the per credit hour but they can pay for other qualified health education expenses as defined by 26 USC section 529. Section 3 says if you buy the prepaid tuition plan, you can also pay for fees that our U.S. Code allows us to do. This is similar to the 529 plan. The 529 plans can pay for additional college expenses, but those fees cannot be paid under the prepaid tuition plan without the changes suggested in A.B. 362. We are creating parity between these two programs.

This change is important because part of the promise of the prepaid tuition plan is that you pay for tuition now so when your child goes to school, you have the cost of education paid for. While that is true for student credit hours, it is not true for the fees. The cost of fees at our higher education institutions is quickly outpacing the cost of a credit hour.

Regarding section 1 and the ability for the Board to make regulations on the excess amount of money, I have brought the Nevada Prepaid Tuition Program Actuarial Validation Report ([Exhibit B](#)) from the Board. From this report, you can see a large surplus of money, and the surplus has been growing. I had conversations with the State Treasurer's Office about the ability for the Board to say "This fund is healthy, it is robust, and the Board needs to consider policies for ways to ensure those investments can revert back to the policyholders." It makes sense, like any other investment, to see if there could a rebate to the policyholders.

KENT M. ERVIN, PH.D. (Nevada Faculty Alliance):

We support A.B. 362 as a method to get available funds to the students who can use them.

CHAIR DENIS:

What was the reasoning to bring A.B. 362 forward?

ASSEMBLYWOMAN BENITEZ-THOMPSON:

We have been watching the surplus of the fund grow over the last couple years and thought about what we should do with that surplus. How can the policyholders better benefit from Board policies which would allow them to do more with these dollars? One of the biggest differences we saw between the 529 plan and the prepaid tuition plan was the 529 plans allow you to pay for other educational expenses. Assembly Bill 362 levels the playing field, especially when new policyholders are looking to purchase a program and want to know the difference between the two plans. The ability to cover fees is one of those differences. The second piece of this bill is allowing the Board to reasonably look at the surplus of funds above the obligated funds committed to keeping the program solvent, and how this program can better benefit the policyholders.

CHAIR DENIS:

Is the Treasurer aware of A.B. 362 and working with you on this bill?

ASSEMBLYWOMAN BENITEZ-THOMPSON:

Yes, we had a couple different conversations about A.B. 362. He was on the record as supportive in the Assembly. We touched base just before this hearing. We have good policy; the program tends to be conservative overall. Assembly Bill 362 gives the Board flexibility to make the program better.

CHAIR DENIS:

I will close the hearing on A.B. 362 and open the hearing on A.B. 105.

ASSEMBLY BILL 105 (1st Reprint): Revises provisions governing interscholastic activities. (BDR 34-517)

ASSEMBLYMAN TOM ROBERTS (Assembly District No. 13):

Assembly Bill 105 came about as the Clark County Commission Chair, Marilyn Kirkpatrick, reached out to me. She had parents who were upset with the lack of responsiveness to the Nevada Interscholastic Activities Association (NIAA) during the last year and Covid-19 shutting down everything.

DONNA RAINONE:

Assembly Bill 105 was created to help deal with an issue that has been magnified recently due to the pandemic. Youth sports have been at the forefront of many parents' concerns. It has been a difficult time dealing with unprecedented issues, and the NIAA had a monumental task addressing these.

It became apparent during the pandemic that parents of student athletes and athletes themselves did not feel they were being heard. As a way to open communication between these groups, the idea of A.B. 105 came about.

The requested parent positions can increase transparency by helping to communicate any ideas and issues to any NIAA board formed and back to the constituency to help them better understand how the NIAA makes its decisions. Their perspective as parents can be helpful by widening the scope of discussions and therefore helping the NIAA board make the best decisions for the student athletes.

Assembly Bill 105 requests the addition of student athlete positions to NIAA boards. Our State is filled with phenomenal young people who want to make a difference. Adding the positions allows the youth of Nevada to become part of the process. No one has a better perspective on what is happening and changing in youth sports. Playing sports teaches children many things, including hard work, compromise, time management and how to be part of a team. These skills will make them valuable members of NIAA advisory boards.

Assembly Bill 105 is not meant as a criticism of the NIAA but to make a good team even stronger. It has taken what we have learned, and heard, from the people of our State toward implementing change.

ASSEMBLYMAN ROBERTS:

I will go over a bit of the background of the NIAA. *Nevada Revised Statutes* (NRS) 385B.050 gives permissive language for county school districts and trustees to form a nonprofit to be known as the Nevada Interscholastic Activities Association. It allows the NIAA to control, supervise and regulate all interscholastic athletic activities, events and other interscholastic activities of all public schools and homeschooled children in our State. It also allows that private schools, charter schools and parochial schools can join the NIAA. It does not have any specifics or guidance on the makeup of the Board or any advisory boards. There is guidance in the *Nevada Administrative Code* (NAC), but NRS remains silent.

According to federal tax returns, the NIAA has about \$2 million in annual revenues. A quarter of that money is spent on salaries and other personnel-related expenses. The NIAA Board of Control is comprised of nine members—three school district trustees and six school administrators.

In section 1, subsection 2 of A.B. 105, we added three members who are parents or guardians of pupils who participate in a sanctioned sport. Of the members who are parents or guardians of pupils in a sanctioned sport, subsection 2 gives guidance on where they will be from the State. Essentially, one member will be from Clark County, one from Washoe County and one from a rural county.

Section 1, subsection 3 of A.B. 105 adds any NIAA advisory board must have three student athletes. Subsection 4 gives guidance on the length of time a pupil must be an athlete, which is one year. This is to account for if an athlete leaves, he or she will still be on the Board for a year.

SENATOR DONATE:

To confirm, there are nine board members as part of what A.B. 105 is revising, and we want to add three more parents based on their different county population?

ASSEMBLYMAN ROBERTS:

That is correct.

SENATOR DONATE:

If we add these three new board members, as it stands right now, there would be no health professional on the board?

ASSEMBLYMAN ROBERTS:

You are correct. There is no health professional on the voting board, but the NAC has advisory boards. One is specific to health and sports medicine. An advisory mechanism is in place for health in sports.

SENATOR DONDERO LOOP:

You said nine board members, but in section 1, subsection 2 says the Board must include at least three members who are parents or guardians. This change adds three more members? Subsection 3 also says you must have three members who are pupils. Does that add an additional three?

ASSEMBLYMAN ROBERTS:

You are correct. There will be three additional members to the voting board. It was supposed to be amended to two additional members on the advisory committee, but it says three pupils.

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SENATOR DONDERO LOOP:

There would be an additional six people?

ASSEMBLYMAN ROBERTS:

No. It would be three parents or guardians of students on the voting board. There would be three pupils to any advisory board.

CHAIR DENIS:

Is there more than one advisory board?

ASSEMBLYMAN ROBERTS:

That is correct. If you look at the NAC, there are a variety of administrative boards.

CHAIR DENIS:

So you could have twelve student athletes on four different boards?

ASSEMBLYMAN ROBERTS:

You could have a situation such as that, correct.

SENATOR DONDERO LOOP:

My concern is the time it must take for these members to be on the board. I am also concerned if a member does not continue in a sport due to an injury or something else. Do we have pieces in A.B. 105 to replace members in that circumstance?

ASSEMBLYMAN ROBERTS:

Section 1, subsection 4, states that members would participate for a full year. If they no longer participate in a sport or some other circumstance occurs, they would be replaced the following year.

SENATOR DONDERO LOOP:

Per your previous comment, the number of athlete members on a board should be two instead of three?

ASSEMBLYMAN ROBERTS:

Originally, we only changed the voting members from two to three. I did not catch the other change in the amendment of the number of pupils from two to three. I do not see a challenge with adding a third member to the advisory

board. The purpose of A.B. 105 is to involve student athletes in the decision-making process. It would not be much harm to add an additional athlete to the board.

CHAIR DENIS:

Do you think we need to amend A.B. 105 to reduce the number to two?

ASSEMBLYMAN ROBERTS:

If that pleases the Committee, I would support it. The bill as written still provides the intent of this legislation, which is to involve student athletes in the decision-making process for sports.

SENATOR DONDERO LOOP:

I am processing how we handle makeup of other boards. We have board members, but then we have a student or parent representative. How would A.B. 105 work out with a district like Clark County that will want more representatives? I am thinking about the equality piece of the board makeup.

ASSEMBLYMAN ROBERTS:

Proportionality for the voting members on the board is set up for larger representation from the larger counties. This issue was brought up in the first hearing by the NIAA, which is why we added an additional member from two to three.

CHAIR DENIS:

With A.B. 105, would that proportionality continue?

ASSEMBLYMAN ROBERTS:

The NAC delineates the board's makeup. That is not changed by A.B. 105.

SENATOR DONDERO LOOP:

You mentioned parents representing school districts, charter schools and homeschools. Section 1, subsection 2, paragraph (d) specifically says "each member must not be an employee of or an immediate family member of an employee of a school district." What about charter and homeschool parents?

ASSEMBLYMAN ROBERTS:

I did not put that safeguard in A.B. 105. The intent was to prevent administrators or people directly connected to the school districts from being

part of the board. The intent was to bring in community members who felt they were not being heard by the NIAA.

BRITTANY SHEEHAN:

I support A.B. 105. It is important to parents and students that they have a voice in these matters. This past year has been difficult in having them feel unrepresented and unheard. The intent of this bill is great. It is on point. I hear you going through the minutia and details of how it can work, and I hope you can come to an agreement to have this bill pass for students who need to be represented in decisions made about them.

ERIN PHILLIPS (President, Power2Parent):

Parents and their student athletes are the greatest stakeholders. The decisions made in these NIAA boards impact them the most. We support adding these persons to those boards. We have seen the breakdown in decision-making by not including parents and students throughout this past year especially. We hope you support empowering parents and student athletes, making sure that parents and student athletes are a part of these decisions.

CHAIR DENIS:

One of the things I often request is to have a parent who works for the school district. We might want that parent statement to also include parents in private schools or charter schools.

ASSEMBLYMAN ROBERTS:

When we came up with the amended draft of A.B. 105, we put in those safeguards and just neglected to include charter schools as part of that. It was not done on purpose; I would be open to making that amendment to move this bill forward.

CHAIR DENIS:

I will close the hearing on A.B. 105 and open the hearing on A.B. 261.

ASSEMBLY BILL 261 (1st Reprint): Revises provisions governing education to provide diversity and inclusivity in the academic standards and curriculum. (BDR 34-672)

ASSEMBLYWOMAN NATHA C. ANDERSON (Assembly District No. 30:

Assembly Bill 261 is inspired by two different items. The first is a philosophy I can remember learning when I went to the University of Nevada, Reno, College of Education, and it was one of the first textbooks I had the opportunity to read. I have a feeling other educators have been introduced to *Choosing and Using Books for the Classroom*, which was published in 1990. This philosophy states when enough books are available, it can act as both a mirror and window for all our children. They will see we can celebrate our differences and our similarities. Together, they are what makes us human.

As an English teacher, this is something I have always attempted to use in my classroom. I want the books we read as a whole class to be both the mirror—reflecting where my students are from—and also a window into a different culture and community for them. This belief is embraced by many, including the Department of Education (NDE) and many school districts that already use this practice with choosing textbooks and other adopted materials. It is not, however, set specifically in law. That is why I brought A.B. 261 forward.

The second inspiration is more important to me. It is coming from students. These students are individuals who have either graduated in the last year so they will never have the benefit of this bill, or they are in the process of getting ready to graduate. The two different groups I worked with were the Las Vegas Youth Power Project and the Washoe County Students for Change. Their statements are difficult to hear at times. It was hard for me to sit during our school board trustee meetings when they were bringing up things that should have been taught. It is an important element for us to remember their voice is important in the room.

MIA ALBRIGHT:

I am biracial, half White and half Hispanic. I am also the daughter of an immigrant—my mom—who along with her family fled Nicaragua and grew up in Los Angeles, California. Growing up in the Washoe County School District (WCSD) in Reno, Nevada, taught me nothing about Central America and left me with serious questions about my identity and culture.

A lack of coverage for people of color in curriculum and textbooks had me fervently wishing I was only White. All I wanted in elementary and middle school was to fit in better with my peers at predominantly White schools. Missing Latinx perspectives also had me forming flawed, racist ideas

about what an American is supposed to look like. I used to cringe when my *abuela* spoke Spanish to me at a grocery store, ashamed and embarrassed of my own family. I considered myself better than other Hispanics students who struggled with speaking English because it was not their first language.

No student should feel the way I felt—ostracized and alone. No student should formulate or fall victim to those racist ideologies the way I did. Including multiple perspectives in textbooks would mitigate or even eliminate those issues that I faced. It would teach empathy and respect for others. It would create a safer, more engaging student environment for all students, whether they are Black, Indigenous, Hispanic, Asian or White. It would be a significant step in creating schools that work for and represent all of their students.

ASSEMBLYWOMAN ANDERSON:

When I initially started this discussion in August 2020, I began by looking at Oregon and Illinois which have similar legislation. I thought initially about implementing this at a certain date. However, we have to be realistic about our budget concerns and the textbook industry itself. The textbook industry is trying as hard as possible to include as many different cultures as it can. It is running behind, so we need to give it the time to catch up.

There is great research out of the University of Wisconsin-Madison where it went through every children's book published for a year and tracked the diversity in those books. From the 2018 data, the makeup of major characters in these books was 1 percent American Indian, 5 percent Latino, 7 percent Asian American and Pacific Islander (AAPI), 10 percent African American, 27 percent animals and 50 percent White. That is not a reflection of our students. It is too important for us to start teaching how each person's culture, background and *abuela* is important. Even in first and second grade, we need to get curriculum which reflects everyone and acts as a window to a different world.

The other item you will notice is information from the 2019 National Center of Education Statistics State Snapshot; only 15 percent of the students surveyed felt they were taught positive representation of LGBTQ people, their history and events. This is an important part of our history and culture. We need to be more inclusive.

I will now go over the details of A.B. 261. First, it reviews the standards of social studies, humanities and science. The humanities are both arts and English literature. That review is done through the similar process the State uses when reviewing its standards. Assembly Bill 261 is not asking for a special timeframe. This review will ensure the different communities are accurately represented and the information is age-appropriate. The word "age" is rarely used in NAC and regulations. This bill will introduce the word "age" for a reason.

A concern with the funding element of this bill has since been resolved. Clark County School District had a fiscal note attached to this bill; it has since been removed. I have been working with Mary Pierczynski, who will be working with the other school districts to continue to address the fiscal concerns.

I want to clarify A.B. 261 is not mandating a specific textbook or districtwide instructional materials to be adopted. There has been confusion about this piece. A large school district is reviewing a social studies change, and that has become braided with this bill in error.

The second item of A.B. 261 is when considering textbooks and instructional curriculum which are adopted State- or countywide, the communities must be accurately portrayed, making sure every single community is listed in every single textbook only when appropriate.

In closing, I quote from the Nevada AAPI Legislative Caucus:

The celebration of the Asian American and Pacific Islander month states through immigration and times of war, they, the AAPI community, struggle to find harmony between their own culture and building a new identity here. Their lives and journeys show all of us what it means to truly be an American.

What better way to celebrate this than in our standards for education, textbooks and instructional material we adopt.

SENATOR DONDERO LOOP:

You are looking to work with book companies. How does A.B. 261 differ from a regular book request for proposal where we have social studies and English teachers review those books and make sure they have the proper information?

ASSEMBLYWOMAN ANDERSON:

I do not know. I have worked with the NDE on A.B. 261 more than anyone else. The reason I brought this bill forward is because we are one more state to show this change is necessary. Oregon and Illinois have passed legislation similar to this, and Texas and California are in the process of reviewing something similar. If this change is in statute, then it is something for textbook companies to take seriously.

DAVID BRANCAMP (Department of Education):

For the current instructional materials that come through, we would just add this specific language to the request for information so vendors are aware of what we are looking for. From the NDE's perspective, the first piece checked is the alignment with standards, the second is equity and access.

SENATOR DONDERO LOOP:

I appreciate A.B. 261 and like it, but my concerns are we are limiting who we list as included identities. I want to ensure when teachers look for specific curriculum material, they are choosing and approving exactly what they need. Teachers should have the ultimate voice in what they use in the classroom. It is not uncommon for a book company to insert a chapter within a book for any given school district based on that purchase.

ASSEMBLYWOMAN ANDERSON:

I do not have the answer, but I do have personal experiences. For example, when you look at section 1, subsection 1, paragraph (d), we use Basque. Basque culture is not studied often, and yet how important is it we have a chapter from *Sweet Promised Land* by Robert Laxalt? When going through an English textbook adoption committee in Washoe County, that book was added to one area because we thought it was important to the curriculum in Nevada. The ability to have those conversations allows us to recognize the differences in our history, culture and literature, and work with the textbooks and standards. I agree with you it should be the educators' decision on textbooks to adopt. Assembly Bill 261 is only used when the textbook is universally adopted.

SENATOR BUCK:

Like Senator Dondero Loop, I believe in autonomy of teachers and schools, and they do have the choice to teach what they want to. I wonder about the cost of A.B. 261 to individual districts. Who decides what is age-appropriate?

ASSEMBLYWOMAN ANDERSON:

The cost would be through the same process. I am not asking for a special process. There are funding notes, and I am working with Mary Pierczynski to address them with our smaller counties. It would be a similar cost that happens when a textbook or curriculum adoption occurs. This is not a specialized cost. It would be the current process.

Regarding the age-appropriate question, that is an important area to discuss. We have a district reviewing the social studies textbook possibilities. One of those things it will review is the age-appropriateness of the textbook. That decision will be based on input from the community and NDE with pedagogical and grade ideas.

CHAIR DENIS:

Does A.B. 261 mandate school districts need to change their textbooks?

ASSEMBLYWOMAN ANDERSON:

No. Unfortunately, it has been some time since we had new textbooks adopted in some of our districts. For example, in Clark County's social studies textbook, former President Barrack Obama is listed as an up-and-coming Senator. The main reason behind no mandate is because of the budget crunch Nevada has at this time. We also have to be realistic with how much work it takes to review textbooks and instructional materials.

CHAIR DENIS:

Would A.B. 261 add additional criteria when they buy new textbooks?

ASSEMBLYWOMAN ANDERSON:

That is correct.

SENATOR DONDERO LOOP:

To add to the comment about no new textbooks in Clark County, there is a seven-year cycle on book adoptions. With the two downturns we had in the last ten years, there have been delays in adoptions. Within the seven-year cycle is a four-year catchup piece as well. For example, if you just bought a new book and it is time for a new review and purchase of another book, you have four years to move into the newly adopted book. There may be other reasons we do not have new textbooks.

MR. BRANCAMP:

The textbook adoption process you describe is correct in the sense of the cycle. However, if standards are changed due to a major revision, then that timeline is extended to allow our textbook companies to catch up. We put a list on the State Board website of the textbooks approved by NDE. As districts have the funding or the availability, they do an additional review and then make a selection from that list.

NATHAN NOBLE (Intern to Assemblywoman Anderson):

I am a proud product of the WCSD and a student at the University of Nevada, Reno. Looking back at my education, I have gained a new perspective. That education recently ended when I, like my peers, was sent into quarantine in early 2020. In quarantine, I had a lot of time to do nothing, so I binge-watched HBO's *Watchmen*.

The first scene of the show depicts the Tulsa Race Massacre. As depicted, it was brutal, horrific, and violent—and the first time I had ever heard about it. There are so many things like this event I have never been exposed to. I was never taught about Charles Hamilton Houston, Cesar Chavez, Chief Red Horse or Japanese internment camps. The point is not about any of these individual events, but together they form an incomplete view of the past.

This is not the fault of Nevada's teachers. On the contrary, my teachers were fantastic. Nonetheless, it is still a problem. It does not come from a character flaw of students, as some of the smartest and most curious of my peers were still completely blindsided by this when they became adults. This is not even a problem with what is in the textbooks. The problem is what is left out. We can do better.

That brings us to A.B. 261. Personally, I like it because of its flexibility, universal applicability and innovative solution to the problem of financing. Most of all, I like that A.B. 261 is based on the core beliefs that the diversity of our State must be reflected in the material we teach to our students, and that including a multiplicity of perspectives is essential for true learning.

To me, A.B. 261 is a no-brainer. It costs nothing, both fiscally and morally. It requires no compromise and infringes on nothing. Chiefly among its innumerable benefits, this bill would provide recognition for a new generation of Nevadans, truly allowing them to see themselves reflected in our common history. How

can we expect students to succeed and navigate the challenges of life if we do not prepare them for the diversity of our modern world? If we expect high performance, we must set high standards. A strong house must have a strong foundation. Similarly, real success must be built on real understanding. For these reasons I urge you in the strongest possible terms to support A.B. 261, not for me, or any of the people who will be graduating, but for those who come after. There is no middle ground between ignorance and truth, between knowledge and a lack thereof.

CHRIS DALY (Nevada State Education Association):
I present support testimony ([Exhibit C](#)) for A.B. 261.

LINDSAY ANDERSON (Washoe County School District):
We support A.B. 261. We recently adopted an antiracism policy, and our action steps include making sure our materials are in line with that policy. Mr. Brancamp said it the best. The most important thing in terms of adopting textbooks for our District is alignment with the standards. If there is information included in the standards, we certainly want our textbooks to reflect that. It is important to have as many textbook vendors as we can. It helps us have better options and have our committees pick the best possible option.

ERICA MOSCA (Founder and Executive Director, Leaders in Training):
I am here to share a quote from a student to make sure we have student voice on A.B. 261:

It wasn't until middle school that I personally started to think of myself differently with little to no guidance or explanation from teachers of what I may be going through. Despite what many may think of as a small change in the curriculum, the addition of our history is one that will likely improve students' well-being, not just inside the classroom but outside as well. I am a senior in high school, which means I will not be able to experience this course for myself. However, I want future generations of students to learn of their history, even if I cannot, because every student deserves the change to be acknowledged and appreciated.

AMBER FALGOUT (Northern Nevada Manager, Battle Born Progress):
I have supporting testimony ([Exhibit D](#)) for A.B. 261.

CHRIS DAVIN (Executive Director, Henderson Equality Center; Executive Director, Equality Nevada):

We support A.B. 261. We do ask that some revisions come into play. We would like to see how A.B. 261 can be combined with Senate Bill (S.B.) 194.

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

This bill goes over the civics and implementation of adding ethnic and diversity studies for the Pacific Islander, Latino and Middle-Eastern Americans; women; persons with disability; immigrants or refugees; and persons who are LGBTQ. These groups are covered in S.B. 194 under section 11 that amends NRS 389.525. This bill was introduced in March by Senator Roberta Lange.

Five states that have the revisions of this textbook implementation are California, Illinois, New Jersey, Colorado and Oregon. Nevada would be the sixth state to include these teachings in various backgrounds in the history and civics classes throughout our State. We would like to see an option of various textbooks provided to the school districts so they can choose which version best suits their school area. Only 15 percent of students in the U.S. are taught positive representation of LGBTQ people for history or events in inclusive curriculum. Our students need to be taught about these communities in history that have made something memorable, and their ancestors are recognized.

RICO OCAMPO (Executive Director, Anytown Las Vegas; Advisor, Youth Power Project):

We support A.B. 261. We have a fundamental belief that diversity should not be seen as an add-on but rather should be described as a continuum. A school curriculum that incorporates diversity enhances learning and research, and deepens in-class discussions. Schools must ensure diversity exists on every level through diverse enrollment, training and implementation of curricula that reflect the history and culture of students from all backgrounds. Equitable education reform must be invested in diversifying not only classrooms but lesson plans as well.

Stereotypes about which racial groups can and cannot succeed academically have become pervasive in American classrooms. A large, growing body of research has demonstrated how teacher expectations can reinforce the notion that White and Asian students will outperform their Black and Hispanic

counterparts. The American Psychological Association has found this kind of stereotyping can widen the achievement gap by creating a stereotype threat, a self-enforcing stigma for students who believe they are inferior in academics. This threat can raise inhibiting doubts and high-pressure anxieties according to the American Psychological Association.

Equity cannot be separated from excellence and current efforts to improve the quality of learning in schools. Beneath the surface of standard-based reforms sits the question of whether the American dream truly belongs to all students and whether American society is morally committed to an equal and diverse educational opportunity.

Like Ms. Albright, my son is biracial. Next week will be his sixth birthday. My hope is he will learn the incredible accomplishments from his American-Mexican heritage and the remarkable contributions made by other racial groups. While having conversations about fiscal notes and policies is critical with any legislation, the conversation about A.B. 261 should remain focused on how we can advance a better Nevada through diversity. As diversity grows, so must we.

KARLA RAMIREZ (Planned Parenthood Votes Nevada):

We support A.B. 261 because we understand the positive impact that a complete education can have on students as they learn about their Country and those who made it what it is today. Ensuring these students in Nevada receive a complete education and one that includes the myriad of contributions of different groups—including Black, Indigenous and People of Color; LGBTQ+ community; and women—on the history of the U.S. should be the baseline. Too often, textbooks leave out the contributions and roles of marginalized groups in history. We look forward to living in a State that instead requires a comprehensive understanding of American and world history.

MS. SHEEHAN:

Like the student who spoke earlier in the presentation, I am Hispanic Caucasian and the daughter of an immigrant. Unlike what we heard presented, my mother came from Cuba. There is an entire community of Cubans here in Las Vegas. The history and plight of Cubans and how we became Americans will not be properly taught in schools under this law because the truth of the inequities and horrible governance that brought us into this Nation is not politically popular to point out.

Instead, Cuba's excellent literacy programs are popular. There is no freedom of speech, no democratic presidential elections since the 1950s, no religious freedom, no economic rights and no eating beef. I could go on. There are six decades of Communist history the schools will not bother mentioning.

The presenter told us the communities must be accurately portrayed, and she used the phrase Latino. I am not Latino. I am Hispanic. Even the presenter seems to not know the difference between the words, which does not instill confidence. Another speaker called the student who presented biracial. Hispanic is not even a race. It is baffling this presenter used another sentence in closing about how close we are to internment camps. Is this innocent little bill we are talking about really conjuring conjecture on internment camps? This should display how political these educational standards are.

Further, the bill reads the history and contributions of these groups include LGBTQ. It says kindergarteners under the law need to learn the history and contributions of LGBTQ people. This is inappropriate. I would not talk to five-year-old kids about any sexuality or preferences, or how important a group of people with certain sexualities are. This is not okay with many parents. Assembly Bill 261 is designed to force-politicize cultural concepts onto children. We plainly do not trust you to teach our children these things. This law is not needed and not wanted.

The WCSD just said they adopted antiracism standards, so why does it need to be State law? Assembly Bill 261 does not give more tools in the toolbox; it sets standards of what materials can be used based on checking off boxes of certain kinds of people but definitely not Cubans like me. Please vote no on this politicized education bill.

ALIDA BENSON (Nevada Republican Party):

For years Nevada has hovered at the bottom of education rankings, despite spending close to the median per student. By eighth grade, only 26 percent of our students are proficient in math. Only 29 percent are proficient in reading. Only in a Democrat-controlled Legislature are those standards acceptable. Rather than address the poor allocation of funds and the lack of student choice for schools, there is a focus on revamping curriculum to quietly insert backdoor-critical race theory into our schools that our parents have rejected.

Assembly Bill 261 allows the boards of trustees to add curriculum on any other group of persons they deem appropriate. Only a third of our kids can read, write and do math at a minimum standard. Instead of increasing the accountability for teachers, the Assembly chose to pass A.B. 57, which removes any standards for student performance on teacher evaluation.

ASSEMBLY BILL 57 (1st Reprint): Temporarily suspends certain requirements relating to certain teacher and administrator evaluations. (BDR 34-434)

Our education system in Nevada is a hallmark of no accountability and low standards. Rather than add frivolous curriculum, why not focus on every student meeting grade-level expectations and learning to read? Let us stop letting teacher unions decide our policies. Engage parents, provide choice and put our kids first. Finally, we would respectfully request the members under litigation for constitutional violation of the separation of powers clause recuse themselves until the litigation is settled or they have fully resolved their violation of the Nevada Constitution. Vote no on A.B. 261.

BOB RUSSO:

I oppose A.B. 261. The beneficial contribution by various individuals to our lives—be it in sports, arts, economics, science and so on—should not be recognized based on one's gender, sexual orientation, race, nationality or religion. It should be based solely on a person's individual accomplishments. Whether that person happens to be Italian, African American, Native American, gay, heterosexual, Christian or Sikh should have no bearing whatsoever on recognition. What should be recognized is that individual's valuable contributions. Nationality, sexual orientation and so forth should be secondary.

Recognizing one's accomplishments in accordance with gender, race and religion is divisive. It undermines the recognition and honor a person deserves for what he or she has done. Our kids in school need to learn we are all one people under one Nation, regardless of their race, sexual orientation and religion. The divisive culture agenda that has become prevalent in our society and schools in the last decade needs to end. It is not healthy for America. Please oppose A.B. 261.

DEBRA SONGER:

There will be no more funding from taxpayers indoctrinating children by forcing education to teach opinions. The role of our government is to protect rights

from infringement. This is the opposite of what Martin Luther King, Jr. preached. We should not teach difference. The role of government is not to be a parent or teach morality to our children. The government is the most immoral and corrupt organization I can think of. I do not want the government teaching sex education and cultural equality.

Our government has a history of experimentation without informed decisions. Assembly Bill 261 is yet another experiment without informed consent. I do not consent to our children being taught these notions. If you need to distinguish history through race, color, creed and sexual orientation, that is racist. This bill is part of the agenda to strip our parents' rights, and I do not consent. Opinions need to be left at the door. Facts and truth need to be taught at schools, not ideologies and sexual preferences. Stop brainwashing our children. Please vote no on A.B. 261 and S.B. 194.

CHAIR DENIS:

As we listened to the testimony today, it reminded me of a Latino kid who did not speak English who thought that perhaps Latinos did not have any people to study in history because we did not see them. Everybody has their own opinion, but when that Latino started school and had to learn history, I later found out other people just like me had contributed. Assembly Bill 261 allows us to recognize those contributions.

Others have mentioned how they feel about this bill and that is fine, but as the son of Cuban immigrants, I think we should have the opportunity to hear about all. Someone mentioned we should not have to do that, but when I look back, somebody decided to just skip individuals who were important in our history because they felt others were more important. This bill allows us to see history the way it is, so we can have true history about what is going on.

ASSEMBLYWOMAN ANDERSON:

In closing, I would quote Cesar Chavez, "Preservation of one's own culture does not require contempt or disrespect for other cultures."

CHAIR DENIS:

I will close the hearing on A.B. 261 and open the hearing on A.B. 417.

ASSEMBLY BILL 417 (1st Reprint): Revises provisions related to school buses.
(BDR 34-531)

ASSEMBLYWOMAN JILL TOLLES (Assembly District No. 25):

Assembly Bill 417 was selected as a topic during the Legislative Committee on Education's August 2020 work session. This bill was brought forward by the NDE after working with the Department of Public Safety (DPS), district transportation directors, bus driver trainers and the Nevada Highway Patrol during their annual transportation directors meeting to compile recommendations to streamline reporting and improve the health and safety of fleets that transfer our students every day.

First, A.B. 417 amends school bus inspections from a semiannual basis to an annual basis and adds language requiring the reinspection of vehicles that receive a violation. This amendment was recommend by district transportation directors. There is no anticipated increase in cost to reinspect vehicles with a defect since school buses were already inspected on a semiannual basis.

Second, A.B. 417 amends language to correct a bus defect from 10 days to 20 calendar days as recommended by district transportation directors. Finally, the NDE and DPS recommend annual reporting to inform the health and safety of a fleet as originally accepted at the Legislative Committee on Education work session in August 2020.

SENATOR DONATE:

Do you know how often the average school bus needs repair or maintenance each academic year?

ASSEMBLYWOMAN TOLLES:

I do know we inspect buses on a semiannual basis, and we are moving it to an annual basis.

FELICIA GONZALEZ (Deputy Superintendent, Department of Education):

The amount of times a bus is serviced or put out of service varies widely. It is not a common occurrence. I cannot say it is even once a year because buses may go many years before they are put on a list to receive repairs.

SENATOR DONATE:

What are common problems we see with school buses in terms of repairs?

Ms. GONZALEZ:

That varies widely because school buses are maintained regularly so they can be kept in service. There is not one specific category a bus will be put out of service for.

SENATOR BUCK:

Is there a problem which led to this change?

Ms. GONZALEZ:

This change is a decrease in the number of inspections from two times a year to once. By doing so, this allows DPS more flexibility for any reinspections that may be needed.

SENATOR LANGE:

Do we have any electric buses in the system?

Ms. GONZALEZ:

We do not have any electric buses due to the cost.

CHAIR DENIS:

I will close the hearing on A.B. 417 and move to public comment.

ALEXANDER MARKS (Nevada State Education Association):

This week is National Teacher Appreciation Week, or as we refer it, National Educator Week. May 4 is also National Teacher Appreciation Day. This occurs during a triple threat of an economic crisis, racial and social inequities, and a global pandemic. It provides a timely opportunity to demonstrate the power and value of teachers and parents collaborating creatively for student success.

During this week, the Nevada State Education Association and our parent the National Education Association will bring to life exceptional stories of educators who have gone above and beyond the call of duty to ensure students have the tools and resources to learn, thrive and succeed. Public schools, and by extension, educators keep our communities connected and safe, serving as sites to often provide nutritious meals to students, distribute supplies and help students secure Wi-Fi hotspots to stay connected and keep families informed.

Educators time and time again have demonstrated their unparalleled commitment and creativity in providing students with continued learning

opportunities, both in-person and virtually. Even as educators are stretched thin, balancing responsibilities that include caring for their own young children or even elderly relatives while learning new teacher platforms and supporting students, many have still found the time and a multitude of ways to give back to our great community.

Ms. ANDERSON:

For a good news minute, it is exciting today as we have been talking about civics, I am happy and proud to announce that Reno High School placed third in the Nation for the We the People competition. Assemblywoman Jill Tolles has a daughter who is a member of the team. We also had Incline High School place eighth in the Nation for the same competition. I cannot say enough for the educators of those programs. It is no small time commitment. They are incredibly committed to this work. They are teaching our next leaders.

SENATOR LANGE:

I want to extend congratulations to Assemblywoman Tolles and her daughter for this accomplishment. Her daughter is leader of that team.

CHAIR DENIS:

I will close public comment and open the work session on A.B. 257.

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

JEN STURM (Policy Analyst):

The work session document ([Exhibit E](#)) has been submitted for A.B. 257. This bill was presented to the Committee by Assemblywoman Susie Martinez.

SENATOR DONDERO LOOP MOVED TO AMEND AND DO PASS AS AMENDED A.B. 257.

SENATOR DONATE SECONDED THE MOTION.

THE MOTION CARRIED. (SENATORS BUCK, HAMMOND AND HARDY VOTED NO.)

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CHAIR DENIS:

I will close the work session on A.B. 257 and open the work session on A.B. 338.

ASSEMBLY BILL 338: Revises provisions governing the investment of certain public money in foreign bonds, notes or other obligations. (BDR 31-787)

Ms. STURM:

The work session document ([Exhibit F](#)) has been submitted for A.B. 338. This bill was presented to the Committee by Assemblyman David Orentlicher.

SENATOR DONDERO LOOP MOVED TO DO PASS A.B. 338.

SENATOR DONATE SECONDED THE MOTION.

SENATOR HAMMOND:

I get what we are trying to do with A.B. 338. I know that over time you are looking at a possible increase in revenue, but my immediate worry is lowering the standard. This bill has been introduced several times in the past, and every time it has failed because of the concern you might have one or two bad years and you lose revenue. For that purpose, I will be voting no on A.B. 338.

THE MOTION CARRIED. (SENATORS BUCK, HAMMOND AND HARDY VOTED NO.)

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CHAIR DENIS:

I will close the work session on A.B. 338 and open the hearing on A.B. 420.

ASSEMBLY BILL 420 (1st Reprint): Revising provisions governing educational management organizations. (BDR 34-754)

Ms. STURM:

The work session document ([Exhibit G](#)) has been submitted for A.B. 420. This bill was sponsored by the Assembly Committee on Education.

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SENATOR DONDERO LOOP MOVED TO DO PASS A.B. 420.

SENATOR DONATE SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR DENIS:

With no further items on our agenda, the meeting is adjourned at 3:06 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. 362	B	1	Assemblywoman Teresa Benitez-Thompson	Nevada Prepaid Tuition Program Actuarial Validation Report
A.B. 261	C	1	Chris Daly / Nevada State Education Association	Support Testimony
A.B. 261	D	1	Amber Falgout / Battle Born Progress	Support Testimony
A.B. 257	E	1	Jen Sturm	Work Session Document
A.B. 338	F	1	Jen Sturm	Work Session Document
A.B. 420	G	1	Jen Sturm	Work Session Document