

**MINUTES OF THE
SENATE COMMITTEE ON EDUCATION**

**Eighty-first Session
May 10, 2021**

The Senate Committee on Education was called to order by Chair Moises Denis at 1:10 p.m. on Monday, May 10, 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 Jill Tolles, Assembly District No. 25
Assemblywoman Selena Torres, Assembly District No. 3

STAFF MEMBERS PRESENT:

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

OTHERS PRESENT:

Jonathan Norman, Team Chief, Education Advocacy Program, Legal Aid Center of Southern Nevada
Christy McGill, Director, Office for a Safe and Respectful Learning Environment, Department of Education
Bailey Bortolin, Nevada Coalition of Legal Service Providers
Hawah Ahmad, Clark County Education Association
Lindsay Anderson, Washoe County School District

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Brenda Pearson, Ph.D., President, Clark County Education Association
Jim Hoffman, Nevada Attorneys for Criminal Justice
Annette Dawson Owens, School Readiness Policy Director, Children's Advocacy Alliance
Richard Clark, Teacher, Reno High School
Dave Brancamp, Department of Education
Jimmy Lau, Nevada Credit Union League
Mary Pierczynski, Nevada Association of School Superintendents
Chris Daly, Nevada State Education Association
Susan Kaiser

CHAIR DENIS:

I will open the work session on Assembly Bill (A.B.) 19.

ASSEMBLY BILL 19: Revises provisions relating to educational subjects and standards. (BDR 34-325)

JEN STURM (Policy Analyst):

The work session document ([Exhibit B](#)) has been submitted for A.B. 19. This bill was presented to the Committee by the Department of Education (NDE) on May 5.

CHAIR DENIS:

I will point out the standards set through the Council to Establish Academic Standards of Public Schools and the State Board of Education through regulation would change. The standards would be set internally.

SENATOR DONDERO LOOP MOVED TO AMEND AND DO PASS AS AMENDED A.B. 19 WITH PROPOSED AMENDMENT 3341.

SENATOR DONATE SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR DENIS:

I will close the work session on A.B. 19 and open the work session on A.B. 38.

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

Ms. STURM:

The work session document ([Exhibit C](#)) has been submitted for A.B. 38. This bill was presented to the Committee by the NDE on April 26.

SENATOR HARDY MOVED TO DO PASS A.B. 38.

SENATOR DONATE SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR DENIS:

I will close the work session on A.B. 38 and open the work session on A.B. 68.

ASSEMBLY BILL 68 (1st Reprint): Makes various changes relating to charter schools. (BDR 34-286)

Ms. STURM:

The work session document ([Exhibit D](#)) has been submitted for A.B. 68. This bill was presented to the Committee by the State Public Charter School Authority on April 30.

SENATOR DONATE MOVED TO DO PASS A.B. 68.

SENATOR DONDERO LOOP SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR DENIS:

I will close the work session on A.B. 68 and open the work session on A.B. 417.

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

Ms. STURM:

The work session document ([Exhibit E](#)) has been submitted for A.B. 417. This bill was presented to the Committee by Assemblywoman Jill Tolles on May 3.

SENATOR DONATE:

I rode the bus from sixth grade to twelfth grade. I do not like the part of A.B. 417 where we change the inspections from semiannually to annually. I understand the workload they have, but begrudgingly I disagree. I will be voting yes for A.B. 417, but I reserve my right to change my vote on the Floor.

CHAIR DENIS:

This issue came up during the Interim in the Committee on Education. Even though the inspections will occur annually with A.B. 417, this change is better because it includes the report which comes from the Department of Public Safety. This bill will make our school buses safer. I do not want to have safety inspections occur less, but if we can make them more efficient and the inspectors can complete repairs, that would be a good thing.

SENATOR DONDERO LOOP MOVED TO DO PASS A.B. 417.

SENATOR HAMMOND SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR DENIS:

I will close the work session on A.B. 417 and open the work session on A.B. 419.

ASSEMBLY BILL 419 (1st Reprint): Revises provisions governing charter schools. (BDR 34-751)

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Ms. STURM:

The work session document ([Exhibit F](#)) has been submitted for A.B. 419. This bill was presented by Assemblywoman Shannon Bilbray-Axelrod to the Committee on April 30.

SENATOR BUCK:

I will vote yes on A.B. 419, but I will reserve my right to change my vote on the Floor. All the legislation going after charter schools is unfounded when we do not look at school districts the same way with governance, structures and how much time they spend in their meetings on academics, student achievement, finances and building construction. There needs to be consistency across the board for all schools, not just charter schools.

SENATOR DONATE MOVED TO AMEND AND DO PASS AS AMENDED
A.B. 419.

SENATOR DONDERO LOOP SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR DENIS:

I will close the work session on A.B. 419 and open the hearing on A.B. 194.

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

ASSEMBLYWOMAN SELENA TORRES (Assembly District No. 3):

In the Assembly, we worked diligently on A.B. 194 to find common ground. These conversations started throughout the Interim, and I am excited to present this piece of legislation that has come from conversations with school districts, the NDE, educators and education advocates.

Brown v. Board of Ed. of Topeka, Shawnee County, Kan., 347 U.S. 483 (1954) states, "Education is perhaps the most important function of state and local governments." It is with this mindset that we open the dialogue on A.B. 194. The genesis of this legislation was watching students and their families struggle to appeal the suspensions and expulsions of these students.

In summer 2020, it became clear that the appeals process for Nevada school districts varied an incredible amount. If a student violates his or her school's code of conduct, the appeals process from one school district to another is nearly unrecognizable. This seemed unjust.

Students of color are disproportionately suspended and expelled from schools. This is not unique to Nevada. African-American students are significantly more likely to be suspended or expelled. Assembly Bill 194 does not resolve this issue but works to ensure that students who are suspended and expelled from school are afforded due process, and schools plan for how they will implement restorative justice and train their school staff and faculty.

Nonetheless, schools have the responsibility to provide students with due process. Education is a right afforded to Nevadans. The U.S. Supreme Court case *Goss v. Lopez* 419 U.S. 565 (1975) indicates that the right to a free and public education cannot be withdrawn "on grounds of misconduct absent fundamentally fair procedures to determine whether the misconduct has occurred." Nevada students do not shed their constitutional rights at the doors of our schools. Education is a property and liberty interest. School suspensions and expulsions have a lasting impact on students. They impact their education, their likelihood of getting accepted in college and may even impact them if they are in the criminal justice system.

Both *Goss* and *Brown* establish that students have due process under the Fourteenth Amendment no matter how arbitrary the incident. This Legislative Body has the responsibility to ensure this due process is clear in statute and regulation. Assembly Bill 194 does not seek to outline what due process will look like in Nevada schools. Rather, A.B. 194 seeks to require the NDE release guidance on what this appeals process and timeline should look like. I am expecting a small amendment which affects the effective date of this bill. We recognized the NDE will need time to create the regulations A.B. 194 requires.

JONATHAN NORMAN (Team Chief, Education Advocacy Program, Legal Aid Center of Southern Nevada):

Section 1 of A.B. 194 builds off the restorative justice practices implemented last Session to ensure teachers have the tools they need to effectively implement restorative practices in the classroom. It requires school districts to provide information on their plan for restorative justice and progressive

discipline, and the training that schools are providing employees in these practices.

Section 1.5 requires that student achievement plans prepared by school principals and employees include academic and nonacademic supports in accordance with *Nevada Revised Statutes* (NRS) 388.885. Sections 2 and 3 require that when a child and family exercise their right to appeal, the child will continue receiving an education in the least restrictive environment possible. Those options would be behavior school or potentially online schooling.

Section 5 requires school districts to adopt a policy for appealing suspensions and expulsions for students. That said process must be explained to parents so they have the information they need to decide if appealing is appropriate in their case. It also clarifies that if a family chooses to appeal, the punishment may not be increased as a result. We have seen cases where the threat that review may lead to a harsher punishment has scared families out of exercising their right to appeal, even when they believed there is merit to appealing.

Section 5, subsections 2 and 3 require the appeal policy be posted on each school district's website, so families have access to this information, and clarify the appeal hearings are closed to the public. Section 5 also requires the NDE to establish a timeline for a student's appeal process and oversee the regulatory process for A.B. 194.

Section 7 requires the NDE to provide guidance to school districts on the appeals process in as many languages as possible for the benefit of students and their parents and guardians.

VICE CHAIR DONDERO LOOP:

Under section 1, subsection 2 there is a list of groups. How do you identify pupils by those groups? For example, when you say "economically disadvantaged," will that be free and reduced-price lunch? When you say "major racial and ethnic groups," what will that include?

ASSEMBLYWOMAN TORRES:

That is already existing in statute.

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CHRISTY MCGILL (Director, Office for Safe and Respectful Learning Environment, Department of Education):
We do have those categories set up for demographics, English Language Learners and students with disabilities.

VICE CHAIR DONDERO LOOP:

Thank you, I wanted to make sure these groups were identified. Is there a conflict with A.B. 67 and A.B. 194?

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

ASSEMBLYWOMAN TORRES:

I do not believe there is any conflict between these two bills. We did check with NDE, and there were amendments made to A.B. 194 so it aligned with A.B. 67.

VICE CHAIR DONDERO LOOP:

I am worried we are working on restorative justice, and yet students as young as 11 years old could be permanently disciplined and removed from a school. If they are permanently removed, where do those kids go? I recognize the seriousness of the offenses, but what will happen to those kids?

ASSEMBLYWOMAN TORRES:

I agree that is an issue, but A.B. 194 targets another part of that issue, which is the lack of due process in several of our school districts for students who have been suspended or expelled. Every student deserves access to due process. The unfortunate reality is that several Nevada school districts provide no access to due process. In that instance, the student and family would have no method of an appeal. Assembly Bill 194 seeks to fix this problem.

Additionally, section 1 of A.B. 194 requires a plan of training for restorative justice within our schools. Unfortunately, that has not been a priority. We need to ensure that school leaders and administrators are making those decisions to prioritize the training of their faculty and staff.

SENATOR DONATE:

Can you walk us through the process without an A.B. 194 implementation? For instance, a student commits an action that leads to either a suspension or

expulsion; what happens beyond that? Is there a process where the student is caught up to the content they missed out on? Is there any training beyond that?

MR. NORMAN:

We have had kids sitting out of school for weeks at a time while the discipline process was playing out, and the kids were falling behind. Assembly Bill 194 makes it so those kids have to be in the least restrictive environment while the process is sorting itself out so they do not fall behind on education. This happens a lot with kids who are especially vulnerable like those in foster care. It also impacts their ability to be placed in a foster home. Usually, if a child cannot go to a campus, it is difficult for the Division of Child and Family Services to place that child because the caregiver may not be available to have the child in the home. Having behavior schools or some other avenue for that child to stay up on education is important.

SENATOR DONATE:

What is the average time a student takes when suspended or expelled?

BAILEY BORTOLIN (Nevada Coalition of Legal Service Providers):

What we have found through our work assisting families with these appeals is it varies greatly by school district and the school itself. Different school districts have difference processes but at the same time, because there is no clear timeline in statute, it depends on the individual school to get the paperwork to the district and get the appeal moving. It is the luck of the draw. I cannot give you a one-size-fits-all answer. This is part of the problem we are trying to solve with A.B. 194. One kid should not have an appeal take months while another one may be resolved quickly.

SENATOR DONATE:

I like section 7 of this bill because it deals with ensuring parents have the power to appeal and that language access is available for them.

SENATOR BUCK:

What infractions would warrant an expulsion or suspension?

ASHER KILLIAN (Counsel):

There are a limited number of those specified in statute. The question might be more appropriate to the NDE. Most of the disciplinary choices are made at the school district level.

Ms. MCGILL:

There are no mandatory requirements that someone is expelled.

SENATOR DONDERO LOOP:

How will the language in section 1, subsection 1, paragraph (g) and subparagraphs (1) and (2) be decided?

ASSEMBLYWOMAN TORRES:

They are already required to do that part of the achievement plan. The accountability report is prepared by the individual schools. A part of that is how they will deal with restorative justice and clearly outline a plan for progressive discipline. The accountability report is also published on their websites. This section is adding another check box and also requiring that administrators plan how to administer the training.

SENATOR DONDERO LOOP:

Does that mean every school can develop its own plan? Will there not be consistency in the plan? This section just states "the plan."

ASSEMBLYWOMAN TORRES:

The NDE does release guidance on how to develop these plans. The plan would be modeled from that guidance.

Ms. MCGILL:

That is correct. Last Session, we moved from progressive discipline plans to restorative discipline plans. The district submits those plans to us. They also take that template and disseminate it to each of their schools.

SENATOR DONDERO LOOP:

What happens if the plan is not submitted, or if it is submitted but the plan is not checked? How does that process occur?

Ms. MCGILL:

It is a team approach. Restorative practice is all about adult behavior change. If districts struggle with this plan, we make sure to connect with them. For example, if they need specific training, we will guide them through that process. When we first started this, we had school districts submitting plans to us. We are now well past 80 percent of districts moving from a progressive discipline plan to a restorative one. We have also set up mentoring between schools and

districts. The districts are all at different spots along this process, but we are looking at each plan submitted and responding. It is an ongoing conversation that will take several years until you see deep change.

CHAIR DENIS:

If there is a discipline issue and the child is suspended or expelled, does A.B. 194 have any language about continuing education for those children?

ASSEMBLYWOMAN TORRES:

Yes, A.B. 194 makes it clear students have the right for the least restrictive environment possible, which means they should have education access. Unfortunately, we have many students who are suspended or expelled, are out of the classroom and not receiving any education during that period of time. We want Nevada statute to align with what is required by federal law. Every student has the right to a quality education regardless of a discipline matter. It is important we ensure our school districts provide that quality of education.

CHAIR DENIS:

I remember a personal situation I had when my kids were growing up. Something had occurred where my son was out of school for three or four days until we could come into the school. I always hated that you had to come in while you had a child sitting there with no education occurring until you could get the matter resolved. For the child, it was an incentive to get kicked out so you would not have to go to school. We want to incentivize children to learn. I am glad this is being addressed.

HAWAH AHMAD (Clark County Education Association):

Everyone has a past life, mine was as a law clerk in a rural court and as an individual who ran a homeless and transient program. When it comes to A.B. 67 and A.B. 194, these types of definitions and practices are important to standardize practices and collect data to ensure we can address the root issue. Many children, especially during the suspension and expulsion process, turn off from school. Once they stop doing their homework, they do not start again. That motivation to continue is lost. These bills and the appeal process will help provide families with a clear-cut idea of how to proceed so their children can participate, grow, learn and not end up in the juvenile justice system. We have a lot of work to go; this will need a lot of robust resources for educators. To address the issues, we have to work together.

LINDSAY ANDERSON (Washoe County School District):

I want to answer some of the questions asked earlier. At least in the Washoe County School District, the vast majority of suspensions—like in the ninetieth percentile—are less than three days. When we talk about an appeals process, it is unlikely that process will happen within that two- or three-day period the student is suspended. Right now, a form is sent to the parent who has to acknowledge what occurred and what the process will be. We understand that is not how it goes everywhere, and there needs to be standardization across the State.

We typically only suspend students from the physical campus when there is a physical altercation, some kind of a safety concern for the student or the staff. We limit those out-of-school suspensions to the most serious cases. We are balancing our student and staff safety in these instances.

In terms of the plans, we provide a behavior matrix and manual template to each school. Each school does have a plan, but it is based on a district-level parameter organized and shared with the NDE. The digital learning we have been using for our schools will help in many of these cases. We do not want to necessarily be transferring students to a behavior school for two or three days. Moving schools can be a traumatic experience in its own right. We do not want kids bouncing back and forth from their traditional zoned school to a behavior school, but we do have a small behavior school to be used in those extreme instances.

BRENDA PEARSON, PH.D. (President, Clark County Education Association):

I present supporting testimony ([Exhibit G](#)) from Hawah Ahmad for A.B. 194.

JIM HOFFMAN (Nevada Attorneys for Criminal Justice):

We support A.B. 194. Providing due process protections to students who are accused of wrongdoing serves two important functions. For students who did not do anything wrong, these protections will help them defend their innocence and avoid being wrongly punished. For students who did do something wrong, more due process means more of an opportunity for educators and parents to figure out how to correct this behavior and keep kids from going down a bad path. This bill is a win-win.

ANNETTE DAWSON OWENS (School Readiness Policy Director, Children's Advocacy Alliance):

We support A.B. 194 and the implementation of thoughtful, intentional and purposeful restorative justice processes and procedures, including mindful, well-researched and thought-out suspension and expulsion practices. We aim to keep all students and their education fluid. All students deserve and have the right to be educated and supported in their academic paths, and understand the difference a degree can make. We advocate for due process, clear timelines, transparency regarding disaggregated data and reporting surrounding suspensions and expulsions.

ASSEMBLYWOMAN TORRES:

I want to stress how important it is that every student has access to due process. Unfortunately, that is not the educational environment we have created in Nevada. Assembly Bill 194 ensures that due process is guaranteed in statute and in regulations.

CHAIR DENIS:

I will close the hearing on A.B. 194 and open the hearing on A.B. 367.

ASSEMBLY BILL 367 (1st Reprint): Revises provisions governing education.
(BDR 34-87)

ASSEMBLYWOMAN JILL TOLLES (Assembly District No. 25):

Part of the purpose for education is to prepare our students to enter the world as well-informed citizens who contribute to the community and economy. Assembly Bill 367 seeks to accomplish two goals. First, it strengthens the commitment to teach critical disciplinary skills in social studies by enshrining them into NRS. Second, it provides flexibility for teachers and students to have the option to teach American government (AG) and economics as a combined course if the district approves in select cases.

I had three guiding principles as I approached this legislation. First, there would be no heavy lifts. Second, no fiscal note should be attached to A.B. 367. Third, I want to honor the work done before, particularly by all the supporters of teaching financial literacy through the addition of economics and social studies in S.B. No. 249 of the 79th Session.

I want to first talk about disciplinary skills in section 1.5, subsection 1, paragraph (e). I also will draw your attention to the Nevada Academic Standards for Social Studies ([Exhibit H](#)). Those disciplinary skills we see listed are valuable for training a well-educated citizenry. On page 43 of [Exhibit H](#), you will see the disciplinary standards include constructing compelling questions, creating supporting questions, gathering and evaluating sources, developing claims and using evidence, communicating and critiquing conclusions, and taking informed action. *College, Career, and Civic Life (C3) Framework for Social Studies State Standards* states that:

Now more than ever, students need the intellectual power to recognize societal problems; ask good questions and develop robust investigations into them; consider possible solutions and consequences; separate evidence-based claims from parochial opinions; and communicate and act upon what they learn.

Assembly Bill 367 simply codifies these critical thinking skills into statute. These skills are critical—in an age of rapidly disseminated information, misinformation and disinformation channeled through a variety of media and other information sources—for our students to be prepared to enter the world as critically thinking citizens and consumers.

The second major part of A.B. 367 is to offer a combined course in economics and AG. This section provides flexibility for teachers and students by removing the limitation that only an advanced placement (AP) course can have the option to teach the two half units of AG and economics as a combined course if district-approved. In section 1 on page 2 of A.B. 367, NRS 389.018 already implements one-half unit credit of AG and one-half unit credit of economics. You will notice this on lines 22 and 25. Starting on line 33:

A school district may authorize one or more public high schools in the school district to offer a combined course in American Government and economics for one unit of credit which satisfies the requirements of subparagraphs (1) and (3).

Assembly Bill 367 proposes to strike out the limitation this would only be available if the curriculum of an AP course is used for AG in the combined course.

There are several benefits to this proposed change. First, there is flexibility. Offering this flexibility where it is needed and desired is beneficial not only to teachers and students but also to the volunteers who we often depend on to teach financial literacy—whether they are persons, businesses or entities who are part of a program to help teach economics. It also gives flexibility to incorporate concepts throughout. For example, AG teachers who want to teach about the formation of the U.S. Treasury might follow up by talking about investment, interest and debt. Later in the spring, as they are talking about state and local budgets, they might talk about personal budgeting practices.

Three questions typically come up when I talk about this proposal. One, will this impact the financial literacy or economics requirements set to be implemented in July 1, 2022? No, A.B. 367 will not impact this. It is important to note that A.B. 367 would not reduce any of those requirements pertaining to teaching financial literacy or economics. All existing requirements remain in statute and are set for implementation by July 1, 2022.

The second question I get is will this impact infinite campus or graduation requirements? No, the same method a district would use to apply a full credit of a combined course offered to an AP class for the purpose of graduation requirements would also work for non-AP courses that utilize this option. Students who graduate early would likely complete this course their junior year.

Third, will this mandate teachers to move to a combined class? No, it will not. I anticipate with all the work over the past few years toward implementing the transition to one-half unit of AG and one-half unit of economics starting in July 1, 2022, many if not most teachers will remain on that track. Assembly Bill 367 merely allows school districts to provide this option if it is desired and appropriate in select circumstances.

It may seem like a small change, but to the teachers and students who want the flexibility to weave AG and economics curriculum throughout the year, it makes a big difference.

RICHARD CLARK (Teacher, Reno High School):

In the 1818 report to the Virginia Legislature on reasons for the University of Virginia, the Commissioners—including Thomas Jefferson—wrote:

The objects of this primary education ... would be to understand his duties to his neighbours, & country, and to discharge with competence ... the principles & structure of government, the laws which regulate the intercourse of nations, ... and a spirit of sound legislation.

In no small part, A.B. 367 will continue Jefferson's philosophy on a well-rounded citizenry. This bill will allow teachers and school districts the ability to professionally determine how to best provide the twelfth-grade civics and economic standards. Over the last 50 years we have boxed in curriculum. Students often ask:

"Why do we do math in science class?"

"Why are we working on writing in history?"

"Why are we talking about public policy in environmental science?"

We are teaching students to understand their duties to their neighbors and Country to discharge with confidence the principles and structures of government.

I am a public radio enthusiast, and there is nothing better than to hear the sound of Kai Ryssdal on NPR's *Marketplace*. I listen to *Marketplace* to catch up on the day's market news. I listen to *Marketplace* to get caught up on policy and political news. What *Marketplace* does so well is what A.B. 367 would do—allow teachers the ability to wed our financial, economic standards with our civics standards seamlessly for our students to see and understand these are not separate issues but binary stars that orbit each other. I open each school year on a unit of what it means to be a citizen. By allowing me to integrate these standards, I can now open this unit to financial impact of citizenship as well and not have to do this similar assignment again in a separate semester. Assembly Bill 367 will allow teachers to have the freedom on how to best implement the standards, while allowing us flexibly to teach events as they happen and have impact on both policy and the economy.

SENATOR DONDERO LOOP:

I noticed you complimented the work from S.B. No. 249 of the 79th Session, but you failed to mention anything about the work that happened in 2019 with S.B. No. 314 of the 80th Session. I think A.B. 367 undoes that work.

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ASSEMBLYWOMAN TOLLES:

To be clear, you said you believe that S.B. No. 314 of the 80th Session undoes the work of S.B. No. 249 of the 79th Session?

SENATOR DONDERO LOOP:

I believe A.B. 367 undoes some of the work of S.B. No. 314 of the 80th Session. Since you did not mention S.B. No. 314 of the 80th Session, I thought that is perhaps why.

ASSEMBLYWOMAN TOLLES:

I do not have S.B. No. 314 of the 80th Session in front of me, but I do know the original language for putting the one-half unit of credit in was from S.B. No. 249 of the 79th Session which was why I referenced it. I am happy to look at it, but the only change A.B. 367 makes is an option for more than just an AP class on a select basis for the school district to approve to offer as a combined course. I cannot emphasize enough it is not my intention to undo any prior legislation. I am appreciative of all this Body's past efforts. I will look at S.B. No. 314 of the 80th Session side by side with A.B. 367, but this bill specifically deals with what is in statute.

SENATOR DONDERO LOOP:

A lot of work went into that bill last Session. If you could look at these two bills side by side and make sure we are not undoing S.B. No. 314 of the 80th Session, I would appreciate that.

SENATOR DONATE:

We are making this change to help students learn the necessary skills to combat the challenges of today. That includes disciplinary skills. Do we not already teach disciplinary skills?

ASSEMBLYWOMAN TOLLES:

Yes, you are right. Disciplinary skills are already in curriculum standards; A.B. 367 strengthens it by putting it into the statutory level.

SENATOR DONATE:

The other section of this bill is to delete "if the curriculum of an advanced placement course is used for American Government in the combined course." What was the reasoning wherein we restricted this only to the AP courses? Can

I have background as to why we made that decision? If we are planning to delete this requirement, why was it added in the first place?

MR. KILLIAN:

The reason this language relating to AP courses went into the bill back in 2017 was that the existing curricula for those AP courses included both of these components. The intent was to put in an exception to allow that to continue being taught as a one yearlong course rather than artificially breaking the AP curriculum into two separate courses.

DAVE BRANCAMP (Department of Education):

Mr. Killian is correct in the sense that the original AP course was designed as both a government and economics course in one complete year. It was set by the College Board and with their requirements for the AP test. If we did not allow that, it would be something that goes against the College Board offering.

CHAIR DENIS:

Can you address how the changes made in 2019 relate to A.B. 367?

MR. BRANCAMP:

Assembly Bill 367 still allows the AP course to have this specific structure. It also allows the district to create a one-year course of AG and economics that would still be the one unit. It would not be restricted to the AP offering.

CHAIR DENIS:

If A.B. 367 were to pass, how would this ensure equal time is devoted to finance and government in this class?

ASSEMBLYWOMAN TOLLES:

The implementation team on the curriculum for economics and AG at each district level would be in charge of making sure the same amount of time dedicated to teach economics would still apply throughout that year. To revisit Senator Dondero Loop's question, after examination, the statements made in my opening remarks still stand for S.B. No. 314 of the 80th Session. This bill added financial literacy to Chapter 388 of NRS. Nothing of A.B. 367 would change any of that.

MS. ANDERSON:

We support A.B. 367. Assemblywoman Tolles worked with our financial literacy teams to ensure their support in the way the bill was drafted. If educators want to integrate these two subjects into one and still cover all the standards—which we expect them to—we would support that effort.

MS. AHMAD:

The official support testimony ([Exhibit I](#)) of the Clark County Education Association is on the record. We also want to say we are in full support of adding disciplinary studies in statute, given the last year we had with misinformation. It is important for students to delineate between true and false information. When it comes to economics and AG, it is in the best interest of our students to integrate those two subjects together to have a better understanding of how economics is applied within our government systems. For instance in state government, if we talk about the budget process, that is giving students a bigger picture of what is happening for our State.

JIMMY LAU (Nevada Credit Union League):

Credit unions pride themselves on being partners with the communities they serve. Part of that partnership is advocating for enhanced financial literacy for their members and for the public. Nevada Credit Union League members regularly engage in programs to enhance financial literacy in schools.

MARY PIERCZYNSKI (Nevada Association of School Superintendents):

We support A.B. 367. We appreciate the flexibility this piece of legislation gives to our social studies teachers.

ASSEMBLYWOMAN TOLLES:

I do understand concerns in regard to anything undoing the work of the past and hope you feel satisfied with the questions on the record and the content of A.B. 367. This bill is small, straightforward and would only be used in select circumstances but could provide needed flexibility to help teachers and students we do not want to see bottlenecked into one semester. If we spread them out, this will make a better impact in teaching financial literacy skills.

CHAIR DENIS:

I will close the hearing on A.B. 367 and open public comment.

MS. ANDERSON:

For a good news minute, it was just announced today that artwork by one of our Roy Gomm Elementary School Gophers made it as a finalist for the Doodle for Google national contest. We ask you please spread the word to your community to vote for Arika Kundu's drawing. She would receive a college scholarship and a potential \$50,000 award to her elementary school in technology.

CHRIS DALY (Nevada State Education Association):

Two years ago, S.B. No. 543 of the 80th Session was developed behind closed doors. It was not introduced until the ninety-ninth day of that Session. It had a single public hearing with the bill passing minutes before sine die. Today, on the ninety-ninth day of this Session, S.B. 439 was introduced with less fanfare but was also developed behind closed doors without a preview of its content.

SENATE BILL 439: Revises provisions relating to education. (BDR 34-1099)

The new funding plan will fail because it was never built to succeed. Ever since the introduction of S.B. No. 543 of the 80th Session, the Nevada State Education Association has expressed policy concerns at every opportunity over the lack of educator voice, no new revenue, watering down Zoom and Victory Schools, freezing and squeezing school district budgets, the giveaway to charter schools and undoing the rules of collective bargaining. Senate Bill 439 fails to address a single issue raised by educators, showing its backers to be unserious about delivering a funding plan to benefit all Nevada students.

Nevada ranks forty-eighth among states in education funding, yet the new funding plan includes no new funding. While the funding commission has recommended a ten-year plan for Nevada to increase education funding by \$2 billion per year, S.B. 439 completely ignores these recommendations. Meanwhile, S.B. 439 further moved Nevada backward by proposing to strike language in NRS that references merit salary increases and cost of living adjustments. If the Legislature is intent on moving forward with the implementation of the new funding formula, the Nevada State Education Association recommends making three changes to ensure the new plan does significantly less harm to Nevada students and educators.

First, grandfather existing Zoom and Victory Schools located in Nevada's poorest communities serving the highest percentage of at-risk students and

proven models of education equity. Second, hold districts truly harmless by using the greater of 2020 total budget or per pupil amount by district adjusted by the inflationary cost of doing business. Finally, remove antiunion language that increases the district ending fund balance while it offers collective bargaining up to 16.6 percent of annual operating costs to preserve this process.

Please listen to educators. Any trailing legislation that does not bring new revenue or address these serious policy concerns is doomed to fail Nevada educators and students.

SUSAN KAISER:

I am asking you to support fixing S.B. No. 543 of the 80th Session. Recently, while helping a family member pack up a house to move, we wanted to make coffee but had already packed the right filter for the pot. First, I tried to alter a drip coffee filter to fit the cone. Then I tried folding a paper towel to approximate the needed filter. In the first attempt, the coffee looked like tea. In the second attempt, it produced coffee of a better quality, but the grounds had escaped into the carafe, making it undrinkable. The end result was the coffee produced was substandard, not because of the lack of effort on my part or my motivation but because I lacked the tools to accomplish this task.

This situation is not unlike the one educators find themselves in every day as they try to provide meaningful learning experiences for their students. They lack the tools to do their best work, and sometimes the end results of their efforts come up short. When teachers are provided the resources they need, student performance improves, reflecting that investment. Zoom and Victory Schools are an example of what can be achieved with a major infusion of funding for our kids. Zoom and Victory Schools should continue into the future while additional funding is generated to bring other schools up to their funding level.

One lesson learned during the pandemic is the critical value of public schools to our State economy. They educate the next generation, but they also provide an enriching safe environment for children of all ages to grow and learn while their parents are at work. Companies are enticed to relocate to Nevada with a variety of tax incentives and abatements, yet upon closer examination, they may reconsider when they learn that not all that glitters in Nevada is made of gold. Nevada is near the bottom of per pupil funding ranking at forty-eighth, and we have the additional distinction of the highest class sizes in the Nation.

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You do not have to take my word for it, I am quoting Mike Kazmierski of the Economic Development Authority of Western Nevada who said:

Nevada's funding for education and our public education rankings have already discouraged new companies from investing in our state and are putting our kids at a distinct disadvantage in the new economy.

Now more than ever, in the waning shadow of the Covid-19 pandemic, every Nevadan needs to receive education that is fully funded. I urge you to start now and fix S.B. No. 543 of the 80th Session.

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CHAIR DENIS:

With no further public comment, the meeting is adjourned at 2:42 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. 19	B	1	Jen Sturm	Work Session Document
A.B. 38	C	1	Jen Sturm	Work Session Document
A.B. 68	D	1	Jen Sturm	Work Session Document
A.B. 417	E	1	Jen Sturm	Work Session Document
A.B. 419	F	1	Jen Sturm	Work Session Document
A.B. 194	G	1	Brenda Pearson / Clark County Education Association	Support Testimony
A.B. 367	H	1	Assemblywoman Jill Tolles	Nevada Academic Standards for Social Studies
A.B. 367	I	1	Hawah Ahmad / Clark County Education Association	Support Testimony