

**MINUTES OF THE
SENATE COMMITTEE ON EDUCATION**

**Eighty-first Session
May 28, 2021**

The Senate Committee on Education was called to order by Chair Moises Denis at 4:17 p.m. on Friday, May 28, 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 Anderson, Assembly District No. 30
Assemblywoman Teresa Benitez-Thompson, Assembly District No. 27
Assemblywoman Melissa Hardy, Assembly District No. 22
Assemblywoman Brittney Miller, Assembly District No. 5
Assemblyman Tom Roberts, Assembly District No. 13
Assemblywoman Robin Titus, Assembly District No. 38
Assemblywoman Jill Tolles, Assembly District No. 25

STAFF MEMBERS PRESENT:

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

OTHERS PRESENT:

Andrew LePeilbet, Military Order of the Purple Heart; Disabled American Veterans; Chair, United Veterans Legislative Council

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Mike Arakawa, Background Investigations Manager, Department of Education
Lindsay Anderson, Washoe County School District
Kenny Belknap, Clark County Education Association
Brad Keating, Clark County School District
Eric Jimenez
Elliot Malin
Sarah Adler, Charter School Association of Nevada
Mary Pierczynski, Nevada Association of School Superintendents
Kevin Wheeler, Washoe County School District
Jennifer Ouellette, Director, Nevada Western Interstate Commission for Higher Education
Marla McDade Williams, Reno Sparks Indian Colony
Will Adler, Pyramid Lake Paiute Tribe
Christine Saunders, Progressive Leadership Alliance of Nevada
Benjamin Challinor Mendez, Faith in Action Nevada
Annette Magnus, Battle Born Progress
Hawah Ahmad, Clark County Education Association
Chris Daly, Nevada State Education Association
Eric Jeng, Asian Community Development Council
Douglas Unger, President, Nevada Faculty Alliance, University of Nevada, Las Vegas, Chapter
Taylor Patterson, Executive Director, Native Voters Alliance Nevada
Michael Guss
Andrew Clinger, Chief Financial Officer, Nevada System of Higher Education
James McCoy, College of Southern Nevada
Dylan Keith, Vegas Chamber
Jim Frazee, Clark County Education Association
Mariana Kihuen, College of Southern Nevada
Randy Robison, City of Las Vegas; Chair, Institutional Advisory Council, College of Southern Nevada
Maria-Teresa Liebermann-Parraga, Battle Born Progress
Alexander Marks, Nevada State Education Association
Mike Dyer, Nevada Catholic Conference
Athar Haseebullah, American Civil Liberties Union of Nevada; Chair, West Las Vegas Promise Neighborhood
Steven Cohen

CHAIR DENIS:

I will open the hearing on Assembly Bill (A.B.) 156.

ASSEMBLY BILL 156: Revises provisions governing the waiver by the Board of Regents of the University of Nevada of certain fees for active members of the Nevada National Guard. (BDR 34-23)

ASSEMBLYWOMAN ROBIN TITUS (Assembly District No. 38):

In 2005, S.B. No. 78 of the 73rd Session made permanent the fee waiver program for active members of the Nevada National Guard attending a school as either a full- or part-time student in the Nevada System of Higher Education (NSHE). This program allows active Guard members to register for courses without a registration fee. Assembly Bill 156 allows Nevada National Guard members to offer that waiver to a family member.

This bill was created by the National Guard trying to find a way for former service members to reenlist in the National Guard after their first term of six years. If someone reenlists from their 6-year to a 10-year period, those members will tend to stay with the National Guard and make it a 20-year commitment. Where Guardsmen are often lost is after their first tour. The cost to keep Guardsmen there or train new people coming in is where a significant amount of money is spent. As a "carrot" to keep Guardsmen in service, the National Guard will allow that education benefit to apply to one family member but only while the Guardsman is active and only if the individual reenlists. This benefit would only apply to the Guardsman or the family member; they both cannot claim it at the same time.

SENATOR DONATE:

Section 1 states a spouse or child can use this waiver for an associate's degree, baccalaureate degree or a certificate. Is there any reason why graduate school was left out?

ASSEMBLYWOMAN TITUS:

We mirrored A.B. 156 from what we already offer Guardsmen and expanded that to a family member. We did not expand what the potential cost was to NSHE itself.

SENATOR HAMMOND:

I want to make sure I understand the policy in section 1, subsection 2, paragraph (b) where it reads: "For each period of reenlistment of a member, the benefit provided pursuant to this subsection may only be used by one eligible person." Are you saying every time you reenlist you get this benefit? Is the

reenlistment period five to six years? Can the person gaining this benefit change? For example, one person graduates during one enlistment period and then it can transfer to another person the next reenlistment period.

ASSEMBLYWOMAN TITUS:

The way I understand this benefit is each time you reenlist you gain these education benefits. You could then assign these benefits to someone else. Whether or not you could assign them to three or four different people, no one has asked that. We could ask Counsel on this question.

SENATOR HAMMOND:

I would like to know this.

ASHER KILLIAN (Counsel):

As the language reads in A.B. 156, for each period of reenlistment, the benefit can only be assigned to one person. If there were multiple periods of reenlistment, the benefit could be assigned to different people each period but only to a single person each time.

SENATOR HAMMOND:

Basically, as long as Guardsmen are serving their Country, they can continue to give it to a family member. That is what I needed to know.

ASSEMBLYWOMAN TITUS:

For a further clarification, they would keep that benefit as long as they are active in the National Guard.

SENATOR HAMMOND:

Going back to Senator Donate's question, does that mean if you reenlist you would not be able to go to graduate school?

ASSEMBLYWOMAN TITUS:

I do not know what the law states for enlisted National Guardsmen, the time frames and restrictions.

MR. KILLIAN:

For each period of reenlistment, the benefit would only be able to be used by one person. If members of the National Guard choose to use the benefits for themselves, they cannot have family members use it. As to the undergraduate

versus graduate work distinction, existing law does not specify what level of instruction is allowed for this benefit. It may be in practice that it is only used for undergraduate work, but the new language would specify for any family member the benefit has transferred to would only be used for undergraduate work.

SENATOR LANGE:

Would this benefit only be used for dependents?

ASSEMBLYWOMAN TITUS:

Yes, that language is clear on who would be eligible for this benefit. It is listed as a spouse or child for the active serving Guardsman. The Adjunct General will keep a strict list on which person is assigned this benefit so they know who benefits from this and how many Guardsmen we reenlisted from this program.

CHAIR DENIS:

I will close the hearing on A.B. 156 and open the hearing on A.B. 165.

ASSEMBLY BILL 165: Revises provisions governing tuition for veterans.
(BDR 34-681)

ASSEMBLYWOMAN MELISSA HARDY (Assembly District No. 22):

Assembly Bill 165 represents a key tool in supporting our military veterans. This bill comes before you today as a recommendation from the United Veterans Legislative Council. The Nevada Legislature has a record of proactively addressing student veterans' transition issues. The various pieces of legislation passed by this Body demonstrates our support to veterans, active members of the armed forces and their dependents.

Assembly Bill 165 removes the five-year limitation on assessing tuition charges against honorably discharged veterans. Additionally, the bill prohibits the Board of Regents from assessing a tuition charge against all veterans who are honorably discharged. Our military veterans give us so much; they risk their own lives and sacrifice time with families, good pay and a safe working environment to allow us to feel safe at home.

Including a time frame in which a veteran must pursue higher education following their service assumes our veterans know what path they will take upon leaving the military. However, it takes time to transition from the military

world to the civilian world and to the academic world. We owe them this time. Our veterans deserve the opportunity to come home and have access to quality higher education to pursue their postmilitary goals when they are ready. We can provide it, and Nevada can and will become their place of opportunity.

This bill will go a long way toward keeping more Nevadans working in our State, raising their families here and taking advantage of the high-quality, high-paying jobs for which Nevada has long been known.

SENATOR HAMMOND:

What was the reason for this bill's creation? The only thing A.B. 165 does is delete the five-year requirement. Can you elaborate more? I suspect it is because many service members who come back have difficulties getting through the university experience in five years while also balancing getting a job and handling other life expectations.

ASSEMBLYWOMAN HARDY:

You are exactly right. Those who have been in the military sometimes do not know what path we want to take. It is an adjustment to come out of the military and know what you want to do. Maybe you need to find a job and support your family and do not know what interests you. Five years is a short time to decide that. A service member may start a career and decide he or she wants to change. It may take 6 years, it may take 16 years. We owe our service members that time to find what they want to do. They sacrifice and give so much for our Country. It is the least we can do to support these veterans in whatever they choose to do in their future when they come home.

CHAIR DENIS:

You are removing the five-year limitation; does that make this benefit unlimited? If someone is discharged 40 years ago, does that mean he or she can use this benefit?

ASSEMBLYWOMAN HARDY:

Correct. If older veterans have never been to college, they could choose to do that under A.B. 165.

SENATOR LANGE:

Does this benefit only apply to four-year colleges, or could someone go to any kind of training, like a trade school?

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ASSEMBLYWOMAN HARDY:
It would be any NSHE institution.

ANDREW LEPEILBET (Military Order of the Purple Heart; Disabled American Veterans; Chair, United Veterans Legislative Council):
We support A.B. 165. This has been a request from our veterans and Guardmembers who have gotten out of service. As already has been said by Assemblywoman Hardy, it takes a while to become oriented to civilian life, especially for our Guardmembers who have been on multiple tours of duty overseas and in foreign lands.

CHAIR DENIS:
I will close the hearing on A.B. 165 and open the hearing on A.B. 225.

ASSEMBLY BILL 225 (1st Reprint): Revises provisions governing examinations for the licensure of teachers and other educational personnel. (BDR 34-139)

ASSEMBLYWOMAN JILL TOLLES (Assembly District No. 25):
I will start with sharing some of the story that led to the inspiration behind this bill. Most of my legislation comes from a personal story. One was when I ran into old acquaintances a year and a half ago. The husband said, "Late in my life at the age of 60, I found my calling in life. It turns out that I love to teach." He had been substitute teaching for the past two years and was almost done with his master's degree. He was getting straight As. However, he was frustrated because he has a learning disability that was creating a barrier for him to take the licensure exam.

I made a phone call to people I knew in the Department of Education (NDE), and they worked with him to find an accommodation that still demonstrated he was more than willing and capable of teaching. His principal could not wait to hire him full time. He just needed that accommodation to get his licensure and teach in the classroom. I am happy to say that he not only graduated with his master's degree at the top of his class, he did get his license and has been teaching for the last year. It has been an incredible experience for him and the students who are blessed to have him in the classroom.

It occurred to me you should not have to know someone to make a phone call. This issue should be something we look at as a State, particularly when we talk

about the importance of diversity in our education workforce. I did more research, and what I found was 26 percent of Nevadans have some form of physical, mental or developmental disability. It is estimated that one in five children and adults have a learning disability. As Emma Thompson once said, "Being disabled should not mean being disqualified from having access to every aspect of life."

These statistics do not have to be a determination of failure or success. Often, the right accommodations can see our students and adults reach their personal and professional goals. Assembly Bill No. 64 of the 79th Session created a pathway for pupils with disabilities to demonstrate proficiency in the standards of content and performance to receive their diploma. I will never forget Will Jensen, the Director of the Office of Inclusive Education, quoted one of my favorite movies, *Temple Grandin*, when he talked about how it is important to recognize students with disabilities are different, not less. Joey Reiman, when reflecting on the Special Olympics, once said, "What I learned was that these athletes were not disabled. They were superabled. The Olympics is where heroes are made. The Paralympics is where heroes come."

Where do teachers fit into this equation? According to figures from the NDE, less than 1 percent of the teaching profession has a disability or self-reports. These statistics may not give the full picture, as not everyone admits to being disabled when completing the forms, but it certainly speaks to a gap that we have in that diversified workforce. Like the Paralympic athletes, research has shown that often teachers with disabilities can be superabled in the classroom.

In "Teachers with disabilities: a literature review" published in the *International Journal of Inclusive Education*, it was found that in relation to educational practices some studies, particularly those involving teachers with dyslexia and learning disabilities, had described the specific strategies that teachers developed to interact with students in the classroom. Examples include teachers with learning disabilities favoring oral and visual communication, using figures and drawings, among other strategies to discuss relevant topics in the classroom to overcome spelling, oral, memory or organizational difficulties. Preparing classes in advance, including the rehearsal of lessons instead of spontaneous writing on the board, encouraging students to engage and carry with them dictionaries or spell-checkers, reflect the strong commitment of these teachers to develop innovative and creative ways of teaching, in many cases reflecting their own personal experience. As one teacher stated in the article,

"The Advantage of Disadvantage: Teachers with Disabilities are Not a Handicap":

I have a one-up on anybody who can walk, because I can see what my students need, and I can see the struggles they're going to face. Somebody who isn't disabled—they can read about it, they can watch it, but if they never live through it, they never really know.

What does A.B. 225 do to address this? This bill seeks to expand our able teaching workforce by requiring the Commission on Professional Standards in Education to adopt regulations to consider alternative means of demonstrating competency for persons with a disability or health-related need that the Commission determines are necessary and appropriate. In *Nevada Revised Statutes* (NRS) 391.021, teachers still have to prove competence and knowledge in the subject they teach. As I noted earlier, many times research has shown us that these teachers have proven to be even more effective as a result of engaging in creative strategies to teach their students and their increased empathy toward students who also have disabilities.

This bill will not only open the doors of opportunity for willing and able teachers, it will set a tremendous example for our students. Clayton E. Keller, coauthor of *Enhancing Diversity: Educators with Disabilities*, says, "Districts should be actively recruiting disabled teachers." One of the things that is talked about a lot in nondisability diversity is, "Are the images of people like me? Are there people like me in positions of responsibility?" Keller says, "If kids with disabilities don't see people with disabilities in positions of responsibility, will they think they will ever be able to do those things as well?"

I will leave you with one last thought. In a class I teach on organizational communication, I will never forget when I came across a term that was a spinoff of the glass ceiling. We have talked much in this Legislative Body and over the years of the concept of seeing through to the next level but not able to break through it. What struck me was the concept of the concrete ceiling. The concrete ceiling speaks to when we cannot even see an example of anyone who is like us who has gone before us. We have a tremendous opportunity here not only to expand our teaching workforce with future educators who are willing and able to teach but also to inspire the next generation to overcome challenges and succeed in their future career goals in life.

CHAIR DENIS:

Is this process something that is already available, and you are clarifying it?

ASSEMBLYWOMAN TOLLES:

There are certain accommodations that are built into the system. However, they do not cover all the potential accommodations. For the teacher I mentioned earlier, the NDE was able to find an alternative way of demonstrating competence by completing certain courses and other ways to show he was competent in teaching his coursework. This bill puts into statute we will actively engage in coming up with these kinds of solutions to demonstrate competence.

MIKE ARAKAWA (Background Investigations Manager, Department of Education):
The intent for A.B. 225 is to find alternatives for individuals whose needs may not be properly accommodated by the existing accommodations within the testing process. As a further example, I spoke with an individual who has traumatic brain injury and has difficulty with memorization, which is not something that makes it easy to sit down and take an exam. In a case like that, it is our hope the Commission can come up with alternatives that would reflect that individual's competency in a way that works for the individual.

CHAIR DENIS:

Would A.B. 225 bring consistency in how the NDE would handle situations like the one you mentioned?

MR. ARAKAWA:

Yes, it would through the creation of regulations around what sorts of different allowances might be acceptable.

CHAIR DENIS:

At the moment, are there not any regulations on file for this process? Do you come up with accommodations on a per needed basis?

MR. ARAKAWA:

That is correct.

SENATOR HAMMOND:

The Commission is tasked with making sure the examinations test the ability of the applicant to teach and the applicant's knowledge of each specific subject he or she proposes to teach. What you are asking with A.B. 225 is to task the NDE

to come up with methods of doing these examinations. My concern is there are many combinations of tests and you may not be able to come up with all of them. As you come up with the regulations, what I will be looking for when we are in the Legislative Commission on Education is if you have come up with regulations that would point to specifics for conformity but also leaving it broad so you can put more regulations in later.

ASSEMBLYWOMAN TOLLES:

Thank you for bringing that up. It is important to have on record that would be the intent. We want to be careful the regulations are not so prescriptive that it is limiting but also that it does provide guidelines to move forward. In the case of the story I shared, that gentleman's accommodation was a spell-check. It was something he did not need to teach mathematics. That barrier was holding back a perfectly willing and able teacher. The regulations would be to make sure we keep it not so limited that it would be a barrier.

Having these conversations with NDE and the Nevada System of Higher Education has spurred more action of recognizing where we need to be actively promoting, recruiting and letting individuals out there know that with these accommodations there are alternative ways of demonstrating competency to get that licensure.

LINDSAY ANDERSON (Washoe County School District):

We support A.B. 225. Our District is working hard to have teachers who reflect our student population. Special education teachers are some of our most difficult-to-fill positions. If these individuals can demonstrate competency, we would like them in the classroom with our students.

KENNY BELKNAP (Clark County Education Association):

We support A.B. 225. We need to make accommodations for people with a disability that have proven academic success in the past but may not be able to successfully demonstrate competency in the traditional assessment format. We need to diversify the education profession and do whatever we can to attract individuals with high academic aptitude who want to be in the profession.

Providing an alternative means of demonstrating competency does not make the individual any less successful or knowledgeable about the profession. Allowing potential educators the opportunity to demonstrate knowledge in a content area through alternative methods will enable all types of learners an opportunity to

demonstrate competency without lowering standards to enter the profession. Diversifying the teaching profession must be a priority, especially as we face issues with teacher retention. Allowing testing alternatives would be a step in supporting diversity, will help address the teaching shortage crisis and will help destigmatize learning accommodations for students once they have teachers who represent their same needs.

BRAD KEATING (Clark County School District):

We support A.B. 225. I had the privilege and honor of teaching a group of students with disabilities for a number of years at West Career Technical Academy. These were students who were 18 to 20 years old after receiving their diplomas. We worked on workforce skills and got them ready for employment. This bill before you today is a perfect example of something that will help those students I taught every day become successful and productive members of society. These students with disabilities have extraordinary abilities when given the opportunity.

ERIC JIMENEZ:

I do not often testify in a personal capacity. As one of the 26 percent of Nevadans living with a disability, I think I have a responsibility to support good policy when it helps our disability community. We have talked a lot about diversity over the last two Sessions. Unfortunately, for many years that diversity has not trickled down into the classroom. With the leadership of Assemblyman Tyrone Thompson and the NDE through A.B. No. 64 of the 79th Session, we did a lot to make sure kids had a pathway in the classroom so we were no longer dealing with segregated classrooms where kids with disabilities had to learn in a separate environment.

We have worked tirelessly across the government throughout these last four years to make sure those kids had the opportunity to learn in the same classroom. Assembly Bill 225 is the next logical step in making sure kids in those classrooms can see people who look like them and make sure they can do anything. As someone who grew up with a disability, there was never anybody who looked like me in those classrooms.

ELLIOT MALIN:

Last Session, Assemblywoman Tolles and I had the privilege and honor to work together on a bill about restoring opportunity to Nevadans. At the beginning of this Session, she called me and said, "Elliot, I have a bill I think you would be

interested in." I said, "Assemblywoman, tell me what it is." She got a sentence into the description and I said "Let me stop you, I am in. Whatever you need me to do because this will help Nevadans. This will help Nevada's schoolchildren, and this will restore opportunity to people that did not have it." I think that is the most incredible thing of why we are all here. Oftentimes, I too do not like to testify in a personal capacity. When I was in high school, I had the opportunity to have a teacher who taught me to always do whatever we could to help others. For the first time ever, that teacher is in this room today. I think it is wonderful this came full circle. I agree with Mr. Jimenez, please pass A.B. 225.

SARAH ADLER (Charter School Association of Nevada):

I myself was a high school teacher for many years, and there are a lot of kids I think could have developed a passion for teaching but knew they were terrible test takers. That did not mean they did not have knowledge or ability. We support A.B. 225.

MARY PIERCZYNSKI (Nevada Association of School Superintendents):

We supported A.B. 225 in the Assembly after hearing a compelling story that was the impetus for this bill. We do not want to miss any talented, competent people who want to be teachers. This bill will help us with the teacher shortage.

KEVIN WHEELER (Washoe County School District):

I am the one who spoke to Assemblywoman Jill Tolles under the circumstances that brought about A.B. 225. I am in full support of this bill. I have been a teacher in the Washoe County School District (WCSD) for the last year and a half. I work at Damonte Ranch High School as a special education teacher in the social intervention program. This bill needs to pass so others do not have to accidentally run into somebody they have known for years to become a teacher.

I have parents who have been in tears over my willingness to tell my story. Parents are appreciative and kids are as well because they understand I personally know what they are going through to a greater extent than their other teachers. I can also tell them it is no excuse—just because you have a disability, there is always a way to win. We just need to find out what works for them. Numerous parents in my short time as a teacher have come to me and told me how much they appreciate me.

I know several other people who have tried to become teachers in the WCSD and have been unsuccessful because they did not have the appropriate

accommodation for the testing portion because of their learning disability. I encourage everyone to support A.B. 225. It will level the playing field, not only for me and people like me, but for my students. One in particular wanted to go into education and did not think she could do it. Her mother did not think she could do it because of her daughter's disability. They now see there is a possibility because they see me in the classroom.

ASSEMBLYWOMAN TOLLES:

This bill is for teaching any class in school, not just classes for students with disabilities. Assembly Bill 225 is about access. It is about inspiring the next generation with an increasingly inclusive workforce.

CHAIR DENIS:

I will close the hearing on A.B. 225 and open the hearing on A.B. 247.

ASSEMBLY BILL 247 (1st Reprint): Revises provisions relating to the Western Regional Education Compact. (BDR 34-472)

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

The topic of this bill is the Western Interstate Commission for Higher Education (WICHE). As an interstate compact, WICHE partners with states, territories and postsecondary institutions to share knowledge, create resources and develop innovative solutions to address some of our society's most pressing needs. Since 1953, WICHE has been strengthening higher education, workforce development and behavioral health throughout the region. Nevada has been a member since 1959. Nevada's participation in the regional consortium is overseen by three Commission members who are appointed by the Governor. Nevada has a small but mighty staff comprised of Director Jennifer Ouellette.

The Western Interstate Commission for Higher Education has two different programs. First is the professional student exchange program. In this program, students receive substantial tuition support in high-need fields such as pharmacy, physical therapy and physician assistants. Students accepted into the program receive admission preference and reduced tuition cost. Students from Nevada enroll in either out-of-state programs or in-state private institutions. There were 46 students in 2020. Out-of-state tuition is reduced by a support fee which varies by academic field and is uniformly set by the regional WICHE office. Twenty-five percent of the support fee is a loan which must be paid with interest five to ten years after graduation. The other 75 percent of the

support fee is a stipend that can be waived if the student returns to Nevada to practice for the same number of years. The rules around the 25 percent and 75 percent are Nevada-specific rules and are not dictated to us by WICHE.

The health professional exchange program is the other program. In 1997, the Nevada Legislature expanded the mission of WICHE by providing an option for students to receive financial support while earning graduate degrees in social work and psychiatric nursing. In 2020, it served 43 students, and students receive a support fee. Ten percent of that support fee is a repayable loan with interest. The board did adopt the removal of this being a repayable loan in 2019. The other 90 percent can be considered a stipend with repayment waived if that student practices for two years in a medically underserved area in Nevada.

The most important thing to note is because Nevada has been a member of WICHE since 1959, the statute has been in place since that time and has not been touched. What Director Ouellette took on was modernizing the statute, and that is A.B. 247. There were references to U.S. territories that have changed, and we had boilerplate information that needed to be updated. The big policy change is the 25 percent versus 75 percent of the professional student exchange program. It was not working properly. In this day and age when we have students who are committing to work in their field and stay in Nevada in underserved areas, we should be in a space where we are not having these students repay the loan for five to ten years with interest. The interest is stuck with a firm number in statute that has been living there for decades. We should make this loan a stipend we can waive so students can come back and work in Nevada for the number of years required to waive it entirely rather than pay off 25 percent of the loan.

JENNIFER OUELLETTE (Director, Nevada Western Interstate Commission for Higher Education):

Our small chapter of NRS 397 governs Nevada's participation in the Western Regional Education Compact, which was created in 1953 and Nevada joined in 1959. As Assemblywoman Benitez-Thompson stated, there has not been many updates since then. Assembly Bill 247 has four primary objectives. We want to remove confusion when referencing the Compact, the Western Interstate Commission for Higher Education—which is located in Boulder, Colorado, and is not us—and the Nevada office that participates in WICHE. Those terms are used

interchangeably throughout the statute to refer to our agency. We want to correct this confusion.

Many of our program policies, such as interest rates, payback terms and penalties, are set in statute. They cannot be modified without considering a bill such as A.B. 247. We would like these policies in regulation so they can be updated regularly with public input as market conditions flux and interest rates change. We have a problem with how high our penalties are that people do not pay them at all. We want to adjust the rate to something that is collectable and we can recognize that revenue.

The last part of A.B. 247 is the loan component of our funding. The entire goal of our program is to keep health professionals in Nevada. We fund them while they are in school and they are happy to receive our funding. In exchange, when they graduate, they stay in Nevada. Those are usually the critical years where people may be meeting their life partners, getting married, having children, establishing themselves in the State and making those connections in their careers that result in them staying longer. Our program is good in that we are offering them an incentive to stay here, but the 25 percent loan component has created much confusion for students. It is a significant administrative burden for staff. Nevada is the only state out of all ten western states that participate in the WICHE program that does this.

We have a Nevada Western Interstate Commission for Higher Education Presentation ([Exhibit B](#)) where we did a survey of all the western states that participate in this program. We are the only one who has a loan component and we are also the only program that spends 70 percent of our staff time administering the program. All the other states spend between 3 percent and 25 percent of their staff time on this. By removing this loan component, we can significantly reduce staff time.

SENATOR HAMMOND:

For the most part, the substantive changes start in section 18, when it starts talking about the change to the loan program. The rest of A.B. 247 is related to language changes so we are in conformity. I also noticed the updates in languages you mentioned such as reference to the Mariana Islands updated to modern terminology. Can you run through section 18 with us, as I believe that is the section that talks mostly about the 25 percent loan as opposed to the 75 percent portion?

MS. OUELLETTE:

Section 14 is the portion of A.B. 247 that talks about eliminating the 25 percent loan component. Section 18 discusses the requirements of both the programs we administer. They are identical in terms of keeping track of people's employment commitments and having them keep us updated on where they are living and working. The way the statute was worded, because the programs started at different times, it was confusing to follow. Section 18 updates that old terminology and clarified the requirements in one place for both programs so that someone who has not studied our statute can read the requirements and understand. Section 18 also strikes language for accounts prior to 1985 which are no longer on our books and are not needed. Finally, section 18 allows the Commission to set penalties for not completing the employment requirement. We have one penalty for one program and no penalty for the other. We are trying to keep things consistent between both programs and move what we can into regulations so we can update it with public input.

CHAIR DENIS:

I will close the hearing on A.B. 247 and open the hearing on A.B. 262.

ASSEMBLY BILL 262 (2nd Reprint): Revises provisions governing education.
(BDR 34-946)

ASSEMBLYWOMAN NATHA ANDERSON (Assembly District No. 30):

When I presented A.B. 262 in the Assembly Education Committee, I was joined by the 27-year Chair of the Reno Sparks Indian Colony, Arlan Melendez, who represents all Washoe, Paiute and Shoshone members. I will highlight a few of the points he mentioned during that hearing.

The land where the University of Nevada, Reno, now stands was once home to the Paiute and Washoe peoples. This is where our camps were in those early years, all along the north side of the Truckee River. Some of our people recognized how long these encampments were, where our homes were, before we were placed on Indian reservations of only 28 acres when my tribe started out.

When tribal nations are strong, the State of Nevada is strong. Within many of the 27 tribes in our State, many of them rural, economic development is just about nonexistent. For tribes to try

and help to pay for education, it is impossible. If we can get educated students to come back to the reservation and work for the tribes, we can build an economic base which may help future students with educational expenses. Tribal governments and our Native American communities greatly support this bill due to the fact they will not only benefit Native students, but with the ability to get better paying jobs to reach individual goals, it will also strengthen tribal communities with a skilled workforce.

Finally, he stated we are talking about a reciprocal sharing of knowledge. When we talk about everything taught at the college regarding climate change and the environment, we must recognize that universities in general can learn from Native Americans about practices that have been around for thousands of years. This sharing has to come from the students who attend these universities and can interact with the teachers and share with fellow students the concepts and different practices that have been taught and handed down for generations. This reciprocal sharing of knowledge is a win-win for the universities and the tribes as we help each other to make Nevada and the Country a better place.

In the 2018-2019 graduating cohort, the Native American high school student graduate rate was 10 percent less than the average. That graduating student cohort was 74.4 percent. The State average is 84.1 percent. I started digging deeper and I discovered the number of students enrolled in NSHE institutions. The enrollment data from the 2019 academic year from NSHE is 698 students who are self-identifying as American Indian or Alaskan Native. It is unclear how many are members of a Nevada-recognized tribe or nation.

What is alarming is this number is going down. With the latest numbers in fall 2020, this number decreased to 587 students. This is less than 1 percent of the total student population. There are 16 states that have passed a bill similar to A.B. 262 which grant a waiver for our Native-American students to attend a system of higher education. Michigan has been offering similar benefits since the 1970s. We need to do something as a State to recognize the importance this community has for us, our growth and where we come from.

The Nevada System of Higher Education has recognized this from the 1970s until the 1980s. They still have language on the books where they offer different waivers. However, those waivers are not governed by the Legislature. These waivers were capped. You can only have a certain number of recipients,

and at one point, it could only be one tribe. This is not acceptable. We need to think about this issue as a whole State.

Cost is the main deterrent as to why Native-American students do not attend college. Assembly Bill 262 does two things. First, it would allow for students who are members or descendants of federally and Nevada-recognized tribes in Nevada be granted a full waiver of the per credit cost. That would include the registration, class fees, lab fees and others for all NSHE institutes. This waiver can be used for full- or part-time students. Students will need to fill out a Free Application for Federal Student Aid form for this waiver. They will also need to get verification from the enrollment department of the tribe or nation which they are from. This takes away a large issue that is difficult for us as a State to understand. That issue is the blood quotient. We are allowing the tribes to make those decisions.

The second thing A.B. 262 would allow is a report of the number of students who would qualify for this benefit and the total funding needed from grants, gifts and other federal contributions. The report would be submitted to the Legislative Counsel Bureau by September 1 of each year beginning next calendar year. It is believed there will be around 240 students the first time this data is collected. One of the most difficult pieces is we do not have the information of exactly how many students could benefit from A.B. 262. We need a stronger understanding for future discussions.

To close, I will highlight a comment from Ryan Boone, a student of the University of Nevada, Las Vegas (UNLV), and a member of the Walker River Paiute Tribe.

In our communities, we face a lot of mental health concerns, high suicide rates and mountains of intergenerational trauma. And today, we are asking for your help. I have several Indigenous friends who are also students, and they have considered dropping out because of the stress of lingering debt paired with unjustifiable lack of support. What I hope for and long to see is myself and my Native peers graduating and returning to our communities to support and uplift each other.

My cultural identity is a huge part of who I am, but I cannot see myself having continued on the path to my degree without the

support of friends and family. My culture is a huge part of Nevada. I want a better future for Nevada. I want a better future for Native students, current and prospective. I hope you do as well. This bill has the power to change the lives of Indigenous people. Now more than ever we need your support on the Nevada Indian tuition waiver.

SENATOR LANGE:

I was pleased you brought this bill forward. Early in this Session, the University of Nevada, Reno (UNR), had a class project where each class had to come up with something that talked about Indigenous kids and college access. I became motivated by that and made many calls. When I wanted to bring a bill and I saw you already had, I signed onto A.B. 262. Thank you for bringing A.B. 262 forward. It is important.

MARLA MCDADE WILLIAMS (Reno Sparks Indian Colony):

In the Assembly, we had a lot of compelling testimony about the importance of this bill. One of the stories I remember was from a woman with the Reno Sparks Indian Colony. She talked about being on the school bus and seeing opportunity fly by her as she was transported to and from school. She talked about how people felt higher education was out of reach for them, the disinterest they showed, and the closer it got to graduation and not seeing opportunity caused many to quit.

We are doing this for people like her, people like Ryan and people like me. I graduated fourteenth in my class of 183 kids in Elko. I had no idea until I had gotten a transcript I was fourteenth in my class. I did apply to college but I did not know how to go or had any money. I ended up not going. I spent two and a half years working until opportunity came up. I got to a university setting but I still did not have any money. What I ended up doing was begging, pleading and crying at the financial aid office one day. Somebody took me aside and gave me a loan for that first semester. It was something I had to pay back while I was in school. We are hoping it will get easier for the rest of the kids so not everyone has to go through the same struggles.

SENATOR HAMMOND:

There are many things in A.B. 262 incentivizing folks to go to school. I have seen this before. As you said, there are other states which have done similar legislation. We had this in Alaska. It was not uncommon to have many

Alaskan Natives in school with me at the University of Alaska, Fairbanks. Many times these students would last a semester and then they were gone. It is one thing to offer the program. What was lacking was the support they needed back in their community to keep these students in school. What do you see in A.B. 262 that will help this issue?

MS. MCDADE WILLIAMS:

You are absolutely right. Supports in any college setting are important, especially for Native kids. When I went to college, the first thing I did was seek out the support system for Native students. I found a cohort of people; we were from different tribes but we all had the common connection back to our reservations and culture. We had the best time. We played intermural softball, basketball and volleyball. We went to football games together. We played games together. There were times we spent Thanksgiving together. It was having that central location that we could connect.

I know UNR has two support positions that will be important for them to keep and continue to grow so students do have a place to connect with each other. You are right; when you do not have that connection, it makes it more difficult to stay in school. Where I went to school was a college campus, and UNR and UNLV have been growing so it is more of a college campus and not a commuter campus. That makes a big difference. It is about maintaining those supports.

Assembly Bill 262 waives fees for Native students, but they still have many challenges. They still have to pay their rent and buy books, for example. We are trying to give them a bit of a step-up and make it easier to go to college.

SENATOR HAMMOND:

It is not necessarily just the support of the schools but back in their communities. Many times these students will go back after a semester and there was no support. Has that changed since I have been in school?

MS. MCDADE WILLIAMS:

In our communities we have to value education. There is much devaluation occurring and not encouraging people. I was lucky with my family but I remember one of my aunts passed away and I thought, "I'm headed home," because you have that connection and want to support your family. My dad said, "Your aunt knows you loved her, and you need to stay and finish your education." I do think an obligation in our local communities to try to let families

know education is important, and they need to support their kids going to college. They cannot always do it financially, but if they can emotionally, that will make a difference.

WILL ADLER (Pyramid Lake Paiute Tribe):

We support A.B. 262. We have seen the best way to better a community is to educate that community. Sadly, it is difficult to bring educated professionals into tribes in Nevada. They are rural, distant places, and frankly many people do not want to live there because they themselves have student loans to pay off. It is hard to be a doctor in rural Nevada, it is hard to be a dentist. It is hard to have these higher education jobs, but if you are from that community, you want to come back and serve that community.

CHRISTINE SAUNDERS (Progressive Leadership Alliance of Nevada):

Ditto on the previous comments. We support A.B. 262.

BENJAMIN CHALLINOR MENDEZ (Faith in Action Nevada):

We would also like to say ditto, especially to the remarks made by those who represent and are from our Native communities.

ANNETTE MAGNUS (Battle Born Progress):

We support A.B. 262. This legislation is the least we can do to support the Indigenous people of Nevada to whom this land belongs. Our Native communities have gone underserved for far too long. This is a great step Nevada can take in righting the wrongs of the past and helping Native youth have a bright future.

HAWAH AHMAD (Clark County Education Association):

We support A.B. 262. I will read a portion of testimony from a teacher:

Nationally, the largest hurdle for many of our students in attending college is the tuition costs. This barrier disproportionately affects our Native American population. It is imperative that we remove that obstacle from the pathway to higher education for our Indigenous communities here in Nevada. By doing so, we would make a more equitable playing field as well as entice our young people to stay at home and build our community stronger.

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For that reason, and to support our teachers in ensuring we have educators across the State representative of our populace, we support A.B. 262.

CHRIS DALY (Nevada State Education Association):

We support A.B. 262. This bill will assist Native American students access higher education. It is an issue of social justice and is the right thing to do.

ERIC JENG (Asian Community Development Council):

In the Nevada System of Higher Education, UNLV, Nevada State College and College of Southern Nevada (CSN) are Asian American-, Native American- and Pacific Islander-serving institutions. Our success cases have been used as case studies for Pacific Islander students serving Indigenous populations of Native Hawaiian Pacific Islanders. We are here for solidarity for the Indigenous tribes for Nevada. We support A.B. 262.

DOUGLAS UNGER (President, Nevada Faculty Alliance, University of Nevada, Las Vegas, Chapter):

We support A.B. 262. We believe it will encourage Native American citizens of Nevada to attend and enroll in our colleges and universities to pursue their careers. We acknowledge the Northern and Southern Paiute, Goshute, Western Shoshone, Washoe, Shoshone, Timbisha and other Native peoples on whose land we walk and live our lives every day in this State.

TAYLOR PATTERSON (Executive Director, Native Voters Alliance Nevada):

I echo support for A.B. 262. As a former Native student who is still in debt, it is important to uplift our community and right the wrongs of the past.

MICHAEL GUSS:

I support A.B. 262. I worked for the Pyramid Lake Paiute Tribe for two years and one of the things I observed during and well known among other employees is that sometimes the salaries of tribal governments are not equivalent to what you get in local or state government. For people who go to college, they may not be able to, even if they wish to, return home and work for the tribe because of student debt. I think this bill would address that issue.

ANDREW CLINGER (Chief Financial Officer, Nevada System of Higher Education):

While we agree with the comments made in support of A.B. 262, I wanted to put on the record NSHE's concern with the fiscal impact, in particular to the smaller institutions. It is not just this waiver bill but the waiver bills cumulatively

which cause this concern. It is our hope at some point we can have a bigger conversation in the future about waivers in general.

SENATOR DONATE:

I am having a tough time putting the financial pieces together. On average, how much would a student save in not having to pay fees? The UNR and UNLV websites do not differentiate costs; the tuition and fees are grouped together.

MR. CLINGER:

Our original fiscal note was for 837 students. That number was gathered from all students who had self-identified as Native American. We do not know the number the bill sponsor mentioned or what Nevada tribes would identify. At 837 students, it was \$4.5 million over a two-year fiscal impact. That number was netted out with federal grants.

ASSEMBLYWOMAN ANDERSON:

This will be a great way for us to start helping about 240 students. Once the report from A.B. 262 comes out, it will be helpful to address the issue Senator Donate brought up.

CHAIR DENIS:

I will close the hearing on A.B. 262 and open the hearing on A.B. 319.

ASSEMBLY BILL 319 (2nd Reprint): Establishes a pilot program relating to dual credit courses. (BDR S-925)

ASSEMBLYMAN TOM ROBERTS (Assembly District No. 13):

Assembly Bill 319 came as a recommendation from the Southern Nevada Forum hosted by the Vegas Chamber last Interim cycle, specifically, the Senate Subcommittee on Economic Workforce Development. The Committee was made up of Senate Majority Leader Nicole Cannizzaro, Senator Keith Pickard, Assemblywoman Sandra Jauregui and me. Eight meetings were held over a six-month period. We had about 120 stakeholders that took part in those meetings. The purpose of the meetings was to take up suggestions on how to stimulate economic growth and workforce development in southern Nevada, and we came up with hundreds of ideas at our initial meeting. Over the next eight meetings, stakeholders narrowed those ideas to the final small group of specific recommendations, one of which is A.B. 319.

Dual-credit courses for both community colleges and high school students that prepare them for early employment was a recommendation that was ratified by the group. As cochair of the Committee, I utilized one of my bill draft requests. Assemblywoman Jauregui and I are cosponsors of A.B. 319 since this legislation started in the Assembly. As we drafted A.B. 319, we gave this over to CSN. They came up with the initial proposal which had a \$15 million fiscal note. During that time, the fiscal note was not promising. We pared it down to a pilot program.

JAMES MCCOY (College of Southern Nevada):
I have a Dual Enrollment Pilot Presentation ([Exhibit C](#)) for the Committee.

ASSEMBLYMAN ROBERTS:
As a side note, I know Chair Denis had a dual-enrollment bill. Assembly Bill 319 complements that bill. We amended language in A.B. 319 so it would not conflict and aligns with Chair Denis's bill.

CHAIR DENIS:
There was also a third bill introduced by Senator Ben Kieckhefer on dual credits. I would like our Counsel to explain how these bills will work together.

MR. KILLIAN:
Assemblyman Roberts is correct. None of these three bills would conflict. Senate Bill (S.B.) 172 is the bill Chair Denis carried, which eliminates some of the prescriptive language about cooperative agreements and instead requires school districts and charter schools to establish programs for dual credit courses.

SENATE BILL 172 (1st Reprint): Revises provisions relating to education.
(BDR 34-185)

Senate Bill 160 is the bill Senator Kieckhefer carried, which expands dual credit to university schools for gifted pupils and allows institutions outside of the State to participate if the relevant courses are not offered at institutions in this State.

SENATE BILL 160 (1st Reprint): Revises provisions relating to education.
(BDR 34-819)

Assembly Bill 319 would not conflict with either S.B. 160 or S.B. 172 and tackles the other side of dual credit in that it requires a particular institution within NSHE to offer a program of dual credit that meets certain specifications. In other words, S.B. 160 and S.B. 172 deal with what the schools districts have to do, and A.B. 319 deals more with what a particular institution within NSHE will offer to school districts.

SENATOR BUCK:

Which schools will be targeted by A.B. 319 in Clark County School District (CCSD)? Will they be magnet schools or the comprehensive high schools?

MR. MCCOY:

We have identified the high schools specific to CCSD that have these particular career and technical education pathways already operating. More importantly, we took a look at the student population and the demographics of that population before making a determination on which high schools will participate in this program. Assembly Bill 319 aims to put postsecondary access to the most-underserved student populations in southern Nevada. We looked at ethnic breakdown and socioeconomic status as vetted through free and reduced lunch programming to identify a population of students who would have the best ability to benefit and perhaps would have otherwise not had early access to college through a program like this.

SENATOR BUCK:

Is this bill also for magnet schools or just comprehensive high schools? I am curious to see the list. My reason is magnet schools tend to get the application and kids filter to them, leaving comprehensive schools with students who do not necessarily get out of comprehensive high school to go to a program.

MR. MCCOY:

You are correct. I will send that list to you. It is by and large the comprehensive high schools that would have otherwise not had this level of access.

SENATOR BUCK:

I am an advocate for dual enrollment. I see it as a bridge. Especially if you are touching those students that need it most. Thank you for bringing the bill.

DYLAN KEITH (Vegas Chamber):

It was my pleasure to oversee the Southern Nevada Forum and specifically the Economic Development and Workforce Committee where A.B. 319 originated. To give a brief overview, the Southern Nevada Forum is a bipartisan forum chaired by Speaker Jason Frierson and partnered by the Vegas Chamber, the City of Las Vegas and community stakeholders. Each of the five committees are cochaired by members of each caucus. This bill began as an idea as 120 people in rotating groups provided ideas. We wrote down each of them before the participants voted to find out our top ten priorities. Over the next eight months, we heard presentations on each topic, and members of the Forum voted for the top three priorities which would be carried forward as bills during this Legislative Session. Assembly Bill 319 is one of those three.

For students from working-class families, this means real college-level classes at a fraction of the cost that are completed in high school. That alone is a major relief to many of Nevada's working-class families. Later in students' college careers, the completed classes translate to breaks in their schedule to complete internships as they begin to gain the experience and network that will help them join the workforce later. The importance of these classes cannot be overstated for Nevada's families and students. With the alleviation of costs, preparing a high school for college-level classes and the time it affords students in their later semesters to complete internships and gain experience, dual credit classes carry over many benefits.

JIM FRAZEE (Clark County Education Association):

We support A.B. 319. This bill is an important step in supporting the educational careers of our students who are college- or career-bound. Across the State, we allow our schools to partner with other institutions to provide dual-credit classes to high school students. It is important we continue to expand these opportunities to more schools. Expanding this program to include CSN will allow more of our students from diverse backgrounds the opportunity to earn college credits while they take their high school classes. Around 30,000 of Nevada's graduates enroll every year at CSN. By building in this connection with all our schools, it would help our students not only enroll in college but complete their degrees to earn their certification in their chosen career path.

I get off teaching at my high school in the suburbs at 2:00 p.m. I drive to the inner city and I teach night school from 3:00 p.m. to 6:00 p.m. I teach at a

place called Morris Sunset East High School. It is a school for regular kids who had issues. It could be people who had found gangs to not be the right path or had children and are coming back to school. Every time I talk to seniors, I say "A high school degree is not what it used to be, and you need to go on and find something else." They look at me like I'm asking them to climb Mount Olympus. This opportunity for college to come to them and pay for 15 credits is life-changing.

MARIANA KIHUEN (College of Southern Nevada):

We support A.B. 319. We also want to thank everyone who put effort into this bill, ensuring it did not conflict with the other dual-enrollment bills.

RANDY ROBISON (City of Las Vegas; Chair, Institutional Advisory Council, College of Southern Nevada):

We support A.B. 319. Many years ago, I represented school boards and superintendents. Back then, we talked about a college-going culture. We needed to change the culture into a college-going culture. At the time I thought that was idealistic, and we should pursue that. Then I became a dad and had five kids. My oldest is very smart and as he grew up he did not have much interest in college despite his taking advanced courses. Then came his junior year and he took a dual-credit history course. That course flipped the switch in his mind. For those of you who are current or former teachers, you have seen this before when all of a sudden the light bulb goes on and it changes that student's perspective on the world. That is what A.B. 319 does for our most at-risk students. It expands their vision, and once it is expanded, it never goes back to the same. That is what the opportunity is with this bill. The pilot program will give great data and allow us to refine it as it goes along.

MR. UNGER:

The UNLV Nevada Faculty Alliance supports A.B. 319. We believe that dual-credit courses increase commitment, retention, completion and graduation rates in community colleges.

MR. KEATING:

We support A.B. 319, and CCSD's superintendent Jesus Jara has continually expressed support for increases in dual enrollment in our Focus: 2024 plan. At CCSD, extending dual-credit opportunities align to certification and continuing education pathways so we can target high-skill and high-demand industries in southern Nevada. This can best be accomplished with continued collaboration

with our partners at CSN and other NSHE institutions. It is our hope this pilot program will be such a success, we will be able to expand these efforts throughout the State.

ASSEMBLYMAN ROBERTS:

I urge you to pass A.B. 319; you can impact 1,000 kids right off the bat. This program is ready to go.

CHAIR DENIS:

I will close the hearing on A.B. 319 and open the hearing on A.B. 371.

ASSEMBLY BILL 371 (1st Reprint): Enacts provisions governing discrimination based on race. (BDR 34-697)

ASSEMBLYWOMAN BRITTNEY MILLER (Assembly District No. 5):

WHEREAS, Systemic racism and structures of racial discrimination create generational poverty, and perpetuate debilitating economic, educational and health hardships and disproportionately affect people of color, causing the single most profound economic and social challenge facing Nevada... .

These are words taken directly from S.C.R. No. 1 of the 32nd Special Session this Legislative Body passed last summer. Assembly Bill 371 seeks to ensure that discrimination based on race is appropriately disclosed, investigated, tracked and effectively dealt with at school. Students report these instances all the time, but far too often the reports are reduced, minimized or dismissed. Rather than start from scratch, A.B. 371 seeks to build upon the existing framework of bullying protocols to ensure students are also free of discrimination based on race in the school environment. Under existing laws, reports of bullying must be investigated. The same would hold true for discrimination.

Sections 1 and 2 of A.B. 371 require that incidents based on race are included in the accountability reports to the State and school boards. Section 4 establishes the definition of discrimination based on race. Section 5 requires that incidences are categorized as discrimination based on race and the incident campus and other accountability reports. Section 6 requires that restorative justice practices are applied for both the victims and the defenders. Sections 8

through 24 include existing laws on safe and respectful learning environments, and affirm that these environments must be maintained and that no form of discrimination based on race is accepted. Finally, section 25 includes accountability measures for staff to comply.

I have a video of students across Nevada sharing their personal stories of encountering racial discrimination in the school. The main point of this measure is to ensure the investigation takes place. That is where justice begins. It is our job to ensure that our students feel valued and emotionally and physically protected in safe and respectful learning environments that are conducive to their academic, emotional and social growth.

SENATOR BUCK:

In A.B. 371, do we differentiate between staff and students? Although we need to hold everyone accountable, there seems to be a missing protocol when it comes to holding staff accountable with human resources (HR) processes. Can you explain about the differences?

ASSEMBLYWOMAN MILLER:

The first iteration of A.B. 371 did have staff in its language. It is important to say that both staff and students can be both offenders and victims. However, that section was not the most appropriate place to include staff as victims. I myself have been a victim of racial discrimination from other staff and students. To put staff in there, as you mentioned, opens many HR issues. As a result, it was not appropriate in A.B. 371, and I focused the bill on students being the victims.

In A.B. 371, there is a compliance requirement for staff. This piece is similar to what we experience in regard to bullying. Any time there is has been any type of harassment or discrimination, regardless of the nature, oftentimes when the victim reports, the challenge is the person or the authority they are reporting to has the ability to dismiss it and reduce it. We have all heard the scenarios of, "You are misunderstanding. Are you sure you heard it right? They were joking. You don't know him. He is a really nice person."

Similar to the bullying protocols passed by the Legislature, when a student reports for either themselves or someone else, it is no longer up to the discretion of a staff member to decide if they deem it as bullying or not. There

is an entire protocol that must start and be investigated. This process in A.B. 371 is essentially the same thing.

SENATOR DONATE:

Following up on Senator Buck's question, that clarification was made in section 22, subsection 5, paragraph (b) of A.B. 371. This section says the provisions of NRS 388.1351 do not apply to a violation of NRS 388.135 committed by "An employee of a school or school district against another employee of a school or school district."

ASSEMBLYWOMAN MILLER:

That is correct.

SENATOR BUCK:

I was more concerned about what was reported in the video we watched because if those stories were ever reported to me as a principal, I would open an investigation. It seems to me that was a complete failure of a discipline system on staff. I am concerned A.B. 371 is missing the mark. It is failure to discipline staff. Most of those examples were of staff being discriminatory.

ASSEMBLYWOMAN MILLER:

Yes, in the case of the students participating in the video, it does sound more like staff are engaging in this discrimination. We also know that more so the discrimination is students against students and staff not responding appropriately to investigate or hold the offenders accountable. When the discrimination occurs by a staff member, that is an HR issue. When the discrimination is between students and the staff are not responding appropriately, that will be reflected in their evaluation. As stated before, the same compliance requirements we have for bullying will apply.

SENATOR BUCK:

Thank you for the clarification. The video presented a lot of egregious discrimination by staff.

MR. JENG:

I have support testimony ([Exhibit D](#)) for A.B. 371. Nevada is home to over 330,000 Asian Americans and Pacific Islanders (AAPI), comprising around 11 percent of the total population. Right now, our community accounts for 6.9 percent of students in Nevada and 7.7 percent of students in CCSD. A

month ago, CCSD ignored the other school districts' racial data breakdown for the return to in-person learning. We did find national statistics from the Institute of Education Sciences that found Asian parents are the least likely among all racial groups to want their children back to in-person learning. We saw the same statistics from the Los Angeles, New York, San Francisco and Chicago Public School Districts. It is not surprising why. The <StopAAPIHate> website reported close to 38,000 anti-Asian racism incidents from March 2020 to February 2021. Out of that number, about 13 percent of all AAPI hate crimes are committed against our youth, with 4.5 percent of all hate incidents happening at schools.

Our AAPI students should feel safe at school, whether that be in the classroom or at home on their devices. Ensuring there are standardized procedures to address racial discrimination and harassment is a much-needed step in the right direction to keep our students safe and continuing to learn. So often discrimination faced by AAPI students includes verbal abuse and the perpetuation of racial and model minority stereotypes. By ensuring that instances of discrimination based on race are reported as such, we will begin to address the intolerant school climate suffered by thousands of students and empower our students to speak out about their experiences with racial discrimination in the school system.

MR. CHALLINOR MENDEZ:

We support A.B. 371. Many of those who make up the communities within Faith in Action Nevada—in particular those who are coming from the Middle East and the Islamic and Muslim faith—have recently experienced an increase of discrimination against them. This is particularly true due to the Muslim ban. Those from the Latinx community are experiencing discrimination as well.

From a personal experience, although my father is White, I was still called racist names at school. I have seen other friends be called racist names in school. I have seen family members treated differently. One instance I specifically remember was in eighth grade. I remember running for student government and a teacher I admired had mentioned, "It is really great that you and those of you are getting involved in that way." I did not think much of that comment at the time, but as I got older it hit what that meant.

We at Faith in Action Nevada want to ensure we are looking at everything. We want to make sure incidents like this are being reported and addressed so all students feel comfortable, safe and learn to the best of their potential.

MARIA-TERESA LIEBERMANN-PARRAGA (Battle Born Progress):

I support A.B. 371. I started saying my full name in Spanish because I did it for those kids in the video because I was once like them. I got to this Country and did not know any words in English. If I spoke Spanish with a friend or my mom, there were multiple times where students and teachers slowly picked away at that identity. The experience from someone older than those kids is that for a long time, your identity is taken away from you. Only until you are older do you realize what happened and you are not the one at fault. It was prejudice, and you start to take back your identity.

Some of these kids will never get justice for those incidents. You should support A.B. 371 because future kids who will experience these things need that justice and investigations to proceed. We can help our children have a better future, better esteem in themselves and who they are—whether it is skin color, faith, nationality or lack of English knowledge. We cannot have our kids be scarred for life because the scars will never go away.

ALEXANDER MARKS (Nevada State Education Association):

I present support testimony ([Exhibit E](#)) for A.B. 371.

Ms. SAUNDERS:

The Progressive Leadership Alliance of Nevada supports A.B. 371. I want to echo the sentiments of those who spoke before me. Racial discrimination in schools impacts students' ability to learn, their self-esteem, mental health and feelings of safety. Racism is a learned behavior, and we must take action to address it immediately in schools.

Ms. MAGNUS:

Battle Born Progress supports A.B. 371. Racism in school should not stand or be tolerated. It is not enough to say racism is bad. We need to take real action to address it, especially in our schools. The hate and threats our students receive will mark them for life. Our schools should not be places where hate is allowed. Please help bring solutions to racially motivated bullying and discrimination in schools.

MIKE DYER (Nevada Catholic Conference):

The Catholic Church is opposed to any type of racism and supports A.B. 371. I also want to speak personally. I am an old, White male. I grew up in the segregated South. I went through segregated schools. It was not until I went into college and the military that I had any real exposure to people of other races. That exposure changed my life. I think this bill can change lives.

MR. UNGER:

The Nevada Faculty Alliance of UNLV supports A.B. 371. We believe this bill will create a safer and more welcome environment for our students. We believe these measures are helpful in not only K-12 education but in higher education.

ATHAR HASEEBULLAH (American Civil Liberties Union of Nevada; Chair, West Las Vegas Promise Neighborhood):

We support A.B. 371. You have seen from the video the testimony of our students. One of our focuses at the West Las Vegas Promise Neighborhood, Education and Youth Development is trying to improve student outcomes. One of the ways we can best go about achieving that is to make sure students feel a sense of welcome, being supported and having the ability to thrive in a learning setting rather than focusing on the racist experiences they might have.

To address Senator Buck's point, I appreciate it. I do not know that A.B. 371 solves every issue in the universe, but it solves many of them. It is incumbent on this Body to move those initiatives forward to the extent possible. This bill does much good for many kids on our district, and we heard about it consistently in CCSD. While A.B. 371 does not address every issue, it will go a long way in helping many of our students.

STEVEN COHEN:

I support A.B. 371 and say ditto to previous comments.

ASSEMBLYWOMAN MILLER:

Sometimes the scars of racism do not heal. That is because those scars are often ripped open repeatedly. One of the things that is so complex and ironic for me is I have spent the last six years teaching in a district that represents 170 countries, speaking 79 languages and in my school speaking 59 languages. There is no reason, excuse or room for any type of racism in our schools. Nevada is positioned to be the State that ultimately eliminates systemic racism

because of our diversity and of our inclusion. That is what we need to continue to strive for.

One of my students this school year stayed on virtual after class one day and asked me, "Miss Miller, will you start an antiracism club?" Hearing the question of "Will you start an afterschool club," especially during campaign season, is challenging. She said, "You seem like the type of teacher that wants to end racism." I am not sure how she picked that up, but she did. I said, "Sure, we will start an afterschool antiracism club, but I am going to put you in charge. You have to publicize it and tell the students." The first day she had over 30 students on virtual after school. Sometimes, everyone who teaches virtually will know, you cannot get 30 students in your actual class.

I listened to the first thing all my sixth graders wanted to talk about, which was their experiences of racism in fourth and fifth grade from other students. The first question any of us adults ask is: "Did you report it? Did you tell the teacher? What happened?"

Every time, they told me they reported to the teacher and the teacher said, "It is not that big of a deal; let it go." Some would tell the students, "Don't do that again."

My students do not need to know I am elected until generally January when I have to explain why I am going to leave for the rest of the school year. Once I explain, I give them a month to get used to that idea. On the last day I taught them, that student who asked me to start the club asked me, "Miss Miller, because you make the laws, will you please make a law to end racism?"

CHAIR DENIS:

I will close the hearing on A.B. 371 and open the work session on A.B. 156.

JEN STURM (Policy Analyst):

The work session document ([Exhibit F](#)) has been submitted for A.B. 156. This bill was presented to the Committee by Assemblywoman Robin Titus on May 28.

SENATOR DONATE MOVED TO DO PASS A.B. 156.

SENATOR HAMMOND SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR DENIS:

I will close the work session on A.B. 156 and open the work session on A.B. 165.

Ms. STURM:

The work session document ([Exhibit G](#)) has been submitted for A.B. 165. This bill was presented to the Committee by Assemblywoman Melissa Hardy on May 28.

SENATOR LANGE MOVED TO DO PASS A.B. 165.

SENATOR DONATE SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR DENIS:

I will close the work session on A.B. 165 and open the work session on A.B. 225.

Ms. STURM:

The work session document ([Exhibit H](#)) has been submitted for A.B. 225. This bill was presented to the Committee by Assemblywoman Jill Tolles on May 28.

SENATOR HARDY MOVED TO DO PASS A.B. 225.

SENATOR BUCK SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR DENIS:

I will close the work session on A.B. 225 and open the work session on A.B. 247.

MS. STURM:

The work session document ([Exhibit I](#)) has been submitted for A.B. 247. This bill was presented on May 28 to the Committee by Assemblywoman Teresa Benitez-Thompson.

SENATOR HARDY MOVED TO DO PASS A.B. 247.

SENATOR LANGE SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR DENIS:

I will close the work session on A.B. 247 and open the work session on A.B. 262.

MS. STURM:

The work session document ([Exhibit J](#)) has been submitted for A.B. 262. This bill was presented to the Committee by Assemblywoman Natha Anderson on May 28.

SENATOR LANGE MOVED TO DO PASS A.B. 262.

SENATOR BUCK SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR DENIS:

I will close the work session on A.B. 262 and open the work session on A.B. 319.

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Ms. STURM:

The work session document ([Exhibit K](#)) has been submitted for A.B. 319. This bill was presented to the Committee by Assemblyman Tom Roberts on May 28.

SENATOR HARDY MOVED TO DO PASS A.B. 319.

SENATOR DONATE SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR DENIS:

I will close the work session on A.B. 319 and open the work session on A.B. 371.

Ms. STURM:

The work session document ([Exhibit L](#)) has been submitted for A.B. 371. This bill was presented to the Committee by Assemblywoman Brittney Miller on May 28.

SENATOR HARDY MOVED TO DO PASS A.B. 371.

SENATOR BUCK SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR DENIS:

I will close the work session on A.B. 371 and open public comment.

MR. ADLER:

I thank Senator Denis for all his service these years inside and outside of the Legislative Building. You will be missed.

MR. CHALLINOR MENDEZ:

For those who may not know, my first job in the Legislative Building was working for Senator Denis. He gave me the first opportunity to be in this

building, working with this Committee, then working down in the Leadership Office and now on the other side advocating for the people. Senator Denis was an inspiration to me. Being a young Latino, it is a huge inspiration. Thank you for all you have done Senator Denis; the children of this State have a lot to thank you for.

MR. GUSS:

I thank the staff whom I had the privilege to work with: Asher Killian, Jen Sturm, Shane Harris and Ian Gahner, especially Ian. I left mid-Session and he had a lot of work to keep up with. I also want to thank Ciria Sosa, who has unrivalled knowledge of the Nevada Legislature whom I learned so much from.

Most of all, I want to thank you, Senator Denis. It was an honor to work with, and for, you. You have made a huge difference for the State of Nevada and the people of Nevada are better off for it. You are leaving a strong foundation for people who come after you. You will be missed.

CHAIR DENIS:

Before we finish, I do want to take a moment to thank all those that helped this Committee. People thank us for the things we do, but we cannot do what we do without good people to help us. Especially this Session, we had additional staff who helped us such as Broadcast and Production Services and Information Technology. Without our computers and technology, we could not have run this Committee. I want to give a special thank you to Kim Bennett, Wakonda Carter, Kaylene Talens, Starr Litton, David Wilding, Ethan Salerno and Spencer O'Bryan. They do an amazing job, and I am grateful for all the work they do.

I also want to express my gratitude for our Committee staff. We have Jen Sturm who has made sure everything gets done and tracks me down to stay on track. Asher Killian is our Counsel. He does amazing work, and I had the opportunity to work with him on many things. He is always there to know the answer. Steven Jamieson is our Policy Assistant. We cannot do this without folks that help us understand these issues. Shane Harris, our Committee Manager, is great. Ian Gahner, our Committee Secretary, has done a great job. He has even been drafted by Senate Finance to help out. Ciria Sosa, my Legislative Assistant, has always made sure people can get into the Legislative Building and find out what is going on.

I want to give a heartfelt thanks to my friend and colleague Senator Hardy. We have been doing this a long time. We do not always agree on everything, but he has been a great mentor and friend. I appreciate your service. We have served on the Education Committee throughout our service here.

We have an amazing Committee. The expertise that is here on education issues and the breadth of knowledge is amazing. I appreciate the opportunity to work with you. We have done great things this Session that will change the lives of children for generations. Thank you for all your work.

SENATOR DONATE:

Senator Denis, I was excited to meet you when I was first appointed. The reason why I was excited is you are the uncle of one of my close friends from high school. When I was invited to my friend's wedding, I remember seeing you and was in awe. Now I have the opportunity to sit a few feet away from you. It has been a great honor to look at your leadership and how you care about our community. You did a great job at paving the way for students who look like us and come from the same community. I reflect back on all the things we have done this Session. Even though we cannot see the direct effects right now, many students will benefit because of you. We will miss you, but we will carry your legacy forward. Thank you for your service.

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CHAIR DENIS:

With no further business, the meeting is adjourned at 9:13 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. 247	B	1	Jennifer Ouellette / Nevada Western Interstate Commission for Higher Education	Presentation
A.B. 319	C	1	James McCoy / College of Southern Nevada	Dual Enrollment Pilot Presentation
A.B. 371	D	1	Eric Jeng / Asian Community Development Council	Support Testimony
A.B. 371	E	1	Alexander Marks / Nevada State Education Association	Support Testimony
A.B. 156	F	1	Jen Sturm	Work Session Document
A.B. 165	G	1	Jen Sturm	Work Session Document
A.B. 225	H	1	Jen Sturm	Work Session Document
A.B. 247	I	1	Jen Sturm	Work Session Document
A.B. 262	J	1	Jen Sturm	Work Session Document
A.B. 319	K	1	Jen Sturm	Work Session Document
A.B. 371	L	1	Jen Sturm	Work Session Document