

**MINUTES OF THE
SENATE COMMITTEE ON EDUCATION**

**Eighty-first Session
February 22, 2021**

The Senate Committee on Education was called to order by Chair Moises Denis at 1:02 p.m. on Monday, February 22, 2021, Online. [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

STAFF MEMBERS PRESENT:

Jen Sturm, Policy Analyst
Asher Killian, Counsel
Michael Guss, Committee Secretary

OTHERS PRESENT:

Jhone Ebert, Superintendent of Public Instruction, Department of Education
Bob DeRuse, Executive Director, ACE High School
David Dazlich, Vegas Chamber
Brad Keating, Clark County School District
Lindsay Anderson, Washoe County School District
Mary Pierczynski, Nevada Association of School Superintendents

CHAIR DENIS:

I will open the work session on Senate Bill (S.B.) 36.

SENATE BILL 36: Revises provisions relating to plans for responses to crises, emergencies and suicides by schools. (BDR 34-296)

JEN STRUM (Policy Analyst):

The Legislative Counsel Bureau is a nonpartisan agency. I neither oppose nor advocate for legislation.

Senate Bill 36 was presented by the Department of Education on February 3. Senate Bill 36 requires the development committee established by each school district's board of trustees, or each charter school's governing board, to include a representative of a local county or district board of health. Senate Bill 36 requires the Department of Education to include a procedure for responding to an epidemic in its model plan for managing a suicide, crisis or emergency.

There are four proposed amendments to S.B. 36 listed on the work session document ([Exhibit B](#)).

The Committee on Statewide School Safety proposed the first amendment. This amendment updates language throughout the bill to align with national best practices in emergency management and response; the amendment also supports compliance efforts. The proposed amendment was submitted and starts on page 1 of the work session document.

The Southern Nevada Health District and the Washoe County Health District proposed an amendment to clarify language in section 1, subsection 2, paragraph (i) regarding the membership of the development committees; under the proposed amendment, development committees can include a member designated by the appropriate county or district board of health.

Senator Lange proposed the third amendment. This amendment changes the name of "development committees" to "crisis committees" for school districts and charter schools.

Senator Denis proposed the fourth amendment. This amendment clarifies language in section 1, subsection 2, paragraph (e). The amendment clarifies that the development committee membership requirement of a parent or legal guardian of a pupil enrolled in school may not be filled by an individual employed by the school district or charter school.

CHAIR DENIS:

It is not customary for the Committee to take testimony during a work session. However, because we had several amendments, I want to make sure that the

amendments were done correctly. I want to see if the Department of Education agrees that the amendment accurately reflects their proposed amendments.

JHONE EBERT (Superintendent of Public Instruction, Department of Education)
Yes.

SENATOR BUCK:

Do health districts have enough capacity to place a health district employee on each of the committees?

Ms. EBERT:

Yes, the health districts do have the capacity to place an employee on each of the committees. The request came from the health districts.

SENATOR HARDY:

Do we have a copy of the amendments? I have a friendly amendment to Senate Bill 36 from the Committee on Statewide School Safety and prepared testimony on that friendly amendment from the Washoe County School District Chief of Police ([Exhibit C](#)), but more amendments were enumerated. Where are the additional amendments?

Ms. STRUM:

I included the language from the Committee on Statewide School Safety, which was submitted to us. The other amendments were discussed during the hearing.

SENATOR HARDY:

When we discussed these amendments, I recognized the fact that we did not have the language. Do we now have the language for those amendments? Or do we only have the concepts of those amendments?

CHAIR DENIS:

Do we have a proposed amendment?

Ms. STURM:

No.

CHAIR DENIS:

We only have the concept of the amendments. We do not have the language before us.

SENATOR HARDY:

It seems a little cavalier to have a work session when we do not have the actual verbiage of the amendments. Is this what we are going to do from now on?

CHAIR DENIS:

We originally were going to have a work session on S.B. 36 when we first heard the bill. I wanted to give us additional time to consider the amendments. I know we need to get amendments, and sometimes amendments take longer than we would like. I brought the bill forward because we had no major questions as to the amendments. We do need to see the language. Mr. Killian, I know we have proposed amendments on other bills, but on this bill we did not do a proposed amendment, correct?

ASHER KILLIAN (Counsel):

That is correct. We have not yet prepared a proposed amendment for Senate Bill 36. We have prepared proposed amendments for other bills that had more substantial sets of amendments than S.B. 36. For Senate Bill 36, we only have the conceptual descriptions of the amendments. The Legal Division believes that all of the amendments can be drafted as described.

CHAIR DENIS:

Because these were fairly simple amendments, we thought we could discuss the amendments and ensure that the amendments met with the will of the Committee. We do not have to do this today. If there are concerns on the amendments, I can put this on a future agenda. There is no time frame on this.

SENATOR HARDY:

I appreciate that Mr. Chair. If I look at section 1, I do not see an amendment that changes the words. Mr. Killian, when it says section 1, subsection 2, paragraph (i), "At least one representative of the county or district board of health in the county in which the school district or charter school is located," does that mean the county or a district board of health in the county? Some counties do not have district boards of health. Is it a county, or is it a county board of health or a district board of health?

MR. KILLIAN:

That construction is meant to capture whatever is appropriate, either a county board of health or district board of health for each of the respective school districts and charter schools to which this requirement would apply, which is all

of them. Some schools are located in places that have county boards of health and some schools are located in places that have district boards of health. Whichever is appropriate for where the particular school is located would apply in the bill as written.

My understanding is that the amendment submitted by the boards of health would change S.B. 36 to have each county or district boards of health, as appropriate, designate the person who will serve, rather than the bill as introduced where the governing body of the school district or charter school would choose the representative of the appropriate board of health to serve on the Committee.

SENATOR HARDY:

Realistically, I can vote for this while reserving my right to change my mind. It is a disservice for us to not have the language we are voting on. That is not the precedent we should set. I can support the intention certainly, and if the Chair wanted to bring it to a vote, I can vote for S.B. 36 while reserving the right to look at the language and change my mind. Setting this precedent may not be the wisest thing to do.

CHAIR DENIS:

We have done this in the past. As we get closer to the end of Session, we will go ahead and vote if we do not have the proposed amendment while reserving our right to change our minds. Right now, we have time. Mr. Killian, when will we see the language for this? Will it be when it is on second reading, or will the Committee get to see it beforehand?

MR. KILLIAN:

The general process is that when a committee approves a bill to amend and do pass with a particular set of described amendments, the Legal Division gets the direction to draft the amendment as described by the Committee. When the amendment is ready, the amendment is delivered to the Committee's Chair. The Chair then has an opportunity to review the amendment before submitting it to the House for the House to consider on second reading. The language for this amendment would be generated after the Committee votes on what concepts to approve. There would be an opportunity to review the amendment before the House votes on the amendment.

CHAIR DENIS:

We could go either way. We could get the conceptual language, but we will not get the final language until after it is drafted and it comes back to me. If we want to vote this out today, I would be glad to share the final language with all Committee members before we send the bill to the Senate Floor.

SENATOR LANGE:

I would prefer to look at the language first, but having heard the explanation provided by Mr. Killian, I would be comfortable voting on this today.

CHAIR DENIS:

Is the amendment that you proposed accurate, Senator Lange?

SENATOR LANGE:

Yes.

SENATOR DONDERO LOOP:

I would propose that we vote on this today. We have been in this position many times in the past. It is appropriate to not take any more staff time. I feel confident in what they do. I would like to vote this out. We all have the right to change our vote. I would suggest that we vote this out.

CHAIR DENIS:

The amendment I proposed was accurate. I am comfortable either way. It is not my intent to do this on every bill. If there are bills where we can save time because we all understand the concepts, we may do this. For the most part, I would like for the Committee to have language, especially on bills that have complex amendments. On some of those bills, I am going to have a second hearing to make sure that we get it right.

Is anyone not comfortable moving forward at this point? My commitment on this bill is that I will send the copy of the amendment's final language to all Committee members before the bill is sent to the Floor. If it does not look right, we can fix the language before it goes to the Floor.

SENATOR HAMMOND:

I support Senator Hardy. Whenever we have this many amendments, it is vital that we have a chance to look at the language. After hearing the explanations, I think I understand the amendments. It is just customary to have some of the

language, especially at the beginning of a session. We always have the right to change our minds. Whatever is your pleasure, Mr. Chair.

CHAIR DENIS:

At this point, I want to save staff time so they can get other bills done.

SENATOR DONDERO LOOP MOVED TO AMEND AND DO PASS AS AMENDED S.B. 36 WITH THE FOUR AMENDMENTS PRESENTED.

SENATOR DONATE SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR DENIS:

Senator Lange will you do the Floor statement?

SENATOR LANGE:

Yes.

CHAIR DENIS:

I will now open the hearing on Senate Bill 27.

SENATE BILL 27: Revises various provisions relating to education. (BDR 34-326)

MS. EBERT:

Senate Bill 27 is our licensure streamlining bill.

Section 1 aligns the State Superintendent's authority to initiate investigations into licensed educator misconduct with existing statutory authority regarding private school educators. Section 1 also allows for the State Superintendent to delegate within the Department the authority to perform investigative functions related to licensure investigations.

The Department collaborated with the Nevada Association of School Superintendents (NASS), Clark County School District and Washoe County School District. The Washoe County School District submitted a friendly

amendment to section 1, subsection 2 that reflects the investigative power of the Department of Education is only related to licensed employees pursuant to *Nevada Revised Statutes* 391.031. We confirmed with NASS that this does not expand the investigative authority of the State Superintendent and will not affect district staff's ability to conduct independent investigations into their employees' conduct. Senate Bill 27 clarifies the limitations of the Department of Education's authority and streamlines for a timelier resolution to licensure investigations.

Sections 13, 14 and 15 allow the State Board of Education's authority to suspend or revoke licenses to be delegated to the Department of Education by regulation. This would be appropriate in circumstances in which statutes require action within a certain time frame. For example, in cases of noncompliance with a child support order or where prompt action best serves public safety interests.

The Department of Education submitted an amendment to sections 2, 3, 9, 10, 11 and 12 related to paraprofessionals. This amendment removes originally proposed language regarding paraprofessional standards.

Section 4, as originally proposed, creates the Account for Teacher Incentives in the General Fund. This allows for carryover to the next fiscal year. Teachers who are newly hired, newly transferred or retained in Title I schools will be eligible for incentives.

Section 5 renames the "Teachers' School Supplies Assistance Account" to the "Teachers' School Supplies Reimbursement Account." We have an amendment to this section.

Sections 6 and 7 are currently written to make changes to the Teachers' School Supplies Assistance Account, but there is a friendly amendment from NASS. The friendly amendment restores sections 6 and 7, with the exception of section 6, subsection 7's annual reporting requirements. The amendment also includes additional language clarifying that decisions about the expenditures of funds from the Teachers' School Supplies Assistance Account are the purview of teachers, not school administrators.

Section 8 updates the membership of the Commission on Professional Standards in Education to include the dean of a college's school of education.

Section 9 allows for the licensing of coaching staff by the Department of Education. There was a friendly amendment from NASS. The amendment restores language in section 9 so that coaches will not be licensed by the Department of Education.

Section 16 allows an employee designated by the State Superintendent to bring charges before the State Board of Education on the Superintendent's behalf when cause exists.

Section 17 of the bill allows for out-of-state programs that have been approved by the Commission on Professional Standards in Education to apply for the Teach Nevada Scholarships. Section 17 also allows the State Board of Education to prioritize the awarding of grants to recipients who complete a special education endorsement and removes the requirement for a student to complete an endorsement to teach English as a second language for a special education endorsement.

Section 19 of the bill updates the educational involvement accord to the school-family compact. Section 19 also allows for guidance provided by the Department of Education relating to the development of a school-family compact and removes the proscribed language related to the educational involvement accord.

CHAIR DENIS:

As you recall, we heard S.B. 27 once before. Because of the number of amendments that came forward, I wanted to make sure that we had the opportunity to ask additional questions and take additional testimony.

BOB DERUSE (Executive Director, ACE High School):

ACE High School is a Washoe County School District-sponsored charter school. We are a 200 student, Grade 9 through Grade 12 career and technical education high school with a focus on industry-level learning experiences in construction, manufacturing and transportation trades. I am here in support of the proposed amendment related to the changes for the Teachers' School Supplies Assistance Account, specifically the proposed amendment to section 6. On February 8, ACE submitted written testimony in opposition to S.B. 27 because of language that restricted a teacher's purchase of supplies to a direct reimbursement format. The proposed amendment addresses our concerns. We believe the amended language will allow teachers greater

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flexibility to take full advantage of the Teachers' School Supplies Assistance Account.

DAVID DAZLICH (Vegas Chamber):

We support S.B. 27 as amended. This covers some Southern Nevada Forum priorities related to education. We urge a yes vote.

BRAD KEATING (Clark School District):

We support the bill as amended.

LINDSAY ANDERSON (Washoe County School District):

The Washoe County School District looks forward to seeing the full proposed amendment and considering our support of this bill.

MARY PIERCZYNSKI (Nevada Association of School Superintendents):

We support S.B. 27 as amended.

CHAIR DENIS:

I will close the hearing on S.B. 27. We will now open the line for public comment.

MS. ANDERSON:

Our new Procter R. Hug High School is the first high school to be built in the Washoe County School District in over 20 years. The construction team is placing the final steel beam into the school's structure. When the students move out of the old Hug High School, the old Hug High School will be renamed the Debbie Smith Career and Technical Education Academy High School; the building will be repurposed to serve as another career and technical education academy for our district.

MR. KEATING:

Tyler Swick, who is an elementary school music educator at Robert and Sandy Ellis Elementary School in Henderson, has been chosen as an honoree in the Yamaha music inaugural 40 Under 40 music education program.

SENATOR LANGE:

It is important to share the good things that are happening in school districts around the State on social media. Too often, educators do their jobs every day in school and say this is what they are supposed to be doing; we do not

cheerlead our successes enough. I encourage everyone on the Committee to, as we hear good news, take a moment to share the good news on social media for the broader community.

CHAIR DENIS:

Teachers teach for the love of helping kids learn, not for the recognition. But we do need to recognize successes.

SENATOR BUCK:

That it is a great idea. If the people who share good news during public comment could share specific information through email, I would be glad to post the good news on social media.

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CHAIR DENIS:
I adjourn the meeting at 1:46 p.m.

RESPECTFULLY SUBMITTED:

Michael Guss,
Committee Secretary

APPROVED BY:

Senator Moises Denis, Chair

DATE: _____

EXHIBIT SUMMARY				
Bill	Exhibit Letter	Begins on Page	Witness / Entity	Description
	A	1		Agenda
S.B. 36	B	1	Jen Sturm	Work Session Document
S.B. 36	C	1	Jason Trevino / Washoe County School District	Written Testimony on Proposed Amendment