

**MINUTES OF THE
SENATE COMMITTEE ON EDUCATION**

**Eighty-first Session
February 24, 2021**

The Senate Committee on Education was called to order by Chair Moises Denis at 1:03 p.m. on Wednesday, February 24, 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
Ian Gahner, Committee Secretary

OTHERS PRESENT:

Brad Keating, Clark County School District
Evelyn Garcia Morales, Trustee, Clark County School District
Leonardo Benavides, Clark County School District
Brian Mitchell, Director, Governor's Office of Science, Innovation and Technology
Craig Stevens, Cox Communications
Mary Pierczynski, Nevada Association of School Superintendents
Hawah Ahmad, Clark County Education Association
Dylan Keith, Policy Analyst, Vegas Chamber
Kent Ervin, Nevada Faculty Alliance
Yvonne Sweeten

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CHAIR DENIS:

We will open the meeting with a work session for Senate Bill (S.B) 27.

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

JEN STURM (Policy Analyst):

The work session document packet ([Exhibit B](#)) has been submitted for S.B. 27. Senate Bill 27 was presented by the Department of Education (NDE) on February 8 and February 22. Page 1 details the actions S.B. 27 will undertake.

At the direction of the Chair, the Legal Division prepared Proposed Amendment 3116 to S.B. 27, starting on page 4 of [Exhibit B](#). The NDE proposed an amendment removing the language regarding professional standards and licenses for school paraprofessionals.

The Nevada Association of School Superintendents proposed three amendments. The first is to preserve the Teacher's School Supplies Assistance Account and the various ways districts have selected to disburse funds to their teachers in their schools. The second is to include additional language stating the decision of which classroom supplies are purchased by the teacher is the purview of that teacher and is not the decision of the school's administration. The third removes the originally proposed language regarding licensed coaches. The final proposed amendment is from the Washoe County School District, which clarifies that investigations by the superintendent are related only to licensed employees, not any person.

CHAIR DENIS:

With no questions, I am willing to entertain a motion for S.B. 27.

SENATOR BUCK MOVED TO AMEND AND DO PASS AS AMENDED S.B. 27.

SENATOR HARDY SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR DENIS:

Senator Dondero Loop, will you do the floor statement?

SENATOR DONDERO LOOP:

Yes.

CHAIR DENIS:

We will now move to the hearing on S.B. 66.

SENATE BILL 66: Creates the Nevada K-16 Connectivity and Innovation Advisory Commission. (BDR 34-430)

BRAD KEATING (Clark County School District):

We will be referring to the proposed amendment to S.B. 66 ([Exhibit C](#)) as we walk through the bill today. Prior to getting into the particulars of this bill, Clark County School District (CCSD) Trustee Evelyn Garcia Morales will speak about the importance of this bill and how we can bridge the digital divide.

EVELYN GARCIA MORALES (Trustee, Clark County School District):

Senate Bill 66 is an important part of achieving the goal of bridging the digital divide for our students. This is the first step. The Covid-19 pandemic has brought us to a new world of distance learning in education and laid bare the inequities across our communities. This past fall, I worked with volunteers of the Connecting Kids Nevada campaign to walk the neighborhoods of our school district. I saw the inequities firsthand. I spoke with families that could not afford an internet connection, devices or both. Parents spoke with me about how they struggled with the idea their children would not be able to keep up with their studies as they were not prepared to participate in a digital environment.

We know that technology is constantly evolving at a rapid pace. It may be difficult for families to keep their children on the same footing as their peers. This is why bills like S.B. 66 are an important first step to addressing these concerns for my constituents. We cannot address these inequities until we have a consistent picture of what our students need each year and as their needs change over time. With S.B. 66, the State can begin to understand the resources and money needed so that all Nevada students can fully participate in the evolving world of virtual learning and address the digital divide.

MR. KEATING:

I will be referring to the Bridging the Digital Divide Presentation ([Exhibit D](#)). When it comes to accessing the internet, S.B. 66 is important for a number of reasons. As shown on Slide 2, the Covid-19 pandemic has highlighted the need to create a more comprehensive system to improve internet access for all students. This bill would help shine a spotlight on the inequities facing families throughout the State and help ensure every Nevadan receives the highest quality education.

The proposed amendment requires the Governor's Office of Science, Innovation and Technology (OSIT) to compile information on student home internet access and make recommendations for improving home connectivity. In collaboration with school districts across the State, this information will become invaluable to everyone. This bill helps us quantify the challenges we face, making the solution more concrete and verifiable. By having this information, OSIT will be able to craft a plan for the State to address the digital divide.

LEONARDO BENAVIDES (Clark County School District):

Slide 3 of [Exhibit D](#) sets out the duties OSIT has pertaining to this bill. First, OSIT will be responsible for developing a Statewide system to gather data about student's internet access. Do students have internet at home? If so, what kind of connection? Do they have devices? The school districts and OSIT will work closely to create a survey that is not cumbersome and provides valuable data to get the full picture.

Second, OSIT will compile all the information from school districts to create a Statewide gap analysis. Third, the Statewide gap analysis will include recommendations around home connectivity and funding opportunities. These data will be presented to the Legislature, Governor Steve Sisolak and the NDE. It is the goal of CCSD and OSIT to present to the interim Legislative Committee on Education our findings for the upcoming school year to provide a better picture of where we stand as a State and what we need to do to close the gap.

The landscape of education has fundamentally shifted how and where our students receive instruction. The State needs to develop tools to adapt for the future as technology is rapidly evolving. Today's broadband connection could be tomorrow's dial-up. Senate Bill 66 starts to address the issues of access and inequality for students who do not have a stable connection by giving us a complete picture with useful and accurate data. This bill also prepares Nevada

for access to future federal funding streams such as the Federal Communications Commission's Emergency Broadband Benefit Program and the E-Rate program.

BRIAN MITCHELL (Director, Governor's Office of Science, Innovation and Technology):

I will be presenting the remainder of [Exhibit D](#), from Slides 5 to 8. [Senate Bill 66](#) is an inequity-focused bill. Even when we go back to school, learning will have changed and home connectivity will become a necessary part of the future. This bill helps us understand the extent of the problem we face and create concrete solutions.

In the proposed amendment, [Exhibit C](#), section 2, subsection 1, paragraphs (a) and (b) direct OSIT to create a Statewide system of data gathering regarding home connectivity in collaboration with school districts. Gathering of data will be Family Educational Rights and Privacy Act compliant. Section 2, subsection 1, paragraph (c) directs OSIT to create minimum standards for district-issued devices to connect to the internet. As mentioned, technology is constantly changing and devices of the future need to connect to a wide variety of wireless networks. The recommendations OSIT produces will be related specifically to wireless chipsets that come with devices. We will not be touching things like screen sizes, the number of USB ports a district-issued device has, or the brand, make and model of the device.

Section 2, subsection 2 states school districts will survey students and families regarding home connectivity. An annual report to OSIT will be created to list the number of students with or without access to devices and the internet. Section 2, subsection 3 states OSIT will compile the results into a gap analysis and provide recommendations to the Governor, Legislature and NDE on how to close the gap. We will consult with a wide variety of individuals and organizations with expertise in this field.

Something worth mentioning is the Biden Administration has made home connectivity a priority. There will likely be federal funding for this issue. The Federal Communications Commission will require specific numbers from states to draw from this funding. [Senate Bill 66](#) will put Nevada out in front to draw from federal funding to address the digital divide.

CHAIR DENIS:

Basically, this proposed amended bill is replacing the old language and moving all these duties to OSIT?

MR. KEATING:

Correct. The original intent of the bill was to create a commission to guide the recommendations. The amendments change this to have the school districts report to OSIT and help OSIT form a Statewide gap analysis and provide recommendations to the Legislature and State.

CHAIR DENIS:

Will OSIT use their own people to gather the information or just aggregate what is received?

MR. MITCHELL:

The Office of Science, Innovation and Technology will take and compile the information received from school districts. It will then be presented to the Legislature, Governor and NDE. Essentially, the Legislature becomes the committee the findings are presented to rather than an in-between body hearing recommendations.

CHAIR DENIS:

In section 2, subsection 1, paragraph (c), subparagraph (3), the bill talks about a list of devices. Is OSIT creating that list?

MR. MITCHELL:

We will not be creating a list of devices. We will be creating a list of non-binding recommendations for components that should be included in any district's device to connect to the different technologies and wireless networks.

SENATOR DONATE:

The original text of S.B. 66 encompassed K-16 schools. In the new language, it only encompasses K-12. Why did that shift occur? Higher education students also have challenges accessing the internet. Was that change by accident or intentional?

MR. KEATING:

Higher education partners have these procedures in place already. Therefore, we wanted to focus on K-12 students. If the Committee believes it is important to include higher education, we can.

MR. MITCHELL:

I agree with Mr. Keating. The intent of the bill is to focus on K-12 students. Higher education students have another solution.

SENATOR DONDERO LOOP:

Who would OSIT be surveying when compiling this report?

MR. MITCHELL:

The survey would go to families and students. The CCSD can describe in greater detail how the survey would be administered.

MR. KEATING:

From the CCSD's perspective, the survey would become part of the registration packet for students. It would require two or three additional questions to find out what devices are at home and if they have internet. It would be streamlined and easy.

SENATOR DONDERO LOOP:

The reason I ask is because I was concerned this would be another survey families would potentially not answer. If it is a survey online, they may not have the capability to respond. If we include these questions during registration we need to have a way to reach students who are already registered. I do not want this process to be just a note in the students' backpack because those notes do not make it home.

SENATOR LANGE:

I am excited about this bill. I want to ensure data gathered can be separated by the school, not only by the district.

MR. MITCHELL:

Yes, the intent is these data would be separated by school and also down to the student level. We cannot provide individual solutions to individual students if we do not know who they are.

SENATOR LANGE:

Will the questions be presented in multiple languages?

MR. MITCHELL:

Yes. We cannot have good data if families cannot understand or read the survey. The specific logistic of how these surveys will go out and how we will follow up with families who are registered but have not participated are things OSIT will work out this summer if the bill passes. We want to work in close collaboration with the school districts to put together the framework to provide these data in a way that makes sense and is easiest for families.

SENATOR LANGE:

In section 2, subsection 3, paragraph (b), the bill states "develop a fiscal plan that outlines how to close both the device gap and the access gap." Is this a cost the district will absorb or will it go back to the Legislature?

MR. KEATING:

We need to first bring these data together to find out where we are as a State and where the gap exists. As Mr. Mitchell mentioned, the idea is to take the report to the Legislature, Governor and NDE to discuss a plan of action. From there, the report will help inform decision making regarding funding opportunities.

CHAIR DENIS:

Section 2, subsection 3, paragraph (b) also states in its second sentence:

This fiscal plan should contemplate specifically how to leverage the Federal Communications Commission Lifeline Program; Emergency Broadband Benefit Program and the E-rate program to fund significant portions of closing the student digital divide.

Those are all things we could use to benefit this plan.

SENATOR BUCK:

I am encouraged by this bill. We need teacher input. Does OSIT replace or combine one of the other councils mentioned in previous meetings on S.B. 76?

SENATE BILL 76: Revises provisions relating to education. (BDR 34-297)

I am interested in eliminating some of the bureaucracy with the different boards and commissions.

MR. BENAVIDES:

We revised S.B. 66 after conversations with the NDE to remove the commission originally proposed and OSIT would take its place. As NDE is working to streamline its process, this will not be an additional task for them.

MR. MITCHELL:

Senator Buck, you and I are on the same page regarding eliminating extra commissions. Having OSIT taking over this duty is an example of this.

CHAIR DENIS:

The Commission on Education Technology could function in this role, but OSIT is a better way to get this information. The Commission on Education Technology's purpose was to get a computer for every student in the classroom. It did not focus on anything home-related.

CRAIG STEVENS (Cox Communications):

We support S.B. 66 in its amended form. The Covid-19 pandemic has shown us how critical accurate data is to understand and support all students with business learning activities. Specifically, section 2, subsection 1, paragraph (b) lists the requirement for establishing a public-private partnership, which is so important in bridging the digital divide. Throughout the pandemic, Cox Communications and local and State governments have worked tirelessly to connect every student in Clark County. We were able to connect over 15,000 students in just over 2 months. This effort—and the speed at which it was done—was unprecedented anywhere else in the Country. Senate Bill 66 will continue this work. It is a great step to getting all students access to high-quality internet and devices so they are prepared for tomorrow and beyond.

MARY PIERCZYNSKI (Nevada Association of School Superintendents):

We support the proposed amended S.B. 66, [Exhibit C](#). We know gaps exist in the State and this bill will focus on them. We hope the organized data will help the State access more federal money.

HAWAH AHMAD (Clark County Education Association):

We support the proposed amended S.B. 66, [Exhibit C](#). Nevada has made progress so far but we can continue to close the digital divide. Closing this

divide includes two components: access to devices and reliable internet access. We will always remember the image of economically disadvantaged students sitting in front of a wireless school bus. It was a Band-Aid fix to a deep-seated problem. The pandemic highlighted the inequity in access across our State and the Clark County Education Association believes Nevada will take a step forward with S.B. 66.

The Clark County Education Association supports the steps OSIT is taking. I caution the Committee to consult all applicable State and federal data privacy laws and regulations, fair information practices and corporate best practices to ensure student privacy is not breached. We believe the digital divide can be closed. Once closed, it will help ensure equitable access to education for all Nevada students.

DYLAN KEITH (Policy Analyst, Vegas Chamber):

We support S.B. 66. The pandemic further exposed the severity of the digital divide. During the pandemic, the Vegas Chamber was active in raising funds to get Chromebooks into the hands of students. Many attributes of education are moving towards a digital platform. It is more important than ever we are proactive in ensuring our students are also ready for that digital platform. We also supported the original language of S.B. 66, where the commission would focus on streamlining K-16 education comprehensively.

KENT ERVIN (Nevada Faculty Alliance):

We are in general support of the idea of S.B. 66 but are neutral on the proposed amended bill because it does not include higher education. Internet connectivity and equipment issues are an issue for college students too. When you can have all students in residence on a college campus, it is a great equalizer of different backgrounds. When we went online, disparities became readily apparent. You can no longer send students to the library or a computer in their dorms when they did not have the proper equipment at home. In my own experience of teaching 250 students, I found that about 15 percent could not complete the online exams using the regular monitoring software because of either a Wi-Fi Ethernet connectivity problem or an equipment problem. Higher education may have other ways of addressing this issue, but it should be kept in mind overall as we will likely have more online instruction regardless of the pandemic.

YVONNE SWEETEN:

I am neutral on S.B. 66.

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CHAIR DENIS:

I will close the hearing on S.B. 66. With no public comment, the meeting is adjourned at 1:57 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
S.B. 27	B	1	Jen Sturm	Work Session Document
S.B. 66	C	1	Brad Keating / Clark County School District	Proposed Amendment
S.B. 66	D	2	Brad Keating / Clark County School District	SB 66-Bridging the Digital Divide Presentation
S.B. 66	D	3	Leonardo Benavides / Clark County School District	SB 66-Bridging the Digital Divide Presentation
S.B. 66	D	5	Brian Mitchell / Governor's Office of Science, Innovation and Technology	SB 66-Bridging the Digital Divide Presentation