

**MINUTES OF THE MEETING
OF THE
ASSEMBLY COMMITTEE ON EDUCATION**

**Eighty-Second Session
May 29, 2023**

The Committee on Education was called to order by Chair Shannon Bilbray-Axelrod at 9:07 a.m. on Monday, May 29, 2023, in Room 3138 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4406 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. Copies of the minutes, including the Agenda [[Exhibit A](#)], the Attendance Roster [[Exhibit B](#)], and other substantive exhibits, are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at www.leg.state.nv.us/App/NELIS/REL/82nd2023.

COMMITTEE MEMBERS PRESENT:

Assemblywoman Shannon Bilbray-Axelrod, Chair
Assemblywoman Angie Taylor, Vice Chair
Assemblywoman Natha C. Anderson
Assemblyman Reuben D'Silva
Assemblywoman Alexis Hansen
Assemblywoman Melissa Hardy
Assemblyman Gregory Koenig
Assemblywoman Selena La Rue Hatch
Assemblyman Richard McArthur
Assemblywoman Erica Mosca
Assemblywoman Clara Thomas
Assemblywoman Selena Torres

COMMITTEE MEMBERS ABSENT:

None

GUEST LEGISLATORS PRESENT:

Senator Nicole J. Cannizzaro, Senate District No. 6
Senator Rochelle T. Nguyen, Senate District No. 3

STAFF MEMBERS PRESENT:

Alex Drozdoff, Committee Policy Analyst
Asher Killian, Committee Counsel
Cameron Newton, Committee Counsel

Minutes ID: 1258



Judi Bishop, Committee Manager
Funmi Sheddy, Committee Secretary
Ashley Torres, Committee Assistant

OTHERS PRESENT:

Kenneth Varner, Professor and Associate Dean, College of Education, University of Nevada, Las Vegas; and Director/Principal Investigator, Nevada Institute on Teaching & Educator Preparation
Alejandro Rodriguez, Director of Government Relations, Nevada System of Higher Education
Alexander Marks, representing Nevada State Education Association
Nicholas Schneider, representing Vegas Chamber
Daniel H. Stewart, representing Clark County Education Association
Mary Pierczynski, representing Nevada Association of School Superintendents
Sheila Bray, representing University of Nevada, Reno
Ed Gonzalez, Private Citizen, Las Vegas, Nevada
Francesca Petrucci, representing Clark County Education Association
Marie Neisess, President, Clark County Education Association
Christina Hollowood, Private Citizen, Las Vegas, Nevada
Kenneth Belknap, Treasurer, Clark County Education Association
Bryan Wachter, Private Citizen, Las Vegas, Nevada
Jessica Jones, Executive Board Secretary, Clark County Education Association
Robert Hollowood, Executive Board Member, Clark County Education Association
Abraham Camejo, Private Citizen, Las Vegas, Nevada
Sondra Cosgrove, Executive Director, Vote Nevada
Patricia Haddad, Director, Government Relations, Clark County School District

Chair Bilbray-Axelrod:

[Roll was taken.] Welcome to everybody here at this 9 a.m. meeting on a Monday morning. You know all the rules, so let us get started. We have two bills today. We will begin with Senate Bill 291 and then go to Senate Bill 282 (2nd Reprint). Welcome Senator Cannizzaro, and you may begin when you are ready.

Senate Bill 291: Makes various changes relating to education. (BDR 34-503)

Senator Nicole J. Cannizzaro, Senate District No. 6:

I am excited to be here to present to you Senate Bill 291, which seeks to make it possible for student teachers to receive substitute pay while completing their coursework in higher education, and provides funding to allow the University of Nevada, Las Vegas student cohorts at the Nevada Institute on Teaching & Educator Preparation (NITEP) to continue their educator preparation program.

I want to share a little bit of background about the NITEP program. This program was instituted during the 2017 Legislative Session and funded each legislative session thereafter via an appropriation. The Nevada Institute on Teaching & Educator Preparation recruits the best and the brightest students to be a part of this intensive and hands-on teacher preparation program. These students also make a commitment. It is especially important that they make a commitment to begin their teaching careers here in Nevada. Before I turn the microphone over to my copresenter, Dr. Varner, I would like to do a quick run-through of the measure.

Section 1 removes the requirement that a student teacher must have completed at least four weeks of student teaching in order to qualify for employment as a substitute teacher. Additionally, the bill makes an appropriation from the State General Fund of \$1,575,000 to Nevada's Department of Education for NITEP, which is in line with the amount of funding provided to NITEP over the past legislative sessions. It requires reporting to the Legislature on expenditures that are made from these funds.

I am especially excited to be here and be able to be a small part of Senate Bill 291. As those of you who have heard me in this building know, I am exceedingly grateful for what I believe to be an amazing public education I received here in Nevada. I am a product of the public school system in Clark County. My parents did not have a high school education. It was the pathway for me to even be here sitting with all of you. I am also a graduate of the Nevada System of Higher Education (NSHE) from both the University of Nevada, Reno (UNR) and the University of Nevada, Las Vegas (UNLV). None of that would have been possible without my start down in Clark County, where I had amazing teachers who cared very much about my education, who were there to be my champion and to make sure I was getting the kind of background and foundation that would allow me to be successful in higher education—and, to be frank, sitting here at this table with all of you. I do not think there is a natural path for someone who does not know anybody who has ever graduated from any sort of educational program to be sitting in a legislative building talking about how we can get more teachers into our schools. For me, this is extremely personal, and I think a good way for us to utilize state funds is to invest in teachers who are also going to make that commitment. In the NITEP program, they make that commitment to stay in Nevada to begin their teaching careers.

The more we can invest in those kinds of teachers, the more students we can empower to be able to succeed and do whatever is their heart's desire. I know when I told my parents I wanted to be a lawyer at the ripe old age of seven, they thought I was crazy but said, Sure, go ahead and do it. You do not get from that point to this point without really wonderful teachers who say, You can do this, and we will be here to help you. That, I think, is essential. With your permission, Madam Chair, I would like to turn it over to Dr. Varner, who can talk more about the program, and then we would be happy to answer any questions you and the Committee members may have.

Kenneth Varner, Professor and Associate Dean, College of Education, University of Nevada, Las Vegas; and Director/Principal Investigator, Nevada Institute on Teaching & Educator Preparation:

I serve as associate dean for academic programs and initiatives in the College of Education at UNLV. I also have the honor of serving as the director and principal investigator for NITEP. Thank you for the opportunity to present on S.B. 291 this morning, and I also wish to thank Senator Cannizzaro for bringing this important piece of legislation.

The Nevada Institute on Teaching & Educator Preparation has a mission centered in three areas: first, supporting preservice teachers above and beyond what they receive in their teacher preparation programs; second, conducting research concerning approaches and methods used to recruit, prepare, and train teachers; and third, to evaluate, develop, and disseminate approaches and professional development for teachers that address the variety of settings in which students are educated in Nevada. The Nevada Institute on Teaching & Educator Preparation serves preservice teachers already in the teacher pipeline in what one might call traditional preparation programs. While their programs are traditional, the preservice teachers served by NITEP are not. Like me, many of the NITEP fellows are first-generation college attendees, and well over 60 percent of the students served in NITEP come from historically underrepresented yet resilient groups.

The Nevada Institute on Teaching & Educator Preparation allows for a nontraditional approach to enhancing the preparation of these preservice teachers with the 360-degree support approach. Since 2020, when I took over as director of NITEP, the program has established a systematic redesign to ensure the preparation of these teachers is enhanced, while also ensuring we are community-embedded and community-facing, with a professional development approach that models teachers' continued engagement with their own lifelong learning.

Since 2021, we have worked to broaden the reach of NITEP, extending to our sister institutions of Nevada State College and UNR. The 2022-2024 cohort, for example, welcomed 45 new students—15 each from UNLV, UNR, and Nevada State College—creating a first-of-its-kind cross-NSHE institutional support, dedicating itself as an institute that serves all of Nevada. If funded, we look forward to also welcoming Great Basin College to the 2023-2025 NITEP cohort.

Before walking through the particulars of the NITEP program, I want to address the student teaching portion of this bill. The change in *Nevada Revised Statutes* (NRS) proposed here will allow those currently working as long-term substitutes the opportunity to continue being employed, which is currently prohibited in the first four weeks of student teaching. There is no obligation that districts are forced to pay student teachers. It is, in fact, to help those who already serve as long-term substitutes to be able to remain employed.

Since 2020, we have worked with 117 NITEP fellows, including 30 from the partner institutions [page 2, [Exhibit C](#)], and we have served over 575 practicing teachers through microcredentials and free professional development with national and state experts in culturally sustaining and evidence-based approaches.

The Nevada Institute on Teaching & Educator Preparation provides six unique components [page 3]. Undergraduate fellows participate in 40 hours of educational engagement and 30 hours of community engagement experiences annually, above and beyond what is required in their preparation programs. We place a focus on supporting English language learners, housing vulnerable and homeless youth, and embedding mental health and wellness—particularly crucial, given teacher burnout and attrition. In addition, we provide 32 hours a year of world-class professional development free of charge to any educator in the state of Nevada through both in-person and virtual connection options. We have served over 575 educators in the last biennium in that capacity.

We have also supported a series of mini-grants, which focus on studying the effective recruitment, preparation, and retention of teachers. For faculty to receive these mini-grants, they must include two to four NITEP fellows as coresearchers, creating a meaningful research opportunity for undergraduate students. We have also included cross-generational mentoring, where senior fellows and community members serve as mentors to our preservice teachers. Finally, we have established a microcredential professional development program, offered statewide, that provides high-quality, self-paced professional development for educators in critical areas. We seek to expand in this biennium to include parental involvement and family engagement as well as multicultural education, both in line with licensure requirements for educators that have been proposed in other bills this session.

The totality of NITEP's impact since 2020 is the contribution of 20,000 hours of engagement, including over 3,400 hours serving community, in addition to 16 mini-grants and 18 partnerships with 10 different community organizations [page 4]. The Nevada Institute on Teaching & Educator Preparation has worked to be at the forefront of recruitment, preparation, and retention [page 5], and the research conducted through NITEP has led to policy positions that have helped inform several bills this session in which we seek to streamline teacher pipelines in Nevada centered on effective preparation and long-term teacher retention. The Nevada Institute on Teaching & Educator Preparation has done this while working to maintain responsible stewardship of our funds as Nevadans and has been noted by our external reviewers as having done just that.

In the next biennium, we propose approximately \$765,000 in direct aid through fellowships, representing 48.5 percent of the funding; another \$735,000 in wraparound supports, including programming and personnel; and \$75,000 in indirect support to address the facilities and administrative needs associated with the grant [page 6]. In all, these funds will support over 50 returning fellows, 50 new undergraduate fellows, 10 senior fellows, and we

plan to serve nearly 600 in-service educators who will get the benefit from the professional development microcredentials while also supporting another 10 to 15 mini-grants that will help faculty best understand Nevada's unique recruitment, preparation, and retention needs.

With that, we look forward to answering your questions.

Chair Bilbray-Axelrod:

Thank you so much for bringing this bill. In many ways it is a no-brainer, since right now we are allowing people with high school diplomas to be substitutes. I am curious about two things. How long is the commitment to stay in Nevada?

Kenneth Varner:

The commitment is to pursue staying in Nevada. We do not have that same commitment, but a lot of the fellows receive Teach Nevada funds [Teach Nevada Scholarships], which obligate them to a three-year commitment. If they receive Incentivizing Pathways to Teaching (IPT) funds on top of that, there is a five-year commitment.

Chair Bilbray-Axelrod:

You went through what the microcredentials were and what they are offering. Tell me what that looks like in practicality.

Kenneth Varner:

We have developed a series of minicourses, let us call them, that are not university credit-bearing, but allow a teacher to extend his professional development in certain districts that helps him with career ladder steps. The Nevada Department of Education is also working, for example, on teacher leadership endorsements, and these would help with contact hours. There are also several requirements for multicultural and parental involvement family engagement we are expanding. Currently we have five courses: they are 15 hours of contact time for the students, self-paced online, asynchronous. The topics include supporting housing-vulnerable and homeless youth, STEM [science, technology, engineering, and math] education, English language learning, data-informed instruction, as well as literacy. These are critical topic areas where a lot of teachers may not want to necessarily come back to a university for credit-bearing development, but the districts may not be providing sufficient professional development themselves. This allows the teachers to opt and choose in. We are looking to expand by adding another five courses this year and another five courses the year after.

Chair Bilbray-Axelrod:

It would be great if at some point they could count for credits, professional development.

Assemblywoman Taylor:

I have never heard of this program before now. It is actually really exciting. The Chair asked the number of years they are committed; and it sounds like that varies, the number of years they need to be here. I know the program is housed in the institute at UNLV, which absolutely makes sense, but in the presentation packet as well as in your comments, you

talked about the statewide reach and other institutions being involved. Which districts do they serve, and do they serve districts in their communities? Help me understand how that connection works.

Kenneth Varner:

When NITEP first started, it was all at UNLV. Post-2020 we wanted to change that to expand it to include the other institutions of higher education. Clark and Washoe Counties are the areas that are most served by this, but through unique programming at UNLV, we are also starting to deliver programs to paraprofessionals online, for example, who can also be in NITEP. It could be statewide in terms of all the counties, but principally, right now Washoe and Clark Counties are where most of our folks go and where we are physically located. That also includes our friends from Nevada State College. The 45 new individuals in NITEP this year represent those two counties.

One of the cool features of this program: We wanted to figure out how to reach high schoolers statewide as part of our own pipeline initiative. One of the community-embedded engagements that happened this year was when the fellows developed an online college tour program to be able to reach students in all parts of Nevada who typically find it hard to come do college tours. One of their community engagement activities was to help high schoolers throughout the state see what Nevada State College, UNR, and UNLV look like and feel like and might be for them, and deliver that online, knowing we are not necessarily physically in all corners of the state, but we can deliver that type of program statewide. Several of our partnerships also reach students outside those counties.

Assemblywoman Taylor:

To make sure I understand the program: Hopefully students come from high school, they get involved, they want to be teachers, and we get them involved in the institute. Are these the same ones who do their student teaching? In the bill, those connected to this program, those who may be substituting, and when it is time for them to do their student teaching, this allows us to pay them, which I think certainly makes sense.

Kenneth Varner:

There are two things going on there with the student teaching. The student teaching part of this bill will impact all preservice teachers statewide, not just those who are in NITEP. It is really important to understand for those who are not teachers, you can be a long-term substitute, as the Chair said, without a lot of credentials necessarily, but significantly before you go to do student teaching, and when you go to do student teaching, the way the NRS is written, school districts do not pay you in your first four weeks of student teaching. That is a financial hardship that a lot of traditional students who are in student teaching just cannot afford—to put pause on their life for four weeks. This will clean that up. It also is in line with IPT and some other funding sources that are seeking to give stipends to student teachers.

All of the fellows of NITEP become student teachers, so in that way they are also impacted by this, but NITEP has generally served those who come from high school into college pursuing teaching; they have this two-year fellowship opportunity to be able to pursue

additional preparation. While we are very proud of our traditional preparation programs, we also know that the life of a teacher is more robust than what necessarily happens in the 120 credit hours of the academic program. This helps. We call this a preretention measure. Part of getting people to want to stay in Nevada is not just giving them the technical skills. It is to embed them in the community and see how the work of a teacher can support community-based initiatives and have other contact with the community. For a lot of our students, outside of their own K-12 experience, they have not had those opportunities.

Assemblywoman Hansen:

I love this idea. It is certainly needed, considering the situation we are in with teachers and teacher recruitment. I was wondering, in section 1, subsection 2, why did that language get removed—"not less than 4 weeks of student teaching in a school district"?

Kenneth Varner:

To help clarify the situation that a lot of student teachers find themselves in, for many traditional student teachers, in order to pay for college they are already working as substitute teachers long before they go into student teaching. The way the statutes currently work, they could be serving for a year as a long-term substitute. Then it is the time for them to go to student teaching. They have to pause receiving income during those first four weeks, and it becomes disruptive for them and for the school district, so schools make some choices sometimes about how they shift the placements around.

The other part of why we want to do that and what this is meant to do is yes, this is the NITEP bill, but it is also meant to take what we have learned in NITEP to help the rest of the state think through some of the limitations. There are a lot of initiatives that are looking to move towards year-long residency models, apprenticeship models—certainly we are doing that. There are agreements from districts. For example, the Clark County School District (CCSD) is looking at having student teachers who serve in year-long apprenticeships be able to earn long-term substitute teacher pay while they are doing that, as a more novel way of doing their student teaching—still under the supervision of licensed teachers, still following all of the requirements. This would facilitate that happening. In that first four weeks, I cannot express enough—for a lot of folks this might seem silly but literally, financially, student teachers cannot afford not to earn income during that four weeks so they drop out of our programs after 3.5 years of studying to be a teacher. They cannot afford that four weeks and they end up going to do something else.

If we need to help decrease teacher shortage, it is fundamental that we figure out how to retain them through graduation, and this will go a long way to making sure that at least the financial component of why some people are leaving before they even graduate will get addressed.

Assemblywoman Hansen:

That makes complete sense. Thank you for clarifying that on the record. With the student teaching model, and I understand some are working as substitutes so they are already in a classroom doing that kind of teaching in their experience, but the purpose and the intent of

student teaching, as far as I understood, is you are watching and modeling what another teacher is doing. I am curious, do we have any concerns that this student teacher is being a little too independent? I know there is supervision, but student teachers are not actually in the classroom at that point in time in their education watching those experienced teachers handle lesson plans, the different things they do. Maybe they are doing it offline. I am curious about that interaction. Do we have concerns? You probably have lots to say to address it. I just wanted to get it on the record.

Kenneth Varner:

I usually have lots to say about lots of things, but I will try to be super brief. Student teaching looks lots of different ways. There is not a singular pathway to student teaching. The vast majority of student teachers will continue, at least in the short term, doing something that looks a lot more like traditional student teaching. I know several of you on this Committee are educators, and if we have done student teaching, the traditional model is I am placed in a classroom with a veteran teacher. I watched them for a few weeks. I am given increasing responsibility in the classroom. Anywhere from six to ten of the final weeks I take a majority of the responsibility for the classroom. That will continue being that way; however, there are a lot of folks who have been serving as long-term substitutes for several years who have built experience, and this is a pathway that works for them in the schools. They are supervised by veteran teachers in the classroom. They are also supported by university supervision. Next year, UNLV will be piloting with CCSD a pretty unique initiative where they are going to be supported by three mentor teachers, and they will be in dyads in classrooms. This will facilitate their being able to earn while they are doing that and enhancing it.

What is really great about NITEP is we are not just taking shots in the dark. We are studying what is effective. The research suggests teacher retention is not going to improve if they cannot financially afford to student teach, so we have to create some pathways that deal with it. I also want to be clear: it is not scholarship money alone that does that; in fact, scholarship money is fairly ineffective at moving the needle on graduation rates in the state of Nevada. It is the wraparound services, the wraparound components, and the supports that are embedded in programs like NITEP's that are making the difference. The ability to earn money is critically important for that group of people who simply cannot afford to give up income during a month of student teaching in order to complete that program requirement. They leave, and they leave in a much larger number than we would like to think.

Assemblywoman Thomas:

Before my question, I just want to say that thinking outside of the box is something Nevadans have a tendency of not doing. I appreciate your bringing this forward because innovative ways of teaching and learning are something we need in the state. No, I am not a teacher and I do not play one on TV either, but as a member of this Committee and a concerned mother and grandmother of students in Clark County, I think it is very important for us to build that pipeline and to take down all barriers to promoting our teaching environment.

A question that comes up in my mind, because I am the lone wolf about several things that I see in our teaching environment, when you gave your curriculum for student teachers who are studying under your program, I want to know whether you have a component in there for socioemotional learning development of the teachers, because we have so many diverse students in our community, and it is essential that we get teachers who are involved in our community who can think outside the box—who can embrace our students. I know there are several teachers on this Committee who might not believe what I am saying, but it is true, and it is very important for us to know that the minority groups in our community are learning from teachers who know about their community.

Kenneth Varner:

I passionately agree, and this is why we have structured the program in the ways we have. I said that I am a first-generation college attendee. My father might be watching today. Parents send you the very best thing they have every day, hoping for a good outcome. Unfortunately in Nevada with the number of vacancies here, it is a hard sell to ensure parents are getting the very best outcome. I, like Senator Cannizzaro, am a product of public school as well.

Licensure requirements do require some touching on socioemotional and some cognitive. There are several requirements, but we also know that the totality of the credit-bearing program will not cover everything a teacher needs to know, and that is why at NITEP we embed all of these other things around it, and we try to enhance what they get through the regular 120 credit hours.

The professional development program we do actually comes right out of this in making sure the students see themselves reflected in the professional development. Over 60 percent of NITEP fellows are students from historically underrepresented groups, and we are not sure whether they consistently see themselves fully represented in the curriculum of teacher preparation and the students they serve. In K-12, I had the great fortune of having eight teachers who identified as Black female, which is rather unusual for most students. That is not a common statistic. What we know is that everyone benefits from having teachers of color, students of color, and white students as well.

A lot of our programming is around the needs of the diverse community. In Las Vegas, where a lot of the UNLV and Nevada State College students are, homelessness and housing vulnerability are a real struggle that creates mental health and wellness concerns, socioemotional needs, and that is why we have embedded such a commitment to mental health and wellness in NITEP. That is why we have encouraged it with all the other teacher pipeline bills that are circulating around this session, that we have to have a more rounded approach to how we are dealing with it.

Sociocultural learning is important. I said it in the presentation, but to reemphasize: culturally sustaining practices are ones that are really important. Teachers learning how to know who they are as people, but also how to engage the humanity of those whom they serve. If we look at public school teacher demographics compared to student demographics,

they are not the same. There are far more students of color than there are teachers of color. It is pretty vital that we think holistically about the preparation. I work in higher education, so I believe higher education is the pathway to prepare folks; but I also know that does not mean that is the only place we should hope the curriculum is going to take care of everything. This is why we have opened NITEP up to any practicing teacher in Nevada. They can get the benefit of our microcredentials professional development support because it may have been some time for them since they have really engaged in this conversation, or they are realizing that the realities now are different than when they started teaching, and they need that new development approach as well.

Assemblywoman La Rue Hatch:

I can definitely say as a practicing teacher, paying our student teachers is critical, because not only are we asking student teachers to go four or six months without pay, but we are also asking them to pay for the privilege because they are paying for credit. I appreciate that we are moving in that direction.

My question is about NITEP in general. I like the bill. I think it is great. I am a teacher and I have never heard of NITEP; that is probably because I am in Washoe County. You said the microcredentials and the professional development are open to all. Are there any other programs that are open to teachers outside of Clark County? What efforts are being done to make sure teachers know about these programs so we can take advantage of them?

Kenneth Varner:

The University of Nevada, Las Vegas and Nevada State College are located in Clark County and, obviously, UNR is located in Washoe County. That is the geographic location where many people are prepared. To be clear, we are also encouraging teachers to think about the needs of Nevada and where they want to go. We are working with community partners in rural areas to help encourage folks who might not have thought about teaching in rural communities as a viable option for their own career and giving them good contact and experiences there.

As you said, the professional development microcredentials are open to anyone in the state. Our plan, when funded, is to expand to Great Basin College as well so students there are part of NITEP. In the first few years it was there, it was housed at UNLV and served UNLV students. That is something we wanted to course-correct. It is the Nevada Institute. It is not the UNLV Institute. While we are very proud to host NITEP and want to be responsible stewards of it, we know we need to do that in partnership with all of the teacher preparation programs statewide which serve a broader base.

Chair Bilbray-Axelrod:

We are good on questions, so we will invite testimony in support.

Alejandro Rodriguez, Director of Government Relations, Nevada System of Higher Education:

The Nevada System of Higher Education is in strong support of S.B. 291 and the NITEP program. We would like to thank Senator Cannizzaro for bringing forward this measure and Dr. Varner for his presentation on a very critical issue facing our state.

Alexander Marks, representing Nevada State Education Association:

We are speaking in support of S.B. 291 to remove the four-week requirement for student teachers. This session we also spoke in support of Assembly Bill 323 to contemplate payment for student teachers. Perhaps those ideas can be harmonized. I know many on this Committee are cosponsors or sponsors of that bill.

Nicholas Schneider, representing Vegas Chamber:

We are in support of S.B. 291. We believe this is a great way to address coming over a financial burden for a lot of our teachers and expands access to the profession of teaching.

Daniel H. Stewart, representing Clark County Education Association:

We are in strong support of this bill. Sessions develop certain themes, as those of you who have been through many of them know. One of them we hear about regularly is our teacher vacancy crisis. Although it is a statewide crisis, it is also something that is disproportionately borne by our at-risk schools. Something like over 80 percent of our vacancies are in our at-risk schools.

I agree with the comments about needing outside-the-box thinking, and I do not know that there has been a session when there has been a more comprehensive effort to try to create pipelines, recruit and retain teachers, both on the fiscal side and on the policy side. This bill fits in very well with some of the bills that members of this Committee have as well. We look forward to seeing them all—hopefully in the next week—make it to the finish line and have one of the greatest efforts for teacher recruitment that we have had at any time. I also want to thank UNLV for their partnership in this. It is critical that K-12 and higher education be linked up if we are going to have a fully functional pipeline.

Mary Pierczynski, representing Nevada Association of School Superintendents:

We are very much in support of this bill. A teacher pipeline, as you know, is a critical issue for our school districts. Assemblywoman Thomas said it best when she talked about innovative programs. This is innovative, and we need it because we have to get smart about getting teachers here in Nevada.

I know this is not a money committee, but I did want to point out there are a couple of fiscal notes on this bill, especially one from the Carson City School District, and that will be removed. I talked with them this morning.

Chair Bilbray-Axelrod:

Thank you. I appreciate that. We will go to Las Vegas.

Sheila Bray, representing University of Nevada, Reno:

We would like to thank Senator Cannizzaro for bringing forth this bill, and we also give a lot of thanks to UNLV and Dr. Varner for the work they have done on this program. It is a proven method, and as many of the speakers before have said, we need to provide our students and those entering this workforce with the surrounding support, and that is exactly what NITEP does. Thank you for including UNLV in this. We are excited to be partners on this, and we urge your support.

Ed Gonzalez, Private Citizen, Las Vegas, Nevada:

I am a committee member of the [Liliam Lujan] Hickey Elementary School organizational team in northeast Las Vegas, speaking as an individual in support of this bill. At our school, we do have these student teachers who run into the situation of the four weeks, and you see some of the struggles they have as they are trying to get into the profession. There are many bills, as has been said, that will help out, especially Assembly Bill 282 that deals with health insurance.

We know this will cost schools more money, but they are more than happy to do it. We have such a crisis when it comes to education. For instance, at our school we have 26 in our kindergarten classes, not just because we cannot get teachers, we cannot even get long-term substitutes, so that puts a lot of stress on teachers. The more bodies we can get in schools to better educate our kids, the better we can be.

Chair Bilbray-Axelrod:

I am not seeing anyone else wishing to speak in support in Las Vegas. We will go to the phone lines. Is there anyone on the line wishing to testify in support? [There was no one.] With that, we will close support and move to opposition. There is no one in Carson City or Las Vegas in opposition. Is there anyone on the phone lines in opposition? [There was no one.] With that, we will close opposition and move to neutral. Is there anyone here in Carson City wishing to give testimony in neutral? [There was no one.] I am not seeing anyone in Las Vegas in neutral. Is there anyone on the phone lines in neutral? [There was no one.] Would you like to make any closing remarks? [There were none.] I will close the hearing on S.B. 291 and we will stand at ease for a few moments as our next presenter comes in. We are in recess [at 9:46 a.m.].

[The meeting reconvened at 10:18 a.m.] Welcome, Senator Nguyen. I will open the hearing on Senate Bill 282 (2nd Reprint). Please begin when you are ready.

Senate Bill 282 (2nd Reprint): Revises provisions governing education. (BDR 34-532)

Senator Rochelle T. Nguyen, Senate District No. 3:

I am excited to be here. I did have the pleasure of sitting on this Committee last session, so it is exciting to be back here and seeing all these new faces. Why Senate Bill 282 (2nd Reprint)? A lot of times people make assumptions on why bills are brought—who brought them forward, what the ideas were for the bill, what interest group got to you, and

how a bill came here—so I do like to start every bill presentation with the why, what this bill seeks to solve, and for those of you who are superhero movie fans—which I am a Marvel fan—what the origin story is for Senate Bill 282 (2nd Reprint).

My kids have the pleasure of attending a five-star elementary school in Clark County as part of the Clark County School District (CCSD). Our first child, who just turned 13, attended this amazing school. It was one of the magnet schools in the CCSD. He was our first. He is our baby. He is still my baby. Like many new parents, you are trying to find the best opportunity and best fit for your child. Ultimately, we got there. We were involved parents, which I think we want to encourage parents to be involved in their children's education. It was my husband's decision to run for the school organizational team (SOT). My husband was ultimately elected. It is an elected position amongst the other parents in the school who are part of the SOT. He, along with the other parents of the SOT, were excited to be involved, and things went well because they had a principal at that time who was great: communicative, listened to the parents, listened to the SOT, and realized they could use those SOT members and involved parents to make the school better.

However, shortly into his term the principal decided to retire. He was grateful that he was going to be a part of the process in selecting the next principal for that school, as were the other parent members who were a part of the SOT. We had another child at the time who was also in the school and we were very happy with the school, the climate, and the atmosphere that was taking place in that school. After participating in reviewing and interviewing several candidates—I want to make sure you understand this was not a situation where it was taking place after work. My husband as well as the other SOT members had to take time out of their day, took their job and their responsibilities seriously, reviewed the applications that were part of the interviewing process, and interviewed five principals. At that point they thought they had a real voice in this. In fact, the SOT was unified in their opinions about the candidates. It was at that time when they realized they did not actually have a voice. In fact, many of them left the SOT because they realized their voice did not mean anything in this process. What I mean by that is, they made recommendations and they were told—after being a part of this process, participating, vetting, and getting input from other parents who were not part of the SOT but a part of the school community—Thank you for taking time away from your jobs and thank you for taking the time away from your families, but we are going to go in a different direction. In fact, we are going in the opposite direction. The person whom you ranked first, we are not going to select that person as the principal.

It was heartbreaking to see what happened, and it ultimately led to almost every single one of the teachers leaving that school. The school plummeted from a five-star school to, I think, a two and a half or three-star school at this point. That is not the entire problem; looking at a star rating plummeting, but also looking at the climate of those teachers who were there. I had many teachers who were crying to the parents about how the climate had changed in

that school and how it had changed ultimately to the point where we made the decision—and it was heartbreaking—to take our youngest child who was about to enter the fifth grade, out of the fifth grade, and put her into our neighborhood school, which has turned out to be fantastic as well.

In 2017, Assembly Bill 469 of the 79th Session was passed that created autonomy for schools in CCSD. Senate Bill 282 (2nd Reprint) strengthens that autonomy by providing the school organizational teams with more control over the school's budget, its plan of operation, the selection of principals when there are vacancies, and the timely use of the school's carryover dollars to improve student education, with a clearer understanding of staff selection.

I want parents involved; I think we all want parents involved in their child's education, and this seeks to empower those parents. This bill seeks to empower those SOT members to be a part of the process in a real, substantial way; not only in the approval of the budget, which is what the SOT is also involved in, but also the selection of principals who are coming into those schools. As far as the carryover dollars are concerned, we have had a policy in this building to make sure those funds follow the students. Right now, unfortunately, we have a lot of those funds not following the students. It is not my suggestion that we take that money and send it back to the district. What I am encouraging people to do is actually spend that money instead of holding onto it, to make sure it does, in fact, follow the students whom it was allocated for and not students in the future.

With that being said, I recognize things move slowly in the education world. There is a lot of bureaucracy, so some of the amendments before you today involve a recognition of some of the realities of implementing a change like this, for example, it was originally proposed 75 percent of SOT members, and now it is 75 percent of SOT members who are present. For those teachers who are on this Committee and those parents who have served on SOTs, I recognize, and I hope this policy committee would also recognize, that sometimes people do not show up even though we want to encourage parents to be involved. That is why the shift to 75 percent of the members who were actually present on the SOT.

As far as the carryover dollars, we put some additional language in there because we recognize that sometimes it is easier to say, Spend this within 12 months and keep a certain percentage back as carryover you can hold onto and save for the future, but we changed this to 24 months in recognition that sometimes after one year, you realize there are certain things which might take a little bit longer to order and get there, so we added from 12 months to 2 years in order to spend those carryover dollars. Initially, we had 1 percent you were able to hold onto, and after speaking with people, we moved that up to 5 percent. Those are the changes you have seen that have ended with the bill that is before you today. With that, I will open myself up to any questions this Committee might have.

Assemblyman Koenig:

From my days on the school board, I found—and we did this numerous times—if you form a committee, have them do work, and then do not listen to what they say, that never turns out

well, so I like that. One question that jumped out at me is in section 2 where it talks about the principal of a local school makes "every effort" to notify the members. Could you define "every effort"? I do not know what the legal definition of that would be.

Senator Nguyen:

I do not think there is any legal definition for "every effort," but I think our intent in putting that in is we wanted to make sure SOT members were informed there were going to be meetings. Typically, the way it is run is the principal of the school is the one who convenes the SOT and sets the agenda for when those meetings are going to be heard. This was an effort to make sure people were notified so if people were not showing up, it was not because there was not a notice that there was a meeting. There is not any kind of legal definition for "every effort," but the intent behind that was to make sure people were notified of those meetings going forward.

Assemblywoman Torres:

I would like a clarification. I have worked at a school with an SOT team, and we did lose our principal. Our principal moved to another school. When we went through the selection process, the individual who was selected was not the person who ended up becoming principal of the school. In fact, there were two or three candidates, and none of those candidates became principal of the school. It was somebody else who came from the outside, which caused quite a bit of upset in the school community with a lot of turnover for teachers and upset parents. I am wondering if you can walk us through what that process is going to look like. What steps will be taken? I know it is here in bill form, but could you walk us through that conceptually?

Senator Nguyen:

I will walk you through in more layman's terms. Currently, when a position for a principal is vacant, the SOT creates a list of qualifications and provides it to the superintendent. The superintendent and at least one member of the SOT interview three to five candidates and submit them to the SOT, who ranks the candidates in order of preference and then submits those back to the superintendent. The superintendent has the ultimate authority of hiring the principal. In your scenario and my scenario, there was a list that was given, and sometimes it is no one on the list; or it is someone on the bottom of the list; or it is anyone on the list. What S.B. 282 (R2) seeks to change is, the SOT is now required to submit to the superintendent a ranking of those candidates based on those qualifications for the position of principal, and authorizes the organizational team to reject the selection by the superintendent of the candidate for the position of principal if at least 75 percent of those members of that organizational team who are present vote to reject that selection. It also provides that if the organizational team rejects that selection of the superintendent, the superintendent is then required to select a candidate for the position of principal from the remaining candidates on the list submitted by the SOT.

Let us use my scenario as an example. Let us say there were five candidates and they said, We are going with selection number five, and we reject that; they would have to come back with one of the other ones, and they could go through the people who are on that list.

It would have to be a back and forth between them, but again 75 percent of the members would have to vote for that. It takes the ultimate power and authority from the superintendent to override that parental input and the SOT input and gives a little more balance to the process.

Assemblywoman Torres:

I appreciate that because I think the SOT process has not worked as efficiently as it should, and I am disappointed with how we have disempowered SOTs when the intent of the reorganization was to ensure parents and community members had a voice in education.

Assemblyman D'Silva:

You talked about the spending of the carryover dollars. My question is, Why do you think it is so important to actually utilize those funds, to spend that money—especially in regard to the effects this can have on some of our more socioeconomically challenged schools?

Senator Nguyen:

I looked at how much money was being held over in these carryover funds. It was a shocking number. We sit here in these committees—especially now that I am on one of the money committees—and I see we are always trying to give more money to education. We are always trying to make sure those dollars follow our children. We have put in place a pupil-centered funding policy, and we are trying to implement that. When I looked at some of these carryover dollars, it actually came from the special session when we realized there were quite a few carryover dollars sitting in some of these accounts—upwards of a quarter of a billion dollars. I am not talking about small dollar amounts. I am talking about large cumulative dollar amounts that were not being spent on the education of our kids. I looked at that and talked to a lot of principals to try to figure out what was happening there.

You have principals who have tried to be responsible. Honestly, I do not think there was any ill intent, like taking this money. I do not think it was, Hey, we are just hoarding money in the school accounts. I think they were very, very concerned that they would not have this money going into the next school year, or they would not have it in other things, but it is very limited on what they can use these funds for. You have schools that want to paint their buildings and they want to use school education funds that are meant to be used to improve educational outcomes for our kids—and they were painting their buildings.

Quite honestly, as a policy, I do not think we should encourage people to save money that should be spent on students in order to paint the building. That is something that should come from the district. They should be maintaining those facilities. They should be able to take that money and buy extra programs, do extra tutoring, do other school things that actually affect the kids. As a policy, it is my opinion, and I am hopeful other people will agree, that the district should be responsible for fixing a roof or replacing an air-conditioning unit. That should not come from those educational dollars that were meant to be spent on students.

I looked at some of that. I also looked at maybe we should incorporate and make it a little bit more flexible for those principals to be able to use that money if there are certain things. It is my intention, if you are at an art school or a school that has an art function and you want to have a mural painted, that is not the same as replacing a roof or putting in an HVAC [heating, ventilation, and air-conditioning] system in the building. That actually has an educational purpose that is important to that school. I think there is some flexibility on some of those unique opportunities where we are trying to improve student learning and it is done through the arts, or if you have a unique educational opportunity to put something into your playground that is more educational, and it is in the direction of your physical education curriculum, it makes sense to be able to use that money. If you are trying to replace turf on your entire field, that is something the district should take care of, and it should not come out of these educational dollars. That is a combination and compromise.

In section 1.5, subsection 3, it talks about the end of the year balance carryovers, and you see in paragraphs (a) through (f) the other instructional training programs or activity designed and intended to improve the achievement of pupils. We added that section to give more flexibility to those principals in their use of those carryover dollars. As I said, it exceeds 5 percent of the actual expenditure, so that gives them the opportunity to do some saving because I think that is also important. I want to respect the idea that you are fiscally preparing for the future where you might have some downturns and you might want some extra educational dollars to use in these (a) through (f) categories. That is why that is in there. Also, moving it from the 12 months that I initially proposed up to 24 months gives them a real opportunity to work within the bureaucratic disaster that probably is the educational funding for the schools, to be able to order whatever they need to get those in, in time within that two-year period. I hope that answers your question.

Assemblywoman Hansen:

I certainly can appreciate this bill very much. I have some concerns. Are all members of SOTs voting members if 75 percent are present?

Senator Nguyen:

I have Francesca Petrucci who might be able to answer that question.

Francesca Petrucci, representing Clark County Education Association:

At the beginning of the year, the SOT is formed of parents, educators, support staff, community members, and at the secondary level a student as well. Those members are picked to serve for the year. When we are talking about 75 percent approval, that would be the SOT that is put together at the beginning of the year.

Senator Nguyen:

The question was, are all those members who are selected voting members?

Francesca Petrucci:

Currently, when we say voting, that gets to the crux of what this bill seeks to do. They serve in an advisory capacity on the school organizational team; if there are votes that are separate

from, for example, the budget, then yes, those members have voting authority. When we talk about selection of a principal or a budget in this bill, we are giving them voting rights in that capacity as well.

Assemblywoman Hansen:

When it comes to things like the budget or the principal, even a student or what we term nonvoting members get to vote on that?

Francesca Petrucci:

It would be the members of the SOT who differ, depending on whether you are at the secondary level or a lower level. To give you context: The SOT must consist of at least two teachers, one support staff, and three parents. They can have one or more community members, and then at the secondary level must have one student. The maximum is four teachers, two support staff, six parents, and two students at the secondary level.

To your question around the budget and veto authority over a principal's selection, those would be the members who would take part in that process.

Chair Bilbray-Axelrod:

I am going to go to Mr. Killian, who can clear up some information.

Asher Killian, Committee Counsel:

Nevada Revised Statutes (NRS) 388G.720 sets out the membership of the organizational teams. Under existing law, the principal is a member but a nonvoting member. I believe the bill would change the principal to a voting member. There are between two and four members who are teachers or other licensed educational personnel who are voting members. There is one member who is an employee of the district other than teacher or licensed personnel who is a voting member. There are additionally a number of parents or legal guardians who represent at least 50 percent of the total number of voting members, if possible, who are also voting members.

Therefore, the minimum composition, as just mentioned by the testifier, would be two teachers, one nonteacher, and at least three parents, all of whom are voting, so six voting members. Beyond that, there is the ability for the organizational team to appoint nonvoting members either from the community or a pupil at aforesaid middle school or higher level. Under NRS 388G.720, subsection 3, a pupil nonvoting member is appointed for middle school or high school organizational teams, and under subsection 4 the organizational team can select one or more additional nonvoting members from the community at large. Those are all nonvoting members. The only voting members are the teachers, licensed personnel, other employees, and parents. All of the other members of the SOT are nonvoting members.

Chair Bilbray-Axelrod:

Thank you for that.

Assemblywoman Taylor:

I have a question around collective bargaining. It talks about requiring, in the hiring of other positions at the school, that they follow the collective bargaining agreement. It was not in the bill before and now it is in there. Is that because we are deviating from them? I am wondering what the rationale is around that.

Senator Nguyen:

It was not included as introduced, but it was meant to be included. Because of deadlines, I just introduced it and then made an amendment. Things have changed, honestly. I will give you a quick background. Principals currently were interpreting their authority to mean they had unlimited authority over the selection of staff, which means they had the ability to hire substitutes over licensed teachers in good standing. There was some litigation that was resolved. What this language now does is codify what the Nevada Supreme Court held, just in the last 30 days, that they have to abide by whatever those collective bargaining agreements are, and in this case it says that a principal cannot select a substitute over a licensed teacher in good standing. I have always supported that principle. I think our educators are highly educated, highly trained, and if there is an educator who is licensed and in good standing, a principal should be encouraged and forced, I suppose, under this law and under whatever collective bargaining agreement they have, to do that. That is where that comes from.

Assemblywoman La Rue Hatch:

As a teacher who has taught in a school with a leaky roof, with crumbling paint, and with asbestos, I would argue that the physical space does have an impact on our students' academic achievement. I think my students definitely felt unappreciated, felt lesser, and felt like they were not as good as other students in the district because of that. I just wanted to check. You are saying the district should take care of those physical spaces. My question is, Are they taking care of those physical spaces or are the principals having to do that because they are not being maintained?

Senator Nguyen:

You are in that space. There are more teachers on this Committee who are in that space and know very well that they are probably not taking care of those things, or the process of having those kinds of repairs is happening so slowly that people are not saying that. However, putting something in statute that essentially absolves the district from taking care of physical spaces, I think is a policy we do not want to put in statute that essentially tells the district you do not have to do this; you can make your principals and the individual schools use this money to repair a roof. I think we should encourage them, through other policy decisions and other mandates that we have on the district, to take care of our students' physical structures so they can have an effective learning environment.

The idea that we would shift that burden from the districts to those individual principals would only encourage them to have to save money, and they would want to hoard that money because they want to replace the roof, because they do not think they have—and if we put it in statute, then the district will not replace those things. They will not make it a priority.

Unfortunately, we see that happen a lot where people are not taking care of the physical schools that our children are being housed in. If we do not encourage them to do that and we put it in statute that they are not responsible for the physical maintenance of those buildings, that would be a bad policy. I hope that answers your question.

Assemblywoman La Rue Hatch:

I wanted to speak to the programs that are allowed for those carryover funds. In section 1.5 on page 6, I am looking through these and pretty much all of them are programs—extracurricular programs or tutoring programs. I want to ensure that there is some flexibility for personnel. As a teacher, a lot of times I see districts or principals buy really fancy programs that literally no teacher ever uses, when what we could really use is a reading specialist in our classroom, or an additional aide or security monitor or something like that. I wondered if there was any flexibility for personnel or anything else other than prepackaged programs.

Senator Nguyen:

I might be phoning a friend here because I think it is our intention when we are using the term "programs," we wanted what I had mentioned before: tutoring and other personnel who actually help with some of those student achievement activities, because we have "program or activity." That was my intent.

Francesca Petrucci:

For context, a lot of the source of the carryover is from staff attrition. It is no secret, the huge vacancy rates down here in Clark County. The source of a lot of this carryover is the fact that we have such high vacancy rates. So yes, the objective is to first fill as many of these vacant positions in these schools as possible, and then the balance of what is left over after salary and staff is where section 1.5, subsection 3 comes in, with the guardrails around what the remaining carryover dollars can be used for.

For further context on this carryover issue—because that is a critical piece of this legislation—since fiscal year 2021 to fiscal year 2024 there has been a 57 percent increase in the carryover funds. We are talking about the district next year set to sit on \$205 million. While we are working on filling these vacancies, which is of course is the first priority, there has to be some prescription around what the balance of those funds can be used for, because what we have been experiencing is a ballooning of the carryover in lieu of all of the vacancies.

Chair Bilbray-Axelrod:

We are going to go to our Legal Counsel to clarify what those funds can be used for.

Asher Killian:

Looking at paragraphs (a) through (f) of subsection 3 of section 1.5, paragraph (f) in particular has very broad language in terms of, "Any other instructional training, program or activity designed and intended to improve the achievement of pupils" I think certainly

staffing materials, anything that would improve the achievement of pupils, would fall into that paragraph. It allows for pretty broad use of these funds as long as they are targeted toward pupil achievement.

Also, in paragraph (a) where the language talks about "supplemental academic achievement programs," there are no restrictions in the bill on what the contours of that program would be. It would be up to the local school precinct and its leadership to put together a program that matches the description of "supplemental academic achievement programs." If that is a program to supplement staffing to ensure that pupils have adequate access to teachers, that could qualify as a supplemental academic achievement program; if it is a program to acquire the kinds of materials necessary to teach pupils at an adequate level, that could qualify as a supplemental academic achievement program. The gist of my answer is the bill is not necessarily limiting in the way it might potentially be read.

Chair Bilbray-Axelrod:

Thank you for that clarification.

Assemblywoman Thomas:

My question has to do with school organizational teams for these carryover funds that I am hearing could be close to a half-billion dollars collectively within CCSD. I understood from what Mr. Killian said, you could use these funds to help our at-risk kids with social workers and/or hiring licensed social workers, licensed counselors to assist our children with behavioral problems. If they cannot use all the funds within the two-year period, where does that money go? Does it go for the school organizational teams to decide or dictate what that principal does with the money, or does it go back to central?

Senator Nguyen:

If you look in section 1.5, subsection 4, "If a local school precinct fails to spend the entire amount of the money by which the year-end balance carried forward pursuant to . . ." those subsections within those 24 months, it does not revert back to central; it reverts back to the Education Stabilization Account (ESA) created under NRS 387.1213. I want to make this very clear that this is money that is extra. To what the point is, most of this has ballooned because of vacancy rates, because when you are hiring substitutes, which sometimes right now is out of necessity because we do not have enough teachers—although I know there are lots of teacher pipeline bills that are moving through that hopefully in the future we will not have that problem—the schools are saving a lot of money by hiring a substitute as opposed to a licensed teacher in good standing. Some of it is out of necessity because they do not have those teachers right now, but this is just the extra money that is in there. This encourages them to come up with other programs that are described in paragraphs (a) through (f). Again, it does not go back to the Clark County School District into their own personal slush fund. I know there had been some legislation proposed during a special session. There had been language proposed, even in this body by other members. That is not my intention at all. It is to go into that Education Stabilization Account; that is anything in excess after that two-year time period.

Assemblywoman Anderson:

My question was very similar to the prior question on page 7, section 1.5, subsection 4, so thank you so much for that clarification, that it would be going back to the Education Stabilization Account, not going back to the district.

My other question had to do with line 3 on page 7; could you make sure it is really clear that it is actual expenditures? I have had some principals from Clark County reach out to me and say, We have sent in a request and they have not been approved. I want to make sure it is clear that this is actually what has been spent, not just what is being planned to be spent.

Senator Nguyen:

It is actual expenditures, the language in there. Part of the reason why we went to 24 months was because of the concern that people would put in an order and it would take upwards of two years, unfortunately, to see that order come to fruition. The 12 months was not realistic. As any teacher would know, you can put in a request and it might take up to two years. Actually, they were fine with 18 months; however, at 18 months it was in the middle of the fiscal year, so it would cost a fiscal note. We moved it to 24 months because that was a part of the normal [unintelligible]. I honestly think it gives more flexibility in order to deal with some of the delays that can take place in the ordering of new materials or hiring of anyone that these funds would be used for.

Assemblywoman Hansen:

Carrying on with this carryover, the genesis of the bill was the experience that you had at your school. It seems this bill will address those concerns and have that community engagement satisfy some concerns over placement of principals and so on. I am not sure I understand why we put the carryover as part of this, because that is what is causing me pushback. Let me address the carryover question really quick. We talked about your daughter; she has now moved over to another school. The idea that these funds would go to the Education Stabilization Account rather than stay with the district—to me it is like that money was allotted. If we took it from the school and put it with the state, that money was earmarked, really, for Clark County. I do not understand why we are going to take it from the school and put it in the state account rather than the district account. I understand why there might be concerns over that, but if we are going to go on the premise of it following the students, the students are in Clark County.

Senator Nguyen:

Part of the reason is I realized in the carryover, and if you look at the SOT and empowering those parents who are part of the SOT, who are taking time from their day, who want to be there to better the schools for their children, and we all want to encourage, the SOT is not only for the selection of principals, but it is also the approval of the budget. If we want to encourage those dollars to follow the student, I think this puts a hammer over these principals and these schools and these SOTs to spend that money on the students whom they were allocated to, not the students four years from now, or the students six years from now, but the students who are in the school right then and there.

You have a situation currently where there is money that is allocated to the student, and because they do not even have to spend it within two years, it is just ballooning and ballooning and ballooning and hanging out there. There is one high school in Clark County that has \$4 million just hanging out in its account, and it is continuing to grow as they are having vacancy rate problems and getting licensed teachers in there for various reasons. That is where the carryover dollars come from because it also empowers those parents on the SOT as a part of that budget and spending process. They can say, Hey, we need to have more tutors in this area. Hey, we are deficient here. These are the apps we have. I know from talking to my husband and other SOT members, sometimes they will sit there and they will have a conversation about what kind of computer programs we should get for the schools, and they make that determination on the SOT. This, again, empowers those parents to make that decision on where that money should be spent.

As to your second question, there was a lot of discomfort about giving it back to an administrative agency like the superintendent in Clark County. This does affect Clark County. It is not across the state, but as a policy, people were less comfortable with that. With the two years, people will start spending this money on the kids who are in the schools if they know it is going to go back to the state Education Stabilization Account. That was the intent behind that.

Assemblywoman Hansen:

Chair, just a quick question to Legal on what Senator Nguyen just mentioned. This idea of the carryover and kind of sweeping, in 2011 it was deemed the Governor could not sweep the county money to fill a hole at the time with the budget then. Is this going to be seen as if you take that money from the school and give it to the state, which is really a county, right? To me, it seems similar. We are taking county monies and sweeping them into state accounts. Are we going to run into something similar?

Asher Killian:

The structure in this bill is more similar to the structure for the state as a whole with the ESA for all districts other than CCSD. Clark County School District is unique because it has the local school precinct model where money goes down to the schools and does not necessarily stay at the district level. The way the ESA works with the other 16 school districts is if they maintain a reserve of more than 16.6 percent, basically two months of reserves, anything in excess of that gets swept back into the ESA. In CCSD, since that money in reserve does not necessarily sit at the district level but mostly at the school level with some at the district level, that normal sweep mechanism does not quite work the same way.

What this bill would do is reach down to the local precinct level and enact the same general rule in a different way for local school precincts, given the different structure of CCSD as a large school district with local school precincts. The difference between this approach and previous cases where sweeps have been prohibited is the court generally will not allow a tax that has been raised for a specific purpose to be applied for any purpose other than the purpose for which that tax was raised. This is a different situation where there are legislative appropriations that are going down to the school districts for a purpose, and the

Legislature is then looking to potentially sweep those appropriations back to the state level if the appropriations have not been used for the purpose for which they were made. The Legislature does have that authority, where the court has found in the past that when a tax is raised for a particular purpose, the Legislature cannot sweep the money that was imposed by that tax for that purpose back into the General Fund to be used for some other purpose. That is the distinction between those two different types of situations.

Short version of the answer is the model in this bill generally matches the model for the ESA for all other districts, so it would not be unconstitutional under the previous precedent.

Chair Bilbray-Axelrod:

Thank you for that clarification.

Assemblyman D'Silva:

There has been a lot of interest in this bill, in this topic, especially amongst the teachers and the parents who want to see more of a role in the decision-making of our schools. You went over what the process of the selection of a principal would be. What about those decisions concerning the budget? Once this bill is implemented, what kind of a process will we have in place? How will that change the actual decision-making of the budgetary elements of a school once this bill is in place?

Senator Nguyen:

It empowers those parents and members of the SOT who are voting members to have an actual vote and not just, to what Assemblyman Koenig said, asking people to commit to something and participate in the process and then later telling them their voice does not mean anything. This empowers those parents to stay involved in their children's educational future and that of the schools. It is a similar policy we want to impose that.

A lot of these budgetary decisions are principal-driven. We could have a whole other conversation about how we probably do not give our principals enough training and support in budget making, but that is not in this bill. Unfortunately, that is just the current state of the way we have decided to empower the principals; but when they are communicating, working collaboratively among the SOT and they have a good system, I do not see this being a huge problem.

It also gives power to the vote of the SOT member. That is consistent amongst budgetary decisions and principal selection decisions. It is a pretty high standard; it is still 75 percent of the SOT membership. You heard that the membership of the SOT includes the principal, whom we now give a voting power as well on the SOT as a part of this bill. It really empowers people that their vote matters and the work they are doing counts, but it is not a majority; it is 75 percent.

Chair Bilbray-Axelrod:

With that, we will open it up to support. Is there anyone in the room, and down south, in support of S.B. 282 (R2)? Please fill up those chairs.

Alexander Marks, representing Nevada State Education Association:

We are speaking in support of S.B. 282 (R2) due to the language in section 1 clarifying that selection of staff shall be done in accordance with the collective bargaining agreement. It is the same position we held on Senate Bill 251 which, as Senator Nguyen mentioned, codifies this idea.

Nicholas Schneider, representing Vegas Chamber:

We are also in support of S.B. 282 (R2). We are in very strong support of providing additional autonomy for our schools, especially our teachers and parents, giving that parental empowerment as well as the intent of limiting the carryover funds and encouraging spending on our students.

Chair Bilbray-Axelrod:

Is there anyone else in Carson City? [There was no one.] We will go to Las Vegas.

Marie Neisess, President, Clark County Education Association:

I am speaking in strong support of S.B. 282 (R2). I was elected to my school organizational team during the first two years of its implementation. I was fortunate to work with an administrator who valued the committee's input. We reviewed needed material, staffing, and ways to meet our students' needs. Unfortunately, this was not the case for many of my colleagues. Since the initial implementation, the SOTs composed of parents, educators, support professionals, students, and community members have been more of an advisory committee without any real say in what and how the school's budget will be spent. The SOT process has become nothing more than a rubber-stamp committee. Typically, a predetermined school budget is presented to the SOT. This restricts the SOT members from having input and is not a collaborative effort to improve student outcomes. Many of my colleagues feel their voices are not heard or valued. The SOT members must be empowered and have decision-making authority.

Teaching at a Title I school, we painstakingly try to stretch every dollar to impact student achievement. However, there are schools with millions in carryover dollars. Our students are in crisis, and their educational needs must be prioritized. Carryover funds must be used to meet their needs. Money should benefit students currently enrolled at each school and not be saved for several years later. As a grandmother to students currently in CCSD, I expect money earmarked for their education to be spent on their education, not to save for possible rainy days. If the reorganization bill was intended to create a committee to understand the needs of their individual precincts, then the SOT must be empowered to have input in the selection of the principal and the budget. Senate Bill 282 (2nd Reprint) will help address this and other problematic issues with our current SOT model. I urge you to support S.B. 282 (R2), and we thank Senator Nguyen for bringing this bill forward.

Christina Hollowood, Private Citizen, Las Vegas, Nevada:

I am a special education high school teacher, parent of two CCSD students, and a member of the Clark County Education Association. I currently serve as a parent member of a middle school SOT and previously served as a licensed staff member and chair of a different

middle school SOT. I also served as a committee member on the Nevada Legislature working group on school organizational teams and other issues relating to the reorganization of the Clark County School District.

I support S.B. 282 (R2) for multiple reasons. When SOTs were first formed, I had great hopes they would involve meaningful work and that I could make a difference in the lives and education of my students. I envisioned all the programs and opportunities I could help bring to them. I studied our school operating plan and budget relentlessly. When the budget was presented to us by our principal, I risked alienating her because I strongly believed that a budget with all fresh administrators instead of teachers was not best for our students. I was concerned about class sizes in math and English language arts classes, the dwindling options for electives, and the burden placed on the remaining elective teachers. For multiple years the principal chose to increase administrative staffing at the expense of licensed and support staff educator positions. I voted against every budget knowing my vote was meaningless. After three years, my principal invited me to leave my building. After that disillusioning experience, I struggled to see the value of participating in another SOT.

This year my son transitioned to middle school. I saw the SOT as a way to be involved in this new school experience. Again, I researched the school operating plan and other documents. I was happy to be elected to the SOT as a parent member, but instead of feeling like an engaged parent, my new SOT responsibilities feel like they are in name only. We are presented with plans and a budget. We are allowed to ask questions. Once again, the SOT is merely a check mark on a to-do list for the administrator. The only votes we take are related to opening and closing meetings and approving minutes of those meetings. I ask you to support the changes included in S.B. 282 (R2) to allow the SOT members to be the meaningful change agents we were meant to be.

Kenneth Belknap, Treasurer, Clark County Education Association:

I am a high school social studies teacher at Liberty High School in the Clark County School District. I am speaking today in favor of S.B. 282 (R2) and the changes it makes. I can tell you from my lived experience, these changes are desperately needed. When passed, A.B. 469 of the 79th Session gave site principals unprecedented control over their budgets. The hope was these administrators who work in these schools would know their school community's needs and use this funding from the state to move the needle on student achievement. I can tell you from firsthand experience, that just is not the case. Clark County School District schools are projected to roll over hundreds of millions of dollars this year alone, most of which is located in our most needy schools.

These principals decided unilaterally to set up these pseudo savings accounts instead of using this money to reduce class sizes, hire more teachers, or to implement intervention strategies to help students get to grade level. Money is given each year to teach kids each year, not to hold onto just in case. Not only are CCSD administrators sitting on money, when they do decide to spend it, some are prioritizing to reduce their own workload rather than helping students and their learning.

For example, my previous school had a population of just over 2,000 students. They currently employ eight administrators and have six teachers on special assignments outside of the classroom—none of them working directly with children—all while having long-term substitutes in classrooms of critical need. Compare that with my current school, which has a population of over 3,000 students. We have six administrators and only one teacher on special assignments.

Why is this disparity allowed to occur? Why does a school with 1,000 fewer students need more central office staff? This is because we let one person decide the budget. Do you think the parents at my last school would want more people being paid not to work directly with their children? More administrators do not move the needle on student performance. More licensed educators and education support professionals do. We must put a check on how these principals are building these budgets, otherwise this historic investment you all are passing this session is going to go to waste. I encourage you all to support S.B. 282 (R2).

Chair Bilbray-Axelrod:

Is there anyone else in Las Vegas wishing to provide testimony? [There was no one.] Is there anyone on the phone lines who would like to testify in support of S.B. 282 (R2)?

Bryan Wachter, Private Citizen, Las Vegas, Nevada:

I want to thank you for the time to hear this bill today as well as Senator Nguyen for bringing the bill. I am a parent of two students in the Clark County School District. I currently sit on three SOTs in our area. As a parent, what I have to say is that the reorganization has really yet to have been implemented with any fidelity. In practice, what it has created, from a parent standpoint, is the gray areas of accountability where central blamed sites and then the sites blamed central, and parents are left to navigate a very gray area of who is actually responsible for which policies.

Senate Bill 282 (2nd Reprint) adds some accountability for some of those areas, including in areas of the budget, as well as voting on the replacement principal. During this last budget round, one of our principals—just to underscore how little accountability is here—presented a budget to us that was basically a rough draft. It included no budgetary dollars, no numbers, no ability for the SOT to understand exactly what was being spent or where it was being spent. It is my hope S.B. 282 (R2) will require every principal to have to really explain to their SOTs exactly what their plan for the school is and provide some of that accountability to make sure they are accomplishing that goal.

When it comes to some of those budget restrictions, I would certainly echo the comments from Assemblywoman La Rue Hatch. A lot of the school-based building projects we have done on all three of our SOTs are incredible with students in mind and making sure they have the environment that is actually going to produce dollars and that they feel some value and self-worth. For those reasons, we support S.B. 282 (R2), and I would urge your support.

Jessica Jones, Executive Board Secretary, Clark County Education Association:

I am a kindergarten teacher at a Title I school on the east side of Las Vegas. I am also a proud executive board member of the Clark County Education Association. I am calling today because I wanted to testify in support of S.B. 282 (R2). I wanted to specifically talk about section 5, which revises the procedures for SOTs when filling the principal vacancies. The SOTs bring together stakeholders in the school to work together to make decisions that will positively impact all our students. When a school has a principal vacancy, it is important that the stakeholders involved in that community have a say on who is selected to take that position. The current process is the SOT will interview three to five candidates, select their top choice, and then one member from the SOT gets to interview the candidates with the superintendent. Regardless of who the team thinks are the most appropriate candidates for their school and community, ultimately the superintendent decides. Sadly, he is the most far-removed person from the school and yet the decision is his. Senate Bill 282 (2nd Reprint) would allow for a ranking of candidates. It would also allow SOTs to reject the selection of a candidate with the vote of at least 75 percent of the members present to do so. Nobody is going to know their school better than parents, educators, and the support staff who work there. I ask that you support S.B. 282 (R2). I believe that adopting section 5 of this bill will help strengthen and empower school communities as the original bill, Assembly Bill 469 of the 79th Session was intended to do.

Robert Hollowood, Executive Board Member, Clark County Education Association:

I am testifying today in support of S.B. 282 (R2). I was elected to my school's organization team in the year of implementation of the reorganization law. During this time, my school had a principal retiring. It was extremely important to our school community to have the opportunity to select the incoming leader for our building. It took a tremendous amount of effort in our school community, much of it from our Parent-Teacher Organization, to allow the SOT to interview candidates put forward by the district and then recommend one from that pool in 2017. Though ultimately the district hired the candidate our team chose, they could have overridden our decisions, as has been the case at many school sites. Our school experienced a great four years under the leader we chose. The school climate was second to none. Under our chosen leader, we took part in the decision-making on the school budget and plan of operation for the school. There was buy-in to what we were doing from the stakeholders in our community because we were involved in the decision-making.

Our elementary school is no stranger to school-based governance, having spent some years as an empowerment school before establishing the SOTs in the reorganization law. After years of implementation, it is time to empower the SOTs with some real power.

Chair Bilbray-Axelrod:

Is there anyone else on the phone lines? [There was no one.] With that, we will close support testimony and open it to opposition. Is there anyone here in Carson City or in Las Vegas in opposition? Seeing no one here in Carson City, please go ahead in Las Vegas.

Ed Gonzalez, Private Citizen, Las Vegas, Nevada:

I am the president of Cares First CCSD, a newly formed group to train parents and community members on school organizational teams and their responsibilities. I am also a committee member of the Liliam Lujan Hickey Elementary School organizational team. I am speaking in opposition mostly to the carryover dollars. The idea that holding principals accountable by sweeping their funds at our poorest of schools is not the way to go. There is a much better way of doing it. To give you an example: At our school, we have about \$900,000 in carryover funds. We have three wraparound services where we have Communities In Schools; we have Boys Town Nevada; and we are newly going to get Spread the Word Nevada. We also have two counselors.

Our trouble is we cannot find these services to spend this money on, whether it is the federal dollars that have come into the school district and spent on things like curriculum and other aspects of it, or just other things where we just do not have the support staff or we do not have the teachers. As I said before, we have 26 students in our kindergarten class. Most of these vacancies come from the fact that we have no teachers. We knew this when we had the hearings; \$70 million the Chief Financial Officer of CCSD, Jim McIntosh, said was going to come from these savings. The [unintelligible] problem is that so many of these schools are unable to spend it, whether the district has the State Board of Education, and their two-year investigation said put up so many barriers to sit here and to spend the money. You will have Valley High School that will lose \$3.8 million. You will have Matt Kelly Elementary School that will lose \$1 million based on the information we looked at, which is 5 percent of the 2024 budget. In fact, the schools do not even get these carryover dollars for years later. The school year that just ended right now, they will not be able to spend that money until the 2025 fiscal year. There are so many barriers being put forward onto this that schools cannot simply spend the money.

We just had a bill before that talked about trying to increase the teacher pipeline; \$133 million could be swept up and sent back to the State and that will eventually go back to the central office, so we can use those dollars to help increase the pipeline because the one thing my school and many other schools want is we want teachers. We do not have them, yet we have the money to do it. I oppose this bill for those reasons.

Abraham Camejo, Private Citizen, Las Vegas, Nevada:

I feel that I am the only parent listening to this, and I am strongly opposed to this. I sat at the Rancho High School SOT board. Rancho will lose \$1 million in funds that can be used for our school. I also sit on the Bond Oversight Committee for the school district. I have been told that money needs to be used by the principal to fix, to paint, and to repair air-conditioning units in our facilities. I have been able to upgrade and fix Rancho High School's football field, programs like our mariachi, and different programs that are implemented and essential for our education and safer environments.

Our schools currently need more teachers. Principals cannot use the funds they do have to create an incentive to retain good teachers, to hire good teachers, to say, Hey, if you come to this school, we will give you a bonus. Yes, we all need teachers, but if you put this money back, we are going to lose a lot of money. As a parent and as a community member, this is only going to hurt our community even more. I strongly oppose this.

Chair Bilbray-Axelrod:

Is there anyone else in Las Vegas wishing to oppose? [There was no one.] Is there anyone on the phone lines?

Sondra Cosgrove, Executive Director, Vote Nevada:

I am calling in opposition to S.B. 282 (R2) for a very specific reason related to the carryover dollars being swept. I am currently working on Assembly Bill 37, which is our workforce development bill for behavioral health. We are happy to work on that bill because we do not have providers in the state, and it is going to take us a while to get people into the pipeline, graduated, and then out in the market so that principals would be able to hire the behavioral health specialists. I am concerned that if their money has been encumbered to go to the school to hire behavioral health specialists, but it is going to take us two or three years to get those specialists graduated and out into the market, the money might be swept and taken back to the State before we can use it to provide those services we all know our kids need because they are in crisis. It is for that very specific reason I am in opposition to S.B. 282 (R2).

Chair Bilbray-Axelrod:

Is there anyone else on the phone lines? [There was no one.] With that, we will close opposition testimony and open it to neutral. Is there anyone in neutral? Please fill the chairs in Las Vegas.

Patricia Haddad, Director, Government Relations, Clark County School District:

We wanted to share our appreciation to Senator Nguyen. I know this has gone through many iterations up to this point, and I just wanted to give a couple of clarifications on some of the conversation that has happened today, but we are neutral on this legislation at this point.

In regard to maintenance, NRS 388G.610 outlines the delineation of responsibility between the central office and the individual schools with regards to maintenance. The central office is primarily responsible for maintenance, and there is a subsection in there, subsection 5, that outlines when a school may activate their right to move forward with any sort of maintenance or school building improvements. To be clear—there was some discussion about whose responsibility that should be—it is outlined in the law.

In addition to that, there was a statement around the carryforward dollars seeing an exponential increase or a large increase in the past couple of years. You might remember an infusion of federal dollars that were used to offset many costs that schools were able to use in their strategic budgets. That is why we did see an increase in those ending fund balances.

The only other thing I wanted to clarify is, as we know, there is no extra money in the Nevada education system. I can also assure you there is no slush fund, as was mentioned, at the central district.

In closing, of course all good policy in relation to education, Clark County School District believes should apply across the state.

Chair Bilbray-Axelrod:

Is there anyone on the phone lines wishing to testify in neutral? [There was no one.] With that, we will close neutral testimony. We lost Senator Nguyen to floor so there will not be any closing remarks. With that, I will close the bill hearing on S.B. 282 (R2), which will bring us to public comment. Is there anyone here or in Las Vegas wishing to make public comment? [There was no one.] Is there anyone on the phone lines wishing to make public comment? [There was no one.] [Meeting reminders were given.] With that, this meeting is adjourned [at 11:30 a.m.].

RESPECTFULLY SUBMITTED:

Funmi Sheddy
Recording Secretary

Gina Hall
Transcribing Secretary

APPROVED BY:

Assemblywoman Shannon Bilbray-Axelrod, Chair

DATE: _____

EXHIBITS

[Exhibit A](#) is the Agenda.

[Exhibit B](#) is the Attendance Roster.

[Exhibit C](#) is a copy of a PowerPoint presentation dated May 29, 2023, titled, "Presentation for SB291," submitted and presented by Kenneth Varner, Professor and Associate Dean, College of Education, University of Nevada, Las Vegas; and Director/Principal Investigator, Nevada Institute on Teaching & Educator Preparation.