

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

**Eighty-Second Session
March 16, 2023**

The Committee on Education was called to order by Chair Shannon Bilbray-Axelrod at 1:33 p.m. on Thursday, March 16, 2023, in Room 3138 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4401 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:

None

STAFF MEMBERS PRESENT:

Alex Drozdoff, Committee Policy Analyst
Nick Christie, Committee Manager
Funmi Sheddy, Committee Secretary
Ashley Torres, Committee Assistant



OTHERS PRESENT:

Norris D. DuPree, Jr., Ph.D., President, Transformation Therapy and Behavior Consultation; and Marriage and Family Therapist, Washoe County School District

Paul LaMarca, Ph.D., Chief Strategies Officer, Office of Strategies, Washoe County School District

Marie Neisess, President, Clark County Education Association

Angie Joye, Teacher, Clark County School District

Kristan Nigro, Teacher, Clark County School District

Mary Pierczynski, representing Nevada Association of School Superintendents

Randy Soltero, representing Education Support Employees Association

Alexander Marks, Communications Specialist, Nevada State Education Association

Jessica Jones, Teacher, Clark County School District

Karl Byrd, Teacher, Clark County School District

Tiffany M. Chimaroke, Teacher, Clark County School District

Calen Evans, President, Washoe Education Association

Keibi Mejia, representing Nevada Association of School Boards

Rachel Puaina, Teacher, Clark County School District

Donald G.T. Gallimore, Sr., Second Vice President, Reno/Sparks Branch 1112, National Association for the Advancement of Colored People

Greta Blunt-Johnson, Teacher, Clark County School District

Tiersa Baughman, Teacher, Clark County School District

Julius Mannix, Member, Clark County Education Association

Holly Welborn, Executive Director, Children's Advocacy Alliance

Jonathan Norman, Statewide Advocacy, Outreach & Policy Director, Nevada Coalition of Legal Service Providers

John J. Piro, Chief Deputy Public Defender, Legislative Liaison, Clark County Public Defender's Office

Kyle Rogers, Teacher, Clark County School District

Yesenia Gonzales, Private Citizen, North Las Vegas, Nevada

Tonya Walls, Founding Director, Code Switch: Restorative Justice for Girls of Color

Yesenia Moya, Private Citizen, Las Vegas, Nevada

Leslie Turner, Private Citizen, Las Vegas, Nevada

Jshauntae Marshall, Co-Founder, No Racism in Schools 1865

Erica Roth, Government Affairs Liaison, Deputy Public Defender, Washoe County Public Defender's Office

Lilith Baran, Policy Manager, American Civil Liberties Union of Nevada

A'Esha Goins, representing National Association for the Advancement of Colored People, Las Vegas Branch 1111

Andrea Michelle Esquivel, Private Citizen, Las Vegas, Nevada

Anna Binder, Private Citizen, Mesquite, Nevada

Christina R. Giunchigliani, Private Citizen, Las Vegas, Nevada

Marie Calzada, Private Citizen, Reno, Nevada

Daniel Kirk, Principal, Washoe County School District

Will Jensen, Assistant Superintendent, Humboldt County School District
Lynn Chapman, State Vice President, Nevada Families for Freedom
Dawn Etcheverry, President, Nevada State Education Association
Dylan Shaver, representing Washoe County School District
Andrew Feuling, Superintendent, Carson City School District
Patricia Haddad, Director, Government Relations, Clark County School District
Renee Rezendes, Private Citizen, Sparks, Nevada
Kerri Finn, School Nurse-Clinical Aide, Carson City School District
Terri L. Schuman, Education Support Professional, Clark County School District
Samuel Y. Song, Ph.D., Professor, Department of Counselor Education, School
of Psychology and Human Services, College of Education, University of
Nevada, Las Vegas
Elena Fabunan, Clark County, Nevada

Chair Bilbray-Axelrod:

[Roll was called and meeting protocol reviewed.] Welcome to this meeting of the Assembly Committee on Education for the 82nd Session. We will limit our testimonies today as we have two robust bills. We will do 20 minutes in support, 20 minutes in opposition, and 20 minutes in neutral. We are going to try to allow for as many people to speak as possible, but you are always welcome to submit your comments on the record. We will begin with the hearing on Assembly Bill 285, and then we will hear Assembly Bill 194. I will now open the hearing on A.B. 285. This measure revises provisions governing school safety and student behavior. To present this measure, we have our Vice Chair, Angie Taylor; Dr. Norris DuPree, Jr., president, Transformation Therapy and Behavior Consultation; and Dr. Paul LaMarca, chief strategies officer, Office of Strategies, Washoe County School District.

**Assembly Bill 285: Revises provisions governing school safety and student behavior.
(BDR 34-638)**

Assemblywoman Angie Taylor, Assembly District No. 27:

I am presenting Assembly Bill 285. This bill revises provisions governing school safety and student behavior. I am going to give you a little bit of background information. When it comes to schools, there is nothing more important than safety. Between external threats and internal ones, there is a growing national conversation surrounding this issue, and this has had a direct impact on everyone in the school community—our students, our parents, and our educators [page 2, [Exhibit C](#)]. Part of that conversation necessarily includes pupil discipline. As you know, Nevada currently uses restorative justice practices, requiring each school district to establish a plan to provide for the restorative discipline of all their students. However, I have received feedback that the current system has created some unintended challenges, which have in turn opened the door for safety issues in our schools. When you combine that with teacher and staff shortages, low retention of teachers, increased stress and workload, the bottom line is, our schools—and the people in our schools—are suffering. Something needs to be done.

I asked for some information to give us a little bit of background in the two largest districts in our state. You will see some highlights on the screen [page 3, [Exhibit C](#)], along with an additional exhibit [[Exhibit D](#)]. Combined, these should give you a more robust list of some of the things the Clark County School District (CCSD) has reported are going on in their district. Approximately 8,300 incidents of violence were reported to the Clark County School District police in the 2021-2022 school year. That is an increase of approximately 1,300 calls as compared to the year just before COVID-19. You look at weapons on campus in the 2021-2022 school year—in fact, I received some updated information sent to me even just this morning. For the 2021-2022 school year, there were 424 behavior reports filed that were due to the possession of a violent weapon, and as a whole, there were over 500 issues called in. And so far for this school year, as reported between August and February, there have been 234 weapons that have been confiscated in the Clark County School District—16 weapons in elementary schools, 50 in middle schools, and 168 in high schools. If you talk to our educators and if you look at a survey where approximately 25 percent of all CCSD educators participated, you will find that 68 percent do not feel safe at their school. Twenty-five percent report having been physically abused by a student, 63 percent report being verbally abused by a student, and 50 percent report that they do not receive the support needed to address disciplinary or behavioral issues at their school. There is support in the Clark County School District and across our state. We do know that between our educators, mental health professionals, and administrators, they all implement the multi-tiered systems of support (MTSS). But with the teacher shortage of 400 current educator vacancies and only 778 school counselors for over 300,000 students in the Clark County School District, these wraparound support services for students are limited and often hard to come by.

If we take it to the north, to Washoe County School District, we will see the numbers are very similar [page 4, [Exhibit C](#)]. Let us look at the incidents of violence that occurred on campus. There are more than 61,000 students and over 100 schools in the Washoe County School District [[Exhibit E](#)]. For the 2021-2022 school year, there were approximately 2,080 major behavioral incidents in schools classified as battery, violence to staff and students, and threats of violence to staff and students. And there were more than 5,000 events that were classified as mutual fights. Considering weapons on campus for the 2021-2022 school year, there were 299 major events involving possession of a weapon, of which 20 involved weapons classified as dangerous based upon Nevada State statute. Thus far for this school year—the 2022-2023 school year—based on the first 110 days, there have been 24 instances in which students have been removed from their zone school and placed in an alternative setting—14 based upon possession of a dangerous weapon, 4 based upon battery, 4 based upon habitual discipline, and 2 based upon threats of violence. Asking educators in the climate studies—Washoe County School District calls it a climate survey—87 percent of educators generally feel safe at school, 37 percent reported extreme work stress, 89 percent report generally positive staff and student relationships, 50 percent report that disruptive classroom behavior occurs regularly, and 41 percent report that there are mental health concerns prevalent among students. And 37 percent report that a lack of respect toward staff is prevalent. So again, support is needed.

Also in Washoe County School District, there is support that is being provided through the multi-tiered systems of support—there is mental health support provided, social emotional learning practices, trauma-informed practices, restorative practices, and behavior supports that are provided at each tier, based upon student need. But again, this is being negatively impacted by significant staffing shortages, which impact the delivery of such support.

So why are we bringing Assembly Bill 285 before you? Assembly Bill 285 does a couple of things [page 5, [Exhibit C](#)]. It modifies the establishment and implementation of restorative justice. It does not replace it, but it modifies it. It revises it to progressive discipline based upon restorative justice. It allows for the removal of a pupil who commits certain infractions—drug-related, violent behavior, weapons, and so on that is spelled out in the bill. It allows for the removal of a student, but it requires a plan within 48 hours of the removal. There is some preliminary work after chatting with some stakeholders over the last day and a half or so since the bill got referred on Tuesday and then came right out. There are some conceptual amendments—you have that as an exhibit—that includes a couple of these [\[Exhibit F\]](#).

Assembly Bill 285 also allows schools and districts to consider reinstatement of a student who has been expelled after a minimum of one year; they can apply for reinstatement after a minimum of one year. And it makes conforming changes for charter schools and for the university school for the profoundly gifted.

The reality of it is this: Restorative justice is a big phrase. It means a lot of things. It is defined in statute, but the narrative around it means a lot of things to a lot of people. This bill is not intended to be all things to all people. It is not going to address every single aspect of restorative justice that may need to have another look. I have received a lot of information about a lot of things that are not even included in this bill and were not intended to be. What this bill is intending to do is to find the balance, because there are some facts. We know that disproportionality is real when it comes down to the disciplinary practices around students of color, and in particular young men of color—especially Black and Brown students. That is the reality. That is true. Those are the facts that are data-driven. But we also know there is a fact that instances of violence, inappropriate behavior, and weapons are not just present, but they are growing. And so, we must do something.

To further explain some of the difficulties we have seen with existing practices and policies we have in place in our schools, I would like to turn things over to my copresenters, beginning with Dr. Norris DuPree.

Norris D. DuPree, Jr., Ph.D., President, Transformation Therapy and Behavior Consultation; and Marriage and Family Therapist, Washoe County School District:

I am a marriage and family therapist. Also, I have licenses in school psychology and alcohol and drug abuse counseling. I have been working with the at-risk population of children and families for approximately 25 years. I have currently been working with individuals with emotional needs in schools within Washoe County School District. It is very apparent at this

point, when we talk about restorative justice—there are some things that need to be considered. As Dr. Angie Taylor so eloquently discussed, some of the things that need to be considered are that some of our individuals are underserved, our schools are understaffed, and particularly, our schools are underresourced. That means that a lot of individuals lack the training. Why is it important that I say these things? One of the things we understand is the need to have a systematic approach in dealing with our children—restorative justice. When we see red flags, we need to implement interventions related to those red flags so that we can help deviate from the path the kids are taking. But when those things do not happen, what begins to take place within our schools is entitlement, and sometimes with this entitlement, things begin to take place between staff and the children. What is very important, as we talk about this bill, is to recognize that not only are our kids traumatized due to what has taken place in the pandemic, but our teachers are also traumatized. We need to have compassion for both. When we talk about restorative justice, it is important that behaviors we consider detrimental to the teaching environment are addressed immediately. This is what needs to take place, because it is so important as we move forward to restorative justice. I want to also say this: When we talk about restorative justice, our kids need a way they can come back, and they need grace. Restorative justice offers them grace to come back and be initiated back into the schools. I am here to talk about restorative justice and why it is needed right now in the schools.

Assemblywoman Taylor:

I have asked Dr. Paul LaMarca to join us. As our Chair said, he is the chief strategies officer in the Strategies Office at the Washoe County School District and has overseen the whole implementation of restorative justice as it came to the state as well as to the district. He has been an advocate and a champion and can talk a little bit about how this shows up in schools. Because you were here at the beginning, talk a little bit about the beginning of it in the district and those things. I think that would help bring us to speed and explain how this bill may help.

Paul LaMarca, Ph.D., Chief Strategies Officer, Office of Strategies, Washoe County School District:

Restorative practices came to us through Assembly Bill 168 of the 80th Session. What I think restorative practices did is strengthen our systems to create climates that optimize student learning, create a community in which students are valued, included, welcomed, and engaged. We are about student learning. One of the points I would like to make—because I know you are going to have a lot of questions—is that I do not see this bill being about discipline. I see this bill as being about safety and student learning. It is not about exclusionary practices versus restorative practices. Those things have to work in combination. There are times when students do things that create a safety concern for others, for staff, and for themselves. And in those instances, removal is necessary. This could be short-term removal, longer-term removal, and this could be expulsion. As Dr. Norris DuPree just said, in every one of these instances—whether it is a two-day suspension, a 90-day long-term suspension, or a full year out—the student is coming back, and we want them back. We want to welcome them back, and we want to create a system in which they can be successful. This is where restorative practices play a critical role. We emphasize prevention,

prevention, prevention. Restorative practices—practices like positive behavioral intervention supports and social emotional learning—that help set that groundwork. When students do not respond, we intervene, we provide planning, we provide additional restorative practices, and then in those unfortunate situations in which behavior escalates and we have a safety concern, we have to act. Again, that is for the safety of the student who is the offender, as well as all the other kids in the classroom or in the lunchroom, and all the staff in the building. Those are just some quick comments; I am happy to answer questions.

Assemblywoman Taylor:

I am happy to take us through the high points of the bill and of the amendment [\[Exhibit F\]](#). If you look at just the high points of A.B. 285, it removes the requirement that each school district establish a plan to provide for restorative discipline of pupils and requires instead that the board of trustees of each school district establish a plan of progressive discipline based upon restorative justice. That is the key piece—it is not just progressive discipline, but it is based upon restorative practices. We do not want to leave out restorative justice. Within that plan, the board of trustees should also include those disciplinary practices.

Additionally, the bill removes the requirement, in general, that a public school must provide a plan based upon restorative justice before suspending, expelling, or removing a student from a classroom. The bill, as introduced, says they do not have to do that any longer. I am still talking and working with people so there are ongoing conceptual amendments [\[Exhibit F\]](#). You will see that originally, it was replacing restorative justice with progressive discipline—that is in blue—and then I put in green, it really should be progressive discipline based on restorative justice throughout. It is in there a couple of times in A.B. 285 as submitted; it should be throughout A.B. 285—progressive discipline, but still based upon restorative justice.

You will also see that in A.B. 285 it talks about the suspension, expulsion, and permanent expulsion of certain pupils. There was an 11-year-old minimum. We will talk a little more about this when my colleague, Assemblywoman Hansen, comes forward. My recommendation is that there is—as both Dr. Norris DuPree and Dr. Paul LaMarca stated—an opportunity for reinstatement. There is that grace; we do not give up on the child. The way the conceptual amendment reads, the student needs to be out for a minimum of a year [\[Exhibit F\]](#). They can apply for reinstatement. This is so that if a child is 10, 11, 12 years old and they bring a weapon to school—which could call for expulsion—they have an opportunity, if they go and get restored—which is the whole idea behind restorative practices—to be able to enter back into the school district—probably not at the same school—at some point, should they meet certain criteria and so on. The purpose is to not give up on the child, but instead, to give them an opportunity for reinstatement under certain circumstances. It also gives permission for the schools to suspend a child when they do not have a plan beforehand. The current legislation requires a plan to be in place beforehand, but the amendment to the bill will say that a school should have one within 48 hours of the suspension. For example, if a pupil has a major infraction such as battery and they really should be suspended, the existing legislation says you cannot suspend them without a plan. My conceptual amendment says you should create a plan within 48 hours [\[Exhibit F\]](#). We do

not want to send kids home and forget about them. We want them to be restored and have an opportunity for restorative practices to occur in whatever way is appropriate, based upon the level of those infractions.

Chair Bilbray-Axelrod:

I said we are going to have robust conversations. This is a very emotional issue to a lot of people. I am wearing my flower from the previous Assembly Committee on Education chair—the late Tyrone Thompson—who was quite passionate about this. Before we begin with questions, I would like to share a little about my personal experience with it. When I met with Tyrone in 2019, he showed me the pictures of the kids who had been expelled, and it was not overwhelmingly Black and Brown kids, it was all Black and Brown kids. I think we cannot look through our myopic lens that we sometimes look through. We have to look through a different lens and really figure out what the best way is. I appreciate your work on this. I know we will have another bill after this, and then we are expecting the Governor's bill, which we will be introducing as a bill draft request at the end of this meeting. I will open it up to questions.

Assemblywoman Torres:

I had the distinct honor of working on this piece of legislation for multiple cycles. Looking at restorative justice law in 2019, I was proud to cosponsor A.B. 168 of the 80th Session alongside Assemblyman Tyrone Thompson. Then, in 2021, I worked on some legislation regarding the appeals process with regard to suspensions and expulsions. I know there were a couple of Department of Education (NDE) bills that dealt with this topic as well. Now we are coming back this cycle and we are continuing this conversation, because I think we recognize there are still issues; there are still problems we need to address in order to have safer campuses. My specific question is on page 3 of the legislation—interestingly enough, this is part of the legislation I was the sponsor of—and now that we are coming back and having a conversation, I am criticizing some of my own work. But I think that is a conversation that needs to be had.

Having the honor to be in this body and also an educator, there have been some very serious issues with the training for administrators and for educators. This is a conversation you and I have had as well. So, my recommendation, and something I would hope we are open to on this legislation, is that there is stronger language regarding the training for restorative justice practices, both for administrators and superintendents, and also for our educators and support professionals who are working with our students. When it was rolled out originally in 2019—right after that legislative cycle—that school year, when we went back, we were just told, You cannot suspend and expel. That is what was told to educators. I am sitting in this room knowing—no, that is not what the bill did. That was never the intention. I am hoping we can get some stronger language on that.

Assemblywoman Taylor:

Thank you for your question, Assemblywoman Torres. I want to add that you have been a guide to me as I have jumped into this work. The first meeting I had on this was with you to talk about your experience in bringing Assembly Bill 168 of the 80th Session forth originally

and then as an educator being in the classroom. As I said, in the last day and a half, I have had a lot of conversations with stakeholders, and training has come up a lot—in that it was not on the radar. As I continue those conversations with stakeholders—and I certainly would love to pull you in as we need to—to look at what can be done with training, because that is one of the things that has come to the surface.

Chair Bilbray-Axelrod:

I, too, have heard that repeatedly.

Assemblywoman La Rue Hatch:

You are all clearly advocates for our children, and I appreciate the work you are doing to try to get this right, because that is what we need to do. As a teacher, I have seen the violence in our schools firsthand. I have seen the consequences of this legislation as well as the stress and anxiety that is going on in our society at large. Dr. DuPree, you mentioned trauma, and I really appreciate your bringing that up. We have many materials from teachers talking about the trauma they are experiencing on a day-to-day basis [[Exhibit G](#)]. The first letter I am looking at is written by an elementary school teacher, where the teacher has to yell, "clear" because a kid is freaking out and throwing desks and harming children. Daily, that class has to evacuate, and those kids are not able to learn while that child is having some very serious emotional trauma. Can you speak to the trauma that is ongoing for both our students who are witnessing this and our teachers who are experiencing it in the classroom?

Norris DuPree:

When we talk about the traumatic experiences that happen through the classroom, remember, some of our kids and our teachers are being exposed to vicarious trauma, which means that when you are in an environment of constant trauma—individuals that bring in specific behaviors to school—that it has an impact on you. I can talk about that. Some of our teachers—I have experienced it, talked them through it—have experienced panic attacks, major anxiety attacks, et cetera, due to working with our children, especially those who have behavioral problems. The trauma is an ongoing thing. What begins to happen—especially in schools—is there is a synergistic effect that takes place. It is a reactionary effect. An example would be domestic violence: someone who is constantly exposed to domestic violence and now they start walking on eggshells, asking themselves, When is the next incident going to happen? They just sort of feel out of alignment and feel like they do not know what is going to happen. This does have an effect, not just on our teachers, but on our students, and the individual—because the individual is sometimes struggling with the school. As we talk about trauma, it is really a two-tier trauma, where the teachers are traumatized, the students are traumatized.

I was working with one school, and I said, I feel like this whole school is filled with individuals who have been exposed to domestic violence, and everybody is walking on eggshells because they do not know what is going to happen from one day to the next. But I will say that especially with restorative trauma, it can take into consideration these things—especially when there is a tracking system, and we are getting the services these kids need.

Dr. Paul LaMarca stated earlier, and this is imperative: Restorative justice does not only happen in the school. We have to also look outside the school and discover what some of the resources are that are needed outside the school so we can restore these kids. I hope I answered your question.

Assemblywoman La Rue Hatch:

Yes, thank you so much. And I have a second part to that question. This might be for Dr. LaMarca, but I noticed that in Washoe County School District (WCSD), we had over 2,000 incidents of violence but only 24 instances where those students were removed from school [[Exhibit E](#)]. Those figures are wildly out of line. Can you please speak to why those numbers do not line up and how this legislation may help address that disparity?

Paul LaMarca:

The removals described in the handout are what we call interim alternative education setting (IAES) placements [[Exhibit E](#)]. These are events that create a long-term suspension. So, more than a significant suspension—up to a semester—and events that create a 180-day expulsion. The discrepancy is that, as you know, in law, I guess we refer to it as the big three, but there are certain offenses that require removal—either on the first offense or second offense. The ones where we have these IAES placements are: possession of a dangerous weapon, as defined by statute; battery with bodily injury; and distribution of drugs, habitual discipline. I want you to know that you are right, and we see this discrepancy as well. I also want you to know that in terms of out-of-school suspensions within our school district this year, we have had over 5,500 out-of-school suspensions. Most of the events listed here have led to a suspension, just not a long-term placement at an alternative educational setting.

Assemblywoman Hardy:

I, too, was there in 2019 and participated in the conversations of restorative justice. I think sometimes with good intentions and good practices when they are put into place, maybe the training is not there, and people do not understand. Then we have a situation such as we are in now, when there is danger and it becomes a safety issue. I appreciate your taking this on so that we can find some solutions to both.

I want to turn to the bill specifically and if you could go through—I think it is important to get on the record what changes we are making. So specifically, the circumstances when a student must be expelled versus may be expelled and the process for who decides. In the bill it says they have to be told the reason and the evidence, but then is that the principal who decides that or the superintendent? If you could just provide information of those two distinctions. Then, when can a student immediately be removed from the school and where are they removed to?

Assemblywoman Taylor:

I am going to phone a friend on some of this and go to Dr. LaMarca, because those things were not changed in the legislation. Part of what changed in the legislation is the notification—that the parents have to be told. They have to be told exactly why, and they

have to have things within 48 hours. Assembly Bill 285 did not change when there was a may or when there was a must, and then where do they go from there. I am going to defer to Dr. LaMarca.

Assemblywoman Hardy:

Yes, just so we are all clear on what is a must, what is a may, and then if you could address—I know it is a big topic—the age.

Assemblywoman Taylor:

I will take the age piece because that is in the bill. The recommendation in the bill is to remove the minimum age of 11 so that if there is a child who meets those criteria from that behavior in terms of this bill, that child could receive the appropriate disciplinary measures as spelled out. But what it also does from the amendment is that it is not permanent expulsion—for any age group. The idea is that they have an opportunity for reinstatement [[Exhibit F](#)].

Paul LaMarca:

As I understand this, there are different scenarios in terms of who makes the decisions. There are certain offenses that are spelled out in statute, including possession of a dangerous weapon, as defined by statute—meaning, statute defines which weapons are considered dangerous—battery with bodily injury, and distribution of controlled substances. Those require an emergency suspension. So, a student would be placed out by a principal immediately. The principal would refer that to the school district and through the board of trustees and the designation through the superintendent. There is a hearing officer who holds a hearing and makes a determination. Those hearings typically include parents, school administration, relevant persons to the situation, and a decision is made. For example, with a dangerous weapon, it is pretty much automatic that for 180 days the student goes to a different location. There is language in the statute that allows exceptions to be made. The change in A.B. 168 of the 80th Session was that for battery and for distribution, for a first offense, the preference was to not remove a student but to, instead, create a plan of restorative practices. This was well-intentioned, but when we think of the standard of what a bodily injury is, that is significant, and I am not sure waiting is in anyone's best interest—even the student who has committed the offense. Again, for the removals to a different educational setting, that action is from a board of trustees through the superintendent. For short-term suspensions—that are still significant by law—that would be the decision of the principal. Teachers are also able to remove students from their classrooms for violent or disruptive behaviors, and that is done within the school setting.

Chair Bilbray-Axelrod:

I know a few of us who were here in 2019 wanted to get on the record. That was the intent of A.B. 168 of the 80th Session. The unfortunate part about being a citizen legislature is that it is on us—it is our onus—to make sure the bill actually gets enacted, and people are doing

what they are supposed to be doing. We are trying to make a really clear record here of the intent—that we want all of these things to happen. It does not do us any good just having it in the *Nevada Revised Statutes* (NRS). We have a lot of people who have a lot of opinions on this, and I do want to properly vet the bill.

Assemblywoman Thomas:

As you know—you and I have talked about it—I can say that I have had a lived experience and going through the process, it is not 1-2-3. When you put something in a bill like this, whoever is reading it will use it verbatim. They are not using discretion when it comes to our students. And like the doctor explained, when it comes to weapons, that is another category. But when we are talking about, you know, a six- and seven-year-old in school doing cartwheels—that is disruptive and they can be taken out of their classroom. We would hope that teacher would use discretion, but most of the time they do not. I say that because they have 30 other kids they have to corral and teach. Going back to my lived experience, the process is not as easy as we think it is. In the cases of suspension or expulsion, we have a student who will be out of school while the process is going; they will not go into a learning environment. And when it comes down to it, we have to eliminate that murkiness that is happening, because everything right now is subjective to whoever is in power of the expulsion of that student. The lived experience I went through matters, in this case.

I believe Assemblyman Tyrone Thompson—with A.B. 168 of the 80th Session—also meant, and correct me if I am wrong, to use what they have termed as social emotional learning (SEL) along with restorative justice. If we do not use those combined efforts in restorative justice, we have a disjointing of the whole system. Assembly Bill 168 of the 80th Session was meant to keep our kids in school so that we do not have that pipeline from school to prison. That was the whole point of this. And this was the whole point of my running for my Assembly district, because it seems like in Assembly District 17, when I go to a behavioral school where they are putting kids that look like me—the majority of them—they did not use that other piece of the formula, which is social emotional learning. When you tell us that we should allow a kid to be out of the school environment for a year, I think that is egregious. I really do believe that.

My question is, in WCSD—I do not know about Clark County; I would love for them to be at the table right now to tell me—are they using the second part of the formula—the social emotional learning?

Paul LaMarca:

Very definitely. I could not agree with you more in terms of the idea that these things must work together. I commented on that in the preface part of the presentation. We have social emotional learning curriculum, and it is introduced in K-12. We treat it as part of our core instructional practices, but we also have social emotional learning practices we consider more Tier One and even Tier Three, to an extent. If you look at specific practices people

identify as restorative and you look at specific practices people call social emotional learning, they are very often the identical processes. They are built around forming relationships and building community. So, I could not agree with you more. That has to be part of that prevention piece. We have to reteach those skills throughout.

Norris DuPree:

Also, in terms of social emotional, our Black and Brown children have to be diagnosed correctly. When you diagnose little children with oppositional defiant disorder and do not look at post-traumatic stress because of the environment they come from, when the diagnosis is off and they are in these different environments, it creates that hostile relationship. I really believe that African-American children and Brown children have a misdiagnosis at an early age and therefore their issues are not addressed, which takes them from education to that prison pipeline. That has to be addressed. We need culturally competent people to deal with these different types of issues.

Assemblywoman Anderson:

This is something we are all very passionate about. My question has to do with the proposed conceptual amendments [\[Exhibit F\]](#)—in particular number three, with "A way back," because I really appreciate your hearing that issue because that had also been brought up to me. Are you considering putting it on page 9 under the new section where the board of trustees must come up with establishing a plan for that progressive discipline? Are you expecting at this time to also have the board of trustees make that decision, or is that a decision you believe should be based upon the school site? This way it is consistent, and it is not based upon personalities.

Assemblywoman Taylor:

I have chatted with you a lot about this, so you know where we are, from an intention standpoint. This was actually the last thing someone said to me when I had my last meeting at about 6:30 p.m. last night on this, so I have not even considered where to put it, but I am hearing what you are saying and that we want it to be consistent across the district, not, In this school if this child did— This might address a little bit of what Assemblywoman Thomas said. It is really the extreme cases—when a student brings a weapon to school, battery, et cetera—that would result in expulsion. For example, if this kid can get back to school, and at another school, a student with the same behavior does not get to come back—you are looking for something that will be consistent across the board. I want to put that on my notes. I have learned a lot from listening to the stakeholders, and this is just helping. We want good policy, and these conversations are helping.

Assemblywoman Anderson:

I do want to again point out the language, the board of trustees shall establish or must establish a plan. Is this a shall or must? Because I see both—I see "must" at one point, but then earlier in the chapter, it says, "shall." It is permissive. I am reading on page 9, line 24, "the board of trustees may, in addition to establishing a plan . . . " and then on line 27, "such a plan must . . . " The comparison of "may" versus "must" is a little bit concerning to me; is it they must do it, or they may do it?

Assemblywoman Taylor:

Based upon what is written here it is, they may establish a plan. And if they do establish a plan, the plan must be based upon restorative practices.

Assemblyman D'Silva:

I want to touch upon this subject matter as a teacher. I am a high school history teacher at Rancho High School. There is such a thing as mandates. When I was elected to office—and even when I was running—when I was talking to teachers—not just in my school, but throughout the community—there were two things they brought up over and over and over again. It is not a majority of teachers, we are not saying 49-51 percent of teachers, we are talking about pretty much every teacher. One was, of course, the salary issue, and the other was the safety issue in the schools and the fact that so many of them felt unsafe. I think it is pivotal we address this issue; that we are reassessing our understanding and perspectives on restorative justice. As a teacher, I concur with my colleague, Assemblywoman Torres, that when we embraced this, there was a lack of training, in many ways. I, myself, was a [unintelligible] teacher in my school. I sold my preparation time so I could work with the students who were kept on campus, who had committed some egregious acts—of which I cannot even speak of here—but by the same token, the administration did not support teachers in that effort. On the record, I want to say that when we do implement, hopefully a new way forward here, training is something that is touched upon.

Dr. DuPree mentioned the cultural competency. As we move forward, we have to look at what kind of teachers we are putting into our classrooms—teachers who know the students, know the environments students are coming from, and can connect with students in a multitude of different ways. One way of doing this is by looking at our pipeline and bringing in homegrown teachers from our schools, neighborhoods, and communities—this is absolutely pivotal. As a body, we should be paying a lot of attention to where those teachers come from, so we can help mitigate some of those issues that are created over time.

Assemblywoman Mosca:

Chair Bilbray-Axelrod, at the beginning of the hearing, talked about the tension of our educators as well as our young people. I know your values, when it comes to the intentionality of this bill, as well as addressing disproportionality. In section 5, subsection 1, paragraph (g) it says it could "Be posted on the Internet website maintained by the school district." So, the plan could be posted. Can we post some data without young people's indicators, which show who this is happening to so we can monitor over time, the disproportionality, if there is any, and so stakeholders can also monitor as the policy gets implemented? Has there been any consideration or thought around this? I would love for you to have an opportunity to talk about the intentionality also.

Assemblywoman Taylor:

The more there is transparency around the implementation and success in the areas we need to change and restore those practices, and the progressive discipline based upon restorative practices, the better. One of the ideas I received from someone who was walking with me to caucus today was to make sure data are being looked at every year so we can make

adjustments of things one way or the other on a regular basis. That would be a really great addition. I am taking notes as we go. From an intentionality standpoint, there are two facts: first, disproportionality and not doing a great job around our marginalized kids—in particular, Black and Brown students, and Black and Brown males. The second fact: School buildings are not as safe as they used to be. Our teachers are afraid, our teachers do not feel safe, and they are not able to do their best work. My intention is to answer the question, how do we do both? I believe we can. That is the intention behind A.B. 285.

Chair Bilbray-Axelrod:

We are going to have you sit back, and we are going to have people come up in support. I would like to keep testimony to about 20 minutes.

Marie Neisess, President, Clark County Education Association:

I am speaking in support of A.B. 285. However, we reserve the right to change our opinion, as we have not reviewed the amendments. This fall will be my thirtieth year at CCSD. I have spent my entire teaching career working at Title I schools with our most at-risk students. We need to cultivate a culture of deterrence that prevents the kind of violent and disruptive behavior we are dealing with in our schools, while also safeguarding the environment of learning in our classrooms so that educators can teach and students can learn. In 2019 restorative justice legislation was passed to address the disproportionate punishment of Black and Brown students for disruptive and violent behavior and end the school-to-prison pipeline. This legislation was passed with the right intentions, but four years later, the lack of resources and proper implementation has only contributed to the crisis of violence in our schools today. Assembly Bill 285 puts forward solutions to this problem by instating elements of progressive discipline informed by restorative practices, providing alternative placements for habitually disruptive and violent students, and implementing the necessary wraparound services to ensure that every student in CCSD gets the help and support they need to be successful.

To further highlight why we believe these changes need to be made, I want to share some specific examples of chronic violent disruptive behaviors. One educator had her spine fused after being assaulted by a student, a fourth-grader punched a pregnant educator in the stomach, another educator was assaulted by a student—kicked in the groin and had their wrist broken. That same child attacked the educator by punching him in the eye. Finally, we are all familiar with the heinous act on the Eldorado High School teacher. This is simply unacceptable. Our students are also being injured and harmed at the hands of their peers. At Cheyenne High School, 12 students attacked a student, and the victim was on the floor in a fetal position. They kicked, punched, and beat him until he defecated himself. A high school student with history of sexual assault during middle school allegedly raped a student. The student was transferred to the Palo Verde High School. He was later arrested and charged with raping another student. To conclude, disruptive and violent behavior impacts student outcomes. Chronic disruption and violent behaviors eat up precious instructional time and erode our educators' confidence and sense of safety in their workplace. We must act now [pages 1-2, [Exhibit H](#)].

Angie Joye, Teacher, Clark County School District:

I am a second-grade teacher at Ann T. Lynch Elementary School. I am here today to share with you why Assemblywoman Taylor's bill, [A.B. 285](#), is so necessary [pages 20-21, [Exhibit H](#)]. A few years ago, I was teaching first grade, and I had a little girl in my class who would turn into the Hulk. It could be as simple as my calling on another child to answer a question, and she would start flipping desks and throwing things at students. In situations like these, you call the office for help, but sometimes help does not come, or it comes too slowly to keep someone from getting injured. This carried on for several weeks until the principal had a meeting with the parent, requiring her to be at school with her daughter to prevent this behavior. She came for one day and then moved her daughter to another school to start the same cycle again.

This past year, a little boy—let us call him Kyle—was placed in my second-grade classroom. When asked to do his work—something as simple as turn to page 5 in your math workbook—his aggressive and destructive tantrums would begin. He would throw backpacks, books, pencils, chairs, and shove desks. Now, again, in situations like these, you call the office for help, but in ten minutes he is brought right back, and the cycle begins again. I asked the administrator what could be done, and they pretty much said, Nothing. They told me to document everything in Infinite Campus, which is our school database. When I began documenting, I noticed that Kyle had four pages of violent and aggressive behavior from first grade. This included Kyle kicking his teacher, hitting other students, throwing things, and nothing substantial had been done—nothing to stop the behavior, nothing to help Kyle, just nothing. Every morning we were losing about an hour and a half of reading and math instruction time because of Kyle. As Kyle's behavior progressively worsened, I was told to call his dad to come pick him up. So, I did—every day until Kyle's dad asked for him to be put into another teacher's classroom to see if that would make a difference. Kyle was then placed in a new classroom doing the same things, but unlike me, his new teacher was breaking; she cried during her preparation time, and she said she just does not want to do this anymore. I can honestly say that in my classroom, all 19 other kids were sitting there ready to learn, some scared as they moved their desks away from Kyle—silently waiting to have a school day, silently waiting for class to begin, to join a discussion, to read a book, to feel safe in their classroom. It is not fair to them. It is not fair to the parents who sent their kids to school to learn in a safe environment.

Teachers are leaving—for good—because they cannot teach and because they do not feel safe. In the previous year, a pregnant teacher quit midyear because a student hit her in the stomach. I have another colleague at an elementary school who was stabbed in the leg with a pencil, and in the past year, I know we have all read newsworthy stories in this district, and many others, of the amount of escalated violence in schools. It is my hope [A.B. 285](#) will give us back a safe learning environment for these kids and for the educators who teach them.

Kristan Nigro, Teacher, Clark County School District:

I am a kindergarten teacher here in Las Vegas, Nevada. I am here today speaking in support of [A.B. 285](#) [pages 5-6, [Exhibit H](#)]. I have been a dedicated educator in the great state of

Nevada for almost a decade. I am a recipient of multiple education awards, and I currently serve on the executive board of the Clark County Education Association. The past few years, I have had extreme behaviors in my classroom that would make an adult cower in fear. I most recently was told by a five-year-old that they wanted to stab me and watch me bleed out. Last year, on the first day of school, one of my new students came to school very, very angry. At one point during the day, she completely trashed my room and hit another student in the face with a hardcover book. I never viewed books as weapons, but this little girl made me rethink everything I had in my classroom. That moment was not an isolated incident. Every single day we lived in fear; progressive discipline was never followed, and many times after her explosive behavior, she would be removed and then come back a few moments later with a lollipop. Fast-forward to January. My student had an explosive-behavior day. My student teacher evacuated students to safety, and I stayed in the room. That student went to my desk, grabbed a sharp pair of scissors, and threw them at my face. I was seconds away from having a significant injury to my face. That situation was my line in the sand. I explained to my administration that if they did not remove the student from my class, I was going to leave the profession. Throughout those seven months, no progressive discipline was followed. That child was allowed to be violent towards me and other students, and the only time there was a required parent conference was when the administration had had enough. It is ironic that we constantly reference restorative justice; it is just a fancy buzzword and a complete failure.

My story is an accurate depiction of what restorative justice looks like in our schools—it is not working, and there is no accountability. The situation opened my eyes to the injustice for all the other students. It is not fair that a student can walk into a classroom and be violent and disruptive without any consequences. During my time at the University of Nevada, Las Vegas, to become an educator, I must have missed that class where they said my daily regimen would consist of protecting my students from other violent students as well as students missing countless hours of instruction. I am urging you to support the school safety bill. I am only one educator out of thousands in the state of Nevada. The number of educators who are dealing with the same types of situations that I have dealt with is terrifying. We are bleeding educators and will continue to bleed educators if something is not done. Consequences and accountability are not punishment tactics—they are what help shape people into being productive members of society.

Mary Pierczynski, representing Nevada Association of School Superintendents:

Nevada Association of School Superintendents is an organization composed of all 17 superintendents. We are in support of this bill and the bills that are trying to adjust the restorative justice issues. There were a lot of unintended consequences from Assembly Bill 168 of the 80th Session. One of the biggest problems was the bill was signed, and a couple of weeks later it went into effect, and the proper training of everyone was not there, and it resulted in a lot of things that were unintended.

Randy Soltero, representing Education Support Employees Association:

We are here in support of A.B. 285 with the amendments. You do not need to hear from me; it is better if you hear from the folks we have down in Las Vegas.

Alexander Marks, Communications Specialist, Nevada State Education Association:

Throughout session, the Nevada State Education Association (NSEA) has talked about the Respect Educators Act to elevate the safety and well-being of educators in their work. Assembly Bill 285, and the subsequent Assembly Bill 194 that will be heard next, are in line with those stated goals, and are commonsense proposals that help ensure educator safety. The Nevada State Education Association supports a restorative discipline system that works and does not put our educators in the emergency room. If we cannot implement this properly and get it right, we have to protect our educators—many of whom have left this profession due to being on the receiving end of violence—then, we can continue to work on proper implementation, which NSEA has been a longtime advocate of [[Exhibit I](#)].

Chair Bilbray-Axelrod:

We have no callers in support at this time, so we will go back to Las Vegas.

Jessica Jones, Teacher, Clark County School District:

I am a kindergarten teacher at a Title I school on the east side of Las Vegas. I am here today to testify in support of A.B. 285, reinstating progressive discipline practices in our schools [page 17, [Exhibit H](#)]. I believe that legislation on restorative justice was passed with the best intentions. The results, though, have been disastrous when it comes to safety for our students and staff. Last year, I was assaulted by a student in my class. This student grabbed me, threw me up against the wall. He pulled my arm with so much force that I thought he dislocated my shoulder. I had to seek medical attention, and I was in chronic pain and in a sling for a few weeks. After that initial assault, once I recovered, the student did it again. When I spoke with my administrator about why nothing had been done—because the student continued to attack me and other students in my classroom with no consequences—my principal told me that her hands were tied because of the law. A few months later, another student, while throwing a tantrum, decided he would pick up a chair and he would throw it at me and our special education aide who was in my room doing inclusion minutes with other students. He then began to punch and hit me and other children in my class. When I asked why he behaved this way, he responded that he wanted to hurt me because he was angry. When we were having a meeting with this student's mom and my administration, the student said the reason he attacked me and the reason for his behavior was because he thought it was okay because of what he had seen in class previously.

When I decided I wanted to become a teacher and I was studying, something that always stuck out to me in my undergraduate degree was that all behavior is learned. In this case, that student in my classroom had learned that violence is acceptable because of the lack of discipline and consequences for bad behavior. It is really sad. I am trying not to cry. It is a little traumatic to talk about. I have 25 students in my classroom this year who witnessed violence almost on a daily basis, with no consequences. When children feel unsafe in school, they cannot focus, their attendance and grades begin to drop. The same thing occurs with staff. When educators feel unsafe, they cannot focus on teaching or supporting our students.

It becomes difficult for me to do my job with the thought of being attacked again always in the back of my mind. We need to ensure every school and every classroom is safe—for both students and our staff. For these reasons, I am asking that you support A.B. 285 and reinstate progressive discipline practices for violent and disruptive behaviors.

Karl Byrd, Teacher, Clark County School District:

I am a 26-year educator with the Clark County School District. I am here speaking on behalf of educators and to support the passage of Assembly Bill 285 on school safety [page 12, [Exhibit H](#)]. Recently, at my school, there was a fellow educator who attempted to break up a fight, when the educator was pushed away violently by a parent, as some students cheered and filmed the incident, which was later posted on Instagram. Other students were shocked and bewildered this could happen to one of their teachers. Incidents like this are one of the prime reasons why many educators are leaving the profession. The current restorative justice law does not have a zero-tolerance policy for violent behavior, which needs to be in place to send a clear message that violence against educators will not be tolerated.

Assembly Bill 168 of the 80th Session has made it more difficult for the Clark County School District to hold certain students accountable for misconduct. If a principal needed to remove or expel a student for a violent act involving a police citation, they previously had the option to send that student to an alternative school for a temporary period. But even those kinds of cases have been getting kicked back to principals. We need to reinstate aspects of progressive discipline for disruptive behavior, but there are certain behaviors—including bringing firearms to school or violent behavior resulting in extreme injury or possible death—which must be dealt with swiftly. You cannot have students interpreting restorative justice as a green light to misbehave. I urge our lawmakers to support Assembly Bill 285, led by Assemblywoman Angie Taylor, including the recommendations regarding zero tolerance for firearms and violent behavior, the reinstatement of aspects of the progressive discipline for disruptive behavior, which were effective before A.B. 168 of the 80th Session and the establishment of alternative placements for violent and habitually disruptive students to ensure our children can learn, and our educators can teach in a safe environment.

Tiffany M. Chimaroke, Teacher, Clark County School District:

I have been an educator for over 11 years [page 7, [Exhibit H](#)]. I have been teaching fifth grade at an elementary school here in Vegas for a year now. I have 36 students in my classroom. Seven of those are students who have habitually excessive disruptive behaviors in the classroom. One of those seven starts a fight with her peers every day. This student has deep emotional trauma where it is hard for her to process her emotions. She yells inappropriate language, stomps her feet, slams school furniture and equipment down, and even uses her Chromebook as a weapon towards her peers. This student has trouble communicating her emotions, and she needs wraparound services for her social emotional learning. At my school, the procedures for handling the student are to remove her from the classroom for one or two blocks of time. Then she is allowed to come right back into the classroom for that cycle to repeat itself. This essentially places the student in a time-out until they cool off and they are allowed to return to the classroom when the student is ready. This includes no educator input. The constant fighting and class disruptions prevent me and

many of my colleagues from teaching during instructional time. Parent conferences have been offered—sometimes the parent shows up, and sometimes they do not. I support A.B. 285. Please reinstate the aspects of progressive discipline for disruptive behavior, provide alternative placements for violent and habitually disruptive students to ensure each child is provided an education, and create wraparound services within each campus. Lastly, there needs to be a policy of zero tolerance for firearms and violent behavior on each and every campus.

Calen Evans, President, Washoe Education Association:

We represent the certified professionals in the Washoe County School District. I am here to testify in support of A.B. 285. I am not going to reiterate a lot of what has been said, but I think we have to understand there is no more pressing issue facing educators in our state and across our country right now than dealing with student violence and behavior. There is not a curriculum, a tiered instructional support, an assessment support, nor any initiative or program we can implement that will have any of the intended impact we would like unless we start to address the learning and working conditions in our school system. I understand this is not a money committee, but we have to understand—as good as this legislation is, and any legislation you will pass—we are a grossly underfunded education system. Our students and our schools are lacking the resources and the staffing they need to implement any of the initiatives or legislation. We cannot simply address these issues with policy alone. Hear me, please: Initiatives and legislation have to be coupled with the proper resources our school districts and our school sites need to be successful.

Keibi Mejia, representing Nevada Association of School Boards:

Nevada Association of School Boards is in support of A.B. 285 and, in the interest of time, we are going to echo the comments stated earlier by our colleagues from the Nevada Association of School Superintendents. We thank the sponsor for bringing this bill and urge your support.

Rachel Puaina, Teacher, Clark County School District:

I am representing myself as an eighth-grade English teacher. I am very grateful for the number of educators who are represented here. I want to echo what the teachers from Clark County were saying. I am also from Clark County. I worked for CCSD but, as people know, I could not believe the behaviors I saw. I just want to echo that. Please give us some support. We really do need help. I cannot tell you how many times we have talked about behavior taking away from instruction. Where I am at, I am grateful for the administrators who are supportive and trying their best, but they have repeated to us that it is because of restorative justice that they feel their hands are tied. I beg of you—we are losing educators, and I do not know how many times I have to hear a teacher walk away each year at my job site. It weighs on us because we have to think about our test scores and everything, and it really impacts the students.

I will provide one quick story. One of the biggest impacts I have ever had was having to see one of my students look at me with tears in her eyes when I had a student being disruptive every day, and this student, with tears in her eyes, said, Mrs. Puaina, please do something

about him. After restorative justice was passed, we were told we could not kick out students; that may not have been the intention, but that is what the administrators heard. And so, I had to look at her—and I wanted to say, I want to help you—and it just hurt me to look at her when she just wanted to learn. I looked at the others, and it was just one student being disruptive, and I could not do anything. So please, I beg of you—please think of us, and think of the students who really are there to learn.

Donald G.T. Gallimore, Sr., Second Vice President, Reno/Sparks Branch 1112, National Association for the Advancement of Colored People:

We support this legislation; we just need some amendments.

Greta Blunt-Johnson, Teacher, Clark County School District:

I am in support of A.B. 285 [page 10, [Exhibit H](#)].

Tiersa Baughman, Teacher, Clark County School District:

I am in support of Assembly Bill 285 [page 8, [Exhibit H](#)].

Julius Mannix, Member, Clark County Education Association:

I am a third-grade teacher, and I am in support of this bill [page 9, [Exhibit H](#)].

Chair Bilbray-Axelrod:

We will close the testimony in support, and we will move to opposition.

Holly Welborn, Executive Director, Children's Advocacy Alliance:

I appreciate the opportunity to be here today, and I appreciate the conversations we had prior to this Committee hearing on this bill and another legislation we will see this session. I first want to make it abundantly clear that I have, and Children's Advocacy Alliance has, the utmost respect for our teachers, that a disruptive school environment is bad for all children in the school setting, that having attention in the classroom is crucial for child development, and we share that vision for classrooms that operate effectively for every student. But the Children's Advocacy Alliance cannot support legislation that purports to remove elementary school-aged children—many with severe emotional issues, mental health issues, and/or psychological issues—from school permanently or that interrupts their education for extended periods of time. The Department of Justice Investigation found that there are no community-based supports for children in this age group to support their mental health and development. What we are doing by reaching that under-11 age group is, we are relegating those children to the child welfare system, because they will be sent home and will have to have educational instruction with parents at home. Those parents have to work, which means there could be a finding of neglect—we are very concerned about that. We are also concerned children will end up in the juvenile justice system unnecessarily when there could have been some kind of intervention at the elementary school level to deal with these kids. I helped Assemblyman Tyrone Thompson with the restorative justice legislation. We are proud of the work that he did. I think he would be with you right now trying to resolve this

issue and having this conversation with us. I truly believe that, but this age group is far too fragile to throw these children away. We have to find a solution that is going to work for these kids. And until this body is willing to make that investment in those community-based supports, we are failing kids for the future. We are failing our community for the future.

Jonathan Norman, Statewide Advocacy, Outreach & Policy Director, Nevada Coalition of Legal Service Providers:

We represent kids in foster care—both at Northern Nevada Legal Aid and Legal Aid Center of Southern Nevada. We also have an education advocacy team. Teachers and administrators obviously deserve a safe place to work. Students deserve a safe place to learn. Listening to the comments in support of this legislation, it is heartbreaking, but some of the things I heard are our lack of training for restorative justice, no support for teachers from administration when there is a problem in the classroom, and we need wraparound services. These children have trauma; create wraparound services on each campus. Schools are lacking and underfunded. One teacher mentioned a student named Kyle. She said she looked back at his file and in first grade, he had numerous infractions, and nothing was done to help Kyle, and the child was just moved through. Our schools have an obligation under Child Find—when a child is having a lot of disciplinary interactions, and we are hearing words like trauma, that clues educators in that this could be a kid who should have special education, who should have an individualized education program (IEP) and have those supports in place. What I am worried about is that not just teachers have left, but all those supports. We need to look at how many social workers we have per student, how many school psychologists we have per student, and what that looks like on our campuses. Because if we do not have the supports for teachers and the supports for students, and then these kids are going to be permanently expelled—this bill contemplates permanently expelling kids who are eight years old—the questions then become: Where do those kids go? What are our alternative educational placements? I am not aware of behavior schools in the rurals or in Washoe County. Clark County has behavior schools for kids—I believe over sixth grade. So, where are those alternatives?

Also, we need to see data from the school districts. With the expulsions allowed right now, what is the racial breakdown, how many kids with IEPs, how many kids with 504 Plans, how many kids on free and reduced lunch? I think this bill will disproportionately impact those groups. It is also worth getting data on what kids are getting expelled for right now. Then that can be a guide for the Legislature, as to how—if we lower this age range—we can anticipate younger kids to be expelled, and also what groups of younger kids may be expelled.

John J. Piro, Chief Deputy Public Defender, Legislative Liaison, Clark County Public Defender's Office:

You may ask, What is our nexus to this? I share the same concerns as my colleague from legal aid services. When these kids get expelled and they have no place to go, guess where they are going to go? To the juvenile justice system, which is where we are going to be dealing with that, and that is an expensive place that does not have a lot of good solutions. Our schools are some of the best solutions, and I wholeheartedly agree that teachers should

not be working in an unsafe environment, and students should not be learning in an unsafe environment. But I did hear some of the same things that Mr. Norman mentioned in his testimony. Some of it sounded like a lack of administration and implementation and a lack of support for the teachers, which is problematic. In this state—because I have been here since I was six years old and was educated in the Clark County School District—we have never set up our educators for success. We have never set up our students for success. We have high class sizes, so it makes it very difficult for teachers to respond to a large number of children. We do not really fund our kids. We keep getting these reports that we are in last place. We stay in last place, and we keep leaving here from Carson City just staying where we are at. Then we wonder why things are not getting better. We have these traumatized children, homeless children, foster children—where are they going to go?

I think part of the issue in this bill is that we need to talk about the age of the child and keeping it at 11 years old. We also need to talk about creating a more clear path back—back into school—and discuss what those services look like, because I have got to tell you, as a practitioner in this community, there are no services for these kids out in our community. There are no services for adults out in our community; they are very limited.

We need to be open and transparent about data—not only what the issues with the children are, but who the educators who are referring children the most are, and which schools are referring children the most. We need to look at that. This is a very well-intentioned bill. We thank Assemblywoman Taylor for speaking with us and hearing our concerns, and we definitely hope to find a path forward to protect both students and teachers.

Kyle Rogers, Teacher, Clark County School District:

Today what we are talking about, in part, is accountability, and more specifically, accountability for students [pages 1-2, [Exhibit J](#)]. But what is at the core of the issue is accountability for adults, because restorative practices are not being followed—at least not in Clark County, our largest county. Let me give you a few examples. *Nevada Revised Statutes* 392.4646 states that when a kid is removed from the classroom, there is supposed to be a meeting. That meeting is supposed to always include the teacher. However, I have never heard of a teacher being invited to these disciplinary meetings. Teachers are almost never invited to the disciplinary meetings. Usually, it is just the administrator and the parent. How can we resolve conflict, how can we restore a relationship, if the teachers are not being invited to these meetings, as is required by law? If you pull up the CCSD suspension policy, they clearly state they only want a meeting between the administrator, the student, and the parent; the teacher is excluded from those meetings even though it is required by law.

Secondly, a Committee member said they would love to see data. By law—NRS 392.462—every single school in Nevada is supposed to post their discipline data on their school website. It is already required by law. None of the schools—at least of all the ones I have checked in Clark County—are doing that. You can go to their websites right now and see they are not doing that; they are not being transparent. Last school year, there were 110,000 cases of exclusionary discipline in Clark County School District. That is a combination of suspension, suspension with instruction, restorative practices, and in-house

suspension. Each of these 110,000 cases represents multiple days of missed instruction. Because of excessive discipline, we are seeing hundreds of thousands of days of missed instruction in just Clark County. That is data I obtained through a public records request. I can present it to you. You actually have someone on the Committee, Assemblywoman Thomas, who went to the community presentation I gave, and the data I have available broken down by race, by disability, et cetera, will absolutely shock you. I am also a teacher. I teach at Peterson Behavior School [Peterson Student Success Center], and I am begging you—before you pass any legislation, you visit a school like mine, and ask these kids how their rights are regularly violated.

Chair Bilbray-Axelrod:

If you submit that data, I will make sure to get it out to the Committee.

Yesenia Gonzales, Private Citizen, North Las Vegas, Nevada:

As much as I want to wholeheartedly support these staff members and for them to be protected—because CCSD is supposed to provide a safe learning environment—it is not being done. As Dr. Rogers mentioned, CCSD does not really comply with policies; they do not really do anything in regard to restorative justice. My child was the product of one of them when he was attacked in 2021 by another student who attacked him from behind and broke his nose in half. The school tried to flip it on my child and tried to make my child the aggressor. I have a special needs child. The language in here is something that can also affect special needs students because many times we do not know if it is a behavior pertaining to their disability. School staff do not have manifestation meetings to address the behaviors because some of these suspensions can last up to ten days. Black and Brown students are mentioned. Unfortunately, if that is what the demographics show, we need to also identify why it is happening amongst those groups. I wholeheartedly believe that respect starts at home, but some of these kids do not go home to a loving home—they do not. We do not know what trauma they are going through. We do not know if their behavior is reflecting that. In my case, when it came to having a meeting with the aggressor who attacked my child, there was no way to pursue and have some form of restorative justice because the parent pulled their child from the school and enrolled them into another CCSD charter school that my son had also been accepted to—because I pulled my child out immediately. This child had a warrant out for their arrest; this is an 11-year-old child. I do not know what his circumstances were, besides that he was a foster child. I empathize for the foster child. But at the same time, when you have parents who think that by removing the student and putting them into another school—and the school is not aware of the habitual disciplinary issues going on with that child—how are we going to fix that? I just wish that if and when these incidents happen, these schools really do the research and actually implement and help these students, because these schools are not doing it—administrators are not doing it.

Tonya Walls, Founding Director, Code Switch: Restorative Justice for Girls of Color:

I am speaking in opposition to Assembly Bill 285 and Assembly Bill 194. Code Switch is a strong proponent of measures to keep all children, families, and educators safe on school campuses, which is why it is disheartening to hear the stories we are hearing from teachers

involved with CCEA, as well as other opponents. However, I do want to make clear that restorative justice, as I am speaking about it, is not what is happening in this state or in the Clark County School District. Restorative justice has not been implemented as per the legislation, and I believe restorative justice is being scapegoated because of implementation challenges, accountability challenges, and a lack of fiscal support for our educators and the schools. What I am hearing is there is a lack of professional development support, a lack of wraparound services support, and a lack of accountability. When students do experience disciplinary challenges, there is a lack of personnel to support them, and there is a lack of responsiveness from leaders to support both families and students. That is not a legislative issue; that is an implementation issue.

I also want to speak to a myth. There is this myth that restorative justice is too soft. It is perhaps the most common myth: Restorative justice cannot work because it ties teachers' hands and takes away any severe enough punishments to keep students in line. The current, most common punishment we are using right now—especially in Clark County School District, as per Dr. Kyle Roger's testimony and the data—is exclusionary and punitive discipline. It is no tolerance discipline. This was also the most common disciplinary practice before we had restorative justice. There is a reason why Tyrone Thompson pushed Assembly Bill 168 of the 80th Session. In response to the argument that what we were doing before restorative justice was working: It was not working. And yet, we are trying to legislate—to go back to what we were using and what Clark County School District, at least, is using right now. They are using progressive discipline and telling teachers it is because of restorative justice. That is not the case.

Yesenia Moya, Private Citizen, Las Vegas, Nevada:

As a restorative justice and transformative justice practitioner, I am appalled by this bill. I hear the teachers today asking for help, and I am asking them to not blame the youth [[Exhibit K](#)]. The bill is aimed at criminalizing and throwing our children into the school-to-prison pipeline—putting a Band-Aid on a systemic problem in our education system. From the administration to the staff to the teachers—no one has been trained, nor have they been implementing restorative justice practices correctly. In fact, community members who have tried to implement these practices have been ousted from the conversation altogether. Vote no on these bills because our uses are better than oppressive tactics, hiding behind words like progressive discipline. Vote no because our youth are controlled, managed, and moved around like furniture. If they have no economy, why are they being held accountable for the limitations of a system not meant for them? Vote no because our youth matter. Ask why these incidents are happening. We need more counselors, emotional intelligence, wraparound services, and training for everyone. Assemblyman D'Silva said we need more homegrown educators. As one, I want you all to know, I left the University of Nevada, Las Vegas, College of Education because of the racist ways I was being taught to "manage my classroom." After experiencing the way teachers, staff, and administrators treat youth as second-class citizens with no rights or autonomy, I decided to switch my degree with less than nine credits to go. When adults cannot stop thinking in hierarchical [unintelligible] including bias and stereotypical lenses, it results in an inability of youth to learn in an environment that upholds and uplifts them. Vote no because

our youth deserve a chance, and it is on the adults in the community to make it happen. Youth do not act out for no reason. Do not condemn our youth—Black and Brown kids are consistently pushed into the juvenile system due to expulsions. Stop the criminalization of our kids and hold the adults who are in charge accountable because our students do not feel safe with most of you.

Leslie Turner, Private Citizen, Las Vegas, Nevada:

I have a seven-year-old daughter who is in first grade in CCSD. I have a few questions. One, has there been any research on community factors that contribute to increased levels of violence? Dr. Walls mentioned that restorative justice is being scapegoated. I am in opposition to this bill. It seems like restorative justice is being scapegoated. It is kind of crazy because we have had a very profound moment in society with the pandemic, with extreme isolation, mental health, and the continuous grief—thousands of people died. These are all things that I think are contributing to what we are seeing now in classrooms—and not even just in classrooms, but across the country, and in society in general. So, has anyone looked at that? Have folks looked at the contributing factors of violence? Have they looked at restorative and transformative justice models that have been successful in other places? Has there been any research on understanding how the pandemic has impacted the behaviors of children, parents, and families? Have you talked to people living in the most impacted neighborhoods and listened to what their solutions are? Have you surveyed families? I have not had anyone reach out to me, and luckily, my son is at a really good school but, no one said anything to me about, How do I feel about the restorative justice practices at his school? There needs to be a deeper look at this, and stop being reactionary and assuming, Oh, it is restorative justice that is causing all these problems. Actually, we are at a profound moment in society that we need to look at, stop triaging symptoms, get to the root cause of what is going on in society and with our kids, and really start doing some healing.

Restorative justice is not a lack of accountability. A lot of people keep saying that, and the issue is, you all do not know what you are doing; you are not implementing it correctly; you are not actually doing it the way it is supposed to be done. Hopefully this bill does not pass, and you guys go back to the drawing board and actually give some resources so that restorative justice practices can be implemented correctly.

Chair Bilbray-Axelrod:

We are just about out of time. I see at least one person down in Las Vegas, and I have two people up here in Carson City. If I could have the person in Las Vegas, just tell me your name, who you are with, and that you are against the bill, and we will get that on the record.

Jshauntae Marshall, Co-Founder, No Racism in Schools 1865:

I am in opposition to the bill.

Chair Bilbray-Axelrod:

We will come up to Carson City and do the same.

Erica Roth, Government Affairs Liaison, Deputy Public Defender, Washoe County Public Defender's Office:

I am testifying in opposition to the bill.

Lilith Baran, Policy Manager, American Civil Liberties Union of Nevada:

We are also in opposition [[Exhibit L](#)].

Chair Bilbray-Axelrod:

If there is anyone on the phone lines or in Las Vegas who intended to speak in opposition, please submit your comments and I will make sure the Committee receives them.

We are going to close opposition and open neutral testimony. Do we have anyone here in Carson City in neutral? If you are in neutral, you can fill up those seats, and fill up the seats in Las Vegas as well.

A'Esha Goins, representing National Association for the Advancement of Colored People, Las Vegas Branch 1111:

Even after hearing these teachers' traumatic experiences and having great empathy for them—this bill has a lot of potential in its intent—I do not think all the intent has made it to the conceptual amendment. The National Association for the Advancement of Colored People (NAACP) will not support any bill where children are not offered an opportunity for a restorative education, at any age. But also in section 5, subsection 2, I am concerned about the intent the Assemblywoman has and what the trustees will interpret are solely based on the words "shall," "may," and "will." The NAACP of Las Vegas is in neutral until the actual amendments are available, and I am making myself available to help assist in the language on this bill.

Chair Bilbray-Axelrod:

I think we are going to have to put you in opposition. That was not really neutral testimony, but I appreciate the effort.

Andrea Michelle Esquivel, Private Citizen, Las Vegas, Nevada:

I have mixed feelings about this bill. I am all for second chances—even third chances when the person really deserves it. When I was hearing some of these teachers, I think back to my own experiences. The bill talks about how this would also apply to students with special needs. I have four kids, and three of them have autism. When it comes to special needs students, I feel this would not be fair to them, that this would not really apply to them. My youngest son went through something where he had his leg broken on purpose on the school bus when he was four years old, and this was done by another special needs student. Considering that the other student had special needs, we decided not to go after his family. I think there are other ways. I feel this is also a way for CCSD to wash their hands when they have the money to put other things in place. For example, with the rise in weapons and guns in schools, why do they not put metal detectors in schools? Why do they not provide more training? Why do they not provide—

Chair Bilbray-Axelrod:

Ma'am, we are going to speak to the bill. I know neutral is a nuanced thing because we think, I am not sure what I think so I am in neutral. But neutral is usually from a state agency, but I know it is a little tricky for a personal issue. It is kind of hard, but if you could speak to the bill or just finish up.

Andrea Esquivel:

Yeah, I have mixed feelings about the whole thing, but thank you.

Chair Bilbray-Axelrod:

Thank you for your testimony. It is important that you are down there.

Anna Binder, Private Citizen, Mesquite, Nevada:

I gave testimony to you when I was up in Carson City a couple of weeks ago, talking about one of my special education children. What I have heard— My son was a Kyle, and I briefly told you about some things we went through; when he was in kindergarten to third grade, the elementary school lacked the resources to actually tell me that he was being a Kyle. So, for three consecutive school years, I was not told; I only found out because my older daughter came home and told me something that had happened on campus that day. As soon as I engaged with the school, the first thing the school psychologist told me was she was split between too many schools, and the referrals to her take so long for her to get to and she deeply apologized for any delay as we work towards implementing an IEP for him. I want everyone to be safe, and as a mother to a child who has to protect other people from her child, I know firsthand the struggles. I know firsthand how it feels in trying to seek out help—feeling alone and feeling like a terrible parent. But at the end of the day, when the school that he was inflicting all of that upon did not even have a heart to tell me what he was putting them through every day, crushed me. I heard mentioned that you wished that CCSD was at the table today, and it is very unfortunate they are not—I did send through to exhibits [NELIS] their posted agenda. They have a presentation for student discipline on their agenda for next week. I sent that link through so you can review that. [A submission and link were not received.] What it predominantly says is that for the first semester of the 2022-2023 school year, Black and African-American students are disproportionately being suspended at a rate of 125.8 percent. The next in line is our special education children at 74.7 percent. I still have four children in the Clark County School District. I know we are not a fiscal meeting, but I think everything that has been said here from the community and our staff is further proof that we need to fund Assembly Bill 37 for the workforce we need to support our children.

Chair Bilbray-Axelrod:

Is there anyone on the phone lines in neutral?

Christina R. Giunchigliani, Private Citizen, Las Vegas, Nevada:

I was originally going to testify in opposition, but through listening to the discussion, I think the intent is moved back to making sure that restorative justice is inclusive in progressive discipline. Now, I think Assembly Bill 168 of the 80th Session was purposefully set up to

fail, and that is why we are here today—not just with this bill, but with many of the frustrations from teachers. In the long run, the social emotional learning (SEL) needs to be incorporated throughout all restorative justice and progressive discipline, not stand alone. I am told the training that is done by NDE is excellent. That should be the training across the state. You should not allow local districts to create their own training because it is going to add some more inconsistencies. As a special education teacher of 30 years, IEP students must be protected, and their IEP plans need to be understood and reviewed. Due process needs to be there for all students. Parents need to be held accountable for their students coming to school with a weapon. It is time that criminal charges were placed there. But I do have questions about the placement of students. Why a year? I wrote the original habitual discipline bill, and Tyrone Thompson and I worked on some of the changes he was working on. Part of the issue comes down to the fact that required training is not done consistently, and it is not even in our undergraduate programs—very minimal school discipline programming is actually provided. Teachers in regular education classes need to know how to deal with the kids that come in from special education. And if those IEP plans are not working, then we need to reconvene.

What I heard today was frustration all the way around—with lack of resources, implementation, class size, principals not trained correctly, teachers not trained, support personnel not trained. Everyone who is required to do training should be compensated on their salary schedule for that. But there are just not enough family and faculty supports. So, hopefully out of the nexus of this bill, there is a fiscal note for more social workers, counselors, family counseling, family therapy, family support, class size reduction, and other things that help teachers be able to teach, support personnel be able to manage and supervise, and administrators be able to supervise. Thank you, at least for bringing this bill forward and increasing the discussion.

Marie Calzada, Private Citizen, Reno, Nevada:

Thank you for recognizing the dangers for teachers and school staff based in their classroom. I applaud the bill—that it is now quote unquote legal to suspend or expel a student for violence. However, this is not enough. The current star rating [Nevada School Performance Framework] messes with the administrators' egos and their wish for a better star rating within their district, as well as the state. The law still leaves the decision up to the principal allowing these children—many with emotional and mental issues—to get the help they need. I am now retired, on disability and diagnosed with post-traumatic stress disorder (PTSD). I have been repeatedly hit, stabbed, and had furniture, including desks and chairs, as well as learning tools thrown at me by five-year-old children without IEPs. Maybe we should demand they have a mental health examination by a licensed psychiatrist who does not work for the district. Using candy and iPad time is not an appropriate approach to this issue. Another suggestion would be for the parents to be required to attend school with their children until the teacher feels it is safe again. Actions by one student not only hurt the teacher, but also affect the mental stability and education of the rest of the class. Seeing domestic violence in the classroom is uncalled for. The rest of the class deserves a peaceful classroom where they can learn without fear of violence. School is supposed to be a safe place.

Chair Bilbray-Axelrod:

Clearly, you are for the bill; we will add you to support.

With that, we will close testimony, and I will invite the bill sponsor back up to make any closing comments.

Assemblywoman Taylor:

I want to thank everyone who came to make public comment, to testify, to share their stories, to express concerns and support. I want to thank Dr. Paul LaMarca and Dr. Norris DuPree, who drove here because this is such an important issue. This is a huge issue across our state and an issue that has many layers. We are hearing a great deal about a lot of those layers now; it is a heavy lift. If we did not know that before now, we certainly know it now. But I will tell you, I am not deterred. I think it is important we hear the voices of those teachers. I know teachers do not want children out of the classroom—that is why they got into the profession, but teachers do want to be safe. I do not want children out of the classroom. I do not think any of us do, but we want the classroom to be safe. And my intention is to find that nuance, that place, that very thin line, that does them both. And that is why I am not deterred. We must balance disproportionality, equity, and commitment to all kids with the safe educational environment for all kids and staff as well. I remain open. I am grateful for the stakeholders who came forth in the very short time we had, to have some conversations about their concerns, and the door remains open. I want us to continue the conversation. This is clearly something we need to continue to work on, and I am committed to doing just that. So, I invite you in. Let us talk about it. Let us work on it, and let us fix it together.

[[Exhibit M](#) and [Exhibit N](#) were submitted but not discussed and are included as exhibits for the hearing.]

Chair Bilbray-Axelrod:

I will close the hearing on A.B. 285.

As mentioned, we are going to do a bill draft request (BDR) introduction. It is BDR 34-1087.

BDR 34-1087—Revises provisions governing education. (Later introduced as [Assembly Bill 330](#).)

This bill draft request is sponsored by the Office of the Governor. I will entertain a motion to introduce BDR 34-1087.

ASSEMBLYWOMAN ANDERSON MOVED FOR COMMITTEE
INTRODUCTION OF BILL DRAFT REQUEST 34-1087.

ASSEMBLYWOMAN TAYLOR SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

Chair Bilbray-Axelrod:

I will now open the hearing on Assembly Bill 194. This measure revises provisions governing the discipline of pupils. To present this measure we have Assemblywoman Hansen, Assemblywoman Torres, Will Jensen, Assistant Superintendent, Humboldt County School District, and Daniel Kirk, Principal at Lemmon Valley Elementary School.

Assembly Bill 194: Revises provisions governing the discipline of pupils. (BDR 34-199)

Assemblywoman Alexis Hansen, Assembly District No. 32:

It is my privilege to represent six counties in the great state of Nevada—Washoe, Pershing, Humboldt, Lander, parts of Eureka, and Elko Counties. I am honored to have our colleague and an awesome high school teacher, Assemblywoman Selena Torres from District 3 in Clark County as a cosponsor and copresenter of this bill. I also appreciate Assemblywoman Taylor for signing on to this bill as well. Assemblywoman Torres and I will make opening remarks, and then we will turn the time over to our copresenters, Will Jensen, the assistant superintendent of Humboldt County School District and formerly with the Nevada Department of Education (NDE) for over five years as the state director for special education. He will go through the bill, and Daniel Kirk, who is the principal of Lemmon Valley Elementary School, which was also within the realm of my district until redistricting, will follow up with additional information regarding this important subject.

As you can see, this has been a collaborative effort, and I think those of us involved represent a large portion of the state—Clark County, northern counties, Washoe County—and we come from diverse backgrounds. Let me preface my remarks with this, it is certainly with reverence that I come before you today. We all love and revere Tyrone Thompson. I had the privilege of being here in 2019 in this very room with many of you, where we worked for what was best for the children of our state. We all supported A.B. 168 of the 80th Session, so please know that we are here to preserve the intent. We know and we love Tyrone, and we know his intent was to do what was best for children, as it is with us. As we go through this bill and we address questions, know that it is our priority to make sure those principles of restorative justice are included as we move forward to fix some unintended consequences.

So, how did this legislation come about? It was last May that several superintendents, educators, parents, teachers, and students approached me with some of the concerns they were having and were seeing in their school districts. As I got information based on their expansive knowledge of being on the ground and in the trenches with the issues they were dealing with, it became very apparent that a solution was desperately needed, and a solution was needed sooner rather than later. I cannot express enough my gratitude for the collaboration of many—especially Assemblywoman Torres, who has been invaluable, as a resource in helping with this legislation—so we can protect students, staff, and hopefully, restore some sense of equilibrium to a process that unfortunately has become fraught with danger and a loss of security.

The reason schools exist is for children to learn and for teachers and the staff to be able to support that mission. When there is no environment of safety or respect, learning cannot take place for any student. It is our belief that A.B. 194 strengthens student and staff safety, and therefore, enables a stronger, more stable learning environment for our schools. The state of Nevada has a law that all children must be educated. We are not here to throw away children; we are here to find solutions. I hope my life's work and my reputation precede me, and it is known that I believe children are of utmost importance—they literally are the children of God. We are here to address specific concerns and to provide safety nets for children who need it. We look forward to presenting this bill and addressing any questions and concerns.

Assemblywoman Selena Torres, Assembly District No. 3:

I proudly represent Assembly District 3 in the heart of Las Vegas, Nevada, and I am honored to be here today in support of A.B. 194. I first want to thank the bill sponsor, Assemblywoman Hansen, who reached out to me during the interim so we could begin conversations about some of this work. I think it is critical to talk about some of the history of this legislation. When we brought Assembly Bill 168 of the 80th Session—which was referenced earlier in today's Committee meeting—we had many conversations about what rollout would look like. I know we have a number of freshmen legislators, and I am sure you all will get to see this as well—sometimes the conversations about what is going to happen after a bill is implemented turn out to not be actually what is implemented. I was part of many of those conversations for Assembly Bill 168 of the 80th Session, and I actually presented the bill in the Senate. I was very much a part of those conversations. Unfortunately, there is still a lot of work we can do around restorative justice policy. But if I am being abundantly honest, I think this legislation is not really about restorative justice. Assembly Bill 194 is specifically looking at the tools administrators have to keep their campuses safe. Earlier today, we heard Assembly Bill 285, which talks about restorative justice practices, teacher training—those policies in place. I understand how critical it is that we have that conversation. But quite honestly, this piece of legislation is looking specifically at just the school discipline situation. I agree we have to have these conversations; these conversations cannot be had in silos, and that is why we are all on this esteemed Committee, because we are here to have those conversations. So, this might be one part of the puzzle, but I know we are going to continue looking at legislation that deals with other parts of that puzzle as well.

Additionally, this bill is about giving our administrators the tools and resources they need to keep their campuses safe, and that is the dialogue we want to open up today. In my conversations with Assemblywoman Hansen, we recognize there is probably still more work to do—this bill is not going to fix it all. But I think this is opening up the dialogue, and we look forward to continuing to work with stakeholders on legislation that is going to make, or continue to keep, our campuses safe. At this time, we will invite Principal Kirk and Mr. Jensen to speak.

Daniel Kirk, Principal, Washoe County School District:

I am the principal at Lemmon Valley Elementary School in Washoe County School District (WCSD). I am also a board member of Washoe School Principals Association. I am here to speak from the lens as an administrator in support of this bill. As stated by Assemblywoman Torres, this is to give us the ability to keep our schools, our staff, and all of our students safe through many opportunities to support our students and restore their ability to be participants in our school communities, as well as the students and staff who are exposed to those traumas and those instances of behaviors.

For nine years I have been a principal at the highest-needs elementary schools within Washoe County School District. I have been the victim while ensuring safety for my staff. I put myself in harm's way first—before my students and my staff—to ensure their safety is utmost and forefront. I have been the victim of multiple assaults by one student—over 150 times I was assaulted in a 25-minute period, protecting students on a school bus. That instance resulted in some very difficult situations where A.B. 168 of the 80th Session prevented any ability for me as an administrator to keep my teachers and my students safe from that situation. It was very difficult for my staff and my students to be traumatized by that situation. There were several other similar situations that happened to me as well—I had pregnant staff members needing a student removed because they were being violent towards them and harming them. It is my job to be that person—to protect my staff and my students.

I am in such support of this bill because safety is my utmost priority as an administrator. I am an advocate for all my students and for all the high-need schools I have been in. My own children go to my school that I am the principal at as well, and they have been victims of violent behavior from students, and it is necessary that I support this bill. We need the tools and the opportunity to give students either suspension—whether that is temporary or that is extended—or expulsion or permanent expulsion to ensure we have the ability to provide safety for our staff and our students. It is really an opportunity for us as administrators to be able to work through those behaviors that we see on a daily basis in our schools; ensure we are able to restore all of those relationships—from the victims, the offenders of our students, as well as our staff—and find ways to create plans to ensure restorative practices are in place when we have violent behavior with our students.

Will Jensen, Assistant Superintendent, Humboldt County School District:

As mentioned, I have come before you many times. I think we did some great stuff in 2017 for students with disabilities and graduation. I will go through how the bill works, technically, and go over the intent a little bit, in case technically, we did not get some things right. You can help us with that.

This bill is intended to provide school districts, school boards, and licensed school administrators with legislatively provided tools to address instances of school violence against students and staff. The need to ensure safety for children attending school and those who work at the school is urgent. Everyone has the right to be free from the violent acts of others. This bill will permit the removal of any student of any age for acts of violence, with certain limitations. In addition, this bill is intended as the safety bill to acknowledge the

inherently dangerous behavior involved with the sale or distribution of controlled substances, by permitting the removal of any student of any age for this misconduct, with certain limitations. To ensure the superintendents are adequately informed about expulsion within the school, the bill [amendment] also requires that superintendents be notified within three school days of any proposed expulsion or permanent expulsion. Finally, previous law authorized the board of trustees or its designee to complete tasks relating to reviewing, authorizing, approving, and determining various acts. This bill [amendment] is intended to promote efficiency by replacing the board of trustees or its designee with superintendent and his or her designee, to complete the task [[Exhibit O](#)].

I am going to go through the sections in related disciplinary pieces. Section 2, subsection 1 separates battery of an employee from sale or distribution of a controlled substance. That is for efficiency and also so we can better understand those laws in schools—to make it a little bit clearer. They were joined together when we had mandatory disciplines in school, and I think it is probably appropriate to disjoin them at this time. Section 2, subsection 14 of the bill defines acts of violence. Section 2, subsection 2, paragraphs (a) through (c) [of the amendment] creates a new section that prohibits acts of violence against students and staff. Section 2, subsection 2 also allows for out-of-school removal of any students of any age—including students with disabilities—who have committed an act of violence against another student or staff. However, no student under the age of six will be permanently expelled from school for an act of violence. The superintendent, or his or her designee, must review and approve suspensions and expulsions of a student under the age of six. Please remember we are only talking about violent acts and drug distribution at school.

We also emphasize that in accordance with federal law, any student with a disability must continue to receive a free appropriate public education on the eleventh school day and any subsequent removal in that year [[Exhibit O](#)].

Now we go back, and the same things are true for the distribution or sale of drugs. Section 2, subsection 1 allows for the out-of-school removal at any age, and the same provisions apply. No student under the age of six will be permanently expelled from school for sale or distribution of a controlled substance. The superintendent, or his or her designee, must review and approve any suspension or expulsion of a student under the age of six for sale or distribution of a controlled substance. We also emphasize that in accordance with federal law, on the eleventh day of any removal in that year, education must be provided. In sections 1, 2, and 3 [of the amendment], various revisions were made so that the superintendent, or his or her designee, is in the decision-making seat when it comes to reviewing, authorizing, approving, and determining various actions that already existed in statute, but were previously assigned to the board of trustees or its designee. The board of trustees remains the authority for provisions that relate to the development of policy that will guide decision-making. That is how the bill works. I am happy about the discussion, overall. I would not want this to be any lighter of a discussion. We are talking about the future of children and what schools are doing to foster something more positive for those children.

The school-to-prison pipeline is troubling for me. I want no part of that. But I have to help us understand there is a whole other part of this discussion we have to have. We have been skirting around the conversation, and I think we just will not delve in. I am just going to do it. I am just going to do it right now. I agree that there are disproportionate numbers of removals based on factors—in zip codes—there is no doubt the data shows that, absolutely. But I will say this—if there are disproportionate number of removals for acts of violence in the school, there are disproportionate number of victims in that same zip code. I believe, wholeheartedly, that our system owes both the victim and the aggressor education. We are not washing our hands of kids. But let us not disillusion ourselves with what is happening. When we say the kids remain in school no matter what, do not assume that classroom is functioning in tip-top shape, because it is not. Not for the one student, not for the one—sometimes four—adults in the room, and a lot of times, not for the 20 other kids who come to school and are subject to what is akin to domestic violence on a regular basis. We have to do something. We came in 2017 and said, Hey, our graduation system for students with disabilities is not working. I came here and we worked on it together with the late Assemblyman [Thompson]. We worked on that together, and we got it done, and we made a better place for kids to go to school. The restorative justice approaches we are using are phenomenal in some cases—and I am not trying to baby and bathwater this. It is going well in some places and not going well in other places. Some principals are killing it, making it happen, and other principals—maybe not; I do not know. But I can tell you there is a lot of good that has come out of all that, and some of that good we can rest upon as we make these changes moving forward to something better.

I believe the dream was for better schools for all kids. I was here, and I think that was the dream. We went through that session. We got into a major pandemic. We came out of that session and frankly, we did not understand all of the bill in schools. We did not understand the implementation. We went back and NDE brought you Assembly Bill 67 of the 81st Session, which provided clarification, and we implemented it. I am telling you that the implementation is not going 100 percent well. The students doing cartwheels and those kinds of things—the inability for someone to be able to provide a supportive classroom environment—we can work on all that; we can get at it, 100 percent. We might not even need you all to do anything; we can do some of that. The violence—we cannot abide. On a regular basis, I have teachers on the verge of leaving the profession, and I am not saying this as some political tool to try and sway you. I am telling you in the Humboldt County School District, I have teachers in tears in my office on a regular basis. They can tolerate all kinds of things—going through growing pains as we build a better system together—but they cannot tolerate being hit, and then having that student know and understand there is little to nothing we can do about that violence. They know they cannot be disciplined to the same extent as an older child would be. They know and understand that, and it is dangerous. It is dangerous for us to place people in authority, have them struck in the face, knocked out. Principal Kirk did not tell you—look, he has teeth issues because his teeth got hit. He had to see a dentist over that—that we cannot do. It is dangerous when Principal Kirk is in his "uniform"—representing authority in the State of Nevada—and he is struck, and that child knows and understands that little to nothing will happen. That child—with disabilities or without disabilities—could translate that to another person in authority and that person could

be a police officer. At the end of an educational cycle, if we can have a system which, at the very least, we have scaled up enough to where you are not going to have a volatile reaction to authority when you get pulled over by the police, then we may just keep you alive. Those are the reasons we are bringing the bill.

Assemblyman D'Silva:

I am speaking as a teacher, and my question is this: What do these students' educations look like post-expulsion? Has there been any thought given to that matter, or are there any specifics you can give to us as to what kind of plans you may implement in your school district or at your school for these students after they have been expelled?

Will Jensen:

In Humboldt County School District, we are in the middle of Winnemucca; we do not have a lot of other buildings available for students. For students who are expelled—even students who are expelled for very egregious offenses—we offer an alternative education opportunity, most of the time coupled with mental health supports. We usually pair those together; one comes with the other, and you cannot just pick one or the other. We have limited expulsions, but the families of most students take us up on that offer.

Daniel Kirk:

Prior to the age restriction of 2019, a good, clear example is, I had a third-grade student who became very violent towards staff and his fellow students, disrupting the classroom and throwing things. He nearly broke my dean of students' leg with a chair. This was an eight-year-old student. Prior to this restriction from Assembly Bill 168 of the 80th Session, he was provided an alternate education at a different location—a different site within our school district. There are other available options to families. They can homeschool; they can go to a state charter school or a private school. But in this particular situation, he spent a quarter of his third-grade year in this alternate education setting, building his skills relative to his behavior and developing appropriate behavior skills within some restorative practice—social emotional learning, all of those things were provided in this alternate setting, as well as that equal opportunity to education. In his second semester of his fourth-grade year, he returned to our school, and we developed plans and systems to restore his return and restore the relationship of his peers, as well as his teachers and the adults he would interact with.

Districts have the systems and the plans and the ways to make it happen. It needs to not be something we just wash over because they are not 11 years old. Students who are under the age of 11 can still commit harmful, violent behavior, and we have systems within our districts to be able to support the offenders—the students who are committing these behaviors—and to restore them back to our school communities.

Assemblywoman Anderson:

My question has to do with the original bill, on page 5—on the amendment, it is on page 4, section 2, subsection 2 [\[Exhibit O\]](#). It is the exact same language; there has been no change to this. It has to do with the meeting that takes place with the parent. There is no time frame around that in the initial language or in the amended language. I did not know if you

were thinking of a specific time frame, because in the amended language, there is an eleventh school day that is mentioned in section 2, subsection 2, paragraph (c). I did not know if that was the same time frame you were looking at, or if you would allow the school board to make up a time frame as to when the parent or legal guardian needs to meet with the school.

Assemblywoman Torres:

That is a good point. I do not know that we added a time frame in there. When I read that, it says, ". . . an activity sponsored by a public school or on any school bus shall meet with the school and his or her parent or legal guardian." I think the language that needs to be added is within 48 hours, within 24 hours, et cetera. We might want to consider that language too, that they reach out to the parent. I know, as an educator myself, that sometimes we have a hard time getting families to come in. We make ourselves available for that meeting, but they might not attend. I think we are definitely open to looking at language to add a time frame about when there should be reach out and by what time that meeting should be attempted to be scheduled.

Assemblywoman Anderson:

My other question has to do with section 2, subsection 3. If you are looking at the amendment it is actually on page 5, where it states, "An employee of the school who is a victim of an act of violence . . ."—with the new language—" . . . may appeal to the school the plan of action" Would that be the school leadership, or is there any way that could possibly also be appealed to a higher level? Because sometimes, quite frankly, I think it would be better to have it appealed to the school district or the school superintendent or their designee. But I am open to whatever you decided to utilize for the word "school," which is in the original language, which is probably why it states, "school."

Assemblywoman Torres:

I would have to look at that specific chapter of *Nevada Revised Statutes* (NRS), but it might make more sense for us to have language in there that requires them to appeal to whatever the human resources system would be too. But I definitely would want to have that conversation with our labor organizations as well and see what their opinion is of where that should go.

Assemblywoman Anderson:

I agree 100 percent. I am more than happy to continue the conversations offline.

Assemblywoman Mosca:

Glad to see you again, Assistant Superintendent Jensen. I went to Humboldt County and got to see you in action and see your values at work in Winnemucca, so I know what you value. My question is, right now, how are we showing the data of who this is happening to, especially as we heard earlier—our young people on IEPs, the racial data, free or reduced-price lunch recipients, homeless or foster youth, et cetera? How would that change as well, if these were added?

Daniel Kirk:

All our school districts, by law, are required to use what we call Infinite Campus. Infinite Campus is our behavior reporting system, our grade book, et cetera; it houses all that information. The second an administrator logs a major behavior, that student's profile is pulled into that behavior, and then that data reports out through the Infinite Campus system. It can then show which types of students—whether they are a student with an IEP, they are a student who is in the WCSD Children in Transition Program—as well as inform us of the student's race. That system of Infinite Campus is our housing of our data, and each district reports that data out through multiple sources of data that we report out and share. Most of our Title I schools are required to report that on our website with our school performance plans.

Assemblywoman Torres:

To add on to that, I do not remember if it was in the 2019 or 2021 legislative cycle, but we did require the school districts to be aggregating this data and then disaggregating it during school board meetings. That being said, I do not know that that has been happening. I am happy to continue this conversation.

Additionally, I think there would be room to include language regarding requiring that report be reported to the Joint Interim Standing Committee on Education and then putting a deadline of when, so each year that report be presented to this body as well, because I know from our conversations in southern Nevada that those reports were not being aggregated. That is the responsibility of the districts; that really is not the responsibility of an individual school.

Chair Bilbray-Axelrod:

I think that is an excellent idea, so we will go ahead and incorporate that in. Anecdotally, I have heard from teachers that they are asked by their administration not to put incidents on Infinite Campus. I am hearing some "mm-hhms" up here from Committee members. We have a lot of teachers on the Committee. It sounds like that is happening. I do not know if you want to address that.

Assemblywoman Torres:

I would think, even if a discipline or referral was not being input into Infinite Campus, a suspension or expulsion would have to be logged on that system because of the way it is tracked. From my teacher standpoint, when I take attendance, it shows SUS for suspended, or EXP or EXA for excused absence. That way, I know where everyone is. I am pretty sure those would continue to be logged, otherwise kids would just not be showing up and we would be marking them absent.

Chair Bilbray-Axelrod:

Correct. I think it was the statement that they were asking about those behavioral issues. The discipline data is not being inputted. Anecdotally, I have heard it is because they are worried about their star rating [Nevada School Performance Framework].

Daniel Kirk:

With Infinite Campus, teachers have access to report minor behaviors. All these behaviors we are speaking about today—especially violence or distribution of drugs—have nothing to do with the teachers logging behavior data. That is left to the administrators; it is their responsibility—relative to district administrative regulations and requirements—that we are the ones to be logging those data. As an administrator of nine years, I am not aware of any impacts that the behaviors within my school, what is happening with our students and our student behavior that I am reporting with Infinite Campus, have anything to do with my star rating; that has no correlation that I have ever been aware of in almost a decade I have been an administrator. Whether that is a misconception that people are saying, Oh, I am not going to log major behaviors within my school community because it is going to change my star rating. I have never heard that is actually a correlation to the star rating system.

Chair Bilbray-Axelrod:

I believe you are right, but that is what is out there.

Assemblywoman Torres:

If necessary, you could address that by requiring all suspensions and expulsions be logged within that EMS [Education Management System].

Assemblyman Koenig:

Serving on the school board, we were the final say, the ones who had to suspend people, and that was probably the least favorite thing I ever had to do while I was on the school board. I suspended a good family friend's child for forgetting to take the pocket knife he had in his pocket 24/7, except for when he was at school. I suspended a couple of kids for airsoft guns. It was not a pleasant experience. I was wondering what the logic or the reasoning is behind changing the ultimate decision from the school boards to the superintendent.

Will Jensen:

I think it primarily bubbled up from the school boards and their representatives themselves. I think more and more school boards—and I do not want to speak for all of them because I have not spoken with all of them—feel that educators are really in the best position, once they pass their policy, to implement those policies. It was about efficiency, and it came by way of one of our collaborations over the bill—a former school board member made that suggestion.

Assemblywoman Thomas:

Every job I have ever held—even my 20 years in the military—I always had my employers protect me from violence in the workplace. There was always a way to report, and I felt secure in every job I held. My last employment was working in the court system, and I never felt like I was—and we had some violent people in the court system I was adjacent to—subject to feelings of, I cannot do anything; or, I am not protected, because I always knew

that my employer held me at a high level of—I was a commodity to them. They wanted to make sure I was protected. My question has to do with administration, because you are putting all these bills forward from the legislators to say, Okay, protect my employees, but you are the administrators; that is your job.

Also, are you speaking with other schools' principals who have implemented the restorative justice and SEL programs? Has that been implemented in other schools? If it is working for one, two, or ten schools, why can it not work for the fifteenth school? What are you trying to do as an administrator to make it better, because the two bills I have seen are mostly about protection of teachers? I understand that; I would never want to go into a job where—even in this building, I feel protected; I feel secure because they make sure I feel that way.

Will Jensen:

I will speak to what I am doing as an administrator. I am here, and my teachers are watching me on the Internet right now. They are watching me bring their concerns forward. They are watching me be responsive to their concerns. They are watching me having engaged in a conversation and bringing that conversation to the legislative body that I believe has made tremendous efforts and progress towards our disciplinary construct in schools. But I think when it comes to violence and the distribution of drugs on our campuses, we have to take a firmer stand. I will address that. That is what I am doing. As I said, it worked for me in 2017. When we came and wanted to talk about graduation reform, you are the ones who I came to, and I am coming to you again with that same heart. Please know I have tons and tons of teachers, parents, and frankly, students who are counting on me today to make sure their voices are heard. So, absolutely, that is part of what I am doing, as well as other things. But that is a major part of what I am doing today.

Daniel Kirk:

As an administrator for nine years in Washoe County School District in the highest-needs elementary schools within our school district, I have always personally made that my priority—it is my job to ensure the safety of my staff. I am the person who is going to take the brunt of everything relative to what is happening with my students, the violence, the distribution of drugs, and those kinds of things. That is my responsibility. I would say, I cannot speak for every administrator within the state of Nevada, but I do know wholeheartedly with my heart, I would trust even my own child to go to every one of my colleagues' schools. They do the same thing; they advocate for the protection of their staff. My way of additionally protecting, similar to Mr. Jensen, is I am here to tell my story, to be here to support that we need to take action relative to violence so our teachers and our staff are protected.

Assemblywoman Torres:

Working as an educator—and I have worked at multiple schools at this point in my career—I can compare where I have felt safer and where I felt less safe. I will be honest; I think the number one reason educators struggle to feel safe on our campuses is because we do not have consistent bodies in our schools. When your school has 30 percent vacancies on any given day because you do not have enough licensed educators in the classroom, and when we have

consistent sub shortages—sometimes we are combining classrooms. Imagine teaching a class of 70 seventh-graders, because I have done it. It is not safe. It is not safe for kids, it is not safe for teachers, it is not safe for administrators, and it is not the administrator's fault. There is just a lack of resources. When there are shortages for educators, that is on us. That is an issue we have to address. That is not this bill. But I can tell you there is other legislation coming that will be addressing the teacher pipeline issues so we can have those bodies in our classrooms, because I do think the number one reason why we see an increase in violence in our schools is the lack of consistent everyday professionals. When there is a substitute teacher, our students are significantly more likely to act up. My students did things with guest teachers they would have never done with me in the classroom. That is just the reality. Those are other issues we need to address, and the education issues are just so complicated—there is not going to be one solution to solve these problems.

Assemblywoman Thomas:

When you mention the substitutes and your students acting up, that goes back. When I was a student, students acted up. My whole issue here is that this is just not a problem with students; it actually is a problem with the administration. Right now we have northern Nevada here in front of us. I would love to have Clark County School District (CCSD) here representing southern Nevada. If we made a decision right now on this bill, we do not have a collective. I do not know whether or not you invited CCSD here.

Chair Bilbray-Axelrod:

Clark County School District is here; they were just not part of this presentation.

Assemblywoman Torres:

We attempted to have a presentation from both an urban school district and a rural district to help make sure there was diversity in this presentation. Being from southern Nevada as well, I had conversations with a retired AP [assistant principal]—she just retired last year so it is not long ago that I had a conversation with her—specifically about this bill, but there was a family emergency and she had to leave the country. There definitely have been conversations. I know the Nevada Association of School Administrators has met about this piece of legislation as well, and they are a statewide association. Rest assured, we are having this conversation with individuals from across the state.

Assemblywoman La Rue Hatch:

Thank you for addressing this very serious issue that I think we need to be looking at. And thank you, Mr. Jensen, for truly hearing your educators and speaking for your educators and listening to what is actually happening in our classrooms. We have had a lot of really important things said today that I would like to highlight before I ask my question. Dr. DuPree mentioned an abusive relationship—our teachers are in an abusive relationship. They are being assaulted regularly, and they stay for the kids. You are being assaulted regularly, and you stay for the kids. We have teachers leaving, but I would point out: They are not just leaving because of their physical injuries; they are leaving because of the moral injury. We are forcing them to participate in a system in which children are harmed. You are very right to point out that keeping the one child in who is assaulting their teacher is

traumatizing the 20 other students and is preventing the 20 other students from being educated. Some may look at this as a teachers' rights bill, but I look at it as a learning conditions bill, and I am really thankful you are bringing this forward. That brings me to my question, which is a follow-up to my colleague's. Can you please speak to why this is an issue we have to address as a state and not something that can be done on a school-by-school or district-by-district basis?

Will Jensen:

In terms of its relationship with the bill, it has to do with the law. I think currently we have a whole group of licensed administrators who go to school for a tremendous length of time, at great expense—I can testify to that truthfully, honestly, and experientially—who we train to make these kinds of decisions. That is part of what we license them for. But right now, I feel like they do not have a full breadth of tools in their toolbox in order to help keep that campus safe and also work restoratively with the student who is having the struggle in the first place. It has to do with the laws over the last two sessions as they pertain to the bill.

Chair Bilbray-Axelrod:

We will open it up for testimony in support.

Lynn Chapman, State Vice President, Nevada Families for Freedom:

We are in support of this bill and encouraged to see that this issue is being discussed in our State Legislature. It has been an escalating problem for quite a number of years. Dr. Nora Carr, chief of staff at Guilford County Schools in North Carolina wrote, "Feeling safe at school is as important to a child's well-being and learning as being safe. Children learn more and perform at higher levels when they feel emotionally safe." Dr. Ann-Louise T. Lockhart wrote how school violence affects everyone. It impacts children committing the violence, children who are victimized, children who witness school violence and even impacts school employees and parents. The National Center for Education Statistics' Crime and Safety Surveys reported that during the 2019-2020 school year, 77 percent of public schools recorded that one or more incidents of crime had taken place, amounting to 1.4 million incidents. This translates into a rate of 29 incidents per 1,000 students enrolled in 2019-2022. Not all recorded incidents of crime were reported to sworn law enforcement. The sooner children learn there are consequences to their actions, the better for the children's futures. Please pass this legislation. It is a good start to the solutions we need to pursue reducing the violence that is out of control in our schools. Our children need to feel safe and have a safe learning environment, and teachers need to have a safe place to work.

Dawn Etcheverry, President, Nevada State Education Association:

We stand in support of A.B. 194, and I would refer you to the comments made earlier by my colleague, Alexander Marks.

Dylan Shaver, representing Washoe County School District:

I am here today in support of Assembly Bill 194. I hope by implication, given that a number of our staff helped present Assembly Bill 285, we support it as well. The Washoe County School District platform focuses on two things that come forward in each of these bills.

One is to give teachers and administrators the support they need to maintain a safe and respectful learning environment. That is absolutely critical from the school board on down, as Assemblywoman Taylor assuredly knows. The second, of course, is maintaining classrooms where students have the ability to thrive. While we can focus on a number of reasons that have gotten our classrooms to this place, it is our responsibility to step up and support policies that will help turn that around. We believe each of these bills are part of that strategy.

Calen Evans, President, Washoe Education Association:

We represent the certified professionals in Washoe County School District. I am here today speaking in support of this bill. There have been a lot of discussions around oppositions to both bills that we heard today, and we understand this, and I think it is extremely important that everybody understand that no teacher ever wants a child to be removed from their classroom. We understand that the options available in some areas might not be what they need to be, so we need to do a better job at making sure we are providing these alternative placements and supports, because the reality we have right now is that many of these classrooms do not have the supports and resources available to them to provide for the needs of these students. It is extremely important that yes, training is an absolute, and there are good things about the restorative practices that we need to keep and implement. No one is discarding those in either of these bills. We are saying there are elements of them that we need to use, and we need to make sure we are growing from these. Then we need to continue to look at how there are two sides of this coin, that we are doing everything we can with preventative measures to make sure we are providing our students with the resources and tools, providing the training for administrators and our staff to best support these students—but also providing the districts with the latitude to make the decisions that are the best for the entire school body. It is extremely important we see this. I want everyone to understand that first and foremost, teachers want to be with their students supporting every single one of them, but the reality is that because of a very, very small percentage of them, we are losing the herd. We need to make sure we are doing everything to systematically address this issue.

Mary Pierczynski, representing Nevada Association of School Superintendents:

The Nevada Association of School Superintendents is an organization that is composed of all 17 superintendents. As we said previously this afternoon, the superintendents believe there needs to be law and order in their schools, but also with the understanding that some students need more than what others do. Part of the issue here is training—we need a little more training. There are so many good things about restorative justice, but implementation has been tough, and there have been a lot of unintended consequences. Hopefully these bills and these discussions during this session—there are lots of them on restorative justice—will help bring everything together so it is better for the students and for our faculty and staff members.

Keibi Mejia, representing Nevada Association of School Boards:

The Nevada Association of School Boards supports A.B. 194, and we echo the comments of our colleague from the Nevada Association of School Superintendents. Thanks to the sponsor for bringing this bill forward, and we urge your support.

Donald G.T. Gallimore, Sr., Second Vice President, Reno/Sparks Branch 1112, National Association for the Advancement of Colored People:

We are supporting this bill right now. We support both bills. Something needs to be done. Our teachers are in jeopardy and our pupils are not learning anything at all. The opposition arguments seem to be basically about implementation and enforcement. Those things, I believe, can be at least looked at in terms of the existing laws. I would hope the sponsors can come together and make this one law, and that would be A.B. 194 and A.B. 285. I think there is language that is very similar and can be adjudicated that way. But the root causes and the enforcement, of course, our economic, educational, and about the Internet—we have not spoken enough about how social media affects our children and affects their behavior between each other. That is something we need to delve into with this bill a little bit more—data privacy. With my membership with Protect Nevada Children, I have been doing this since 2009, and in 2011 we realized there needs to be something there. Social emotional learning—we cannot stand it. I do not think it should be applicable. Reading, writing, and arithmetic is the educational systems' responsibility. I do not know if we have achieved that with SEL. If we are looking at all the economic improprieties and inequities, reparations are going to have to, at some point, be a part of this discussion. It will allow children to feel a little more equal.

Rachel Puaina, Teacher, Clark County School District:

I would like to also address what Assemblywoman Thomas was concerned about: How is this not on the administrators? I agree. But I think what they need is support in implementing. I agree with the bill, but I think we do need the support from the administrators—that they have whatever tools they need to help implement it on campus, and have the teachers follow through with it. It will help.

Andrew Feuling, Superintendent, Carson City School District:

I am in support of the bill. I just want to give a quick story of that support. I was a new superintendent, and in my first month of school being back, I went around to have 29 listening sessions across our 10 schools here in Carson City. Within the first month of school, going to one of those meetings at an elementary school just down the way, I had a teacher who had just come back from her classroom that had been completely destroyed by a student after the teacher had been hit. They had to evacuate the room, and students were crying. She came into that meeting in tears, and her greatest concern was not actually her own safety, but what her students saw, how they were reacting, and how they were going to respond the next day. Later, it happened again on another day. These are the types of things we are seeing—staff members with broken orbitals; staff members getting headbutted; students whacking their teacher across the face with a broom, having them fall backwards and trip and fall. It is serious everywhere in the state. Anything to potentially help give more options would be appreciated.

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

We are also in support. I just wanted to clarify that we are in agreement with Mary Pierczynski of the Nevada Association of School Superintendents' support testimony. Ditto on that. We have been in the room. I have additional information to provide and was

planning to provide that during public comment, but I wanted to ensure that we got on the record that we are supportive of adjustments to restorative justice, recognizing that there are some changes that need to be made in order to ensure our students and our adults at our school sites are safe.

Chair Bilbray-Axelrod:

We will go to the phone lines. Do we have any callers in support?

Renee Rezendes, Private Citizen, Sparks, Nevada:

I am in support of this bill, but I think it needs a little tweaking. There is no accountability to the school district when the students go out to lunch in high school or middle school—I do not know if they do in middle school. With the open campus, there is no supervision for the kids. I saw an incident across the street from Reed High School where at least five boys—maybe six—were manhandling a girl. They had her by her hair; they were throwing her around and passing her back and forth. The police finally came. I was outside in the parking lot at Big R, and they talked to the kids. The police left, and they started fighting again, doing the same thing. I think this is an example of not being concerned for the health and safety of our children. If the school district is not responsible for students during the lunch hour, they need to close the campuses so they have supervision and are safe. Also, this could have started on the school grounds, and then they took it outside and—

Chair Bilbray-Axelrod:

Ma'am, I am going to interrupt you. There is nothing in the bill about open campuses. If you want to speak to being in support of the bill, your testimony needs to speak directly to the bill.

Renee Rezendes:

There needs to be an amendment.

Chair Bilbray-Axelrod:

That would not be in support; we will mark you in opposition.

Renee Rezendes:

No, I am in support of everything, except that this needs to be included.

Chair Bilbray-Axelrod:

I appreciate that. Our rules of the Committee are that you are in support of the bill as the bill is written. If you want to make changes to the bill, then you are technically in opposition. We will make sure we have your information down in regard to that specific area you are concerned about.

Kerri Finn, School Nurse-Clinical Aide, Carson City School District:

I am speaking today in support of Assembly Bill 194 [[Exhibit P](#)]. As a health care professional, I have worked district-wide at many schools, and it is not uncommon for me to have to render first aid to different staff members who often come to me in tears. Staff

members come to me who have been bitten, hit, punched, choked, kicked, and pinched. They come to me with concussions and other head injuries, broken bones, and bruises from being thrown against the wall or having objects thrown at them by students. If that is not bad enough, despite all that, there are little or no consequences for the students who harm our staff. When breaking up a fight, staff cannot even press charges against the student who assaults them when no markings or bruises are left—even if the footage is caught on film.

Violence against staff is at an all-time high and behaviors are escalating. Throughout the state, educators are one more violent incident away from leaving this profession forever. Physical abuse is not in the job description for an education support professional, teacher, or administrator. As educators, we are constantly told that we must provide a safe, respectful learning environment for students. But what are legislators doing to provide a safe, respectful work environment for educators in Nevada? In 2019, the Nevada State Education Association warned what could happen if restorative practices were implemented with the lack of funding, guidance, and instruction. Unfortunately, four years later, now we know. The current restorative practices Nevada has in place are not working and need to be fixed.

The time for change is now. Educators have spoken a great deal about respect this session. Many of you are likely aware of our campaign called the Respect Educators Act. One of the largest components of the Respect Educators Act is about safety. Assembly Bill 194 and Assembly Bill 285 will deliver real accountability for any violence committed against us and give all educators the tools necessary to deal with disruptive behavior. Passing this bill goes a long way to show educators the respect we deserve. In closing, please consider the ramifications to public education and our educators' safety across the state of Nevada if restorative practice laws do not change. I urge you to respect educators and pass Assembly Bill 194.

Terri L. Schuman, Education Support Professional, Clark County School District:

I will be speaking in favor of A.B. 194. I believe that A.B. 194 is a bill that needs to be addressed—the sooner the better. I have heard a lot about our teachers and administrators being assaulted but, unfortunately, it does not stop there. In Clark County we have had our paraprofessionals, our bus drivers, and our custodians attacked as well. I believe these kids come to school behaving as they do because this is what they get away with at home or with their friends. Maybe some thought should be put forward to forming education classes for our parents on how to train their students to show respect to others. I have heard many people say tonight that the last thing they want to do is lose students from their classes. I could not agree more. Our kids need to be in the classrooms; they need to get the work and the playtime with their friends—maybe to train them to get along better. But unfortunately, one teacher is not enough for a class size of 30-40. My suggestion is that when Time for 20 is presented, we put our heads together and see if we can pass this bill along with A.B. 194 tonight. Keeping class sizes down to 20 students might surely help.

Chair Bilbray-Axelrod:

We will move to opposition. Go ahead in Las Vegas.

Kyle Rogers, Teacher, Clark County School District:

I am going to start with the story. I used to be a foster parent. I was a foster parent of four years until this last summer when I stopped. I want to talk about my very last foster kid, who aged out. He has experienced a lot being in foster care, obviously. Prior to foster care, he was stabbed and shot. When I would walk around the house—when I was heading down the hallway to the living room and I knew he was in the living room, I would need to tap the wall as I walked by because if I just suddenly showed up in the living room, he would jump, and be scared. He has diagnosed PTSD [post-traumatic stress disorder], and one day he stupidly decided to bring a kitchen knife to school. Those are the kinds of kids we are talking about, and those are the stories you have heard none of today. There are many like that. I work at a behavior school, and I see these kinds of stories all the time, and it is a problem. Something I have learned from being in the behavior schools, and something that has not been addressed in this bill—and it is deeply concerning—is: Who counts as fighting? If I am pushed by a student and then I decide to go push that student back, am I now suspended? Am I expelled? Do we just not allow all self-defense? Because I am going to let you know right now, in CCSD any act of self-defense counts as fighting—any single act. I am sure that is probably true across the state, because how do you decide who is the true instigator? Another issue I want to bring up that was discussed is this: Is it that the administrators are not following policies? I want to be very clear—that is the vast majority of what the issue is. Here is an interesting fact—and I do not know why teachers do not know this, since they have such an issue—NRS 392.4648 states that if a teacher disagrees with a student being sent to their classroom after they have already sent them out, there is supposed to be a meeting of a committee—made up partially of teachers—to discuss if that was the appropriate decision made by that administrator. Do you know of any school where this committee exists? Why have none of these teachers mentioned this committee? It is required that this committee exist for every single school, but it has not been mentioned once today. I would love to find out whether the gentleman from Washoe County School District who is advocating for his teachers has this committee active at his school. And do they meet to discuss when a teacher disagrees? Because by law, that is something a teacher has the right to. I am obviously someone who wants to see kids in school, so I am not particularly interested in policies that push kids out like that one, but they do have that right. It is interesting that it has not been brought up, as it is in the law.

The last thing I want to bring up is, if we are going to start suspending kids under a certain age, we are not going to get accurate data for kids with disabilities because they are not being identified until a couple of years into their schooling. If we are suspending first- and second-graders, we are not going to have accurate data about how many kids with disabilities are being suspended anymore, because that is going to skew the data downward. That is another issue that drastically needs to be addressed [[Exhibit Q](#)].

Yesenia Gonzales, Private Citizen, North Las Vegas, Nevada:

I want to reiterate something Dr. Rogers mentioned about the age. Many children with disabilities go misdiagnosed or are not properly assessed by the school district, and it is a very difficult thing to do to get a proper assessment with the school district. Back when my child was assessed at the age of three, he was developmentally delayed. It took another

three years for my child to be properly assessed and be told that our son is autistic. Now, if you want to sit there and punish a child with disabilities because the school did not know how to properly assess and address a situation, and allow a student to get to the point where it escalates and they have a behavioral incident due to something that pertains to a disability, that is a big problem, because you are going after a child with disabilities. That is something where yes, they do have laws that protect them, such as the Individuals with Disabilities Education Act (IDEA). In my case with my child, who was attacked in 2021, we really had no justice for him. In that incident, the school said that my son was involved in an altercation; they flipped it on my child. But there was video footage of my child being viciously attacked from behind; that was his saving grace. Unfortunately, that is something that also needs to be addressed.

To the gentleman who made the comment about sending our kids to private schools: Do you have the money to send our kids? Are you going to give us those vouchers? What happens when they do not have those staff who can accommodate our children with special needs? Many of these private charter schools cannot accommodate our special needs children whatsoever. It is very disheartening to hear, as a parent of a special needs child. As a student who was formerly here in CCSD, who is also autistic—not a comment that we would like someone in Carson City mentioning. This is a bill I cannot support, because the language is very tricky. It comes off as if it is going to really attack our special needs children, and those are the children we really need to protect and give a voice when something happens. We need a school district to properly assess; we need IEPs and 504 Plans in place. We need to really do something about this because honestly, if you would have approved this bill back then, my child would have been disciplined. He was the victim of a heinous crime that we actually pursued to the district attorney's office, and we did not have justice.

Anna Binder, Private Citizen, Mesquite, Nevada:

What has been lacking from today's conversation is parents and children. I do appreciate those who are standing up for our children, but when I signed in today on the attendance sheet, where it asks, Who are you here representing? I am the only one who wrote in "children." None of us have a magical answer, right? Things need to be done. But our youngest, most vulnerable children need us to do the right thing.

Chair Bilbray-Axelrod:

We will now hear testimony in Carson City.

Holly Welborn, Executive Director, Children's Advocacy Alliance:

For the record, I am here representing all the children. I want to go through the amendment [\[Exhibit O\]](#). With the change of splitting out distribution of a controlled substance from violent behavior, I first want to address that we are changing that to a child of any age who

distributes drugs. That causes me to think through several items. Why would a child under the age of 11 be distributing drugs in an elementary school setting? It seems there would be a lot more happening there, and perhaps this child is being victimized or exploited in some way, and a path to permanent expulsion would seem quite inappropriate in that circumstance. That is one thing I think about as a basis for opposition today.

I appreciate Assemblywoman Hansen and Assemblywoman Torres for some of the changes they are making here. The original bill did have some Individuals with Disabilities Education Act issues, and I think that it was cleared up. But I do want to address the disability issue in section 2, subsection 1, paragraph (c), that it provides in accordance with federal law that a child who is removed from school receives a free appropriate public education in accordance with IDEA by the eleventh school day. It is fine to have that recitation of federal law in the bill, but the practical application of that is, Where are the services for those disabled kids who can now be removed from programming in school? We talked a little bit about that earlier, so I would ask that the Committee consider that before moving this forward. There was some increase to the age of six for the age limit, but again, I think we have to be incredibly careful in what we are requiring before we say that a child has to be removed from the school environment at such a vulnerable developmental age. If this is the direction we are going, we have to provide services for those kids. We have to provide appropriate interventions, and we are not prepared in any way, shape, or form to do that. Those are the most pressing issues.

But again, I do want to say, I was a really bad kid. I do not think a lot of people know that. Every session I come here and I think, I am not going to cry on the record, but I always do. I am thinking about Assemblyman Thompson and that legacy. Everyone in this room is incredibly sincere in the direction they want to go, but I was a really bad kid in that developmental stage of my life. I just cannot imagine the direction I would have gone if I had been thrown away at that period and what my life would have been like if I did not have teachers and people who cared about what my home environment looked like. I just ask that you consider what the practical application of this is going to be for those young, vulnerable kids.

Jonathan Norman, Statewide Advocacy, Outreach & Policy Director, Nevada Coalition of Legal Service Providers:

I was a CAP [Children's Attorneys Project] attorney for a while, so I represented kids in foster care. I had a kid who was under the age of 11 who assaulted and battered a teacher. He had been in a general education classroom. He had one of the most complex trauma backgrounds I have ever heard. He was eight years old, and they wanted to have him placed at Miley Achievement Center. We fought for him to have the next on the scale of placements, we fought for him to be on the general education campus in a classroom with a special education teacher and a teaching assistant and max 12 students. We were able to get that. Four months later, his discipline file just kept getting thicker and thicker, and it culminated in his assaulting his teacher. Fortunately, there was no lasting damage. I share that because I found out at that point that he did not have a special education teacher in that classroom. He did not have a licensed teacher in that classroom. This classroom that was

12 students, which was supposed to have a special education teacher and a teaching assistant, had a teaching assistant who was being considered a long-term substitute. The requirements to be a teaching assistant are a high school diploma. My kid, with the most complex trauma history that I ever had, was put in a position to fail. Under this bill, he could have been permanently expelled from school.

I appreciate these bills because they shed light on what is going on in our education system. I appreciate them because they allow teachers to voice those concerns, and I appreciate both bill sponsors to A.B. 254 and A.B. 194. Assemblywoman Torres said 30 percent of teachers are missing from schools, and that makes schools inherently more unsafe. I do not have these for the state, but in CCSD we have 1 school psychologist for almost 1,650 students, 1 school counselor for every 436 students, and 1 school social worker for every 1,538 students. The State Board of Education adopted standards in 2020 that said they would have 1 school psychologist per 500 students, 1 school counselor per 250 students, and 1 school social worker per 250 students. When we look at how we are going to solve these problems, and we are looking at permanently expelling young kids when we are not staffing our schools appropriately, we really need to look at and consider that.

I appreciated the questions—I think it was Assemblyman D'Silva who asked—about what the alternative education options are. I really think we have to drill down on that. We cannot just say, That could be an online school. If we are talking about kids who have complex home lives, who are maybe in a single parent home on free or reduced lunch, we are going to have them on an iPad, and that is going to be their education. I think that is woefully lacking. Finally, I want to thank the *Nevada Current* and reporter Camalot Todd because I just googled "state of education" and that article came up—it was published this year—about the numbers of students to psychologists. When we talk about my client and the consequences his life would have had under this bill, the professionals who we expect to have in schools were not there for that client.

A'Esha Goins, representing National Association for the Advancement of Colored People, Las Vegas Branch 1111:

Oftentimes people look at me, and I can only assume the things they are thinking, but I am a victim of child abuse. I was taken out of my homes in Washoe County, and also in Clark County. What being a victim of physical child abuse taught me was to be a fighter in life and a fighter in the streets. The first time I was taken out of my home was when I was 8 years old, and I was attending Stead Elementary School in Reno, Nevada. I fought because what I understood was fighting. The second time I was taken out of my home, I was 11 years old, and I fought at Elizabeth Lenz Elementary School in Washoe County. I fought because that is what I knew. The third time I was taken out of my home, I was attending J.D. Smith Middle School, and I fought because that is what I knew. If those teachers had thrown me away and expelled me, I would not be the advocate I am today. I am speaking on behalf of me and the future mes to come. If they had thrown me out— I am urging you to consider these other children. All they know is what they have seen and what they have gone through, and that is what they are acting out. Being expelled permanently should never be an option.

Chair Bilbray-Axelrod:

Is there anyone on the phone in opposition?

Yesenia Moya, Private Citizen, Las Vegas, Nevada:

I am a community organizer, educator, and artist. Why is it on our youth to make teachers, administrators, staff, and other adults feel safe? Who is to be held accountable for the lack of resources, training, and support? Safety comes from creating spaces where you can explore and simply be free. The issues in our schools are systemic. Until administrators, teachers, and staff decide to come together with the youth and community that uphold them, we will continue to see these kinds of policies that directly criminalize Black and Brown students at the hands of teachers, staff, and administrators who have internalized biases.

I am a product of CCSD and as such, I see that things have not changed with the way adults react to altercations or issues students are dealing with. I went to a counselor when I was in school with thoughts of suicidal ideation. I was homeless and my parents were deported and all that I was told was to drink water and find a buddy to feel better. Not much has changed. Our students do not feel safe with administrators, teachers, and staff who do not understand them, and are outright abusing their powers. From youth being expelled for something as simple as saying, Damn it smells like shit, to a seven year old being put in cuffs for running with safety scissors, these kinds of policies will only continue to push our youth into the juvenile justice system. Please vote no on this bill, and let us come together as a community for real solutions, not Band-Aids that blame youth and criminalize them [[Exhibit R](#)].

Samuel Y. Song, Ph.D., Professor, Department of Counselor Education, School of Psychology and Human Services, College of Education, University of Nevada, Las Vegas:

I am a school psychologist and researcher in school violence and restorative justice. I am opposed to this bill. I believe there is a lot of research nationally and internationally—papers I have written summarizing the research that this is not the right move. It is educational malpractice. It is inhumane, and it does not solve the problem. We need to continue to do restorative justice and alternative approaches to punitive discipline and support all kids. This will continue and exacerbate the disproportionality we are seeing among children and families of color, those in a lower socioeconomic status, those with identified disabilities, and gender identity, and sexual minoritized individuals. Please reach out to me if you want a consult, but this is not the way we should be moving in Nevada.

John J. Piro, Chief Deputy Public Defender, Legislative Liaison, Clark County Public Defender's Office:

I want to thank Assemblywoman Hansen for hearing our concerns about the bill. The concerns are the same as they were for A.B. 285. We are worried about where the children are going to go. We are worried about what is going to happen to them when they are removed from probably one of the only safe places they know or are able to attend. Sometimes schools are the only places where kids get meals. Sometimes schools are the only places where kids get some form of love—especially the kids we see who come through the juvenile justice system and the DCFS [Division of Child and Family Services] system.

We are hoping we can work on a robust solution, because this is a complex topic. I do not think the bills cover the topic as robustly as they need to. I think this is the type of bill that needs to have roundtable sessions with multiple parties at the table, that has a plan for kids to get back to school, a plan to put open and transparent data out, and a plan to track how we are doing. The solution needs to be more robust than these two bills contain.

Erica Roth, Government Affairs Liaison, Deputy Public Defender, Washoe County Public Defender's Office:

I know we have all been here a long time, so I will keep my comments short. I appreciate the stories that have been shared today. I, too, have a similar story. I think it is important to recognize that you are seeing professionals sitting up here, and many people do not get that opportunity. In a lot of ways, it is why I became a public defender, because I saw my own stories in my clients. What we are doing is setting up future mes and Ms. Welborns and Ms. Goins to not be able to have the opportunity to sit here and tell you those stories in the future. I have heard a lot today about how the lack of funding, guidance, and training has hindered the implementation of A.B. 168 of the 80th Session. The solution is not to unwind that. The solution is to provide that funding, to provide that training, and to make sure it can be properly implemented, not to take these students out of school and out of any future endeavor that may come from that.

Chair Bilbray-Axelrod:

We will close opposition and open it to neutral testimony. [Reviewed neutral testimony protocol.]

Elena Fabunan, Clark County, Nevada:

I am a retired CCSD principal. Educators are facing enormous challenges, resulting in significant stress with no end in sight. Current conditions are unsustainable, and if it continues to be left unaddressed, could result in continued teacher, administrator, and support staff shortages. This will be difficult to overcome. If the primary mission of school is educational achievement for students [unintelligible] students and staff must feel safe, supported, and ready to learn. The rollout of restorative practices, SEL, Panorama [Education] was not effective, and we should stay the course—especially post COVID-19. Implementation is essential, and the coordination of programs and practices is pivotal for success. With relationships and community at the heart of all restorative practices, it will present multiple opportunities to develop, practice, and reinforce the five SEL competencies. Restorative practices and SEL should be at the forefront of every school's mission and vision, because it is most important to address the mental and emotional needs of our students who experience trauma such as imprisonment, rape, fear, physical assault, loss of property, loss of livelihood, and many other traumatic events. Exposure to these traumatic events can interfere with learning and behavior in school and can cause symptoms such as stomachaches, fear, anxiety, sadness, irritability, avoidance of thinking and talking, and trouble managing behavior. As Assemblywoman Brittany Miller so eloquently stated during SEL week, academics cannot happen until we address the mental health of students. If implemented well, both can help boost the same outcomes, such as improved school climate and student-to-student and student-to-teacher relationships, reduced conflicts, and decreases

in exclusionary discipline practices such as suspension. Implement high quality, evidence-based SEL training done by the state—not by school districts—together with restorative practices and keep the requirement that each school report their data to review by the school board and place supports as needed. If we want to see positive outcomes, such as improved safety, attendance, school classroom climate, as well as reductions in inclusionary discipline referrals and disproportionality in discipline, [A.B. 285](#) and [A.B. 194](#) should make it clear the connection between restorative practices and SEL.

Chair Bilbray-Axelrod:

We are going to put you down in opposition. With that, we will go to closing remarks.

Assemblywoman Hansen:

I appreciate all the stories we have heard, and it does not go without deep reflection on our part. I can promise you that no child will be thrown away. That is not our intention. As an at-risk child myself—raised by a single mom, moved 17 times in 18 years—it was often the classroom where I felt most safe, so I hear those in the audience and those who have called in. I appreciate the comments, your time, and especially my cosponsor and those who collaborated, who are doing the work in the district.

Assemblywoman Torres:

I want to echo the sentiments from my colleague and also state that we look forward to working with stakeholders so we can have conversations about this legislation. This is only the beginning of this dialogue and this conversation; this is not the end of it. I know there is still a lot of work to do when we are talking about school discipline and campus safety.

[[Exhibit S](#), [Exhibit T](#), [Exhibit U](#), and [Exhibit V](#) were submitted but not discussed and are included as exhibits for the hearing.]

Chair Bilbray-Axelrod:

We will close the hearing on A.B. 194 and move to our final agenda item, which is public comment. [Public comment was heard.] That concludes our meeting. Our next meeting will be Tuesday, March 21, 2023, at 1:30 p.m. We are adjourned [at 5:26 p.m.].

RESPECTFULLY SUBMITTED:

Funmi Sheddy
Recording Secretary

Geigy Stringer
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 titled "Meeting of the Most Excellent Committee on Education, Hearing for Assembly Bill 285," submitted and presented by Assemblywoman Angie Taylor, Assembly District No. 27.

[Exhibit D](#) is information regarding school safety in Clark County School District, submitted and presented by Assemblywoman Angie Taylor, Assembly District No. 27.

[Exhibit E](#) is a handout titled, "Washoe County School District: Snapshot of Student Behavior & Student Climate," submitted and presented by Assemblywoman Angie Taylor, Assembly District No. 27.

[Exhibit F](#) is a proposed conceptual amendment titled, "Assembly Bill 285 – On Going Conceptual Amendment Work," submitted and presented by Assemblywoman Angie Taylor, Assembly District No. 27.

[Exhibit G](#) is a compilation of letters submitted in support of Assembly Bill 285.

[Exhibit H](#) is a packet of letters dated March 16, 2023, submitted and presented by various members of Clark County Education Association, in support of Assembly Bill 285.

[Exhibit I](#) is written testimony submitted by Chris Daly, Deputy Executive Director, Government Relations, Nevada State Education Association and presented by Alexander Marks, Communications Specialist, Nevada State Education Association, in support of Assembly Bill 285.

[Exhibit J](#) is a compilation of letters submitted in opposition to Assembly Bill 285.

[Exhibit K](#) is written testimony submitted by Yesenia Moya, Private Citizen, Las Vegas, Nevada, in opposition to Assembly Bill 285.

[Exhibit L](#) is written testimony submitted by Lilith Baran, Policy Manager, American Civil Liberties Union of Nevada, in opposition to Assembly Bill 285.

[Exhibit M](#) is a compilation of letters submitted in support of Assembly Bill 285.

[Exhibit N](#) is a letter submitted by Vicki Kreidel, President, National Education Association of Southern Nevada, regarding Assembly Bill 285.

[Exhibit O](#) is a proposed amendment to Assembly Bill 194, submitted by Assemblywoman Alexis Hansen, Assembly District No. 32.

[Exhibit P](#) is a compilation of letters submitted in support of [Assembly Bill 194](#).

[Exhibit Q](#) is a compilation of letters submitted in opposition to [Assembly Bill 194](#).

[Exhibit R](#) is a compilation of letters submitted in opposition to [Assembly Bill 194](#).

[Exhibit S](#) is written testimony submitted by Chris Daly, Deputy Executive Director, Government Relations, Nevada State Education Association, in support of [Assembly Bill 194](#).

[Exhibit T](#) is a compilation of letters submitted in support of [Assembly Bill 194](#).

[Exhibit U](#) is written testimony submitted by Lilith Baran, Policy Manager, American Civil Liberties Union of Nevada, in opposition to [Assembly Bill 194](#).

[Exhibit V](#) is a letter and proposed amendment titled "Lazos Suggested Amendment AB 194 Due Process," submitted by Sylvia Lazos, Private Citizen, in opposition to [Assembly Bill 194](#).