MINUTES OF THE
SENATE COMMITTEE ON EDUCATION

Eighty-third Session
May 21, 2025

The Senate Committee on Education was called to order by Chair Angela D. Taylor at 2:36 p.m. on Wednesday, May 21, 2025, in Room 2134 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 7 of the Nevada Legislature Hearing Rooms, 7120 Amigo Street, Las Vegas, Nevada. Exhibit A is the agenda. Exhibit B is the attendance roster. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Senator Angela D. Taylor, Chair
Senator Marilyn Dondero Loop, Vice Chair
Senator Fabian Doñate
Senator Michelee Cruz-Crawford
Senator Carrie Ann Buck
Senator Robin L. Titus
Senator Lori Rogich

GUEST LEGISLATORS PRESENT:

Assemblymember Daniele Monroe-Moreno, Assembly District No. 1

STAFF MEMBERS PRESENT:

Jen Sturm-Gahner, Committee Policy Analyst
Alberto Quintero, Committee Policy Analyst
Cameron Newton, Committee Counsel
Sharon McCallen, Committee Secretary

OTHERS PRESENT:

Brandon Kyle, Intern to Assemblymember Daniele Monroe-Moreno
Nathaniel Waugh, Clark County School District
Tom Clark, Nevada Association of School Boards; Reno Sparks Chamber of Commerce
Alexander Marks, Nevada State Education Association

Susan Keema, Nevada Association of School Superintendents
Cynthia Perine
Lynn Chapman, State Vice President, Nevada Families for Freedom
Ashley Perkins

CHAIR TAYLOR:
We have one bill hearing on our agenda today: Assembly Bill (A.B.) 445 revising provisions relating to libraries.

ASSEMBLY BILL 445 (1st Reprint): Revises provisions relating to libraries. (BDR 34-1071)

ASSEMBLYMEMBER DANIELE MONROE-MORENO (Assembly District No. 1):
Sitting with me today is my intern, Brandon Kyle. Brandon is a recent, as of last week, graduate from the University of Nevada, Reno, an amazing young man who did the research on this bill. I believe part of our jobs as Legislators is to mentor the next generation, and he is a dynamic young man. He's done a ton of research. If you saw the bill in its original version, it was a much larger bill, but it has been amended down.

Across the United States, we are seeing a growing number of challenges to various pieces of literature, often arising due to concerns over what is appropriate language or themes related to race, gender and history. While some parents and community members advocate for restrictions on certain books, others argue that it limits intellectual freedom and hinders students access to diverse perspectives.

Assembly Bill 445 was a request brought to me by a number of parents, librarians from our public schools, our charter schools and our public libraries to have some protections for them and their work. It can help safeguard students access to a wide range of books while allowing our local educators and community stakeholders to make informed decisions about their libraries and their curriculum.

BRANDON KYLE (Intern to Assemblymember Daniele Monroe-Moreno):
In its original form, the bill created a structured process for how both school libraries, that is public school libraries, as well as just public libraries that serve pupils, [and] patrons from the community were going to kind of develop and

curate library collections. We've decided to simplify and amend the bill so it is much more streamlined, and that is the version you have before you.

In its current form, there are only two sections. The first section is going to create protections for school library staff members and ensure that they are immune from both civil and criminal liabilities for actions performed within their duties as librarians in accordance with their licensure—things of that nature. The second section of the bill extends some of those same protections, similarly, to any staff member of a public library who again in good faith creates and curates these library collection materials. It will see to it that they are immune from both civil and criminal liability. That is the bill you have before you. As previously stated, it has been amended and shortened a lot.

SENATOR DONDERO LOOP:
As a certificated school librarian, I appreciate the bill. What I was wondering about were the good faith acts relating to providing access to and assisting students. So as a school librarian, if a pupil came up to me and asked me for any piece of literature and I directed them to that, I would be immune from a criminal or civil liability. But what happens if a parent comes and says I do not want that book in a library. Does this touch that piece of it?

ASSEMBLYMEMBER MONROE-MORENO:
In the bill's original form, we did touch upon that. However, in this amended version, it does not touch upon that. You would be relying on the school district and the superintendent of the school district to come up with whatever the rules, regulations and standard operating procedures would be for their district.

SENATOR TITUS:
I need some clarity perhaps from our Legal. Do current school employees or library employees already have some immunity if they are acting in good faith within the scope of their jobs? I am wondering, are we just protecting librarians versus the special education teachers versus the PE teachers versus if they are doing their duty? Are they protected at all from liability?

CAMERON NEWTON (Committee Counsel):
In chapter 201 of *Nevada Revised Statues* (NRS), multiple sections relate to obscenity and obscenity-related statutes. Under NRS 201.237, it provides that the provisions relating to obscenity broadly do not apply to universities, schools, museums or libraries operated by or under the direct control of the State or any

political subdivision of the State, or to persons while acting as employees of such organizations. However, NRS 201.239 does provide that this clump of sections that relates to obscenity does not preclude any like county or city or town from adopting an ordinance that further regulates obscenity if it does not conflict with chapter 201 of NRS, essentially. So the exemption that I just mentioned would apply to the state laws that govern obscenity, but it would not exempt them from liability for NRS 201.239 which is the county, city or town regulations.

SENATOR TITUS:
That was a very good legal response, but I am not really sure it clarified my question. I think a teacher, in good faith, doing what they were charged to do by the school board, or the State Board of Education should be protected from civil liability if they are within the scope of what they've been directed to do. So I was just wondering, are they already protected? Is this strictly a carveout for the librarians and people who work there because that is what they are doing? I mean, they are already there. The school has a policy. Unless the librarian brings in a book on their own to share, I would assume that is outside of the scope. So just for clarity, maybe any member could clarify that—if a librarian has put in books that otherwise would not be okay? Are they protected in this bill?

ASSEMBLYMEMBER MONROE-MORENO:
These protections are for the books that have been approved by the board of trustees for the school district and the superintendent.

SENATOR TITUS:
That is exactly what I mean. So it does not affect them if it's clearly outside the scope of what they should be doing. They're working in good faith in the school because these books have been okayed. I would think that they are already protected, and that is the question I needed to have answered.

ASSEMBLYMEMBER MONROE-MORENO:
What we are seeing across the country is that a number of educators, and librarians in particular, are being targeted. Librarians within the State asked that we bring the bill, and so I am answering a call that came from the constituents.

NATHANIEL WAUGH (Clark County School District):
I have the joy of speaking in support of this for the school district, but I am also a public library trustee in Southern Nevada, so this matters to me as well. We

support this bill because it provides essential protections for school and public library staff who act in good faith to help students and patrons access library materials. As frontline stewards of information and literacy, these individuals play a critical role in fostering curiosity, academic success and lifelong learning. Assembly Bill 445 ensures that library staff are not subject to civil or criminal liability simply for doing their jobs, which is providing access to constitutionally protected materials and guiding users in their search for knowledge.

TOM CLARK (Nevada Association of School Boards; Reno Sparks Chamber of Commerce):
I am actually here on behalf of two clients, the Nevada Association of School Boards, which is affected by section 1 of the bill and also the Reno Sparks Chamber of Commerce, which is affected somewhat by the section 2 of the bill.

From the Reno Sparks Chamber's perspective, our CEO, Ann Silver, serves as the chair of the Washoe County Library Board. The accusations that fly in those meetings toward the librarians themselves demonstrate legislation like this is needed. Not to say that a member of the public would not actually bring a civil complaint against a librarian, but this would protect it. And of course, section 1 from the school's perspective, the Association of School Boards supports.

ALEXANDER MARKS (Nevada State Education Association):
I am reading my testimony (Exhibit C) for A.B. 445 as amended.

SUSAN KEEMA (Nevada Association of School Superintendents):
We represent all 17 school districts, and we are in support of A.B. 445 and as far as comments, ditto.

CYNTHIA PERINE:
I am in opposition to A.B. 445. It seems like this is a what-if bill, or something that has not yet occurred. The people in favor of this bill have not put forth a single incident when a civil or criminal action has been lodged against librarians in Nevada. I wonder if this bill is really necessary; therefore, I am in opposition to this bill.

LYNN CHAPMAN (State Vice President, Nevada Families for Freedom):
There's a written statement before the U.S. House Committee on Education and the Workforce. Nicole Solas, Senior Fellow, Education Freedom Center, Independent Women's Forum in October 2023 wrote:

> It's important to identify the nature and scope of graphic and sexually explicit books in school libraries. This is not an occasional problem. On the contrary, the amount of sexually explicit books in school libraries is extensive and vast …
>
> The American College of Pediatricians warns that children suffer many negative effects due to modern society's exposure to and acceptance of pornography. These negative effects include mental disturbance and unrest for the young school age child, including acting out and violent behavior …
>
> During the 2017-2018 academic year, there were 13,799 reported incidents of sexual violence in public schools—a 43 percent increase from the year prior …
>
> There is also the risk that older children will take graphic or sexually explicit content home to younger children …
>
> There is no universal, codified system to inform parents of graphic or explicit content in school library books. Other media such as movies, radio, music, and the internet have long-standing rating systems or restrictions that recognize the importance of protecting children from inappropriate content …
>
> The First Amendment allows schools to remove materials that are "pervasively vulgar" or not "educationally unsuitable" under *Board of Education v. Pico* …
>
> The American Library Association even trained its member libraries to understand that "school boards have greater discretion over school library materials. If the board can demonstrate that the materials are 'educationally unsuitable' or 'pervasively vulgar', the removal may be upheld by the courts."

You know, parents need to be able to protect their children at all times.

ASHLEY PERKINS:
I am an administrator of a charter school, and I do oppose this bill as I think our bills are very conflicting in nature. I think there are already laws out there that

protect the good faith of professionals, and it does not make sense to me that we make a bill specifically for librarians when we have a whole range of staff members within schools who make good faith decisions every single day. There are already laws and guidance as far as books and age appropriateness. So I just do not understand the purpose of putting in an entire bill for libraries to make them immune from criminal or civil liability. So for that reason, I oppose this bill.

ASSEMBLYMEMBER MONROE-MORENO:
As a mother, a grandmother and a leader in this legislative body, I ask for your support for this bill.

CHAIR TAYLOR:
I want to ask one question to our bill's sponsor before we go into our work session. I just want to make sure I am clear, Assemblymember. So the version of the bill that we have is what was approved on the Assembly side and that came over. So, there are no new amendments. Okay. Just wanted to be sure. We will go into a work session now, and I will turn it over to our policy analyst.

JEN STURM-GAHNER (Committee Policy Analyst):
As nonpartisan staff we do not advocate for or against any measure. The work session document (Exhibit D) in front of you [is for] A.B. 445.

We just heard that the bill provides that staff members of the school and public libraries are immune from certain liability. There are no proposed amendments.

CHAIR TAYLOR:
I will entertain the motion to do pass.

SENATOR DONDERO LOOP MOVED TO DO PASS A.B. 445.

SENATOR CRUZ-CRAWFORD SECONDED THE MOTION.

SENATOR TITUS:
Although I respect the Assemblymember who brought this bill forward and the good intentions of this, I think the employees are already protected. I just feel that singling out one class of employee for a school district when they are doing good faith work—I believe they should be protected within their scope of practice. I think this is a bad precedence, so I will be a no.

THE MOTION CARRIED. (SENATORS BUCK AND TITUS VOTED NO.)

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CHAIR TAYLOR:
Seeing no public comment, we are adjourned at 3:02 p.m.

RESPECTFULLY SUBMITTED:

Sharon McCallen,
Committee Secretary

APPROVED BY:

Senator Angela D. Taylor, Chair

DATE:

EXHIBIT SUMMARY				
Bill	**Exhibit Letter**	**Introduced on Minute Report Page No.**	**Witness / Entity**	**Description**
	A	1		Agenda
	B	1		Attendance Roster
A.B. 445	C	5	Alexander Marks / Nevada State Education Association	Testimony in Support
A.B. 445	D	7	Jen Sturm-Gahner	Work Session Document