

**MINUTES OF THE
SENATE COMMITTEE ON EDUCATION**

**Eighty-third Session
May 28, 2025**

The Senate Committee on Education was called to order by Chair Angela D. Taylor at 1:37 p.m. on Wednesday, May 28, 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 Carrie Ann Buck
Senator Robin L. Titus
Senator Lori Rogich

COMMITTEE MEMBERS ABSENT:

Senator Michelee Cruz-Crawford (Excused)

GUEST LEGISLATORS PRESENT:

Assemblymember Brittney M. Miller, Assembly District No. 5
Assemblymember Selena Torres-Fossett, Assembly District No. 3

STAFF MEMBERS PRESENT:

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

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OTHERS PRESENT:

Susan Keema, Nevada Association of School Superintendents
Austin Daly, University of Nevada, Reno
Trevor Parrish, Vegas Chamber
Kevin Osorio Hernandez
Daniel Archer, Vice Chancellor, Academic and Student Affairs, Nevada System
of Higher Education
Ryan McInerney, Nevada State University
Douglas Unger, Nevada Faculty Alliance
Anthony Curry, Opportunity 180
Mendy Elliott, Truckee Meadows Community College
Kent Ervin, Nevada Faculty Alliance
Andre Wade, Director, Silver State Equality
Kaylah Maese, ACLU of Nevada
Jessica Munger, Silver State Equality
Alexander Marks, Nevada State Education Association
Rosie Stewart, Senior Public Policy Manager, Penguin Random House Publishers
Paula Luna, Deputy Director, Battle Born Progress
Chanelle Bessette
Tom Clark, Nevada Association of School Boards
Sydney Mitchell
Kelly Green
Nathan Chavez, Children's Advocacy Alliance
Sylvia Lazos
Ryan Vortisch, Silver State Voices
Quentin Savvoir, President, NAACP Las Vegas Branch 1111
Caitlyn Herndon
Mark Dieffenbacher
Janine Hansen, President, Nevada Families for Freedom
Maurice Washington
Joshua Skaggs, Nevada Republican Party
Christiane Mersch, Moms for Liberty
Erin Phillips, CEO, Power2Parent
John Carlo
Katrin Ivanoff
Yolanda Knaak
Kimberly Fergus
Catherine Ingham

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Lorena Biassotti
Cynthia Perine
Tim Underwood

CHAIR TAYLOR:

Welcome to my counterpart in the Assembly Committee on Education, Chair Selena Torres-Fossett. We will open Assembly Bill (A.B.) 335.

ASSEMBLY BILL 335 (1st Reprint): Revises provisions relating to education.
(BDR 34-837)

ASSEMBLYMEMBER SELENA TORRES-FOSSETT (Assembly District No. 3):

I am presenting A.B. 335 in its first reprint. I am just going to give some basic background information. Nevada's student population has become increasingly diverse with English Learners (EL) now comprising over 20 percent of the total K-12 enrollment. Recent census data indicates that the most common languages spoken by these students include Spanish, Tagalog, Chinese and Vietnamese. Despite the growing presence of ELs, not all schools are equally prepared or resourced to meet their academic needs. More robust data collection accountability measures are needed to ensure these students receive effective support.

One of the primary challenges for ELs is the time and effort required to achieve academic language proficiency. While social language skills can develop within a few years, research shows that achieving academic proficiency in English—the language needed to understand complex subjects like science, history and math—can take anywhere from four to seven years, sometimes even longer. This language gap can make it difficult for ELs to keep up with their peers in content-heavy courses, often leading to lower academic achievement and increased dropout rates.

Another significant challenge is the inconsistency in resources and instructional support across school districts. Some schools have well developed programs with dedicated EL teachers and structured language-acquisition support while others lack trained educators, bilingual resources or clear strategies for EL success without a uniform standard. These students in under-resourced schools are at a greater disadvantage, limiting their ability to fully participate in their education.

Furthermore, many ELs face additional socio-economic barriers. A large percentage of ELs come from immigrant families who may experience economic instability, limited access to technology and less parental support due to language barriers. These challenges can further hinder academic success, making it even more critical for schools to provide structured and consistent support.

At this time, I am going to go ahead and give an overview of the key sections of the bill. I do want to thank NVALAS, which is the Nevada Association of Latino Administrators and Superintendents, for working with me on this piece of legislation to come up with a policy solution that really serves the needs of students who deserve to have access to language acquisition. Without the proper resources, we have a more difficult time getting to English proficiency, which I think is a priority for every single member of this body.

Section 2 revises requirements for school performance plans that seek to improve the achievement of pupils and their roles in school. It requires a principal to consult an administrator who works to serve ELs, along with the school employees, in the plan development annual reviews. This plan must include methods for closing gaps in achievement, if any, between demographic groups of pupils in the schools, including gaps between pupils who are and pupils who are not ELs in foster care and economically disadvantaged.

Additionally, if ELs comprise of at least 10 percent of the pupil population, closing gaps between people who are ELs and those who are not must be the primary goal of the plan. The plan must also include specific actions to improve the achievement of EL pupils and plans to monitor those actions and attainable quantitative goals for improvement in the achievement of pupils who are newcomers to the English language, short-term English learners and long-term English learners.

Section 4 concerns the designation of an employee in each school district to serve as an administrator who works to serve ELs, outlining their experience requirements in working with ELs and as an effective school leader. I received some emails that demonstrated to me a lack of understanding of how districts work. Districts have someone who's already in this role right now. Even small districts have someone who is responsible for Title III support for our English learners. This is not adding another level of bureaucracy; this is ensuring that whoever is in that role has certain requirements just like how there's another

piece of legislation in this body that says a superintendent has to have these three qualifications. This is just saying whoever is responsible for this has to have experience working with ELs and know how to work with this population.

Section 5 describes the training requirements for licensed teachers concerning English language acquisition.

Section 12 relates to a five-year rollout of this required training. Individuals who are teachers as of October 1, 2025 must demonstrate proof that they received training by October 1, 2030.

Section 6 clarifies that the pupil achievement data concerning a pupil who is a newcomer to the English language will not negatively impact the performance rating of any employee at the school in which the pupil is enrolled or the school district's ratings.

Additionally, data collected and maintained for the statewide system of accountability must be disaggregated to show subcategories of ELs, including ELs who are newcomers to the English language, pupils in the program for less than two years; those who are short-term ELs, which means they've been in an EL program for two to six years, and those who are long-term ELs in an EL program for more than six years. This will help us better understand where we can be providing improved instruction to support these students.

I think it is important to note that every student obviously learns differently and uniquely, but it is important for school leaders to identify patterns so they can better serve these students. If you have a large newcomer population, they obviously might have a harder time demonstrating academic proficiency because they are taking these assessments that might be completely different than assessments they've taken in their home country. They might not be in the language that they are most comfortable with. They might not be proficient in the language that they might speak. They might not be literate in that language, which can be a challenge. Also, if you notice that your long-term ELs are not doing well with academic proficiency but your short-term ELs are doing well, what do we need to do differently to better serve those long-term EL students? Those are considerations that the school administration would be able to have.

Section 8 permits the Nevada Department of Education (NDE) to adopt regulations needed for the provisions in the *Nevada Revised Statutes* (NRS).

Section 10 adds a provision that the board of trustees of each school district must develop for teaching English to ELs—allowing a pupil who is a newcomer to the English language to remain in high school for 10 semesters or until they reach age 21, whichever is earlier. Additionally, NDE must consult with an administrator who works to serve ELs in monitoring the implementation of this policy.

It is important to note that there are many states across the country that already do this in school districts. We have heard about this happening in Texas and New York, so various places already do this. This is so that EL students then have that extra year so that they can graduate high school and learn English and show proficiency. I also think that this would support our goal of improving graduation rates as well. If a student comes to this country at 15, it is really hard for them to be expected to graduate in three years; this gives them the time that they need so they can graduate and also demonstrate proficiency.

Section 11 requires the NDE to establish the English Learner Advisory Council for the 2025-2026 Interim to study policies to support English language acquisition development and literacy. The NDE must submit a report to the Legislature by October 31, 2026 regarding the Council's activities, findings, conclusions and recommendations. Additionally, the Council may request the drafting of one legislative measure for the next legislative session.

The Council will have 12 members including the superintendent of public instruction, NDE staff members, administrators at the school and district level, representatives of the Nevada System of Higher Education (NSHE) with expertise in language acquisition and one member with expertise in the development of public policy relating to the education [of] pupils who have limited proficiency in English.

Section 13 clarifies the specified source of funding is not required for any additional expense of local government related to the provisions of this bill.

Section 14 repeals NRS 388.408, which relates to the adoption of a corrective action plan by schools rated in the lowest 30 percent in the achievement of pupils who are ELs. I think it is important to note to this committee that I was the sponsor of that piece of legislation that I am repealing with section 14 of this bill. Essentially, that was a corrective action plan for schools that were low performing. I think it required schools to review the data of English language

learners, which is helpful by putting it in the SPP [School Performance Plan]. I think this is a safer place for us to be planning for EL students and not punishing schools that are not serving them but rather saying all schools should be planning to serve this student population at this time.

In addition, I am submitting my one-page summary notes ([Exhibit C](#)) of "What is the bill trying to fix."

CHAIR TAYLOR:

For those in the rural areas that may be a smaller district, what if they don't have someone with the qualifications that we would like to have in terms of experience working with our English learners?

ASSEMBLYMEMBER TORRES-FOSSETT:

The superintendent of each district should be required to have an administrator with experience working with the pupils who are English learners and have demonstrated success as an effective school leader. So I think that those requirements are pretty open. I have had many conversations with NASS [Nevada Association of School Superintendents], and they have not demonstrated that there would be any concern in any district with making sure that there is an individual with that experience to serve in those roles.

SENATOR BUCK:

Having a background in English language acquisition, I love the different provisions in it. So would the traditional TESL [Teaching English as a Second Language] endorsement basically cover all of the requirements?

ASSEMBLYMEMBER TORRES-FOSSETT:

I did not outline that it would require a TESL endorsement, but that would actually be a higher standard than what is necessarily outlined with section 4 of the bill. So that would exceed the requirements as long as they also were an effective school leader.

SUSAN KEEMA (Nevada Association of School Superintendents):

I represent the 17 public school districts with NASS, and we are testifying in support. This bill addresses the unique needs of our students and provides an avenue for administrators and teachers to meet those needs.

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AUSTIN DALY (University of Nevada, Reno):

We are also in support of A.B. 335, and we want to thank Assemblymember Torres-Fossett for bringing the bill forward.

CHAIR TAYLOR:

We will close the hearing now on A.B. 335, and we will open the hearing on Assembly Bill 345.

ASSEMBLY BILL 345 (1st Reprint): Revises provisions relating to education.
(BDR 34-97)

TREVOR PARRISH (Vegas Chamber):

I am happy to present to you today A.B. 345 for Assemblymember Erica Mosca. She sends her regards from the Assembly Committee on Ways and Means. Joining me today in Las Vegas is Mr. Kevin Osorio Hernandez, who has been a collaborator on the bill with us and is here to briefly run through a couple of the sections and answer questions as well.

However, just a tad bit of background for A.B. 345. The bill is a priority of the 2024 Southern Nevada Forum Education Committee. As many of you may know, the Southern Nevada Forum is a partnership between the Vegas Chamber, the City of Las Vegas and the Office of the Speaker of the Assembly. The Forum is open to the public and has convened thousands of community stakeholders since 2013.

This bill aims to increase transparency and accountability for Nevada school systems by creating a publicly-accessible dashboard that will display aggregated student outcome data. Housed within NSHE, these data will particularly try to capture student outcomes as they transition into the Nevada workforce. These data will be invaluable to our education system, to parents, teachers, administrators and of course to the Legislature and will help ensure our funding is directed most accurately to where we need it.

KEVIN OSORIO HERNANDEZ:

This is Assemblymember Erica Mosca's constituent bill, so it is only fitting that we are presenting this to you today. I am the immediate past chair of the Nevada Student Alliance and a recent graduate of Nevada State University, where I had the honor of representing over 110,000 students across our great State in the Nevada Student Alliance. They serve as the overarching student

government for all institutions within NSHE. As chair, I worked closely with our student body presidents to craft the legislative priorities for this session, and two issues stood out across every campus: food insecurity and textbook affordability. These are not just barriers to student success but also barriers to staying enrolled.

Assembly Bill 345 is a student-driven and -centered bill that is aimed at ensuring access to higher education. In addition to the data dashboard, as Mr. Parrish mentioned, in section 1, subsection 5, A.B. 345 will also require the Board of Regents to implement a system-wide policy on low-cost and no-cost course materials, including open educational resources. This not only saves students money, but also gives them transparency to choose more affordable paths to their degree.

In section 2, it calls for an interim study on financial and food insecurity within NSHE. The study will examine the root causes of why students temporarily withdraw from school due to unmet basic needs, such as food insecurity, and we will evaluate potential interventions. One of the strategies to be explored includes allowing students with outstanding debts and fees to register for courses, helping them stay on track towards graduation despite short-term financial hardships.

CHAIR TAYLOR:

Do we know of other states with similar dashboards with similar types of information?

MR. PARRISH:

Yes, absolutely. Several states have already implemented a system like this. Just to name a few, Florida, Oklahoma, Oregon, New Jersey, Tennessee, Georgia, Washington, Massachusetts, Maryland and Indiana have all done it. Indiana in particular has a fantastic dashboard system. They passed their House bill 15-14 back in 2021, and it has grown to track K-12 student outcome data as well. It really is a fantastic system, again, just enhancing their legislature's ability to more efficiently and effectively direct their funding.

DANIEL ARCHER (Vice Chancellor, Academic and Student Affairs, Nevada System of Higher Education):

I am here today to express our support for A.B. 345. It will strengthen our ability to build and utilize robust data; enhance collaboration among NDE, DETR

[Department of Employment, Training and Rehabilitation] and NSHE; expand affordability and transparency through open educational resources; and promote examining support systems for Nevada's most vulnerable student populations.

In closing, A.B. 345 is a smart, student-focused investment in Nevada's future, and we urge your support in this matter.

MR. DALY:

We're also in support of A.B. 345, especially the aspect of looking into addressing food insecurity. The University operates Pack Provisions on campus, which helps to provide free food to students who are in need. It is seeing increasing use over the years, especially after 2020. So we are really hoping to get this issue addressed.

RYAN MCINERNEY (Nevada State University):

Ditto to what my colleague from the University of Nevada, Reno said. Food insecurity in particular is a growing issue on our campus. We've seen a higher usage of our food pantry than ever. Unfortunately, I would also like to thank our former student body president of Nevada State University. We are going to miss Kevin a lot. This was an incredibly busy year for him, and the fact that he was able to help Assemblymember Mosca with this bill despite all of his other responsibilities is just a true testament to his character. We really appreciate your time, and we support this bill.

DOUGLAS UNGER (Nevada Faculty Alliance):

I am reading my testimony ([Exhibit D](#)) in support of A.B. 345. In addition, to set this policy for NSHE via the Board of Regents will once again be most useful to ongoing efforts to support the financial well-being of our students while providing them with the highest quality education we possibly can. The Nevada Faculty Alliance supports A.B. 345.

ANTHONY CURRY (Opportunity 180):

We are a nonprofit organization working towards the North Star of every kid graduating high school college and career ready, prepared to live the life they dream. Central to our work is advocating for a data-driven approach to education policy and ensuring that school district and state level data is available for stakeholders, from parents and students to Legislators, to use in their decision-making. We support A.B. 345 because it will bridge gaps that exist between K-12 education data and higher education data and provide a

more complete picture of the paths some of our high school graduates take and to what extent they are successful.

This bill will give a clearer understanding of how students perform in postsecondary education and where misalignments exist between high school preparation and college expectations. This bill also models a framework for data transparency that other organizations and entities in our State can emulate. With this data we can make more informed decisions about how to better prepare and support students as they transition from high school to postsecondary education. For these reasons, we support A.B. 345 and thank the bill's sponsor for bringing it forward.

MENDY ELLIOT (Truckee Meadows Community College):

I am actually here in support testimony. My apologies. I was in another meeting, and I am here on behalf of Truckee Meadows Community College. We're in full support, and we want to thank the bill sponsor for presenting this measure.

KENT ERVIN (Nevada Faculty Alliance):

This is kind of neutral. We gave our support earlier. With your indulgence, Chair, I would just like to say that Kevin Osorio Hernandez has been a stellar student leader. Not only does he do the work as you have seen here, but he speaks truth to power, and I hope to see him in this chamber sometime.

CHAIR TAYLOR:

We will close the hearing for A.B. 345 and open the hearing on A.B. 416.

ASSEMBLY BILL 416 (1st Reprint): Revises provisions concerning access to certain library materials. (BDR 34-925)

ASSEMBLYMEMBER BRITTNEY M. MILLER (Assembly District No. 5):

Assembly Bill 416 aims to protect our right to access information and prevent undue censorship in our schools and public libraries while providing protection for our educators and library workers. This bill came together in collaboration with Silver State Equality, the ACLU, the Prickly Pears, some librarians, some library board trustees and people that work in other positions of the library as well. Obviously, a library is like a school—there are many different positions.

The importance of this legislation cannot be overstated. In recent years, we have seen a troubling rise in attempts to ban books from school libraries across

the country and here in Nevada. According to the American Library Association (ALA), there were 4,240 unique book titles targeted for censorship, as well as 1,247 demands to censor library books, materials and resources in 2023. Additionally, the ALA tracked 37 states that have brought forward 123 adverse censorship proposals—while 20 states are bringing forth Right to Read measures.

Here in Nevada, we have seen our own censorship efforts. In June 2024, dozens of book ban advocates read excerpts to the Washoe County School Board in an attempt to get books they deemed inappropriate banned from school libraries. This group, which included some school board candidates, accused the board of permitting vulgarity at the fingertips of children. Between the 2022 to 2024 school years, Clark County School District (CCSD) received 13 book challenges. None of them resulted in the removal of books.

Assembly Bill 416 strikes a careful balance between protecting students and the public's right to access information and ensures that decisions about library materials are based on educational merit rather than political pressure or personal opinions or agendas. Since July 2021, PEN America documented book bans in 42 states. The top two reasons were for books featuring gay and transgender characters and books about race. PEN America documents that more than one-third of the books involve characters of color or themes or experiences of racism. So it is not obscenity as opponents will say. We will define obscenity later, and as we will repeatedly say throughout this hearing, this is not about allowing obscenity or vulgarity into the hands of small children.

With that, I would like to introduce my copresenter, Andre Wade.

ANDRE WADE (Director, Silver State Equality):

We are a statewide LGBTQ+ civil rights organization here in Nevada. First, I want to thank Assemblymember Miller for bringing forth this bill. We're in support of A.B. 416 because we are concerned with attempts to ban and reclassify books in various counties across Nevada that have often had an LGBTQ+ theme and also books that are written by and about Blacks and other people of color.

Book banning is a form of censorship. Having access to books and library materials is a First Amendment right. The First Amendment is not just about free speech, but it is also about the freedom of information. We want to protect

the freedom of parents to decide what their children are allowed to read or not read.

For a couple of years now, there have been attempts to ban, reclassify or reshelve certain books dealing with race, gender and relationships. In 2023 in Pahrump, library board members began discussing a policy that would impact LGBTQ+ books because of a complaint from one anonymous constituent. A few months later, in August, the library board was presented with research about what other jurisdictions similar to Pahrump were doing about children's books dealing with race, gender and relationships. They found that out of 42 libraries across the country, only 6 reshelfed books after complaints. Because of these findings, the Pahrump Library Board did not move forward with changes in their policy.

In addition to book ban attempts, there have been librarians that have been harmed and verbally attacked. Last year in Washoe County, a librarian was injured when a self-described First Amendment auditor tried to force his way into a Drag Queen Story Hour event at North Valleys Library. On July 11, the Workplace Violence Committee convened to address concerns about the incident and determined a pattern of escalating tension and safety risks for library staff over the past two years, and they decided to cancel the events.

Also last year in Washoe County, there were people and groups outside of Nevada who live thousands of miles away from Washoe County, helping to orchestrate book ban attempts and providing testimony at library meetings. These are people and groups who do not have a stake in Nevada, but they are in our State verbally attacking our libraries. In the fight against book ban attempts in Washoe County, a group called Freedom to Read started an online petition against book bans that has garnered more than 3,000 signatures to date.

So let us be clear, no one wants to have legally defined obscene books in our libraries. But we do want a variety of books written by diverse authors to be made available to those who are interested in reading them. We need to protect freedom of speech, a right for parents to choose what is in the best interest of their children and protect library and school staff from threats of actual violence and harassment simply for circulating books that comport with laws and policies. The ALA bill of rights says, in part, "Books and other library resources should be provided for the interest, information, and enlightenment of all people

of the community the library serves. Material should not be excluded because of the origin, background, or views of those contributing to their creation.”

ASSEMBLYMEMBER MILLER:

Just to again add to some of the statements he made about some of the attacks that our librarians and library workers are under, there are even people that were involved in the development of this bill since last year—librarians who have chosen not to come forward because of the attacks and pressure that they've already received publicly. I think that alone states the seriousness of what our educators are currently facing and that these attacks and threats and harassment are real—much like what our poll workers go through at the voting booths. And in both cases, I consider our librarians, our educators and our poll workers really the vanguards of democracy. We need to protect them as they are protecting the right to information.

Right now, I will just go through the sections of the bill. First, the bill prohibits school boards, charter governing bodies, library districts, municipalities and individual employees and/or volunteers from limiting pupils' access to library materials. We have to be clear so that educators in the schools and librarians in the library are very clear on what types of materials can be in a school library based on educational merit, as well as based on reading levels. It does allow school boards, charter school governing boards and librarians to adopt policies or rules to limit access to library materials only for a reasonable time, place and manner, which is for the preservation of safety and security. Libraries are not 24 hours. So when they shut their doors at the end of the day, we do not want it to be deemed that they have limited access because they close in the evening.

We also recognize that there are times when library books or materials need to be replaced—older editions with newer editions or because the library may have new shelving, or there may have been water damage from the ceiling or fire damage. There's a variety of reasons why the materials need to be temporarily moved or stored for their preservation and security. So with that, we encourage that people create policies around that. Those are reasonable and understandable policies.

However, policies cannot be made, even in that policy, to remove or store a book based on the race, sex, national origin, religion, gender identity or expression, sexual orientation, physical or mental disability, or political affiliation

of the subject matter, the author or the intended audience. The bill allows this policy because the bill also specifically says before that that you cannot cover, label, deface or move materials because you find them objectionable.

Again, we 100 percent support a parent's right to decide what a child not just reads, but is exposed to, whether it is video games, movies, everything. Parents absolutely should be enforcing their limitations on their children. Truth be told, my mother still tries to on me. Parents who live within the school district and have children at that particular school, can petition the court for the order of the removal of obscene materials.

Obscene materials are not protected by the First Amendment. But the question is, how is something determined to be obscene? What the courts will use is what is upheld by the Supreme Court, which is called the three-prong Miller test. Basically, something can be determined obscene if it appeals to prurient interest based on community standards; it lacks serious literary, artistic, political or scientific value; or it explicitly depicts sexual acts, excretory functions, sadism, masochism or lewdly exhibits the genitals in an offensive way. At that point, the courts look to determine if something's obscene or not.

The bill also requires that if something were to be deemed obscene by the courts, that book or those materials would be put on a list provided to educators and employees and librarians so they have that list when they're making selections on purchasing and what would be in circulation.

But again, I want to reiterate that librarians and educators are well trained on what is permitted. Deborah Caldwell-Stone, the director of the ALA Office of Intellectual Freedom says librarians closely follow obscenity laws. "Librarians are aware of these laws and do not collect illegal material. They may collect materials that some find controversial for themselves or for their families. But we firmly believe that the decision about materials, what young people read, should be guided by their parents." Parents have the right to make decisions for their children, just not everyone else's.

Additionally, the bill prohibits dismissing, disciplining, involuntarily transferring, fining or imprisoning school or library employees for selecting or circulating materials that are indeed within compliance of the law. The use of force, intimidation or coercion to prevent pupils from accessing library materials, or to compel school or library officials to violate the sections of the provisions, are

also prohibited. This would apply both on and off school and public library property. To disseminate personal or sensitive information about certain school or library officials or pupils without consent is also unlawful if the intention is to promote criminal offenses that likely will cause death, bodily injury or stalking or is done with the intent to cause harm or disregard for such potential consequences, and if the dissemination would cause a reasonable fear of death or actual death, bodily harm or stalking. Doxing and threats are already against the law and, of course, so is any type of violence.

There are also multiple laws that already protect minors from accessing obscene materials. More continue to grow, especially as we are in a time with the internet and the concerns with just how rapid and excessive the internet is, as well as all of the AI [artificial intelligence] that is happening currently. There are also district policies for educators and school librarians that are based on Lexile reading levels and grade levels.

In the Assembly, a major question was about younger students, elementary children. In most of our elementary schools, we have kids that are from kindergarten to fifth or sixth grade. Of course, there is a dramatic difference between the maturity level of what a fifth grader is able to read and understand as well as someone in first grade. And so in those libraries, students know where their grade-level section is. But one thing I want to share too is that schools already have, in addition, policies in place.

As a teacher, I thought of an example. I teach sixth graders. Sixth graders are legally considered still elementary level, regardless of the fact that we are physically housed in a junior high building in CCSD. I know sixth graders are housed in different settings in different districts. But there is generally a policy in place for instructional use of electronic media. First and foremost, the days of teachers being allowed to show movies just because they need a two-hour break are gone, but we are permitted to show movies for instructional or educational values. So often, whether it's to provide background information or to give students the ability to visualize something, we are permitted to show clips regardless of subject—I want you to see what outer space looks like, I want you to see as we are reading a novel and the book refers to something, etc. I remember there was a book, and it referred to “a big April shower and we had to tiptoe to the car.” Well, our desert kids do not know what that means. Those of us who come from a rainy environment know that it poured rain, and

now there are worms all over the place, and I had to hopscotch to the car so I do not squish on any.

The policy at CCSD for me to show any movie to any sixth grader is that motion pictures rated PG may be shown to students in grade 7-12 but only after securing written parental permission. So I can only show G-rated movies to my students or G-rated clips for instructional value. For the record in case you are not aware, most Disney movies are not rated G. So again, there are policies in place to protect our children from what opposition will say is us trying to provide pornography to students.

KAYLAH MAESE (ACLU of Nevada):

We are very happy to be a part of the working group to get this bill to where it is today. We thank Assemblymember Miller for bringing the bill forward and Silver State Equality for their work as well, and we support A.B. 416.

JESSICA MUNGER (Silver State Equality):

For the last two years, I have been working to monitor and protect against censorship and book-banning efforts aimed at the Washoe County Library System. I am an advocate on this issue in my capacity as a professional LGBTQ+ advocate but also as the mother of a toddler who goes to the library every week.

Last summer, I was there with my family, my wife and child, for a Drag Story Hour when a protesters actions resulted in a librarian being physically hurt. I saw it. I heard the hate speech being hurled at us by a middle-aged man without a child trying to force his way into an event reserved only for families. I have walked my family past the small but persistent group of protesters screaming insults and slurs at parents taking their kids to the library. I have been at several library board meetings where security offered to walk us and the librarians out to our cars when it was over because it was so hostile. I have seen the anger that arises in some people at the idea that each family should get to decide what their child reads.

I have also seen the pure joy and giggles on my two-year old's face when we read *Heather Has Two Mommies* and they shout in delight. I have two moms too. This simple children's book about a family that happens to have two moms has been one of the books at the center of this book-banning effort. I have heard people say that this book that lives in my living room and public library is

equivalent to pornography. That means that they think the very existence of LGBTQ+ families is obscene. This is the overwhelming pattern of the book-banning efforts—it is to erase any books with LGBTQ+ characters or characters of color or storylines that center on non-white, nontraditional families. It is a thinly veiled attempt.

I do not usually share a window into my life in this building, but as a parent, I feel very strongly about this issue and these efforts. So thank you so much for your support of A.B. 416.

ALEXANDER MARKS (Nevada State Education Association):

We are in support of A.B. 416 to protect student access to library materials. I am reading my testimony ([Exhibit E](#)) in support of A.B. 416.

MR. UNGER:

I am also speaking as an author inducted into the Nevada Writers Hall of Fame. I am reading my testimony ([Exhibit F](#)) in support of A.B. 416.

ROSIE STEWART (Senior Public Policy Manager, Penguin Random House Publishers):

I am calling to testify in support of A.B. 416. We are strong supporters of the Freedom to Read Foundation and believe that this bill would move forward the freedom to read in Nevada in a way that is innovative and unique. We are a major employer. Our third largest warehouse is in Reno, and we have a long-standing commitment and intend to grow that commitment in Nevada. We are heartened to see this bill that strengthens the freedom to read.

One final note: With the recent decision by the 5th Circuit Court of Appeals declaring that library collections are government speech, it puts First Amendment precedent such as *Pico v. Island Trees [Island Trees Sch. Dist. v. Pico by Pico]*, 457 U.S. 853 (1982) and *Miller v. California*, 413 U.S. 15 (1973) into question. So we strongly urge codifying those precedents at the state level.

PAULA LUNA (Deputy Director, Battle Born Progress):

We wholeheartedly support A.B. 416 and believe all students have a right to read and learn free from censorship. We urge this committee to support and thank you for your time.

CHANELLE BESSETTE:

I am a concerned citizen and patron of Washoe County Library System. I live in Reno, Nevada, and I am in strong support of A.B. 416. I am calling in today as a passionate advocate for the freedom to read. Book bans stifle critical thinking, and every student should have the right to receive an equitable education and have an open and honest dialogue about America's history and culture. Reading has always been a cornerstone of my life, expanding my horizons and shaping my understanding of the world. I firmly believe that it is our duty to protect this invaluable right and resist any attempts to impose a viewpoint-based censorship by supporting A.B. 416. I hope you will protect the intellectual freedom of future generations.

TOM CLARK (Nevada Association of School Boards):

I will be the first to ditto the excellent review that the bill's sponsor gave and the personal testimony of the witnesses that came before me.

MS. KEEMA:

We are testifying in support of A.B. 416 and as far as comments, ditto.

SYDNEY MITCHELL:

Assembly Bill 416 is both a reactive and proactive measure to book bannings happening in Nevada. As someone who attended the only high school in the State to ban a book successfully, and also having been taught the book that was banned, this issue is incredibly dear to my heart.

I went to Palo Verde High school in Las Vegas, and in my 10th grade English class, we all had to read a graphic novel from a variety of choices, and I chose *Fun Home*. My teacher warned me that there were two panels of nudity in the graphic novel, and she asked me if I was fine viewing such content and that I should advise my parents if there are any concerns. She also informed me of page numbers to skip if I chose not to view the content.

Fun Home is a queer biographical tragic comic written by Alison Bechdel and was later turned into a musical on Broadway. A year after I read this novel in class, parents brought *Fun Home* and the two explosive panels to our principal's attention, and *Fun Home* was effectively banned in our high school.

Personally, *Fun Home* meant a lot to me. Reading another queer woman's journey felt like a catharsis where I was finally able to strip myself from the

self-ostracizing I had filled myself with throughout my teenagerhood. This novel did not turn me gay like many parents want to assume; rather, it showed me that I was not alone. The power literature has in one's spirit is indescribable, and I feel we discount these uplifting moments literature brings us when we equate it to pornography and attack our children.

An example of the consequences of book banning is in Davis County, Utah School District where in 2022, the Bible was banned in public schools due to violence and explicit behavior. Public outcry was loud, and quickly the Bible was placed back on the shelves as the board decided the Bible has significant serious value for minors that outweighs the violent or vulgar content it contains. This is the weird place that book banning has taken us, and it confuses me that the Bible is understood to have significant value that can outweigh its violence, yet other novels are not taken with the same consideration.

Stories are nothing more than a practice of putting yourself in somebody else's shoes for a while, even if they are not real. It is a practice of open-mindedness and of empathy, and it is also a place to escape the troubles of reality. Now, why would we ever restrict our kids from learning about the world, the people around us, and their own creativity and imagination? I myself do not believe that ignorance is bliss. And if we go much further down this road of book bannings, we might soon be believing ignorance is strength. The real strength is in the value books bring us: empathy, open-mindedness, creativity and critical thinking. I urge you to support A.B. 416.

KELLY GREEN:

I am in support of A.B. 416. I am speaking as a former school librarian and only for myself. When I was a school librarian, I worked with students from pre-K to high school. At orientations, I would tell parents to let me know if there were any books they did not want their child to read or any subjects they felt their kids were not ready for. They knew their child best, and I was happy to work with them. I never had any problem with my parents. Our families came from many different backgrounds and beliefs, and I made sure the library shelves had books that reflected all of those families. The one thing they all had in common was they wanted their kids to do well in school and become lifelong readers.

At the beginning of every year with the students, I would tell them that if they had a book checked out and it was too hard or made them uncomfortable or had something in it that they knew their parents would not like, it was perfectly

okay to stop reading it. They could bring it back and choose something else. I was always there to help them find something they'd like. And the funny thing was the kids were really good at censoring themselves. If they did not like the book, they did not finish it—they brought it back and chose something else, and there was no fuss about it.

People today are talking a lot about parents' rights, but parents have always had the right to guide what their own child reads, both in school and in public libraries. In fact, most public libraries require parents to supervise their minor children for both safety and legal reasons. In a public library, you're expected to parent your own child, and you are expected to accord that same right to other parents so they can do the same for their own kids.

Nowadays, some people are accusing librarians of promoting obscenity or pornography or even calling us groomers and pedophiles just for having a wide range of books on the shelves. They demand certain books be removed based on a few cherry-picked passages they've seen online, often without reading the entire book or understanding the full context. Public libraries, even more than school libraries, offer a wide range of materials that reflect many different opinions and viewpoints. They're funded by everyone's taxes, not just those who speak out.

NATHAN CHAVEZ (Children's Advocacy Alliance):

The Children's Advocacy Alliance is a nonpartisan, independent voice for Nevada's children with a mission to ensure every child in Nevada thrives. We are in strong support of A.B. 416 to protect libraries as spaces of learning and access to information. Libraries have always been a safe space for children to explore their interests, learn how to research and expand their understanding of the world. Libraries provide access to technologies that children may not have access to at home, and that extends the opportunity to read books that fit their interests. Protecting library materials is essential.

No person or entity should have the power to restrict access to information based on their personal beliefs. Parents deserve the right to dictate what their child has access to; this should be the responsibility of the individual parent, and the community-level library should not be affected by this. Censoring library materials is a direct violation of First Amendment rights, and it gives historical context in which certain materials were created. Thank you for your

consideration of this piece of legislation, and we ask that you please pass A.B. 416 to protect Nevada children's access to library materials.

SYLVIA LAZOS:

I am in support of A.B. 416. I am testifying as a law professor, now retired, and also as a person who has taught the First Amendment for 20 years. What I can tell you and what I would ask you to consider as you vote for this bill is that our best students are students who have challenged themselves by reading difficult text—and difficult texts are the kinds of books that are most often targeted for censorship. Our students who become lawyers, who become educators, must know how to read critically and how to think. That is the basic assumption of the First Amendment. It is also, in the future, going to be the key distinction between AI and our human knowledge workers. It is important that we continue to have access to these critical texts and to these controversial texts so that Nevada can have the kind of leadership that we deserve.

RYAN VORTISCH (Silver State Voices):

As a democracy-focused organization, we believe that information should be publicly available to all Nevadans, especially when considering making informed decisions about how they'll wield their vote.

QUENTIN SAVWOIR (President, NAACP Las Vegas Branch 1111):

The NAACP nationally has long fought book bans for decades. We understand that when certain books like *The Hate u Give* are being challenged for police violence, or books about Ruby Bridges are being removed for being too divisive, those look like patterns of yesteryear when they were trying to keep civil rights out of the books and out of the history that needs to be taught in our classrooms all over this country. It is important that we know our history in this country because when you know your history, you will not repeat it.

There seems to be this national trend of trying to rewrite history, to redefine what certain words mean. Personally, it is quite offensive. I fell in love with books as the grandson of a librarian. Learning that you can explore worlds and understand new things that you may have never ever been exposed to, you understand different walks of life by having a book that you ordinarily would not have in your living room. I am grateful to my mother for that.

I also think it is abhorrent that we have national leaders trying to set a trend that would curtail American history. We are a 250-year project, and we did not

get that far by ignoring what has been and what will continue to be for years to come. We have a really unique opportunity here in Nevada to reject fascism, to protect democracy and to make sure that our children have access to the history that is necessary for us to continue to be a thriving nation. We urge your support for this bill.

CAITLYN HERNDON:

I ditto everything that has been said previously but wanted to add that Nevada is home to a group of people that I have always found to be curious, open-minded, excited to learn and explore. It is in these tributes that we are always at our best. These are the qualities that we support and uplift in library spaces where access to information and art is self-directed and cherished, where librarians, their coworkers and supporters are completely respected. Assembly Bill 416 takes the necessary steps to preserve that access and protect library workers from attack and backlash.

MARK DIEFFENBACHER:

I am a resident of Senate District 8. I am reading my testimony ([Exhibit G](#)) in support of A.B. 416. Please support this bill to protect our children's right to learn and build a better future. Oppose the forces that use fear and division to put profits over people.

JANINE HANSEN (President, Nevada Families for Freedom):

I think it is important to remember that during the last administration, parents who had been opposing some of the issues in government schools were labeled as domestic terrorists, were silenced and removed. So this is a real problem for both sides of the issue. America's foundation is local government.

When I heard the sponsor talk about democracy, I thought about the fact that this very bill prevents local elected boards from doing their job in responding to parents and in responding to taxpayers. I think that is a real flaw when we prevent local governing bodies from doing their job. This forces a parent who has a problem in the school to have to go to court. How much is that going to cost them? Do they have to hire a lawyer? There's no way to have any resolution by their elected officials; now they are forced to go to court. This is an almost impossible way to respond to a local problem. I think it is one reason why parents pull their children out of the schools because they do not find any response there.

It is important to note that of over 1,000 people on the website who oppose this, 70 percent of them oppose this bill. A Rasmussen poll in October of 2022 reported that voters overwhelmingly oppose sexually explicit books in the public school libraries, and 69 percent of voters believe books containing explicit depictions of sex acts should not be present in public high school libraries. This bill makes it impossible for parents to go to their own local school board and get issues that they have resolved, and we think that is a real violation of democratic principles.

MAURICE WASHINGTON:

I am advocating for myself as a pastor, a father and a grandfather. I am not advocating for book burning or keeping books out of libraries. But what I am advocating for is children—those children who are precious; those children that need to have their innocence protected. I am advocating for the fact that explicit material should not be exposed to them without the consent of their parents. So therefore, I would ask this committee to oppose this bill.

JOSHUA SKAGGS (Nevada Republican Party):

I am here today in opposition to A.B. 416. This bill could make it harder for parents and communities to decide which books are appropriate for children. Elected local school boards and families are the appropriate authority to make these decisions in their communities, and it is unconscionable for this Legislature to remove that local control.

This bill requires challenges to go through the courts, creating unnecessary costs and legal hurdles. Why should parents need to hire lawyers just to express concerns about graphic or mature content in school materials? We particularly object to section 3 of the bill which threatens concerned parents with felony charges for expressing their opinions about books containing explicit violence or adult themes appearing in school libraries. Materials should be carefully reviewed by local communities—not settled through potentially costly legal battles. The financial impact of these court cases could drain taxpayer resources and make it harder for schools to focus on real educational priorities.

Parents should be able to work with schools directly rather than being forced into complex legal fights or being threatened with lawfare prosecutions. Keep decisions local; allow families and educators to openly discuss concerns and make thoughtful choices instead of having government policies dictate which books stay and which go. Assembly Bill 416 could push parents out of the

conversation, making it more difficult to protect students from inappropriate content while increasing unnecessary costs. Additionally, Drag Queen Story Hour is never appropriate for libraries and especially not appropriate in front of children ever. Please vote no on A.B. 416.

CHRISTIANE MERSCH (Moms for Liberty):

I am here in opposition to A.B. 416. Parents who object to pornographic materials in our schools are not book banners. We're just curating what are inappropriate materials for our kids. This is not about censorship; this is not about banning books; this is about the community getting engaged to see what is inappropriate.

In 2024, I challenged one of these materials with the procedure in the library, and I waited for the review in one of our local schools. Even the principal was against this book. But two months after the librarians' review, they returned to us saying they are going to keep the books in open shelves. And that means, according to CCSD Policy 6150, that they are going to keep those books in open shelves—and without parental notification. The book I am talking about is *All Boys Aren't Blue* and includes very sexual graphic scenes, including:

"I put some [unintelligible] and got him on my knees, and I began to slide into him from behind, and I pulled off him, and he kissed me, and he masturbated me. He asked me to turn over while he slipped a condom on himself. And this was my ass, and I was struggling to imagine someone inside me. He got on top of me and slowly inserting himself into me. It was the worst pain ever I felt in my life."

So this is one of the books that we challenged and was returned saying they're gonna keep and it's already rated R. If we read this book in a park or in a museum, I would be arrested. It is illegal. It is a misdemeanor. But in the school because of the exemptions law, like [Assemblymember] Miller said here, I would be okay. So that doesn't make sense.

We're just here talking about protecting our kids' innocence. We're talking about parental rights and also freedom of speech to petition the government because we elected trustees to represent. I am submitting a letter with additional testimony ([Exhibit H](#) contains copyrighted material. Original is available upon request from the Research Library.).

ERIN PHILLIPS (CEO, Power2Parent):

I am also a parent. I am here to voice my strong opposition to A.B. 416. This bill claims to protect educators, but in reality, it grants legal immunity to school staff who distribute graphic, sexually explicit material to minors. Material that is shared by a parent could result in a Class E felony; that's up to four years in prison for a parent advocating for their children.

Let me read you a passage from *Let's Talk About It*, a graphic novel available in CCSD middle schools and high school libraries:

"Stroke the shaft of your penis with different pressures and speeds. Try mixing up your grip or switch hands. Whack it against your palm or give it some gentle bending pressure. Tug or squeeze on your balls. Slip a wet finger between your foreskin and glans. Try a sex toy for bonus fun. Vibes and strokers are awesome."

Another quote from that same book:

"A great place to research fantasies and kinks safely is on the internet. The online world is also chockblock full of pornography, professionals and amateurs alike sharing their sexy adventures online. When consumed right, porn can help you discover new aspects of your sexuality and help you explore kinks and fantasies."

This is pornographic instruction marketed to children under the guise of inclusivity and health. If I as a parent handed this passage to someone's child outside of a school, I could be criminally prosecuted under Nevada obscenity laws. This book includes graphic pictures of genitalia and sex acts. Regardless of your political affiliation, the Fourteenth Amendment "protects a parent's right to raise and protect their child," and the First Amendment protects speech. This bill tramples on both. If protecting kids is truly our goal, shielding this material from scrutiny is not the answer.

A.B. 416 is bad policy. It criminalizes parents while immunizing institutions that bypass parental consent and common decency. Please reject this bill and defend the rights of families. Protect their children from inappropriate material. In addition, I am submitting a letter outlining my objections to A.B. 416 ([Exhibit I](#)).

JOHN CARLO:

I am an all-too-familiar voice in Nevada. I am here, and every time I come before you guys, I come in the name of the great governor of the universe, Jesus Christ, who's the highest judge who sits higher than all of us next to God in heaven.

In 1782, Robert Aitken petitioned Congress to print the Bible. They wanted these Bibles to go into the schools. So how do we get from bringing the Bible into schools to putting out these books? And how do you guys call that education? The Bible says, in Proverbs 22:28, "Remove not the ancient landmark which thy fathers have set."

So now you guys are trying to put all these new books into our education system that were never there. And you are trying to change our society and sexualize these children at a young age so Nevada could be number one in human trafficking, so you guys can have little girls who could be strippers and could be prostitutes in Nevada. And you guys do not deal with the real issues like prostitution. This bill will add to sexualizing children so this State can make money off the strippers, and the woman who brought this bill is not very American. She does not hold traditional American values.

I have the book right here that one of these dear ladies showed me. These books would not even be allowed into the prison system. This author behind me, do you see this picture there? Can you zoom in? There's penetration here in these books. This is disgusting; CCSD was already sued—I don't know how many millions of dollars—by a woman. We keep losing lawsuits.

CHAIR TAYLOR:

Mr. Carlo, I am sorry, sir; your time is up, but if you would like to send your comments in, we will make sure that is on the record.

MR. CARLO:

When I met you, you told me you were a Christian.

CHAIR TAYLOR:

Okay. Thank you so much Mr. Carlo.

MR. CARLO:

You told me you were a Christian! You lied to me! You lied to me!

KATRIN IVANOFF:

I am opposed that an adult can present a bill like that, and I want to put it on the record. I will send an email to all the Senators with pictures from the books that our kids in middle school are allowed to get their hands on. I am putting it on the record because I don't want to be charged with distributing pornography. I am sending it just as information for the people that are going to vote on this bill.

It is appalling how many from the Assembly voted on this bill. Nevada is very famous with all-you-can-eat buffets, which casinos are trying to get away with getting rid of those. And this bill is going to provide an all-you-can-have kids buffet to pedophiles and groomers. It is really, really appalling what you guys are trying to do, trying to stop parents from being able even to express a position. We have to go to court? How long does it take for a case to go to court? Years. By the time a parent goes to court, their kids would be out of CCSD anyway. If we keep them there, you guys are going to press laws like this.

I have testified in over 100 bills this session alone. This is easily the worst bill. It attacks the very essence of parenthood. There is very limited trust in our school system in Nevada. This bill would ruin whatever little trust is left there. Legislation like A.B. 416 is to silence parents and tell them that their opinions are not valid. They do not welcome their opinions.

YOLANDA KNAAK:

I am asking for a no vote on this. I think part of the problem is that the person presenting the bill made it sound like there weren't any obscene books in our schools. That is totally untrue. I want to point out there's one on incest here in Washoe County and in the public libraries. So I think that is kind of a misunderstanding here when they're presenting the bills. They are saying there are no obscene books in school. So anyway, I agree with all the other people that have already spoken.

KIMBERLY FERGUS:

I rise in strong opposition to A.B. 416. Let me be clear; this is not about freedom to read. Section 2 of this bill is dangerous. It prohibits school boards, charter school leaders, teachers and even volunteers from limiting student access to library materials, no matter how explicit, unless a court declares them legally obscene under NRS 201.235. That standard is so extreme, it requires

content to be depicting graphic sex or sadomasochism in a patently offensive way and still lack integrity, artistic, political and scientific value. That is a bar too high. It virtually guarantees nothing will be removed.

So we're left with this under section 2, subsection 1, paragraphs (a) through (d); a school can no longer move, label or even restrict access to books that parents find inappropriate for children—books that contain sexually charged or graphic themes. Worse, section 3 [3.8] makes it a Category E felony to use what the State deems coercion to protest these materials. Even peacefully objecting could be criminalized if it is interpreted the wrong way. This is not protection, this is insanity.

As a parent and a taxpayer, I should not need to hire a lawyer and go to court just to question what is being placed in front of children. Schools are supposed to protect minors, not expose them and certainly not punish adults for doing their job. This bill favors ideology over child safety, parental rights and local control. I urge you to vote no on A.B. 416.

CATHERINE INGHAM:

I am calling to oppose A.B. 416. This is not about banning books. Removing books that are inappropriate for children from taxpayer libraries is not book banning. Parents have a right to state that books are inappropriate for children and for them to be removed from those libraries. If parents still want children to read them, or their child to read them, they can easily be bought without taxpayer funds and that child can have access to them. I reiterate this is not book banning. You can still obtain these books.

Assembly Bill 416 is government overreach, stopping and intimidating those who would use their First Amendment right in concern over children. Government should not be the only ones to determine if a book is inappropriate for children. I urge you to please oppose A.B. 416.

LORENA BIASSOTTI:

I am a CCSD trustee, speaking for myself as a parent of public school children today. If someone feels strongly about exposing their own children to porn, they can drive themselves over to a bookstore, but they should not demand our school supply those books. They also should not expect our children to determine themselves what is appropriate. Let's be clear, freedom of speech does not mean freedom to violate our kids. It does not mean freedom to expose

children to vulgar, graphic depictions. At the end of the day—let me repeat, in the end—children belong to their parents, not to legislators or to librarians. Parents have a constitutional right to raise their children according to their values and beliefs.

The only sexual harassment happening here is against our children and those attempting to silence parents and concerned stakeholders should be held accountable, even criminally, for their audacious and outrageous efforts. Our children are where parents draw the line. This bill undermines the very purpose of parenthood: raising and protecting our children. Shame on this shameless attempt to rewrite that responsibility and right. You cannot claim to support parental rights, while simultaneously threatening parents with felony charges for standing up for their children. Enough with the doublespeak.

The so-called three-pronged Miller test is nothing more than a three-pronged fraud designed to subvert parental authority and confuse the public. This bill ties the hands of those elected and trusted to protect students. Assemblymember Brittney Miller is the best thing to happen to private schools. Parents will be flocking to pull their children out of public schools, and our enrollment, our budget, our districts will suffer. Please resort to your wisdom and common sense and vote no on this toxic and ill-intentioned bill.

CYNTHIA PERINE:

A previous testifier complained about a 2024 Washoe County School District meeting when a paragraph from one of the books and questions was read. I was present at that meeting, now I could ...

CHAIR TAYLOR:

Ms. Perine, I am sorry, this is for neutral testimony.

MS. PERINE:

I know. I am going to be neutral, and I just want to say that I do respect the many well-educated and well-spoken testifiers today. I would just suggest that maybe they acquaint themselves personally with some of these books.

MR. WADE:

Thank you for your time and attention to this bill today, and we even appreciate the opposition that called in and who had their things to say. Unfortunately, there seems to be some misunderstanding about the intent of this bill. It

definitely upholds the First Amendment, and it definitely upholds parental choice, and that is what we want. This is not a bill intended to be a gateway to open up the floodgates to these books that are overtly obscene.

As the bill states, there is a definition of obscenity, and the books that fit the definition of obscenity are not permitted; and that is not what we are aiming for. We're aiming for people to have equal access to books regardless of who the writers are and what the content is. And this includes people who are on a different aisle than I am speaking to. And so we hope that people can just reread the bill and be understanding that we want the same things. We're just coming at it from different perspectives. But at the end of the day, we want to uphold the First Amendment right and have parents be able to make the decision for what is best for their children and not for other families and households.

ASSEMBLYMEMBER MILLER:

Yes, I would like to respond to some of the concerns and questions first. The reason why it is not within local control and using the Supreme Court's three-prong Miller test—and that is not the Brittney Miller test, that is another test—is because of inconsistencies that occur at the local level, allowing a few teachers or parents or admin to review and determine the status of books.

The First Amendment is not about policy, it is about the state functioning to support the rights of our people. That is for all citizens, regardless of where you live or who serves on your local board. We have very dramatic differences in our communities here, whether you are in Elko or Goldfield or Las Vegas. To be honest, even in Las Vegas, even in Clark County schools, we would have inconsistent results from building-to-building, and it should not be based on anyone's individual persuasion or one person's feelings. Again, our kids—if we are talking about kids, regardless of where they live, they have the right to have access to materials. Because the First Amendment is not locally administered or supported, it should be the same with this.

I would also like to respond to the idea that parents will be charged with crimes if they question a book or express their concerns about a book. Again, there's nothing in this bill that supports that. The bill talks about what is unlawful: threats, force, intimidation, coercion, violence, restraint and disseminating information. Also, the intent to assist, encourage or facilitate any other criminal

offense causing death, bodily harm, injury or stalking. It does not talk about parents not having the right to question or to voice their concern.

It needs to be recognized that everyone has their own different opinions and persuasions. What one person may believe is obscene or not does not necessarily make it obscene just because it is objectionable or offensive to you. I gave this example in the first House, and it still rings true. They focus on obscenity, but people do not realize how actually conservative I am when it comes to children and what I believe children should be allowed to do, not do and access. But you know, we have not heard anything about violence or anything like that.

Growing up, my parents were very strict. My mother was extremely strict and very on top of everything we watched, we listened to, we read, we participated in, and so even now, I still hold those same values true. And when I see students—pretty much every single one of them read it, and I see even teachers teaching from it—for me, the *Harry Potter* series is a line in the sand because I was raised that it talks about witchcraft and wizardry. I just saw a premiere for a movie, *Smurfs*, coming out and thought, you know what, I have never seen an episode of the *Smurfs* in my entire life because I was not allowed to.

But the difference is you would not want me going through the schools taking *Harry Potter* books from all the students or teachers. You would not want me or think it was okay because of my personal conviction or position to go through the libraries and pull *Harry Potter* books off the shelves because that would not be acceptable.

My choices are for me; my mother's choices were for me. They were not for the community at large. And as one of our witnesses stated, even in some states where the Bible came under question, this First Amendment protects everyone, all pieces of literature and library materials, from all different thoughts because again, there are plenty of people that indeed are offended by the Bible or anything speaking about religious or any type of conservative views.

So I just want us to remember that in the schools, there are protections, there are policies in place, and it is based on educational merit in the libraries. Again, these are public libraries for adults. It does not discourage me when people say that I am un-American or unpatriotic. It just is shocking and reminds me why I keep moving forward because never in my life did I ever think, in my life,

regardless of what we read in *Fahrenheit 451*, that I would see a movement to censor and ban books. It is not un-American or unpatriotic to uphold the First Amendment.

SENATOR ROGICH:

With regard to the library materials, a lot of libraries have converted to digital platforms. Is that format included in the bill as well?

ASSEMBLYMEMBER MILLER:

Yes, Senator. And that is why we say library materials because we know that as technology has changed, we also know that books are not the only available product in a library.

MR. ERVIN:

This may be one of the last sessions of the Senate Education Committee, so I would like to thank all of you members and Chair Taylor for your hard work. And today I would especially like to thank the legislative staff, including Capitol Police, for making sure that things worked well and that we are all safe in our hearings. Thank you.

MS. IVANOFF:

I just wanted to express my opinion. Thank you for what you guys are doing. However, I googled Brittney Miller, and I could not find anywhere if she has any kids. Honestly, I have a little problem with people that do not have kids telling me what my kids should be doing and telling me that I cannot do anything about it.

Also, when we testify, if we get something wrong, I often hear from the chairs that it is punishable, and it is against the law to misrepresent facts. Is it against the law when the bill is presented to misrepresent facts? I would like to know that.

Again, I will be sending to all Senators pictures from some of the books that are right now in our middle schools. And I want it on the record because it is for educational purposes so the Senators know what they are voting for before they vote on it, not for promoting pornography. I do not want to be charged with some distribution of pornography.

CHAIR TAYLOR:

Ms. Ivanoff, I am so sorry, but the time to comment about the bills for today is over. But you can have public comment on something else related to the Education Committee.

MS. IVANOFF:

Yes, I would like the Education Committee to concentrate on the real education of our kids and leave the sex education to the parents. That would be really nice because we are always—in the last ten years, we are the last two in the state for education, no matter how much more money we spend. So, something needs to be done differently, and it is definitely not to add sex education and pornography to that school.

MS. HANSEN

I just wanted to thank you for always being fair. We know you are all exhausted, like all of us are exhausted, and we appreciate it and your patience, and you are always fair. And so is your colleague there, Senator Dondero Loop. We appreciate that because we know you are in difficult circumstances with people with very different ideas, and we appreciate it. We appreciate the fact that you have been fair. Thank you.

TIM UNDERWOOD:

I am a grandfather of five children in Southern Nevada, the father of a trans child. I just have to say the Nevada voters will never forgive this bill's sponsor, Brittney "Pornhub" Miller.

MS. BIASSOTTI:

I am speaking for myself today, and I also do want to ditto the previous comments. I am also very grateful for the patience that you have had in hearing all of us through. I would like that also extended to people that are here in person. I think we all are part of the community, and, like you said, we have diverse opinions, but we all do deserve to be heard. I would like for that to be seen all across every person present or calling. I also do appreciate your sacrifices. I know we all have kids in the background and life is happening around us. But we do appreciate when you are trying to do the best thing for the citizens of Nevada and taking our comments into account. We are only engaged because we are very concerned, and we want the best for our families as do you do.

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CHAIR TAYLOR:
We are adjourned at 3:28 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. 335	C	7	Assemblymember Selena Torres-Fossett	One Page Summary
A.B. 345	D	10	Doug Unger / Nevada Faculty Alliance	Support Testimony
A.B. 416	E	18	Alexander Marks / Nevada State Education Association	Support Testimony
A.B. 416	F	18	Doug Unger / Nevada Faculty Alliance	Support Testimony
A.B. 416	G	23	Mark Dieffenbacher	Support Testimony
A.B. 416	H	26	Cristiane Mersch	Opposition Testimony
A.B. 416	I	27	Erin Phillips, Power2Parent	Opposition Testimony