

**MINUTES OF THE
SENATE COMMITTEE ON EDUCATION**

**Eighty-second Session
March 29, 2023**

The Senate Committee on Education was called to order by Vice Chair Edgar Flores at 1:06 p.m. on Wednesday, March 29, 2023, in Room 2134 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to Room 4412 of the Grant Sawyer State Office Building, 555 East Washington Avenue, 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 Edgar Flores, Vice Chair
Senator Dina Neal
Senator Fabian Doñate
Senator Scott Hammond
Senator Carrie A. Buck
Senator Robin L. Titus

COMMITTEE MEMBERS ABSENT:

Senator Roberta Lange, Chair (Excused)

STAFF MEMBERS PRESENT:

Jen Sturm-Gahner, Policy Analyst
Asher Killian, Counsel
Linda Hiller, Committee Secretary

OTHERS PRESENT:

Patricia Haddad, Clark County School District
Evelyn Garcia Morales, President, Clark County School District Board of Trustees
Laurel Crossman, President, Carson City School District Board of Trustees; Past President, Nevada Association of School Boards
Rick Harris, Executive Director, Nevada Association of School Boards

Senate Committee on Education
March 29, 2023
Page 2

Chris Daly, Nevada State Education Association
Chris Giunchigliani
Anna Binder
Tracy Thomas
Sue Matuska, Nevada State Education Association; Education Support
Employees Association
Randy Soltero, Education Support Employees Association
Unidentified Testifier
Jan Giles, President, Education Support Employees Association
Terri Schuman
Jeff Horn, Executive Director, Clark County Association of School
Administrators and Professional-Technical Employees
Danny Thompson, Clark County Association of School Administrators and
Professional-Technical Employees
Dylan Keith, Vegas Chamber
Jennifer Atlas, Nevada Association of School Administrators
Ed Gonzalez, President, Community Alliance for Redistricting Education
Systems, Clark County School District
Lindsey Dalley
Tammy Villarreal
Bruce Snyder, Commissioner, Government Employee-Management Relations
Board, Nevada Department of Business and Industry
Tammy Malich, Ed.D., Director, Department of Youth Development and Social
Initiatives, City of Las Vegas
Lorna James-Cervantes, Board President, Strong Start Academy Elementary
School
Michelee Cruz-Crawford, Ed.D., Principal, C.C. Ronnow Elementary School,
Clark County School District
Gregorio Torres, Jr., Teacher, Global Community High School
Jorge Guillen, Counselor, Global Community High School
Susy Ruiz, School Safety Professional, Global Community High School
Lori Navarrette, Ph.D., Professor, Nevada State College
Rosemary Q. Flores, Coordinator, Teacher Academy Pipeline Project, Nevada
State College
Vanessa Mari, Ph.D., Associate Professor, Nevada State College
Heather Ney
Anonymous Student
Leslie Arias
John Eppolito, Protect Nevada Children

VICE CHAIR FLORES:

I will call the Senate Committee on Education to order. Chair Lange is excused today. I will now open the hearing on Senate Bill (S.B.) 65.

SENATE BILL 65: Revises provisions relating to the boards of trustees of county school districts. (BDR 34-386)

PATRICIA HADDAD (Clark County School District):

Senate Bill 65 seeks to adjust the requirements for those serving, or seeking to serve, on a school board of trustees. Those adjustments include: strengthening training requirements currently in statute and shoring up requirements on background checks for trustees in the service of keeping kids safe. The proposed legislation has gone through many iterations over the past several weeks, plus some additional clarifications that have come from conversations with this Committee. We believe it is critical to inject the same standards for all boards of trustees in Nevada so we can meet the need for increasing professionalism and ensuring that school board members demonstrate the capability and capacity to perform their roles. We have garnered the support of trustees from across the State in both rural and urban districts for this measure.

EVELYN GARCIA MORALES (President, Clark County School District Board of Trustees):

I am here to speak on behalf of the Clark County School District (CCSD) in support of S.B. 65. Around three years ago, I was sitting in front of my laptop late at night, googling the requirements to become a school board trustee in Nevada. My search results led me to an application for vacant seats on the board of trustees and links to training requirements once you were elected. Neither of those circumstances applied to me at the time I was preparing to file. I was sure there had to be some sort of high school graduation requirement, a college degree, leadership experience, and a criminal background check at the very least, to run for this position. I was shocked to find out that the only requirement was to live in the school district we plan to represent.

I want to share with you personally why that was important to me. I have now served in this role for two years and several months. I know for certain that trustees can help a school board focus on student outcomes and, for me in this position, I am committed to student outcomes. This role is incredibly important and essential to the work of our school districts. It is an important responsibility and something I take very seriously.

As you may have seen, school boards across the Country and our State have been publicly under attack, especially as communities become more sharply divided along political lines. These fights continue to spill into boardrooms across the Nation, and boardrooms really are meant to be apolitical, so solutions to these issues must be apolitical if we are going to have any chance to continue to focus on student outcomes.

LAUREL CROSSMAN (President, Carson City School District Board of Trustees; Past President, Nevada Association of School Boards):

I have served as a school board member in Carson City for the last 11 years and am currently the President. I am also here representing the Nevada Association of School Boards (NASB), serving on the Executive Committee as a past president in 2021. We at NASB have worked through the amendments to S.B. 65 and we support it.

For over 60 years, NASB has supported the professional development of school board members through training. We are in support of the additional 12-hour requirement for the first year. I was born and raised in Carson City, graduated from Carson City School District and have five children who have all gone through the Carson City School District. I practiced law before I decided to practice motherhood, and then was involved in the PTA. While supporting schools through the PTA, a school board trustee position came up and I thought this was a way I could give back to the community that has helped develop me and all the other children. That is what you will see with most school board members across the State—they want to give back to the communities that have helped them.

School board members come from a variety of backgrounds across the State. We have retired people from education, retired law enforcement, some with health backgrounds, some with engineering backgrounds and some who work in higher public education. That variety of experiences gives us greater strength on a school board. This type of training in S.B. 65 would provide a cohesiveness and help members to be more successful and productive. We know when boards are working together and productively, student outcomes improve.

RICK HARRIS (Executive Director, Nevada Association of School Boards):

We are here in support of this bill because we think it is a positive step forward. At NASB, we are all about training. We not only have extensive training; we also have mentoring programs which are key to producing skillful and

collaborative school board members. This bill encourages candidates to be proactive and possibly get the certification for education before they even become a school board member. This makes sense, because we expect teachers to get education and skills before they step into a classroom.

We also like the addition of roles, responsibilities, and limitations in S.B. 65. They are in our training at NASB, but are not required. We like the idea of them being required. It just makes sense to have requirements for a legislative committee that represents the whole State. We meet regularly and have had good discussions about this bill and this issue, and we support it.

MS. HADDAD:

I want to walk through some of the changes in the amendment (Exhibit C). The Nevada Constitution allows the Legislature to use its powers to encourage and secure the proper functioning of the public school system by all suitable means. While many public offices only have qualified elector and residence requirements, certain public offices also have qualification requirements related to age, residency, lack of a criminal felony conviction, training, licensure, employment, and experience in a related field. Some examples include public administrators. They cannot have been found liable in a civil action involving a finding of fraud, misrepresentation, material omission, misappropriation, theft or conversion. Another example would be constables, who cannot have been convicted of a felony in this State or any other state. There are also certification or employment experience requirements for Sheriff's officers, Attorney Generals, district judges and the Nevada Supreme Court.

We are proposing some of the following changes, which have been adjusted from the draft language. Trustees are currently required to complete six hours of training within the first and third year of their terms. We are proposing to change this to "Training may be completed up to 12 months prior to election, but must be completed no more than 12 months after swearing in."

In addition, the proposed amendment increases the total number of hours required for training from 6 to 12 hours, with no less 4 hours focused on the role and limitations of serving as a school board member. The amendment also requires posting the completion of this training on a school district's website where other information about the trustee or trustees is noted.

We also propose that the Nevada Department of Education (NDE) identify approved training vendors and that the board of trustees must adopt a policy to select one of the approved training vendors to ensure that members of the same board receive the same training. Different boards may make a different selection, but we want to ensure there is continuity for the members of any one board.

To ensure accountability aligned to the training, the board must also adopt policies to address board members who commit serious infractions during their service. These would include things like disclosure of confidential information from closed sessions or individual actions a board member willfully and knowingly engages in that create a legal liability for the board or the school district. This policy must also include an option to censure a member of the board.

Currently, everyone in the public education system—whether they are employees, coaches or volunteers—are required to go through a background check. We are proposing that trustees do the same. We have had discussions with members of this Committee and other Legislators in the community. We have heard the concerns about the original drafting and proposal. Our recommendation is that, after a candidate is elected but before they are sworn in, a trustee-elect must follow the fingerprinting process already required for volunteers and others and currently outlined in the law. If an individual does not meet the standards outlined, they may not be sworn in and the seat would be considered vacant. Board vacancies would then be filled through existing board governance policies, and those that dictate the protocols for how board vacancies can be filled. The school district would be responsible for paying the fee for fingerprinting.

These changes are really about ensuring that kids are safe and that we have high functioning school boards that are driving towards high quality student outcomes. We know that accountability has to occur at every level of the system.

SENATOR NEAL:

Can you give me a quick example of what would be considered confidential in a closed session?

Ms. CROSSMAN:

In the limited instances when we hold closed sessions, it could include contract negotiations with your bargaining units. You can have closed sessions before that, and some of that information should be kept confidential, or you could subject the school district to unfair labor practices. Other reasons for a closed meeting could include disciplinary matters, particularly involving students, such as expulsion hearings. Some employee disciplinary proceedings are also confidential.

SENATOR NEAL:

In the proposed amendment, you have:

Boards shall adopt a board policy to address board members who commit serious infractions during their service, including but not limited to: Disclosure of confidential information from closed sessions; Individual actions which the member willfully and knowingly engages in which create legal liability for their boards or districts.

The first thing that came to my mind was, what are those circumstances? Because a board member who is elected could be criticizing the board and someone could interpret that as creating liability because they are discussing something where there is political dissension or disagreement. So where is the protection for that elected official who ideally has wide breadth to criticize and say exactly what they feel and think?

Ms. CROSSMAN:

I am thinking of situations where a school board member criticizes the district and raises concerns in an open meeting. This would be a serious infraction of creating liability if you are hearing potential settlement of a lawsuit in a closed session. School districts do get sued. If that was to be disclosed willfully by a board member, it could subject the school district to liability. I think these are serious infractions. It would not be for disagreeing about a variety of different policies, and how best to solve a problem within the district; those things occur regularly in open meetings.

SENATOR NEAL:

The immediate thing that popped in my mind was what is protected speech and what is not protected speech in the context of this environment. Number one,

what is protected when I am inside a meeting? How about after I have left the meeting, and I am speaking freely outside of the meeting? Regarding the reach and the power over the conduct of an elected official outside of a meeting, I want to understand how did you do your analysis on what is protected and unprotected speech within that context?

Ms. CROSSMAN:

It is a very narrow possibility that board members would willfully and knowingly engage in speech to create legal liability. However, board members have their First Amendment rights. Each board has a board policy that governs conduct. Several years ago, we worked with all the school districts in the State to develop a code of conduct for trustees.

So when the decision of an issue before the board has been made, sometimes the losing party of the decision is unhappy about it. They can express that disagreement, but that is part of how the board governs. Sometimes you lose and you go forward with what the majority has decided. There can be hindrances to the effectiveness of a board. I do not think that complaining about a decision would rise to the level of a serious infraction, but it would be governed by individual board policies. That could be something they define as to how serious infractions would be handled, and they could work with their legal counsel to address that.

SENATOR NEAL:

I am potentially not okay with the statements that are being made, but I want to get to the censure piece in the amendment. Censure is one of the most serious ways you can publicly punish someone, and the fact that you want to do it publicly is interesting to me. What are the powers to censure an elected official? Where is the line drawn between the board having the capacity to go in and censure?

This all wraps into speech, since now you are censuring someone based on a business interest where you want to limit speech. You keep saying "serious infraction," so there still is a question on whether or not that serious infraction, whatever it is that you decide it is, is still an appropriate action on the opinion or speech of an elected individual. We are not talking about a regular citizen, which would be a different conversation. There has to be a compelling need for you to limit someone's speech.

I have no idea what censure means in terms of an elected board member being able to speak or not speak on an issue in the future. For example, if the member is being told that they created liability on something that could be information the public needed to know because it is illegal, like a contract discussion about misuse of public funds. Now that elected official is trying to figure out how to manage these contending policies versus what they believe is a constitutional right to say something about a confidential closed meeting where there was an illegal act. There are two parts to this story, and it seems like everything is on the board, but it is not on anyone else.

MS. GARCIA MORALES:

Nothing about this bill is limiting First Amendment rights of individuals who are elected to serve on a board of trustees. This is about ensuring that the governing body is not subject to additional liabilities by ignoring legal advice that is provided by counsel. The important aspect of this piece is, to be clear, we are not limiting freedom of speech. However, it is important for members of a board to reduce liabilities for the school district. When I say liabilities, I mean, breaching contracts with bargaining units, for example.

Senator Neal, you mentioned ethical concerns. There are channels of communication and procedures that the community has access to which allow anyone with concerns about ethical violations to easily submit a complaint.

SENATOR NEAL:

I am super interested in what the analysis was by your legal counsel on the speech implications of the provisions of your amendment. I want the answer to that. I believe there is something in the censure piece. I also see some of this language as trying to deal with some past behavior that was in the prior board that happened in Clark County. What I do not want is an imbalance of power. I also feel like the board of trustees are not the only ones who may engage in behavior that is probably improper, or what you believe to be improper. If you are going to put something on the trustees, it should also go on the superintendent as well.

My final question is in the language of the bill that you did not amend, which is in section 4, where it talks about after you run the fingerprints and have given written notice to the individual, then you give the person an opportunity to have a hearing. My question is, where is this hearing? And why is it not judicial? This person has now been elected and now you have a vote of the people that you

are going to reverse. That should not be a hearing within the school district modality.

Ms. HADDAD:

What had originally been proposed on the background check was that it would involve the Superintendent of Public Instruction as a sort of backstop. What we have done instead is to make that process identical to the volunteer or employee background check process and then ultimately align it to that piece. If the trustee-elect does not pass that background check in the same way that a volunteer or another employee did not pass, that would be the triggering mechanism.

SENATOR NEAL:

The difference for me is that the trustees are not volunteers. They were elected by a constituency who put them there. You are talking about running the background check after the election before the swearing in. I personally believe that because it is an election and a vote of the people, there is probably a higher action that needs to occur that is not within the format of an employee or volunteer.

This would actually create a pathway for the trustee-elect to seek a judicial action because you have in the bill, not just a conviction, but an arrest. An arrest may not be a conviction; a charge may not have ended up in a conviction, and now the Superintendent is to hold a hearing on a trustee's rights. I do not think that power is appropriate for this body. I think that should be a court action to defend what they perceive to be their innocence or not, which should not be a decision made by that body. I have deep issues and concerns with that.

Ms. HADDAD:

I will say that this particular section spawned a massive number of conversations about trying to ensure that it is both legal, constitutional and takes into consideration the rights of the individual so they can receive their own due process. It has gone through a lot of iterations, and I appreciate that feedback.

SENATOR TITUS:

I perceive that the purpose of this is to make sure that we are giving our kids the best opportunity and education possible. None of you would be at the table

if you did not care about educating our kids. I share all the concerns that my colleague to my left brought up and I am not going to reiterate those. In addition to those concerns, I also have a question regarding language in section 6, subsection 2 which was amended and states:

A member of the board of trustees shall provide to the clerk of the board of trustees a written certification issued by a school board governance organization demonstrating that the member has completed the training required by this section.

Why was that language changed? They already had to provide certification to the clerk of the board. Can you clarify why you felt that needed to be changed?

MS. HADDAD:

I believe this change had to do with alignment to the original drafting of this bill which required that the certification of training be submitted to the county clerk upon filing. We have removed that piece. I believe that was aligned, but I might look to legal counsel on that.

ASHER KILLIAN (Counsel):

The reason for that change in subsection 2 is the new language added in subsections 5 and 6. Under existing law, there is no statement of who has to provide, develop or approve this training. The new language in subsections 5 and 6 make this training something that is offered by an entity approved by NDE to provide the training. So the change in subsection 2 conforms to the new addition that this is training provided by an organization approved by the NDE.

SENATOR TITUS:

We are all subject to training regardless of our fields. As elected officers of the Legislature, we all do mandatory freshman training. I have no problem with that, and the law already existed that they had to have some training on what it means to be a school board member. My concern is who currently is doing that training, and what specifically did you have in mind for the training they mandate and take?

MR. HARRIS:

It is similar to what we already do. The heart of our training is *Nevada Revised Statutes* (NRS) 386.327. We make sure the training gets covered and then we enhance it. We have experienced trustees come in and help work with our new

trustees on aspects other than what the law requires. It is more the roles and responsibilities of being a trustee, how to work together and things like that. We already do that in our training.

SENATOR TITUS:

That is exactly my point. Do you not already do that in your training? Do they have to take a test? Is it that the training currently offered is not adequate?

MR. HARRIS:

No, we are really proud of what we do at NASB, but as legal counsel just pointed out, they do not have to come to us for the training. They can go wherever they want for the training and that is what we want to tighten up.

SENATOR TITUS:

So you want to mandate that they take your training as opposed to ... ?

MR. HARRIS:

No.

SENATOR TITUS:

But this law does mandate that they take your training.

MR. HARRIS:

What it mandates is that there is a process for the State to identify certain bodies like ours or other training vendors that would provide the training, and that we make sure it is included.

SENATOR TITUS:

Can you just identify what you think is lacking in the training they are getting now?

MS. CROSSMAN:

Currently, NASB is not the only provider of training. We have school board members in the State who attend the National School Board Association conference. We have training available through the University of Nevada, Reno extended studies with the Certified Public Officials Program (CPOP), and we have other providers. Some of the training offered by NASB ties in and fills the CPOP requirement. We are looking at changing CPOP classes to emphasize school board members. There are a variety of different places where members

can get training that would fulfill the requirements of the NRS. This bill is saying that each school district should at least be consistent in where they are doing the training. It sets up an organization that the school boards choose where they will get their training and how it will go. As far as what is lacking in the training, I think we do a good job. The pandemic was a little rough because we could not meet in person, and online training is as difficult as online school. But we are not online anymore.

The difficulty we have is that not all school board members choose to attend training. We offer it, and school districts help defer the costs for it, but not all board members attend. Most do, but not all. Even though they are required to, they do not necessarily come to our training. I had a board member several years ago who just did not complete the training and there was no real recourse to do anything other than put it on the website that this one trustee did not complete training.

SENATOR TITUS:

We have 17 different school districts in the State, each with different school boards and members, and each school district has unique problems. So if you mandate where they get that training, I have concerns that there would not be enough allowable training for that individual in the school district once you funnel them down to what you perceive as the correct training.

MS. HADDAD:

There are minimum standards for each provider of those trainings. The idea would be similar to how teaching curriculum or content standards are identified in this State. There would be a pool of providers that have met this minimum standard, and then school boards would adopt their policy for selecting which provider they would use, be that NASB or another one. The idea is not to force or require any one particular school board to use any one particular type of provider, but to ensure that whichever provider they select is meeting these minimum standards of training.

SENATOR DOÑATE:

This is a tough issue, but I know many of my colleagues share some level of frustration with the entire conversation. It is not good for us to see news articles of what is going on, and our constituents asked us for our response. I recommend you at least take a look at it. I share the same hesitations that my colleagues spoke about today. Have you talked to all the boards of trustees on

how they feel about this issue? Can you talk to us about what those conversations have looked like?

Ms. GARCIA MORALES:

I appreciate the acknowledgement of the frustration and pain that we have all seen and witnessed. Personally, it has kept me up at night. It has not been easy, but I can tell you that our board is in a different place. We are committed to moving forward in a positive direction that supports and improves student outcomes and ensures accountability of our entire school district.

I want to acknowledge your comments and share with you where we are, and where we are going from the perspective of the Clark County School District, since we are bringing this bill. Thank you for allowing us to be part of that conversation; it is important. I have learned a lot from my unique experience as a school board trustee. It has been a very humbling experience, but I know there is room for this role to be better and to improve. In terms of talking to colleagues, we voted as a board to bring this item forward. This is one of our bill draft requests (BDR) that we wanted to address this current Legislative Session.

SENATOR DOÑATE:

Was the vote unanimous?

Ms. GARCIA MORALES:

I do not believe it was unanimous.

SENATOR DOÑATE:

It is important for us to clarify that for the record. I do not have any hesitation with the requirements of the trainings, but how did you arrive at the requirement of 12 hours? That is a day and a half. I like having more comprehensive trainings and also continuing education for folks as well.

Ms. HADDAD:

The Clark County School District board passing this proposal, regardless of a unanimous vote or not, means you have a majority of folks in favor, and then that is the decision. That is how it works here at the Legislature as well. There have also been discussions with the NASB legislative committee, which is representative of trustees across the State. Currently, training is at six hours, but there is a recognition that the six hours may not be quite enough because

trainers are already going beyond that six hours in order to cover everything. The additional hours were added to include a baseline overview of what is, or is not, the role of a board of trustees.

MR. HARRIS:

That is correct. What we currently do is not enough. We think 12 hours is a start in the right direction. A lot of our trustees already go beyond that timeframe, including Trustee Crossman, who is a CPOP graduate, along with about 15 other trustees. We are hoping to continue that momentum and make more training required.

SENATOR DOÑATE:

The reason I asked about the structure of the vote is because there was obviously some level of scrutiny that was represented by the board of trustees regarding the requirements. We would expect the same if we were changing the requirements for what it takes to be a Legislator. I do not have any problem with how the vote went. It was the majority position that the board took. I think it is also important to understand the sentiments of what the reverse is.

You have heard from my colleagues on this Committee that there is a level of restraint. Regarding your training requirements, that is a pathway that is doable. If you talk to your trustees, both former and current, they all agree with the same sentiment; they have not been equipped with the right resources to do their jobs.

Some states in this Country, including Alabama, Florida and others, treat being on a school board like it is a full-time job. Trustees are salaried, the boards have staff members and they do not have to rely on the school district to do the work they have to do to oversee the school district.

The Clark County School District has grown to one of the largest districts in the Country. I believe the reason you are seeing issues is not because of the requirements, it is because we set them up to have these issues. That is part of a greater conversation I would like to see reflected in this bill.

SENATOR NEAL:

I want to go back to section 4, subsection 3, that enumerates crimes. I thought it was of particular interest in paragraph (d), where you have a person who has a warrant for his or her arrest. A decision is being made before guilt or

innocence has even been decided. How do you reconcile that provision when there has been no adjudication?

Ms. HADDAD:

I believe we were taking this from the existing requirements around background checks, but I can verify that. I hear what you are saying about the lack of adjudication and that it may not be appropriate.

SENATOR NEAL:

Thank you for that because it ties to the previous question about trustees being elected, and there are other rights that are now being manifested post-election, where you have provisions that could now deny them a seat or certification.

VICE CHAIR FLORES:

I would like to invite those wishing to testify in support of S.B. 65 to please come forward. Seeing no one, those in opposition, please come forward.

CHRIS DALY (Nevada State Education Association):

We oppose S.B. 65 adding requirements for service on school boards, but we are open to language in the amendment, Exhibit C, that increases the required amount of training for school board members. I have submitted my written testimony (Exhibit D).

CHRIS GIUNCHIGLIANI:

I am opposed to this bill. I was trying to figure out exactly what they are trying to fix. Unfortunately, I have been more closely involved, and I think it is really a punishment for a former trustee or trustees in what was occurring in southern Nevada. This is the response that was written in August with a 4:3 vote by the CCSD Board of Trustees.

On a regular basis, almost every meeting of that Board had a confidential meeting before the board meeting. I think they are in violation of the open meeting law. More often than not, the confidential meeting is criticizing each other, or includes information that is not required to be confidential. Perhaps we can get rid of the bill and just make sure the minutes are kept for all confidential meetings, transcribed, and available to the public.

I am extremely bothered by the censure language. There has been a violation of NRS 241.036 with regard to "meetings of disciplining a fellow trustee." That

language came from Assemblyman Robert Price's late wife, Nancy Price, when she was a University Regent, and that language was put into the legislation more than 20 years ago.

Unfortunately, the CCSD worked around it by talking to trustees with only one or two people present, summoning them to a meeting, not a public meeting, to discuss their behavior. They would ask, "why did you comment on that," or "you went to a school without our permission and visited with parents." There are a lot of things that have been coming up and this bill does not fix any of it.

In the long run, we need to make trustees more professional and pay them \$60,000 a year, require training after they are elected, including training on how to work together as a board. In my opinion, the superintendents should have the same training as the trustees. Some of the bill is correct in that regard.

Ultimately, we have to figure out what we are trying to fix. The infighting that goes on is not always connected to student outcomes. It is generally about personalities or disagreements. This could get out of hand.

ANNA BINDER:

After hearing some of the other statements, I want to clarify that the trustees do not have access to ethics points on the audit advisory committee. We barely get a spreadsheet and I have had to fight for a discussion about items that are on that little spreadsheet.

I also do not support S.B. 65 because someone like me would not be able to afford training prior to being elected. I do not think that is fair. All of the committees this Session have talked about breaking down barriers for people to achieve things, and this is really the most disheartening conversation I have heard about limiting people. Also, the board has multiple closed sessions, but they do not require a quorum; they just call it a briefing.

Watch a meeting from about mid-2019 and then think of all the recent meetings you have watched. Something changed before the pandemic, coming into the post-COVID-19 period, that completely changed our board. We get no open discussions, we get nothing. What did they do? They took away putting us on video and limited our speech time. Basically, if you do not agree with the majority vote, they villainize you. Something happened in that timeline, and you

can see it if you watch two different meetings during that span of time. We should go back to the way it was in 2019.

TRACY THOMAS:

I oppose this bill as it is written because I think it is a little overreaching. If it is only applying to one county, it should be applied at that county level. It does not need to be applied at the State level. If you want to make certain conditions for the board in Clark County, then Clark County should be responsible for that.

I have great concern that this bill is suppressing people who are willing to step up and serve on these school boards. It is hard enough to find people who are willing to do that, and now you are just cutting that resource even further.

VICE CHAIR FLORES:

Seeing no more people wanting to testify on S.B. 65, I will ask the presenters for their final words.

Ms. HADDAD:

We appreciate everyone's time and willingness to engage in this discussion. We wanted to assure everyone that our school board and board of trustees are actively engaged in this conversation about how we can continue to strengthen our school boards. We did garner support, based on the many revisions, from trustees across the State via the Legislative Committee and beyond, and also within the Nevada Association of School Boards.

I also want to clarify that the CCSD Board of Trustees approved their legislative platform and bill draft topics unanimously on August 25, 2022. That information can be found on the CCSD website under meetings and agendas.

VICE CHAIR FLORES:

I understand that we are in a difficult situation. We often take additional protections, measures and steps to ensure that we are protecting our kids, which is what is happening here, but there is obviously an ideological split in this conversation. Certainly, if somebody has criminal convictions, they cannot be around children, yet they could still be elected as a trustee who would serve our students. I hope the Committee members can continue to work with you and try to find some middle ground.

I will close the hearing on S.B. 65 and open the hearing on S.B. 251.

SENATE BILL 251: Revises provisions relating to employees of school districts.
(BDR 34-685)

SUE MATUSKA (Nevada State Education Association; Education Support Employees Association):

I am an attorney representing the Nevada State Education Association (NSEA) and the Education Support Employees Association (ESEA) which represents the support employees in the CCSD. Senate Bill 251 addresses an issue that has existed since the 2017 reorganization of the CCSD. The issue with this bill is the school district's responsibility and authority following the reorganization for the transferring and reassigning of employees who are subject to a surplus or reduction in force situation.

The reorganization of CCSD was initiated by a Legislative Enactment. Rather than breaking the main school district into multiple, smaller districts, it was reorganized so that each school was designated a local school "precinct." Those precincts were given more autonomy over their budgets and selecting staff within their budgets. The section of the reorganization we are amending with S.B. 251 is section 1, but in that same section, the CCSD remains responsible for all other requirements necessary for the operation of those local school precincts and the school district as a whole.

At the top of that list of responsibilities listed in section 1 is negotiating the terms and conditions of employees. Negotiation of terms and conditions of employment is governed by chapter 288 of NRS, which requires that certain subjects be bargained for, and the resolution of that bargaining is reduced to a collective bargaining agreement. One of the items included in the collective bargaining agreements negotiated by the school district and the employee organizations in Clark County deals with the transfer and reassignment of employees when there is a surplus and/or a reduction in force.

These articles are detailed and have multi-step procedures negotiated over several decades to create an efficient process when employees are moved from one school to another. This process is due to changes in the overall county population or changes in the concentration of the population within the school district. This happens in every school district in the State, but especially in a large school district like CCSD.

By amending NRS 388G.610, as well as the subject of mandatory bargaining in NRS 288.150, this bill clarifies that although those local school precincts have authority to select their staff, the school district remains responsible for negotiating conditions of employment regarding transfer and assignment situations. The school district enforces those provisions of the collective bargaining agreements.

This has been an issue ever since the reorganization was enacted by the Legislature in 2017. These differences of opinion have resulted in legal matters, including one that was presented to the Government Employee-Management Relations Board (EMRB), resulting in a declaratory order. That order found these provisions could be interpreted harmoniously with each other and that the CCSD reorganization did not strip employees of their rights under the collective bargaining agreements.

We also had a district court action that was a writ petition attempting to prevent the CCSD from enforcing collective bargaining agreements regarding transfers and reassignments. The district court also agreed that these sections could be interpreted harmoniously, and that the reorganization did not strip employee rights. So far, they have been consistent with what we are aiming to do in S.B. 251. The district court writ petition matter has been appealed to the Supreme Court of Nevada and is still pending an order.

The reorganization of the CCSD was created by a Legislative Enactment and should continue to be operated by laws that are duly considered and enacted by the Legislature. That is why we are bringing this bill; so the Legislature can declare its intent for this enactment.

SENATOR TITUS:

One statement you made caught my interest. You say there is a Supreme Court of Nevada case pending now? What in this Legislation would have an impact on the pending court case?

MS. MATUSKA:

The appeal on the writ petition is pending. Enactment of this bill would, I think, effectively render the substantive decision moot. There will certainly be orders and holdings that the court makes regarding procedure on the writ petition and other matters. Both of those matters, the Government EMRB matter and the one that started in the district court and is now at the Supreme Court, are not about

determining money damages. They are all about determining legislative intent. We are here to ask you to tell us the legislative intent and for you to enact the laws that govern how the school district operates.

SENATOR TITUS:
In other words, you want clarity.

Ms. MATUSKA:
Yes.

SENATOR BUCK:
How many employees have lost their jobs based on this?

Ms. MATUSKA:
Do you mean how many are subject to this transfer and reassignment situation?

SENATOR BUCK:
No, those who have actually lost their job.

Ms. MATUSKA:
I am not familiar with the statistics.

SENATOR BUCK:
I did some research before this hearing, and no one has lost their job due to this. How is this bill helping children? I have to excuse myself, because I sat in that principal role, and I wanted autonomy over who was going to be working on my campus.

Ms. MATUSKA:
We are asking the Committee to declare the legislative intent on this section and how it correlates to collective bargaining. Those collectively bargained-for provisions are all about creating that structured process. Staffing is an important side of running a school district.

SENATOR NEAL:
I received an email from one of the schools in my Senate district, and one of their concerns is similar to what Senator Buck touched on. They had control over who was coming to their school, and they could pick the kind of teacher for their population because not all teachers fit certain student populations.

What was brought up to me was that they said it took a long time to build their team and to build the cohesion to achieve the gains that they had achieved in their school.

Prior to that, the CCSD would just send them someone, and they did not have power over who they received. They do not want to return to that. The autonomy they have gained by selecting teachers at an at-risk school is very important to them because they need a certain kind of teacher to serve their population.

When I was on the Advisory Committee to Develop a Plan to Reorganize the Clark County School District during the 2015-2016 Interim, and I was also on the 2017-2018 Interim Committee, I distinctly remember us having a conversation about "passing the trash." This comment was from superintendents coming to the table. There is a fear that principals are going to lose some people, and you know how important it is to have a strong team at a school. Can you address this concern?

MS. MATUSKA:

When the Legislature created the reorganization of the CCSD, they had to do this balance. You can see that in section 1 of S.B. 251. The local school precincts are given the initial authority to select their staff. Selection of staff is a management right; it is not something that is bargained for between districts and employee organizations.

The other side of the balance was that CCSD is still one school district; it was not broken into multiple districts. There was some balancing of power with a structure for dealing with staff adjustments that happen from time to time. The employees did not become at-will employees just because the CCSD was reorganized. A certain amount of transfer-reassignment authority is an integral component of the operation of a school district, particularly one the size of CCSD.

SENATOR NEAL:

When we talk about the decision-making and the ability to transfer staff, I think there is a concern about the current administration, and the power and control they are seeking that some people feel may not be in their best interest. That is what I hear in the rumor mill. What I have heard more than anything, is that the

tool can be used to punish, or it can be beneficial for students, but it can also be used to hurt a principal who wants to maintain a certain staff.

On page 8 of the bill, section 2, subsection 14, paragraph (c), defines what "surplus situation" means. I do not see any kind of guardrails around this broad use of language. What worries me the most is when a challenge comes up under A.B. No. 469 of the 79th Session in the interim when we were not in session, a challenge came up that I felt was an illegal interpretation of the bill. Then the CCSD did whatever it wanted to do, and then the State Board of Education intervened. We were at a loss because the CCSD interpreted language widely for their benefit, and that interpretation was not true or accurate. That is what bothers me about the language in this bill.

I just want this language to be tightened because when I saw a wide interpretation based on what they wanted to control and what they wanted to do, it caused a problem across Clark County. I do not want that to happen with this bill. I have received a lot of emails from principals in my Senate district that I have a close relationship with. There are those who hate this bill flat out, and are fearful of what it means. We need to figure out how to give them some protection in the language where the principal has some say if their team starts to get broken up on their campuses.

MS. MATUSKA:

The language we have added to NRS 388G.610 is clarifying the negotiation of other terms and conditions of employment to include transfer and reassignment of employees. Transfer and reassignment of employees is a subject that has been bargained for with the employee unions of the school district for many decades. It is not a new thing. The definition of "surplus situation" is targeted to the specific situations of population and academic needs. I am not sure if I can zero in on your concern, but I would say that it is dealing with a known commodity and clarifying the role of the school district. The bill provides some clarity between the local school precincts and the school district as a whole because it does still need to operate as one school district.

VICE CHAIR FLORES:

I will now take testimony in support of S.B. 251.

MR. DALY:

We support S.B. 251 to ensure clarity and fairness in the employee surplus process at the Clark County School District. I have submitted my written testimony (Exhibit E).

SENATOR BUCK:

I am going to ask you the same question. How many people lost their job? Or did they end up placing everyone into a position?

MR. DALY:

I think the answer is zero because, as I said, a decision by the EMRB halted the process. We are now pending a hearing from the Supreme Court of Nevada because, over the intervening sessions, the Legislature has not spoken to what their intent is. There is a disagreement between parties about what we think the legislative intent was in 2017. You have the opportunity to clarify this so the Supreme Court does not have to guess what the intent was. If that is the case and this bill passes, we go back to the decades-long practice of the transfer and reassignment process, and surplus or reduction-in-force situations.

I have heard from education support professionals that it is not the most pleasant process to go through. You are leaving your school and you go into a big auditorium and see what jobs are open that you qualify for, what is close to where you live and that sort of thing. It is not the greatest process, but it is the best process that we have developed through collective bargaining. Alternately, if the Legislature does not declare their intent and the Supreme Court rules on the side of the administrators, then we believe that many people will lose their jobs.

SENATOR BUCK:

It is sort of like a marriage because you think that just placing these people in a school will be wonderful for the school, the kids, and for that staff member. If principals have a say as well as the person coming in for the job and there is a mutual agreement on expectations at the school site, that can be win-win. As proven, nobody has lost a job; everybody has a job.

MR. DALY:

At NSEA and our local affiliate ESEA, we represent education support professionals within the school district. We have members who are teachers in the school district. Although we are not the recognized bargaining unit, the

Clark County Education Association is. We have members who have gone through the surplus process. Imagine a paraprofessional or a food service worker, and suddenly the school needs one fewer of their job position, if that member has the least seniority, they have to go through this process and move to another school. Keep in mind that this is a worker who is in good standing and does not have anything bad on their record. Is it ideal that they get transferred or reassigned? No, it would be best if they could stay at their original school, but the school istrict needs that flexibility to do their staffing. Our perspective is that there is probably not a perfect solution to this, but the one that has been negotiated between the employer and the bargaining unit, and has been developed over decades, is the best of several possible imperfect solutions to the problem.

RANDY SOLTERO (Education Support Employees Association):
We support S.B. 251.

UNIDENTIFIED TESTIFIER:

I am a support staff employee in support of this bill. Not passing this bill affects the lowest paid employees who, through no fault of their own, have been reassigned to different positions. I want to believe that A.B. No. 469 of the 79th Session was not an attempt to hurt the most underpaid employees. Not passing this bill will hurt the students we serve because employees will leave the school district entirely, and this is a time where we are in dire straits for employees. The reason you will not have data on how many people have lost their jobs is because they left the school district. So when they leave the District, it is not going to say that they were fired or let go.

I do not think the board understands the reassignment. The reason support staff, teachers or educators are reassigned is because those programs have left the school they are serving. I was one of them my first year of working here, and I had good observations and good evaluations. It is not the worst employees. I urge you to pass this bill.

Ms. BINDER:

I support this bill and would love to have more conversations about how I do not think the CCSD reorganization had any ill intent.

JAN GILES (President, Education Support Employees Association):

The ESEA represents 13,000 support professionals in CCSD and we are in support of this new language in S.B. 251. I have submitted my written testimony (Exhibit F).

TERRI SCHUMAN:

I am in favor of S.B. 251. Surpluses are devastating and demoralizing to our support staff. I know. I have been through many from when I started in 2008 all the way up until 2017. I either lost my position due to elimination or not being able to carry out the position. We need to go back to the contract and go by what it says. We have the right to choose our positions. To be put into a position you do not know anything about, and then to be eliminated from it because you cannot do it correctly, is not right. It is not fair to our support staff.

We are in such short supply of our support staff, and we need everyone we can get. All support staff, no matter if they are in ESEA or not a member, or even if they are in the Teamsters, they all need to be treated with respect. By having our principals pick and choose whether they want us or not, that is not giving us respect. It is showing who is on top. We know our principal and we respect our principals and administrators, but they need to respect us as well.

VICE CHAIR FLORES:

I will now take testimony opposed to S.B. 251.

JEFF HORN (Executive Director, Clark County Association of School Administrators and Professional-Technical Employees):

I represent over 1,450 CCSD administrators, of which nearly 98 percent are members of the Clark County Association of School Administrators and Professional-Technical Employees (CCASAPE). We are opposed to S.B. 251. As a former high school principal at CCSD, you would be hard pressed to find someone who admires teachers and support professionals more than me. Teachers and support professionals are overworked and underpaid. They are in the trenches every day, powering through endless red tape, testing demands and overcrowded classrooms. They are the heroes to over 300,000 CCSD students. They teach lessons that last a lifetime.

The vast majority of the approximately 30,000 teachers and support professionals are dedicated, amazing educators. However, as is true for any

large group, there is always a small number who are ineffective. The small number, usually less than a handful, has the potential to negatively impact hundreds, if not thousands, of students. Due to the critical labor shortage, there are hundreds of open positions in CCSD. Yet a handful of individuals find it difficult to secure a position from overwhelmed principals who are desperate to hire, train and retain energetic, smart and effective educators.

How bad does an employee have to be to not be hired by a principal with dozens of openings? Senate Bill 251 represents everything that is wrong in education. I am hopeful to hear that some lawmakers are working on bills that will positively impact education by developing a pipeline, supporting the process to grow promising and hopeful educators. Our organization, CCASAPE, is looking forward to supporting this process, which is the opposite of tearing down A.B. No. 469 of the 79th Session, which has never been given the opportunity to be fully implemented.

DANNY THOMPSON (Clark County Association of School Administrators and Professional-Technical Employees):

I have been in this building for 43 consecutive years, and in that time, the Legislature stayed away from issues that were before the Supreme Court of Nevada. The issue before you today is not only before the Court, the Court has heard this issue, and we are waiting for a ruling.

In the last three years that this issue has been out there, we have spent over \$200,000 to put it there. By passing this bill, you would be settling that lawsuit. At that point, you are not a Legislator anymore; you are a judge.

The reason the Legislature does not involve itself in these things is obvious. It is because people will have issues before the court, and in the years I have been here, I can think of some real tough ones. People have come to the Legislature and said, "Hey, I want you to pass a lot of fixes for me," because there was so much money.

As far as the things that were changed, the Legislature passed this bill that gave the principals the right to have some authority and say over who was chosen. For the very reason that Senator Neal mentioned, they want to have some say in who works at their school to make sure they are the right fit for the team at that school. For those reasons, I urge you not to consider this bill. When the bill was passed originally, all of the things that were talked about here today, like

the mandatory scope of bargaining, were the law. You all considered all that, and yet you passed the bill anyway.

DYLAN KEITH (Vegas Chamber):

The Vegas Chamber is engaged in education bills because we want students to succeed. We believe it is imperative that our education system is focused on student achievement. We believe this bill does the exact opposite. The Vegas Chamber is opposed to S.B. 251 because it removes accountability for employees. This bill removes the ability for principals to grow a staff that is qualified for their students. The Chamber believes this Legislation is a disservice to those students. It is imperative for Nevada school employees to be qualified, and to give our students the best possibility to learn and succeed.

JENNIFER ATLAS (Nevada Association of School Administrators):

The Nevada Association of School Administrators opposes S.B. 251 because it is not in the best interest of Nevada's children as it takes away a principal's authority to select staff, and that directly impacts student success.

ED GONZALEZ (President, Community Alliance for Redistricting Education Systems, Clark County School District):

I am a committee member of the Hickey Elementary School organizational team and president of Community Alliance for Redistricting Education Systems for Clark County School District (CARES for CCSD), a newly-formed nonpartisan public education advocacy group that supports the CCSD reorganization. The reason we stand in opposition to this bill is that it does not clarify the issue. It undoes a carefully crafted compromise where employee unions and the CCSD Superintendent agreed to give up powers to the local school precinct and the school organizational team (SOT) that prevents any staff from being placed at a school.

What it did is the superintendent does not get to select the principal; the SOT and the community gets to interview those candidates and pick who they would like. They recommend to the superintendent who they want. Because of that, educators and support staff are interviewed by school administrators and selected based on the needs of the school and what fits the community.

When we talk about clarity, the Nevada State Board of Education passed regulations that were approved by the Legislative Commission in September 2022, which brought more clarity to the situation. By law, the EMRB

board can only look at NRS 288, not NRS 388G. That is why the attorney's opinion that looked at them both was important, because the principals had authority to select staff. Moreover, we talked about how there was a racial and age bias that was brought in. The Nevada Department of Education (NDE) looked at that issue and found no evidence whatsoever.

Finally, when we talk about how many people this affected through the surplus process, the NSEA said it affected 50 support staff and only 12 educators out of tens of thousands of employees. This bill drastically changes the law and undoes a major part of the reorganization to affect a very small amount of people. For these reasons, CARES for CCSD is opposed to S.B. 251.

LINDSEY DALLEY:

I am currently a member of two SOTs—at a middle school and a high school. I am also a member of our community education advisory board, which actively participated in crafting the CCSD reorganization law. We attended every meeting.

I remember seeing Senator Neal there, and we had Michael Strembitsky, a world-renowned educational consultant that the State Legislature hired to help craft this law. He was so successful in his school district in Canada, that charter schools within his district wanted to dissolve their charter to assimilate into the district. He understood how to educate children and he helped the Legislature craft the reorganization law to do that.

On several occasions, our community education advisory board listened to Dr. Strembitsky's concerns, and one of the things he was very committed to was that accountability must be tied to control. That intent was made clear and was voted for. It is critical that principals have the ability to choose their staff because they know what the individual needs of the schools are, especially with the input of their SOT. This bill would interfere with a principal's ability to accomplish this. The central office does not know what the school's specific needs are. That is why I oppose this bill.

TAMMY VILLARREAL:

I am the Principal at Doris French Elementary School in CCSD. I am here as an individual and not a representative of CCSD. I would like to speak in opposition to S.B. 251 and the proposed change that would remove autonomy from

principals in selecting teachers for their campus because it is not what is best for children.

I have been an administrator for 17 years. In that time, I have received a diverse range of teachers from surplus. I had the opportunity to receive strong teachers that get results from their students and are an asset to our school culture and campus. Unfortunately, I have also received teachers with poor evaluations and disciplines who did not have the skills needed to help students reach proficiency on State standards. These teachers hurt children by not allowing them to grow academically to grade-level standards and created gaps that could negatively impact students by at least two grade levels. We are also held accountable for all student growth and proficiency through the star rating process.

A lack of autonomy in selecting our teams leaves us with accountability for staff we did not select. There is also the struggle of teachers who do not fit into the school culture, which creates a struggle for students and families. Allowing administrators and their teams the autonomy to determine the best candidate for their campus permits the school community to put the students and their needs first. Autonomy to select our candidates strengthens the school culture and promotes student proficiency, supports students' social and emotional well-being and allows each individual school to create a team that supports their school performance plan, vision and mission.

BRUCE SNYDER (Commissioner, Government Employee-Management Relations Board, Nevada Department of Business and Industry):

I am the Commissioner of the Government EMRB, which regulates labor relations between Nevada's governments and the organizations that represent their employees. I offer these comments in the neutral position. I am solely here to recite the history of how we got here today. I have submitted my written testimony ([Exhibit G](#)).

MS. MATUSKA:

In response to the assertions that [S.B. 251](#) will allow unqualified employees to be forced upon principals, the surplus/reassignment process is only for employees who are in good standing. There is a thorough evaluation and disciplinary process that is available to administrators, and the administrators are responsible for making sure unqualified employees are not a part of this process.

In closing, A.B. No. 469 of the 79th Session was a legislative enactment, but it was not perfect. When we craft laws, they are not always perfect. There is clearly an ambiguity with the original Legislation because it has been five years and we still have multiple court proceedings, but they will get resolved at some point. As much as you would not want to be judged, and you probably do not want the courts being Legislators, we think this is the appropriate body to make the determination on this issue.

Finally, the change we are making in S.B. 251 to NRS 288.150 is not a part of the Supreme Court proceeding at all.

VICE CHAIR FLORES:

I am submitting two letters of written testimony on this bill; one in favor and one opposed (Exhibit H). I will close out the hearing on S.B. 251.

Today is Latino Lobby Day and we have some presentations by people who are experts, friends and mentors of mine. They will talk about some of the difficulties, limitations, issues and positive things that are happening to facilitate language access in our schools. I hope that we can have a meaningful conversation around that.

TAMMY MALICH, Ed.D. (Director, Department of Youth Development and Social Innovation, City of Las Vegas):

My presentation (Exhibit I) for Latino Lobby Day is about Strong Start Academy Elementary School at the Tony Hsieh Education Center. The City of Las Vegas is intimately involved in this process for a couple of reasons. In 2015, our Mayor and City Council created the Department of Youth Development and Social Initiative (YDSI) to focus on a range of supports and services to ensure that all community members receive a strong start in life. Our Department delivers programs that strengthen the community and enhance education. We do that for CCSD schools and for charter schools, and now for early education opportunities.

We brand with “strong” in our name. Our focus areas include strong start, strong schools, strong future and strong communities. The YDSI supports youth development, workforce development, community connections and innovation through a wide range of programming, Exhibit I, page 3. We focus on education initiatives with our Strong Start program. We support preschool programming for our early English Language Learners (ELL), both by providing preschool

services, as well as through a Head Start provider, Acelero Learning, which implements programming in city facilities. This way, we can impact our youngest learners.

Why would we get involved in education? First, the City of Las Vegas sees the impact of education on economic development, both in encouraging economic growth by bringing in new business and industry, as well as by creating a healthy future workforce, Exhibit I, page 4.

Secondly, through a partnership with Applied Analysis in Las Vegas, our City Satisfaction Survey showed that only 24 percent of our community members felt satisfied with the public schools compared to 54 percent in the U.S. Only 31 percent of our three- and four-year-old children in Clark County are enrolled in formal preschool, and we believe that could be a game changer for our youngest children.

One in three Las Vegas and Clark County kindergartners do not have the language skills to learn how to read; and 69 percent of our Las Vegas elementary schools are 3-star or below. Additionally, 52 percent of our students in Las Vegas are eligible for free and reduced-price lunch (FRL), and some of our targeted schools have as much as 100 percent FRL. Currently, 40 percent of our students in our targeted zip codes are identified as emergent bilinguals.

Our City Council and Mayor made a decision that we would support charter school work within the City. We purchased the Tony Hsieh Education Center after we received approval from the State Public Charter School Authority to engage in this work, and we support the school financially. The City Council approved up to \$6 million initially, and we do monthly transfers to the school based on the expenditure reporting we receive from their financial officer. We are working on several projects to expand the school to full capacity. Our charter runs from 2022 through 2028. Finally, our City Council members, select council members and our Mayor approve or recommend issues. Then through our approval process or our City Council, all the board members oversee the school's operation.

LORNA JAMES-CERVANTES (Board President, Strong Start Academy Elementary School):

I am the Board President of Strong Start Academy Elementary School, and the former Chair of the English Mastery Council for the NDE. I retired recently after

30 years as an administrator and associate superintendent in the CCSD. We need to support strong Pre-K education because 90 percent of a child's brain development happens by age five, Exhibit I, page 6.

Remember, with every \$1 invested in early education, society receives a return of up to \$17. Post COVID-19 is a very important time for us to invest in early childhood education, which is Pre-K through second grade, Exhibit I, page 7. We have seen widening student achievement gaps, dropping graduation rates and rising remediation rates. We also recommend that we abandon single-weight funding and go to stack funding through the Nevada weighted funding formula.

There are an estimated 39,241 4-year-olds in Nevada, but only 8,202 Pre-K seats are currently funded through State or federal funding. Research reminds us that it is important to encourage children's home language when engaging in education, Exhibit I, page 9. Also, high quality-child interactions are important as is the development of language and vocabulary in the school. There is a potential gap of 600 words among three-year-olds entering school from different family backgrounds, and that rate only increases exponentially the older a child is when he or she enters formal education, Exhibit I, page 10.

Additive bilingual programs, such as two-way dual-immersion programs, have a stronger positive impact on ELL students than any other bilingual program. This was proven in a longitudinal study by W. Thomas y V. Collier, 2001-2009, Exhibit I, page 11. All that research around language acquisition is connected to the vision of Strong Start Academy Elementary School, which is to provide a culturally diverse learning community that prepares children to excel academically in two languages and have a positive impact on society, Exhibit I, pages 12 and 13.

Our mission is to provide equitable high-quality academics as we prepare bilingual students and engage students in dual-language education that embraces their home languages and cultures, Exhibit I, page 14. Our goals are to build bilingualism and biliteracy in all students, to ensure students are on or above grade level, and to promote positive cross-cultural attitudes and behaviors.

Strong Start Academy is a two-way dual-language 50/50 model where both languages, English and Spanish, are used for instruction, Exhibit I, page 15. Two groups of students are involved—native English speakers and students who

students speak another language, like Spanish, as their native language. Students engage in education in mirrored classrooms, where teachers introduce new themes and concepts in English, revisit them in Spanish and thus develop an academic vocabulary in both languages through thematic units. Teachers establish the same classroom routines in order to make learning accessible to all students and provide learning in the same units and themes at the same time, but not repetitively, Exhibit I, page 17.

We have engaged a company to provide high-quality curriculum for the teachers and we have invested in staff recruitment, including higher starting salaries. We encourage teachers with bilingual endorsements and a passion for teaching bilingual education to teach with us, Exhibit I, pages 18 and 19.

We have provided multiple opportunities for teacher professional development throughout the year, with an emphasis on Guided Language Acquisition Design as the emphasis for this year's instruction, Exhibit I, page 20. Monthly family engagement events in both English and Spanish are provided, and parents and teacher conferences are held three times during the year, Exhibit I, page 21.

We have had strong learning growth with students at the midyear term of the first year, Exhibit I, pages 22 through 25. We recommend abandoning single-weighted funding to equitably fund the education of each student group—ELL, FRL, Special Education and students in the lowest academic quartile. Instead, invest in high-quality Pre-K education and learn from the lessons of Zoom schools; expand high-quality dual-language programs in Nevada; and incorporate the recommendations of the English Mastery Council, Exhibit I, page 26.

SENATOR DOÑATE:

I would be remiss if I did not give a shout-out to Ms. Cervantes, who used to be my elementary school vice principal. I just want to thank her. When we talk about educators in the community, her name always comes up. She is a beacon for a lot of us to look up to, especially in this realm.

I do have a question. In terms of the recommendations for the abandonment of single-weighted funding, can you explain the rationale for that and what would be an intended outcome that you would like to see?

MS. JAMES-CERVANTES:

What we are talking about is stacking the weighted-funding formula. Right now, schools are held accountable for the achievements of students in multiple areas. One child could be represented as an ELL, FRL and special education student, but schools only receive funding for those additional necessary educational costs in one area. Granted, it is generally in the highest area, but it is still only for one area that the student received services from the school.

In the last Legislative Session, we changed the old funding formula, which needed to be changed. We took all the money from categorical funding across the State that specifically supported these groups of students and distributed it in a very specific way through Zoom and Victory programs. That was enacted through S.B. No. 178 of the 79th Session. We spread that funding across all the schools in the State to fund the weighted-funding formula, which I believe is very necessary.

Our recommendation would be that we add some of the additional money that Governor Joe Lombardo recommended for education to support stacking funding for students in each of the categories in which schools would be held accountable.

VICE CHAIR FLORES:

In the interest of time, we will open the next presentation for Latino Lobby Day.

MICHELEE CRUZ-CRAWFORD, ED.D. (Principal, C.C. Ronnow Elementary School, Clark County School District):

The purpose of these panels today is to show what we are doing in communities, in the classrooms, at the university system level and how we are creating pipelines that affect our Latino students. I am the principal of C.C. Ronnow Elementary School, about a mile away from here in Las Vegas. It is a school that services students who look like me, have experiences like me, and I am the first Latino administrator at that school. I am also the first Latino on the Board of Regents and the only Latino officer serving at the headquarters of the Nevada National Guard.

I currently run the only CCSD dual-language elementary school within the District. When I first came to my school about eight years ago, I noticed that by the time our students were in fourth grade, they did not speak the same

language as their parents. How could that be? Because they had acquired so much academic language and English, they lost much of their Spanish.

The goal of our dual-language program is to create a strong workforce so that our students can speak both Spanish and English. Eight years ago, I noticed that our students, teachers and staff did not match the demographic of our students. That was jarring to me because we know that students who have a teacher that looks like them at least once before third grade are 13 percent more likely to graduate high school and 19 percent more likely to enroll in a college program.

I did research across the State to identify barriers to licensure for paraprofessionals. The CCSD did not just happen to select my school to be a dual-language school. It was really the only option because of my work with paraprofessional to licensure. Every grade level has teachers who speak their language. I have Spanish-speaking teachers in every grade level.

I hope that on Latino Lobby Day, we can help you understand the problems we face and the ways we are fixing them. You are going to be hearing two education pipeline bills coming up soon. One is from Assemblywoman Selena Torres about helping remove some of those barriers; another is in a current bill draft request (BDR). It is to create teaching and learning programs in every single school within the State so we can start building these pipelines. If we work at building those pipelines during the K-12 years, we will have a better chance of filling the State demographics to where teacher demographics are representative of student demographics. We have provided a presentation (Exhibit J) to the Committee that includes the next three speakers.

GREGORIO TORRES, JR. (Teacher, Global Community High School):

I am a Filipino teacher from Global Community High School, and I am living testimony of what education can do for us. It leads us down a better path to a better future and, for me, it starts right now. I am honored to speak in front of you and everyone willing to listen to my journey to become a J-1 teacher here in Nevada. Last August, I arrived in Las Vegas under the J-1 visa program, and I believe that education knows no boundaries. My Global Community High School family is very welcoming to a foreign teacher like me. I have submitted my written testimony (Exhibit K).

VICE CHAIR FLORES:

Next Monday, I will be presenting a bill with the Public Employees' Retirement System (PERS) specifically crafted to help J-1 teachers. I know that the average time a J-1 teacher is here is under five years, so they do not get vested in PERS. We are also working on finding an alternative to the J-1 visa, a different type of visa with fewer time constraints or one that allows someone to start with the J-1 and then move over to a different kind of visa. We are also trying to work with the Office of the Governor on getting a declaration that could be a waiver in the application process. We are doing all three things simultaneously, so please make sure you participate next Monday as this is specifically for you.

JORGE GUILLEN (Counselor, Global Community High School):

I am a school counselor at Global Community High School in Las Vegas. I am finishing my seventh year, but I have been in education for the past ten years. Global Community High School is the only school that serves refugee and newcomer students in the Las Vegas Valley. As we all know, adjusting to a new country and culture can be a daunting experience, particularly for young people who are still developing their sense of identity and self-esteem. This is especially true for those who come from non-English-speaking countries and who face language barriers. In addition to the typical challenges of adolescence, bilingual counselors play a critical role in helping these students navigate their new surroundings, providing emotional support and advocating for their needs in their language. I have submitted my written testimony ([Exhibit L](#)).

SUSY RUIZ (School Safety Professional, Global Community High School):

I am Susy Ruiz with a Master of Social Work degree and I am a school safety professional at Global Community High School, a small-scale school of choice established in 2005 and serving grades 9 through 12. We are dedicated to offering a welcoming and nurturing environment for high school students new to the United States. The staff at Global aims to assist high school students with the cultural transition to the American school system while also focusing on English language development, social-emotional lessons, core graduation requirements and preparation for postsecondary opportunities. I have submitted my written testimony ([Exhibit M](#)).

VICE CHAIR FLORES:

We are going to have to cut these presentations short for today as we will be losing our members to other meetings soon.

LORI NAVARRETTE, PH.D. (Professor, Nevada State College):

Nevada State College has programs and priorities to grow a diverse teacher workforce for our State. We did submit a presentation with slides (Exhibit N).

ROSEMARY Q. FLORES (Coordinator, Teacher Academy Pipeline Project, Nevada State College):

I am the coordinator for the Teacher Academy Pipeline Project (TAPP) at Nevada State College (NSC) where our mission is to cultivate secondary school students' interest in the teaching profession and to grow the number of local, culturally-responsive teachers who serve our community. We have developed a pipeline to recruit and retain students, especially diverse students, into careers and education. The first step for us is to meet with our CCSD administrative partners, including the principals, to explain our mission and service delivery and form a partnership, Exhibit N, page 3.

Our faculty liaisons vet our part-time instructors who will teach dual credit with our mission's understanding. Our TAPP site coordinator, Ms. Rodriguez begins her school site visits and connects teachers with students and mentors. Faculty liaisons then explain the opportunities to access college through dual credit and encourage dual-credit enrollment. Our site coordinator works closely with our college student mentors from the school of education, who received training on how to respond to the cultural differences of our diverse student population.

Our college mentors begin to develop and deliver culturally responsive lessons, practicing the pedagogy that is responsive to a student culture. Thus, this begins to build a stronger relationship and understanding of the dire need for diverse teachers. In the spring, freshman and sophomore high school students visit the college campus as future educators and attend workshops created by our college student mentors.

In the fall, junior and senior high school students who are in a dual-credit program visit the campus during Scholars Day and attend presentations delivered by our college professors. When the TAPP students graduate from high school, they attend the Scorpion Preview Day and Summer Bridge Program at NSC to learn more about campus life, accessing services, planning their academic coursework and applying for their student worker jobs. Finally, the TAPP students are on their way to degree completion.

We partner with nine CCSD public schools all over the Valley, Exhibit N, page 5. We have ten part-time instructors teaching the dual-credit courses. Our team includes myself as top coordinator and two site coordinators. We work directly with our seven college mentors developing the lessons. The TAPP presentations are delivered in 45 classroom periods during this school year. This school year alone, we have already done 130 presentations that have been implemented by our college mentors and site coordinators, reaching up to 1,300 high school students. Of these 1,300 students, 290 are taking dual-credit courses. We offer five EDU college courses, but these students also can take other non-education courses. We partner collaboratively with more than 40 faculty professors and staff on our NSC campus, who contribute their time on the project because they believe in it.

You can see our amazing TAPP students visiting our campus, Exhibit N, page 6. This school year, more than 600 students attended our six campus events. Next year, we are partnering with Desert Pines High School, giving students the option to choose bilingual education, increasing dual-credit opportunities. Dr. Vanessa Mari will be our faculty liaison with bilingual education dual-credit courses.

VANESSA MARI, PH.D. (Associate Professor, Nevada State College):

I am an Associate Professor of bilingual education at NSC. Seventeen percent of our students are multilingual learners, as are 24 percent of students from CCSD, yet we barely have any dual language or bilingual schools in our District, Exhibit N, page 7.

If I wanted my daughter to be in a bilingual school, it would take a 40-minute drive for her to be in one. One of the ways we at NSC are trying to change this fact is by being the only institution to offer a bilingual endorsement for teachers. We have 12 students and 35 pre-major students in our program who are getting bilingually endorsed. Being the only institution in our State that is preparing these teachers is very important to us, but it is also surprising, given that we really need more bilingual teachers working in our schools.

Currently at CCSD, only 283 teachers have a bilingual endorsement, which they probably brought here from another state, Exhibit N, page 8. We have 5,632 teachers who have an English Language Acquisition and Development (ELAD) or bilingual endorsement. This is a very small number out of a total of about 18,000 teachers in our District. Working with the CCSD, we are

endorsing 130 teachers per year to get either ELAD or bilingual endorsements. We are going to be tripling this number within the next three years.

I have been researching the obstacles teachers face, Exhibit N, page 9. All of these challenges are addressed in our NSC program and when they are doing their bilingual or ELAD endorsement. Our current agreement with CCSD means we are only able to serve 130 teachers at a time, but we had more than 400 teachers apply to get endorsed. This lets us know there is a lot of interest and we need to be supporting teachers in getting the professional development they need—going back to college, getting endorsed and getting credits so they can continue supporting our students.

SENATOR NEAL:

I will open the floor up for public comment.

HEATHER NEY:

My son Julian attends kindergarten at Strong Start Academy Elementary School. I grew up in Las Vegas and I attended elementary, middle and high school here. Unfortunately, I did not have the best experience with the schools I attended. I ended up dropping out of high school when I was 16 years old. After making that decision, I knew that one day when I had my family, I would do everything I could to give them the best chance for their education.

From the moment I was pregnant with Julian, I knew that our local zone school was not where I wanted him to go. When he was four years old, Julian attended Strong Start GO Mobile Pre-K, a free Pre-K program provided by the City of Las Vegas. This is where it all started for us. We had such a great experience with the Pre-K program and this is where he learned the foundation of what he knows today.

While Julian was enrolled in the mobile Pre-K program, I became more and more aware of the many resources and opportunities the City has to offer, one of them being the new charter school that was opening in 2023-2024. I was so excited about him going to this school that made bilingual learning a priority for their students. This charter school has changed my family's life in so many ways, starting with me having the opportunity to serve as a parent representative on the board, and being an active parent in my son's education, which is what I always wanted to be. I have also had the opportunity to get

back in the work field by joining AmeriCorps after being a stay-at-home mom for three years.

Julian is only halfway into his kindergarten year, and he is now reading at a third-grade level. Julian is also beginning to do three- and four-digit addition and subtraction math problems. One of the best benefits I have seen is that he starting to read in Spanish and speak in Spanish to anyone who will listen. And when I read to him in Spanish, he now corrects me on how I am supposed to say the words. As his mother, it is so amazing to see his face light up when he talks about school and everything he is learning.

ANONYMOUS STUDENT:

I am an undocumented student at Nevada State College and an aspiring teacher. I speak in support of bringing undocumented students into the conversation. When discussing dual-language access, I want to use this time to address a few main points as you consider your vote on this issue.

There is the longing of undocumented students to pursue the teaching profession which they have been kept out of. When it comes to being an educator, many teach because it is their passion. They want to inspire new generations to reach for the world and achieve greatness. It is a calling. Since I was little, education has been very important to me. Eventually, teaching became an aspiration of mine at the age of five.

As I pursued my education, I did not see many teachers who lived in the same low-income neighborhoods as my family, so I doubted whether I could achieve what they did. That did not stop me. Despite my passion for being a teacher, I am here today with one year left until I get my teaching license and bachelor's degree. But I know that I cannot use them because I lack a social security number. This is a reality many undocumented students who want to be teachers face. Nevada is seeing one of the most severe teacher shortages of our lifetimes and undocumented teachers like myself want to answer that call.

Now, more than ever, students in our State need educators who share their experiences. You can make that possible by expanding legal services to all higher education institutions by passing Assembly Bill 382 and supporting dual-language access programs. I have submitted my written testimony (Exhibit O).

ASSEMBLY BILL 382: Makes an appropriation to the Immigration Clinic at the William S. Boyd School of Law of the University of Nevada, Las Vegas, for the purpose of expanding the provision of pro bono legal services relating to immigration law. (BDR S-858)

LESLIE ARIAS:

I am currently a junior at Nevada State College as well as a TAPP mentor. I would like to talk about my timeline as a former TAPP student, and what I have been able to accomplish because of TAPP and NSC's dual-credit program. I became a top student at East Career and Technical Academy in the fall of 2018. They presented culturally responsive pedagogy and invited me on campus field trips. They gave me meaningful college guidance that was specific toward my own goals.

In 2020, I began taking NSC and TAPP dual-credit courses. I took so many of these courses that by 2022, I graduated with 37 credits on my transcript, the equivalent of an entire year of college. I also did it at the price of only \$25 per credit, saving me around \$7,200 in tuition. That same year, I began taking classes at Nevada State College (NSC), and I was hired as a TAPP mentor, which means that the incredible people who had once made college accessible to me were now my colleagues. Now I can assist in making college accessible to our current TAPP students.

Because this program empowered me so greatly, I have committed to taking eight classes per semester, as well as winter and summer courses. I have successfully applied and was admitted to a graduate school program, the McNair Scholars. I also presented at a national conference about the work that TAPP has done and how it has helped bilingual Latino youth like me to achieve. It is only my second semester at NSC, but I am graduating in the fall of next year with two bachelor's degrees and will hopefully enter the classroom as a high school English teacher by 2025. It is all because of the jump-start and college guidance that the Teacher Academy Pipeline Project at NSC gave me. Gracias.

MS. HADDAD:

I am inspired by the people who have provided presentations and public comment on the hard work they do to prepare to become an educator. We cannot wait to have you join us in this work.

Senate Committee on Education
March 29, 2023
Page 43

Also, earlier in the discussion about the vote count for the BDR, I was incorrect; it was not unanimous. There were multiple votes, and that one was a 4:3 vote. I apologize and I wanted to make sure I corrected the record.

JOHN EPPOLITO (Protect Nevada Children):

I wanted to talk to you about all the free EdTech software and apps that students are required to use for their education. I have submitted my written testimony (Exhibit P).

SENATOR NEAL:

Vice Chair Flores had to leave so I have the gavel. Seeing no more public comment, I will adjourn the Senate Committee on Education at 3:50 p.m.

RESPECTFULLY SUBMITTED:

Linda Hiller,
Committee Secretary

APPROVED BY:

Senator Edgar Flores, Vice Chair

DATE: EXHIBIT SUMMARY				
Bill	Exhibit Letter	Introduced on Minute Report Page No.	Witness / Entity	Description
	A	1		Agenda
	B	1		Attendance Roster
S.B. 65	C	5	Patricia Haddad / Clark County School District	Proposed Conceptual Amendment
S.B. 65	D	16	Chris Daly / NSEA	Written Testimony
S.B. 251	E	24	Chris Daly / NSEA	Written Testimony
S.B. 251	F	26	Jan Giles / ESEA	Written Testimony
S.B. 251	G	30	Bruce Snyder / EMRB	Written Testimony
S.B. 251	H	31	Vice Chair Flores	Written Testimonies
	I	31	Tammy Malich / City of Las Vegas	Strong Start Academy Presentation
	J	36	Michelee Cruz-Crawford / C.C. Ronnow Elementary School	Presentation from Ronnow ES, NSHE & Global Community High School
	K	36	Gregorio Torres, Jr. / Global Community High School	Written Testimony
	L	37	Jorge Guillen / Global Community High School	Written Testimony
	M	37	Susy Ruiz / Global Community High School	Written Testimony
	N	38	Lori Navarrete / Nevada State College	Growing a Diverse Teacher Workforce Presentation
	O	41	Anonymous Student	Written Testimony
	P	42	John Eppolito	Written Testimony