

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

**Eighty-Second Session  
March 23, 2023**

The Committee on Education was called to order by Chair Shannon Bilbray-Axelrod at 1:34 p.m. on Thursday, March 23, 2023, in Room 3138 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4401 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. Copies of the minutes, including the Agenda [[Exhibit A](#)], the Attendance Roster [[Exhibit B](#)], and other substantive exhibits, are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at [www.leg.state.nv.us/App/NELIS/REL/82nd2023](http://www.leg.state.nv.us/App/NELIS/REL/82nd2023).

**COMMITTEE MEMBERS PRESENT:**

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

**COMMITTEE MEMBERS ABSENT:**

None

**GUEST LEGISLATORS PRESENT:**

None

**STAFF MEMBERS PRESENT:**

Alex Drozdoff, Committee Policy Analyst  
Asher Killian, Committee Counsel  
Nick Christie, Committee Manager



Funmi Sheddy, Committee Secretary  
Ashley Torres, Committee Assistant

**OTHERS PRESENT:**

Joe Lombardo, Governor  
Denise Paul, Principal, Jerry Whitehead Elementary School, Sparks, Nevada  
Freeman Holbrook, Principal, McQueen High School, Reno, Nevada; and President,  
Washoe School Principals Association  
John Vellardita, Executive Director, Clark County Education Association  
Mary Pierczynski, representing Nevada Association of School Superintendents  
Jeffrey Horn, Executive Director, Clark County Association of School Administrators  
and Professional-Technical Employees  
Andrew Feuling, Superintendent, Carson City School District, Carson City, Nevada  
Jhone Ebert, Superintendent of Public Instruction, Department of Education  
Christy McGill, Interim Deputy Superintendent for Student Achievement; and  
Director, Office for Safe and Respectful Learning Environment, Department  
of Education  
Marie Neisess, President, Clark County Education Association  
Greta Blunt Johnson, Private Citizen, Henderson, Nevada  
Peter Guzman, President, Latin Chamber of Commerce, Las Vegas, Nevada  
Paige Barnes, representing Nevada Association of School Boards  
Paul M. LaMarca, Chief Strategies Officer, Washoe County School District  
Olivia Briggs, Private Citizen, Sparks, Nevada  
Jim Frazee, Private Citizen, Las Vegas, Nevada  
Elizabeth Adler, Member, Clark County Education Association  
Cindy Martinez, Private Citizen  
Angie Joye, Private Citizen, Las Vegas, Nevada  
Susan Proffitt, Vice President, Nevada Republican Club  
Kenny Belknap, Private Citizen, Henderson, Nevada  
Joy Trushenski, Private Citizen, Carson City, Nevada  
Nicole Rourke, Director, Government and Public Affairs, City of Henderson  
Jonathan Norman, Statewide Advocacy, Outreach, and Policy Director, Nevada  
Coalition of Legal Service Providers  
Annette Magnus, Executive Director, Battle Born Progress  
Robert Munson, Board Director, Nevada State Education Association  
Annette Dawson Owens, School Readiness Policy Director, Children's Advocacy  
Alliance  
Tonya Walls, Founder, Code Switch: Restorative Justice for Girls of Color  
A'Esha Goins, Vice President, Las Vegas Branch, National Association for the  
Advancement of Colored People  
Anna Binder, Private Citizen, Henderson, Nevada  
Chris Giunchigliani, Private Citizen, Las Vegas, Nevada  
Chris Daly, Deputy Executive Director, Government Relations, Nevada State  
Education Association

Laura Martin, Executive Director, Progressive Leadership Alliance of Nevada  
John Eppolito, President, Protect Nevada Children  
John Carlo, Private Citizen, Las Vegas, Nevada  
Jamie Tradzynski, Private Citizen, North Las Vegas, Nevada  
Nick Vander Poel, representing Payactiv, Inc.  
Nick Schneider, Policy Analyst, Government Affairs, Vegas Chamber  
Matt Morris, representing DailyPay, Inc.  
Rick McCann, representing Nevada Association of Public Safety Officers  
Holden Leonard, Private Citizen, Carson City, Nevada  
Hank Brown, Private Citizen, Carson City, Nevada  
Amy Koo, Acting Deputy Director, One APIA Nevada  
Cyrus Hojjaty, Private Citizen, Las Vegas, Nevada  
Shelbie Swartz, Development Manager, Battle Born Progress  
Patricia Haddad, Director, Government Relations, Clark County School District

**Chair Bilbray-Axelrod:**

[Roll was taken. Committee rules were explained.] We will be limiting bill testimony to 20-minute windows. We will take 20 minutes of support followed by 20 minutes of opposition and 20 minutes of neutral. Let us get started. We are going to have two bill hearings today. We will begin with the hearing on Assembly Bill 330, then we will hear Assembly Bill 274. We will also do a bill draft request introduction. I will now open the hearing on A.B. 330. This measure revises provisions governing education. To present this measure, we are honored to have Governor Joe Lombardo and his copresenters. Please go ahead when you are ready. Welcome to the Education Committee.

**Assembly Bill 330: Revises provisions governing education. (BDR 34-1087)**

**Joe Lombardo, Governor:**

Good afternoon, everyone. Chair Bilbray-Axelrod, Vice Chair Taylor, and the Assembly Committee on Education, thank you for having me today. I am here today to speak about the Safer and Supportive Schools Act, our legislation that addresses school violence, an issue that is top of mind for so many Nevada families, teachers, and students. I know that you are familiar with this topic since Vice Chair Taylor and Assemblywoman Hansen have recently introduced legislation on this critical issue.

Over the last two years, we have seen countless instances of school violence across Nevada. Throughout my 35 years in law enforcement and eight years as the sheriff of Clark County, I relied on data to understand crime and to keep our communities safe. Similarly, I believe we can look at our school violence data to better understand just how pressing and prevalent it has become in our state. Last year, there were more than 6,800 violent incidents reported at Clark County School District (CCSD) schools within a seven-month period from August 2021 to February 2022. There are 350 schools in Las Vegas, and 320 of those schools reported at least one violent incident last year. That means over 90 percent of the schools within CCSD have reported a violent incident in the last year alone. Since 2019 there has been a 46 percent increase in violence and sexual assaults reported within the Clark County

School District. But the increase in school violence is not just limited to Clark County. In Washoe County, there have been more than 7,400 violent incidents reported within the Washoe County School District in the 2022-23 school year. Just two weeks ago, there was a fight at Earl Wooster High School in Reno that injured a police officer and seven students and resulted in two hospitalizations.

By looking at the data, we know that the increase in school violence is not an isolated issue. It is a statewide issue. We know that tens of thousands of students, families, and teachers have been affected. As I said in my State of the State address, I believe that Assembly Bill 168 of the 80th Session, while well-intended, has led to this increase in dangerous situations in schools across the state. It handcuffs teachers and administrators, leaving them powerless to address habitually misbehaving and violent students. The data is clear; we do not need any more victims of school violence. For clarification, I have citations for all the data I just provided to you, and I will provide it to the Committee if requested.

To take action, my office submitted A.B. 330, the Safer and Supportive Schools Act. This bill was developed in conjunction with education stakeholders from across the state, including superintendents, teachers, support staff, and administration representatives. Furthermore, the Safer and Supportive Schools Act has the support of all 17 superintendents in Nevada, the Clark County Education Association (CCEA), and the Clark County Association of School Administrators, along with key community leaders from across the state. I believe this bill has wide-reaching support because educators, administrators, and community leaders alike see the need for reform in our schools. Just as diverse education stakeholders have come together in support of this bill, I believe we can all put our party differences aside to support A.B. 330.

The heart of A.B. 330 is focused on three main objectives. First, giving teachers the ability to control their own classroom and do their jobs. Second, giving parents peace of mind that their children are safe at school. Third, giving students the safe and supportive environment that is needed to learn.

We believe there should be zero tolerance for school violence. Assembly Bill 330 institutes serious reforms to empower teachers and schools to discipline students effectively. While A.B. 330 delivers serious reforms, there are also significant accountability measures built into the legislation. Every child should be given the opportunity to stay in school, but violent students will not be tolerated. To ensure this legislation is executed properly, suspensions and expulsions will be monitored, and teachers who are excessively removing students from the classroom will be identified. The act also increases accountability by allowing intervention by both the state and district superintendents where necessary. Every child should be given the opportunity to stay in school, and the accountability measures in this bill will help do just that.

It is important to me that you hear directly from the teachers and administrators who encounter school violence regularly. That is why I am here today with Denise Paul, principal of Whitehead Elementary School here in Sparks, and Freeman Holbrook, principal

of McQueen High School here in Reno. They are here today to share with you how their schools, their teachers, and their students have been impacted by school violence. Like so many others, they believe A.B. 330 will help bring safety and security back to our schools. I am grateful for Principal Paul and Principal Holbrook for sharing their stories with you today. I will now turn it over to them to speak before I share my final thoughts.

**Denise Paul, Principal, Jerry Whitehead Elementary School, Sparks, Nevada:**

I would like to thank Governor Lombardo for bringing this important bill forward and thank the Committee members for your time and consideration. I am here today to represent Washoe County School District's elementary school principals in support of the Safer and Supportive Schools Act. I support this act for two reasons. First, because I am confident this bill will ensure that students who exhibit violent behaviors in school receive the nonpunitive interventions and supports they need to be able to function successfully in a school environment and achieve their highest potential as learners. The second reason I support this bill is because it ensures that all students, especially minority students like me at one point, have access to an academically sound and safe environment where they can shine, grow, and are guaranteed that through perseverance and hard work, they can achieve their hopes and dreams.

As a classroom teacher for over 20 years, I had the privilege to serve at three Title 1 schools in the Washoe County School District. At each of these schools, every year, my classroom on the first day of school was filled with eager learners who were excited to be in school and to learn. However, this sense of joy and desire for knowledge would often be demolished and become compromised by the behavior of one or two students, students who lacked the strategies to cope with personal experiences beyond my or any school staff's control. The violent outbursts of throwing chairs, desks, tables, while screaming profanity, would become a daily occurrence, transforming my safe classroom into a mentally and emotionally harmful and physically dangerous environment, where the same students who started the year so excited about learning now hated school and were reluctant to engage.

Today as a stand-alone school principal, I find myself spending most of my time addressing violent and disruptive behaviors. This means less time to engage in positive interactions with students such as being present in the lunchroom during lunches or on the playground during recesses. Also, this means less time for visiting classrooms, engaging in the learning and the instructional process, and providing valuable feedback to teachers.

Just last Friday, I spent four hours of my day managing the behavior of a student who became angry for being asked to stop listening to music on a laptop and go to lunch. The student became so angry, he broke his headphones into tiny pieces after violently throwing them at me and missing me by a hair. When in my office, the student angrily swept everything on my conference table onto the floor while calling me names and blaming me for his rage. No principal, teacher, school counselor, or school staff wants to find herself in these situations. It is so hard to watch students self-destruct and experience emotional pain. What is even harder is to know that there is nothing you can do to help them. Students who behave this way have needs beyond what the principal, a school counselor, classroom

teacher, or school staff can offer. They need individualized, systematic, social-emotional interventions. They must develop the coping strategies they need to function in a school environment and build healthy relationships with peers, while positively engaging in the learning.

We have a duty to all students. I repeat, all students. We have a duty to provide a safe learning environment where everyone can succeed. I believe everyone present here today shares this view. I hope we can all listen to understand, because when we do that, we will find that we all want what is best for all students.

**Governor Lombardo:**

At this time, Principal Holbrook would like to address the Committee.

**Freeman Holbrook, Principal, McQueen High School, Reno, Nevada; and President, Washoe School Principals Association:**

I am the proud principal of McQueen High School in Reno, but today I speak to you as the president of the Washoe School Principals Association, where I represent 97 percent of the administrators in Washoe County. I am here to speak in support of A.B. 330, and I felt it was vital to share with the Committee how this bill looks in practice and how important it is to see this through. As site administrators, we are the only entity who will work with the student, the family, and staff members through the entire behavior cycle after an event takes place inside or outside of the classroom. With the training and freedom to properly respond to negative behaviors, administrators can properly support our staff while approaching individual student needs with a holistic lens.

I want to share a very brief and real story with you. Student A has a very defined learning disability in math. The student does not have any other known disabilities, including social or behavioral. One day in English, Student A gets upset at a grade and begins to scream at the teacher. As the teacher is trying to calm the situation down, Student A begins to yell profanities and threaten the teacher while walking in the teacher's direction. The teacher goes to the phone to call the office for help while Student B, who has no known current disability, stands up to assist. Student A, and Student B, who was protecting the teacher, end up in a physical altercation where Student B goes to the hospital. Due to the current expectations within the law, Student A returns to the same classroom within 24 hours and Student B is suspended for three days. Student A returns with no closure with the teacher because the restorative reentry plan that needed to be completed so quickly did not have all the necessary team members present to include the teacher. Student B returned 72 hours later to the classroom with no closure as well, and now this classroom will never be the same. That is not good for a single student in the classroom to include Student A or Student B. One of the most important facts about this story is, that has happened to Student A three times in two years, but we have not created an environment that assists the student in making different choices. We have rewarded the behavior with more undefined support and zero accountability.

These are extreme situations that are becoming more common because we are not interrupting the behavior cycle. Right now, we are suspending students inequitably for consequences instead of accountability. Suspension should be designed to promote a safe school environment for all students and allow time for some very important things to happen. Number one, for the school to properly investigate the incident; number two, to allow time for all parties to discuss with families and staff the plan moving forward; number three, plan and hold meetings with all necessary people that put students first and discuss safety expectations moving forward; and number four, allow time for the school to properly create a restorative entry plan for all students involved.

Assembly Bill 330 allows administrators to utilize best practices from start to finish, while putting plans into place that will build relationships and provide students the skills to break the cycle. That being said, in very rare instances, we will have students who will not respond to any measures we can provide in a comprehensive setting. It is not fair to keep putting them back into that setting, as it promotes the opposite effect and students begin to disconnect from all schools. Assembly Bill 330 allows setting decisions in real time, where some students will be able to first focus on behavior and social needs with a second focus on academics. We want our comprehensive public schools full, and we want our students safe, but we are doing a disservice to all students and families if we do not provide an avenue for the students who must put their mental health and social-emotional well-being ahead of academics.

I always tell my staff at McQueen: We must prioritize student attendance, mental health, behaviors, and then academics, in that order. Assembly Bill 330 does this in practice by encompassing both the proactive and reactive approaches necessary to provide students the skills to continuously make sound, positive decisions.

**Governor Lombardo:**

Thank you both for sharing. In closing, I will say this: We can all agree that fundamentally, all students and all teachers deserve to feel safe at school. On behalf of tens of thousands of concerned parents, teachers, students, and administrators, I ask you to give A.B. 330 your complete consideration.

It is my hope that we can move this bill through the Legislature to my desk efficiently, so that we can bring safety and security back to our schools as soon as possible. I know many others have offered here and in Las Vegas today to share their experiences with school violence. Speaking next in Las Vegas will be John Vallardita of the Clark County Education Association, followed in Carson City by Jeff Horn of the Clark County Association of School Administrators, Mary Pierczynski of the Nevada Association of Superintendents, and Carson City Superintendent A.J. Feuling. State Superintendent Jhone Ebert will follow the speakers to speak on my behalf in furtherance of this bill. I want to thank each and every one of you for your time, and I appreciate your consideration.

**Chair Bilbray-Axelrod:**

Thank you, Governor.

**John Vellardita, Executive Director, Clark County Education Association:**

We represent 18,000 licensed professionals in Clark County. I am here to speak in support of, and I am grateful that the Governor has proposed, A.B. 330. We know this bill is long overdue. We also know that on the Assembly Committee on Education, there are also proponents of other legislation: Assemblywoman Taylor and Assemblywoman Hansen. We look at this as a very good development. At this point in the game, there is a recognition that our schools and the climate in these schools have gotten out of hand with student behavior, for a lot of different reasons. It is a complex problem that requires multiple solutions. One of the most immediate solutions we need is intervention in real time.

The culture in these schools has gotten out of hand in terms of student behavior. What we have seen is an escalation of violence. It is not just in Clark County. Every day, practically, when we read the news nationwide, we hear of another story. Yesterday in Colorado, for example. This is dangerous. We do not want to see Clark County School District become a national narrative with a tragedy in the making. The number of firearms and the number of violent behaviors that are escalating indicate something is about to happen.

Assembly Bill 330 empowers educators on the front line, as well as principals, to take immediate action where they see a very serious threat. We applaud that, but we also know that this issue is going to require a compromise—that both parties, and the Executive Branch and the Legislative Branch, are going to have to come up with a solution. Our expectation out of this session is that there will be a bill that will be passed, that there will be legislation that will set a different tone in these schools. A different culture.

I want to share a moment with you. Last year, in Eldorado High school, a teacher was brutally raped and assaulted by a student, a young student. This teacher was held hostage and tied up and left alone after the assault for quite some time. After that incident, we organized a meeting in that building with all the staff, and we invited a number of legislators to attend that meeting, because we wanted legislators to hear directly, in real time, from the front line what was going on in these schools, these classrooms, campuses, and buses. It was not just a moment to talk about that brutal incident that occurred in Eldorado. It was also all the other unreported incidents that educators and students were facing with this escalation in violence. The whole purpose of having that moment was to try to bring legislators in real time, as I said, to the front line, to see what the conditions are in these schools. That teacher is never going to teach again. She was a young teacher who came in wanting to change the world, and today, she is not at work, and she has been traumatized. She is also a CCEA member and really loved her students. In fact, she was unaware that the student who assaulted her—that it would lead to what happened.

We are here today because we applaud the Governor for this bill he has introduced, but we also know that Assemblywoman Taylor and others also want to tackle this issue. We encourage both parties, the Executive Branch, and the Legislative Branch, to come to some kind of terms where we can pass legislation, and we can then roll out to these schools, statewide, a policy that essentially says it is not acceptable for students to engage in violent behavior on other students or staff. We appreciate the Governor, and we are here in support.



**Mary Pierczynski, representing Nevada Association of School Superintendents:**

I am here representing the organization that is composed of all 17 superintendents in the state. First of all, we want to thank the Governor for bringing this piece of legislation forward. Just a few days after he was inaugurated, he came and met with the Association of School Superintendents. All the superintendents were here in Carson City to talk with him about what their major concerns were. What they talked about was violence in the schools, the lack of discipline, and the safety of their staff and students. Soon after the Governor heard all this, he sent one of his staff members, Ms. Michawn Rich, to another superintendents' meeting with a draft of A.B. 330. All the superintendents were able to look at this bill, and they were able to share their own suggestions and concerns about what had been written with the staff member at that time. Some changes were made, and eventually, you have the bill in front of you today.

There is no question about the violence in our schools. You have already heard a lot. You are going to hear more this afternoon. Every child deserves to be safe in school, and every teacher needs to be able to go to class and feel safe. We all know that, and that is what this bill is designed to do. The superintendents are in full support of A.B. 330. We hope you will be able to support this bill, too, for the sake of our kids and the sake of our staff members.

**Jeffrey Horn, Executive Director, Clark County Association of School Administrators and Professional-Technical Employees:**

The Clark County Association of School Administrators and Professional-Technical Employees represents more than 1,450 Clark County School District administrators. Also known as CCASAPE, we are in support of A.B. 330 and appreciate the work and time Governor Lombardo and the Governor's education team took to develop these proposed changes for restorative practices.

Administrators agree that core issues contributing to inappropriate student actions should be addressed in a positive, compassionate, and respectful manner. However, the current implementation of restorative practices has failed to address the most detrimental student behaviors. In my role as the executive director of CCASAPE, I frequently hear from site-based administrators, as well as teachers and support professionals, who have sustained physical injuries and threats of bodily harm from disruptive and out-of-control students. Educators are exhausted and need your help. We can all agree that what is currently in place is not working. Our educators are being battered, disrespected, and intimidated by students who know there are little to no consequences for their misbehavior. Assembly Bill 330 will provide education professionals the ability to temporarily remove habitually violent, disruptive students from the school setting and the ability to allow site-based administrators, teachers, and support professionals an opportunity to provide a nurturing and respectful educational environment that all students deserve. Ultimately, the best solution for successful restorative practice is lower class size and having a quality, caring teacher in each classroom. Until we resolve the critical labor shortage, we educators will continue to struggle to impact student behavior in a consistent and positive manner. We are optimistic that this, too, will be addressed during the legislative session. With that said, CCASAPE is happy to stand with our fellow educators in support of A.B. 330.

**Andrew Feuling, Superintendent, Carson City School District:**

I would like to thank the Governor for developing education policy the best way: with a wide range of eyes and experiences involved and including school and district leadership.

As a new superintendent, I conducted 29 staff listening sessions across the district in the late fall. The number one concern was the frequency and severity of student behavior. While there certainly was concern for their own safety, more often than not, these heroes were more concerned about the impact to other students witnessing the violent behaviors and missing a healthy educational environment. I have staff angry that they have to worry about safety in what should be the safest of environments. I have parents angry because the learning and safety of 25 students is at risk when they get evacuated from a room due to the repeated violent behavior of 1. My administrators are angry because they do not feel like they have real options to keep their schools safe and are instead buried in paperwork and time-intensive, but ineffective, options.

We cannot continue to ask our people to do more without the time resources, people resources, or financial resources. In the case of violence in schools, there must be zero tolerance, just like there is in any other workplace. If, nationally, 22 percent of school staff have reported some level of violence against them in schools, and approximately 30 percent say they are considering leaving education because of safety concerns—as was found in a recent survey by the American Psychological Association—then change is required. If my staff has broken noses, broken wrists, broken orbitals, and bone bruises, then change is required. With staffing shortages plaguing our industry and the education pipeline drying up, change is required. Again, thank you to the Governor for supporting positive change.

**Chair Bilbray-Axelrod:**

Thank you for your testimony and thank you for coming up to the table. We do have a number of questions, as I am sure you are not surprised.

**Jhone Ebert, Superintendent of Public Instruction, Department of Education:**

Madam Chair, would you like me to walk through and highlight the bill first?

**Chair Bilbray-Axelrod:**

That would be wonderful. We have all just read it so many times, so it is just second nature, but I think that would be very good to have on the record.

**Jhone Ebert:**

I proudly serve as the state superintendent of public instruction in Nevada. I am joined today by Christy McGill, who is currently serving as the interim deputy superintendent of student achievement and has spent the last five years as the director of the Office for Safe and Respectful Learning Environments. We are here today to walk you through A.B. 330, also known as the Safer and Supportive Schools Act.

As you heard, this bill was developed by the Governor in conjunction with education leaders, the superintendents, teachers, support staff, and representatives of the community, as well.

This bill will provide school staff with additional discipline approaches in their classrooms, give parents peace of mind that their children are safe while they are at school, and ensure students are in a safe environment while maximizing learning. The provisions of this bill apply to public schools, charter schools, and the university school for profoundly gifted students. The Safer and Supportive Schools Act makes changes to the state and district restorative justice and progressive discipline plans. These changes allow for education agencies to develop policies and practices to meet the unique needs of their individual schools, the staff whom they work with, the students, and their families.

Starting with sections 1 and 13 of the bill, this removes the requirement for the statewide restorative justice framework.

Section 6 makes changes to school district plans for progressive discipline. Currently, the board of trustees is required to establish a plan of restorative discipline. This plan is then passed down and adopted by each school. The Safer and Supportive Schools Act makes several changes to the plan. First, this bill clarifies that the plan cannot interfere or restrict the ability of a teacher or administrator to temporarily remove a disruptive or violent child from the classroom. Second, it requires that the plan consider data collected on disciplinary actions taken by schools and take affirmative steps to address any disproportionality in its disciplinary actions. Third, it increases accountability for schools and districts by allowing intervention from the State Superintendent of Public Instruction where disproportionality in disciplinary measures is identified but not adequately addressed. The Safer and Supportive Schools Act clarifies language around suspension, expulsion, and permanent expulsion of students. The language in these sections of the bill ensures all schools and classrooms have consistent policies that prioritize the safety of students and staff.

Section 5 clarifies and cleans up language that provides children in kindergarten through eighth grade should not be disciplined for simulating firearms; for example, for pretending a pencil is a gun or wearing clothes depicting a weapon, unless the behaviors are disruptive to the educational environment or create the potential for harm or fear of harm.

Section 8 allows for the temporary removal of a student to last longer than three days in the event the principal believes the child presents an ongoing risk, and the principal has the authorization from the superintendent or the administrative head of a charter school or university school.

Sections 10 and 11 outline the processes for students who commit a battery or sell or distribute a controlled substance at school or on a bus. This bill provides for the expulsion of any student committing these major offenses for the first time and requires permanent expulsion for a second offense. It removes the limitations on suspension or expulsion for children under the age of 11 who commit major offenses or are deemed habitually disciplinary problems. Section 11 allows a child who is under 11 to be suspended or expelled, but only under extraordinary circumstances. This bill allows a child that is enrolled in special education to be suspended or expelled, but only after administrative review and to ensure the suspension or expulsion is conducted in a manner consistent with federal law. It

additionally provides that if a child is homeless or living in foster care, they can be suspended or expelled. Here, too, the bill requires additional steps—in this instance, consultation with the child's advocates and a determination by an administrator that the behavior in question was not the result of homelessness.

The Safer and Supportive Schools Act provides various other changes around the reporting of discipline and the appeals process. Section 4 changes school reporting on the discipline of students by requiring discipline data to be reported to the superintendent or the administrative head of a charter school or university school instead of the board of trustees. Section 7 of the bill allows the principal of a school to limit a teacher's ability to temporarily remove a student from the classroom if the principal should determine that the teacher's actions are unnecessary. However, the teacher can appeal the decision of a principal to the superintendent or administrative head of a charter or university school. Section 9 also allows for an appeal to the superintendent or administrative head of a charter school or university school, as opposed to the board of trustees, by a teacher who believes a student should be identified as a habitual behavior problem after the principal of the school has determined that the student should not be deemed a habitual behavior problem. Section 9 permits the appeal by the student or the student's family or guardian to the superintendent or administrative head of a charter school or university school, instead of the board of trustees.

I would like to end my testimony this afternoon by acknowledging that these are tough and complex issues to navigate. The goal of the Safer and Supportive Schools Act is to provide teachers, schools, students, and local education agencies with more tools and flexibility to meet the needs of all their students, and to return the decision-making back to the people who are closest to the children in the schools. I want to thank you for your time this afternoon. Director McGill, interim deputy superintendent, and I stand ready to answer questions you may have.

**Chair Bilbray-Axelrod:**

Thank you for that testimony. I think everyone on this Committee has a question.

**Assemblywoman Taylor:**

One of the overall intentions of the bill, as there are several, is to remove the statewide restorative justice framework, yes?

**Jhone Ebert:**

Yes.

**Assemblywoman Taylor:**

What do the existing state regulations regarding restorative justice look like?

**Christy McGill, Interim Deputy Superintendent of Student Achievement; and Director, Office for Safe and Respectful Learning Environments, Department of Education:**

The existing is a district plan that goes like this: A student who gets in trouble has a student-level plan for restorative practices assigned that also lays out how they are going to address discipline issues as we move through. We at the Department of Education (NDE) have been consistent in recommending multi-tiered systems of support as a framework to build upon, really looking at the data and making sure that teachers have teams. Even though that requirement is removed from the state, those good practices can still exist at the district level.

**Assemblywoman Taylor:**

The regulations from NDE say that each school will develop a student-centered plan. Can you talk a little bit about the requirement from a training standpoint?

**Christy McGill:**

There was no required training, although we did recommend that training occur, of course. Within NDE and within the regulations, we looked at what needed to be the pieces we recommend for training. One is, of course, restorative practices; proper threat assessment. During the pandemic, because it was a rocky implementation, we took a no-wrong-door approach in that training; we either supported the districts to get that training going or did training at NDE levels ourselves.

**Assemblywoman Taylor:**

What is the no-wrong-door approach?

**Christy McGill:**

Sorry, that is our own saying—It is wanting to make sure we had different avenues, because it was during the pandemic. It was a very rocky period. Schools and districts were caught up in all different things—if you remember correctly. What we wanted to do was try to make it as easy as possible. We realize that something like restorative practices takes an implementation cycle of almost two to five years. What we wanted to do first was, Here is what restorative practices is, so we brought in national representation around helping us train on what restorative practice was.

**Assemblywoman Taylor:**

To your credit, I will say this: I have heard very good things about the restorative justice training that was provided by NDE, and I think, Miss McGill, you are helping as we examine restorative justice.

We know it was passed in 2019. In 2020 we went into the pandemic, so the implementation was rocky, right? We did not have much, and the training we had for it was not mandatory. Do you think it is wise—that something we did not really get to roll out well, that we rolled

out rocky, that we did not get training in or got training to look like whatever we wanted training to look like—we should get rid of it? You think that might be wise? Maybe another alternative might be to say, Maybe we should go back and roll it out right first.

**Jhone Ebert:**

What is being removed in the bill itself is that the plan was optional if there were funds available. The bill states the removal of that plan as a requirement at the state level. It does not remove the plan that we have. As the Department of Education, we will still be supporting school districts because the rest of the bill is based on work that has been done and that still needs to be completed, as you noted.

All of the work that has transpired has not been just looking at our restorative justice practices and the work that we have done in the professional development. We have also looked at the front end with preventative—our social-emotional learning—we have that professional development support going on as well. It is not the requirement that it is here is being removed. However, the action, and the steps, and the plan itself will still remain in place.

**Assemblywoman Taylor:**

I appreciate that. Thank you both so much.

**Assemblywoman Torres:**

I am going to build off of what my colleague said. It frustrates me, this concept that we did not have funds to implement restorative justice training, even though we received millions of dollars from ARP ESSER [American Rescue Plan Elementary and Secondary School Relief] funds—funds that still have not been spent on social-emotional learning, with which restorative justice and restorative practices closely align. I think there definitely were funds; there was just a lack of effort to provide the support and training to teachers.

I have two questions. Over and over again in this presentation, we heard about flexibility. We heard about options for principals. I am frustrated by a policy that takes away those options for administrators, because when we had this conversation in 2019, it was about making sure that we did not say in statute that, in every single case, you do exactly this—because we do not even do that in the criminal justice system. We say, If this occurs, these are your range of options. That is not what this bill does. It says, If a student does this, this is what you do. If a student does this, this is what you do. As an educator myself, I think that really ties the hands of administrators. Can you tell me what options would be available to administrators, or would it tie their hands?

**Christy McGill:**

Again, these are complex issues. What this bill tries to get at is the violence, the battery against teachers, the guns, and the distribution. What we are hoping to focus on is, by allowing the removal, we can now focus on Tier 1 supports that reduce that. It really does focus on the determination. We do not want those other students to compound the issue, so we are allowing time for the schools and districts to focus on Tier 1 to reduce that.

**Assemblywoman Torres:**

I am all in with Tier 1 supports. Let us provide stronger multi-tiered systems of support (MTSS) training; let us work with schools; let us work with educators to do that; but this bill does not do that. To come here and tell me we are having a conversation about MTSS, about social-emotional learning—that is not what this bill does. This bill is specifically looking at student discipline. We need to have a conversation about what this language does, and this bill is not fixing those things.

Administrator after administrator will come up here today to talk about the lack of resources in those areas. That is what we need to be having a conversation about. We need to be having a conversation about the vacancies that we have in our schools. This is not a conversation about social-emotional learning; this is not a conversation about providing support to students.

My next question looks specifically at section 7, which removes the rights teachers were given in 1999 in Assembly Bill 521 of the 70th Session, which allowed educators to remove a student from the classroom. Right now, we are having a conversation saying this bill empowers teachers. The Governor specifically said his bill gives teachers the ability to control our classroom. As an educator myself, as a daughter of an educator, as a sister of an educator, I am telling you right now—this bill does nothing of the sort.

In fact, it is removing our ability to remove students from the classroom because it completely leaves that in the hands of the principal. I know, because I was there in 2019 when restorative justice rolled out. I was in the classroom when restorative justice rolled out, and we were told schools, as a system, could not suspend or expel—which is not what the bill did. To clarify, there were still things like guns that were completely expellable and permanently expellable, but when I look at the language in this legislation, it is saying I would not even have the ability to remove a student—and removal is not defined. We should go back and define that in statute, to be very clear what a removal might be. As an educator, when I think about removal, that could be removal to counselors, removal to other areas. In looking at this language, it says it is the principal's call. I am not comfortable with that. In 2021, I had a student who was violent and aggressive in the classroom. That student changed classes so I could be safe in my classroom and my students could be safe in our classroom. The student continued to be at the same school. This bill would remove that right for me to even have a say in that; it gives it all to the principal. Can you talk a little bit about the how this empowers teachers, or how this is going to impact teachers?

**Jhone Ebert:**

Teachers do have the power to remove students from the classroom. That is the first portion of this work. As you noted, every single situation is unique, and in some instances, the principal needs to interject with the teacher and the student and the family to make sure that the learning environment continues. It is not to remove the teacher's right, because that is the first layer of this entire bill. It is the very first layer. The teacher does have the right, but we do have instances where additional help and support are needed, and that child needs to be in

that class. By working together with the administration, with the teachers, that is the intent here—to move forward as a team and not as a siloed person—because this is a human structure that we are dealing with.

**Assemblywoman Torres:**

I do not have another question, but it is frustrating to me that there is nothing here that says this is a team, or that this is a conversation, or that they are going to work together. It completely disempowers educators from having any say on the culture of their classroom and what their classroom is going to look like; I would urge the bill sponsor to look at this language because what it is really doing is taking away the rights of teachers like me in those instances. It is saying that the principal has all the power. I know there will definitely be situations, if this were to pass, where principals will remove all power from any educators in their school building to ever remove students—that is what is going to happen. This is going to make my classroom less safe.

**Assemblywoman Hansen:**

Taking off on some of the things my colleagues have talked about so far, we talk about the bill removing the framework of restorative justice; but does this bill remove restorative justice practices? Then I have a follow-up to that.

**Jhone Ebert:**

It does not remove restorative justice practices. It still is maintained throughout the bill.

**Assemblywoman Hansen:**

From the state perspective, what is the benefit of the districts having the responsibility to develop the plan, versus the state drop down? Could you give us some benefits of that on the district level?

**Christy McGill:**

Following that multi-tiered system of supports framework, the district should examine their data, their culture, their teachers' needs, and their students' needs, to come up with a plan that best fits them. We could definitely give guidance in what a good plan looks like, but what evidence suggests is, the plan needs to address that particular district, that particular school, that particular community's strengths, assets, and issues.

**Assemblywoman La Rue Hatch:**

I would like to echo my colleagues' concerns as a teacher. I think section 7, subsection 6 is some of the most anti-teacher language I have read in the bill. It will, in fact, make my classroom more dangerous. I am very confused by the messaging today because we are being told we want to give more power to the people who are there in the classrooms, and that is the exact opposite of what this does. It says, "If, in the reasonable judgment of the principal . . ." That is it—the principal.



I would like to share an experience I have gone through. I served under a principal who is still a principal today. I am not serving under her any longer. When there were assaults on staff, she removed the staff member and pressed charges on the staff member, and did nothing to the individuals who were assaulting the staff member. In fact, what happened in that school where I was serving was students were so disturbed that their favorite teacher was getting punched or kicked that they started saying, You punched my favorite teacher, so I am going to punch you. They literally started a vigilante justice system to protect their teachers because that principal was not protecting the teachers and was not protecting the students, and the students who were witnessing the violence were being traumatized. I am deeply disturbed that we are taking away a teacher's discretion to ever remove a student from a room without written permission from the principal. What I would like to know is how those messages square with having no other oversight besides a principal to give a teacher permission to remove a student from a room.

**Jhone Ebert:**

There is a process through this bill for a teacher to have that ability in section 7, subsection 6, paragraph (c). It does have the principal, which you noted, but it also goes on to say if the teacher disagrees, there is a process for the teacher to escalate it to the superintendent or the administrative head of the charter school and/or university school. There is a process in place, and I very strongly hear, and care for deeply, all of the teachers on this Committee.

The voice that is not here at the table, which I will carry at this moment, is the student voice that also needs to be taken into consideration. It is a balance of the student's rights, the teacher's rights, having the whole entire system come together, and it is making sure that when it is out of balance, there are steps in place that take into consideration and protect all as it moves forward.

**Assemblywoman La Rue Hatch:**

I appreciate that you are speaking for the students, but I believe I am speaking for the students, too, who are witnessing this trauma and are witnessing the violence that is happening. This does need to be addressed. I would point out that in my district, when you appeal to the superintendent or the superintendent's representative, you are waiting weeks or months. I would like to know what is supposed to happen in that classroom while the teacher is waiting for that appeal to be processed.

**Jhone Ebert:**

You have brought up a good point about the timeline, which is not included in this section. So, thank you.

**Assemblywoman Thomas:**

I appreciate the opportunity to address the sponsor of the bill, who is the Governor, on whose behalf you are acting. My question goes deeper into what Assemblywoman Taylor said. We have Assembly Bill 168 of the 80th Session, which the Governor says he wants to take away from us right now.

Assembly Bill 168 of the 80th Session was enacted July 1, 2019, and the school year began in August 2019. The pandemic happened several months after. Where is the data for all of this violence that happened in that school year between 2020, 2021, and part of 2022, when the kids were back in school? Where is that data? Please show me the data. If you do not have it right now, please, I would like to see that data. I am sure everyone on this Committee would like to see that restorative justice did not work during that school period when those kids were at home—unless you have data showing that violence was occurring in the home. It could have been.

**Jhone Ebert:**

We do have data we can share through Madam Chair that we can provide the Committee.

In the context of this body of work, both director McGill and I sat in testimony in 2019 with Assemblyman Tyrone Thompson as well. We also worked on Assembly Bill 68 of the 81st Session.

A quick sidebar—any bill that does this body of work, we have highly recommended and actually will graciously ask that a July 1 enactment is extremely difficult. When that bill passed in 2019, the department was tasked with coming up with guidance on all of that body of work that needed to go out to school districts. It took us working with the superintendents and working with our mental health professionals. We used a triad approach with our mental health professionals, our law enforcement, and the school community. I still remember driving out to Elko, working with the team on the memorandum to go out to support and implementation.

We know that A.B. 168 of the 80th Session was spot-on in the timing and was what needed to happen because of the data, to your point, on disproportionality. Changes needed to happen. Since that time, we have had the pandemic. We did set aside \$4 million out of the federal funding to provide professional development and supports, but we were in a global pandemic, and no one can predict that. So where do we go, having all of that data and all of those life experiences that we all bring to the table today? How do we take all of that and move forward to make what started with A.B. 168 of the 80th Session and continued with A.B. 68 of the 81st Session in today's environment—with the pandemic and crises that have transpired? We are here to work with all of you to make it better, and based-on data is huge. We will provide that for you as well.

**Assemblywoman Thomas:**

To be specific, I am looking for the data on Clark County and Washoe County, specifically during that time period. What did the data look like that you used on restorative justice?

**Chair Bilbray-Axelrod:**

The Governor in his testimony cited several examples. I would like to get those numbers. He said they were all cited sources. If we could get that as well, I would appreciate it. I was not kidding, every single person, except one, has a question, so we are going to go back and forth.

**Assemblyman Koenig:**

My concern has already been answered, so I am going to withdraw my question.

**Assemblyman D'Silva:**

I have a few things I want to clarify. One, I totally agree with my colleague, Assemblywoman Torres, that we need to define the word removal. It is here throughout the legislation, and it is problematic for us to even have a conversation about a topic like expulsion without clearly knowing what that term means, what we are working with in regard to the language of this bill.

Another thing I am concerned about and I need some clarification on is the concept that the ability of a teacher to remove a student will be limited—the language pertaining to those specific clauses. This legislation is subject to interpretation and perspective. The way I am looking at and reading into this is, we as educators know that different teachers have different responses to their students. Some are just better at handling and managing the classroom. Some of the language here could give license to educators to just constantly remove students, whatever removal may be. This sets these students up on a trajectory where they are getting a record. They are being removed, and it is not because of the issues they are having in the classroom, it is because of the teacher who could be sending them out. I want to know what exactly that limitation is on the ability to remove the student.

Lastly, when I am looking at this legislation vis-à-vis Assembly Bill 285, my colleague Assemblywoman Taylor's legislation—you did mention there are restorative justice aspects to this bill through and through, but when I look through it, it seems much more punitive than restorative. I want to ask you as well, what is your vision in this bill in regard to creating or implementing some of the restorative elements that you have been alluding to?

**Christy McGill:**

What this bill and probably the other two are trying to do is create that balance between safety and teaching the behavior we really want our kids to learn. The restorative piece comes in with this bill in the requirement that the districts, if they have disproportionalities of discipline, to address those disproportionalities. One of those ways is through restorative practices, through MTSS, to get us out of the Tier 1. This bill is all about Tier 3, and it is really painful to talk about Tier 3 strategies independently, because nobody really wants to see kids get isolated and removed from schools; but there are safety concerns. It is trying to get that balance right. If too many kids, especially if there are disproportionalities—they are not fair—then the district has to address those within the progressive and restorative plan that they give to the Department of Education every year.

**Assemblyman D'Silva:**

What about the other two aspects? This idea of teachers being able to remove students; what does that look like? What do you envision that to be in regard to the limitations that are placed on teachers? One of my concerns is having teachers able to constantly remove students, whatever removal may be. That, in and of itself, can cause a cascading problem that could be a real issue for our students.

**Christy McGill:**

Yes—the ability for those checks and balance. If there is a teacher who constantly has to be removing students, there is a broader issue; going and pushing this into Tier 1; what are those issues? How can the team come together to address those issues, and how to make sure our teachers have that team. Again, it is that balance. We do not want to get so far over to where, as you said, there are constant removals, yet we want the kids to stay safe. If there are multiple removals, there has to be a red flag somewhere that it is occurring, so the principal and the teachers and the team can work together to see if those can be prevented.

**Assemblywoman Hardy:**

Thank you for being here to present the bill and for trying to find a balance in what we are trying to do as educators in keeping our kids and our schools safe. I want to focus on parts of the bill you mentioned that give oversight to superintendents. Could you talk about the exact purpose of shifting oversight to the superintendents and what the oversight is? How would that process in those sections of the bill work?

**Jhone Ebert:**

Prior to A.B. 168 of the 80th Session, oversight was with the superintendent, and then it was elevated up to the school board level or its designee. Over time, we heard from everyone who had participated in the system, especially, as you heard the superintendents testify, on the timeline which can be created with the board—in a school board, because of the posting and all the other requirements, it can take weeks or months to get through the entire process that a board is required to follow. Bringing it back to the superintendents reduces the timeline for any of these instances to transpire. Getting a resolution, getting the students back into a classroom or properly placed where they will be successful is the outline throughout and the intent of this bill.

**Chair Bilbray-Axelrod:**

I was talking to Legal Counsel. Do we have a definition of disruptive? Counsel said it is really up to the teacher what the definition of that is.

**Assemblywoman Mosca:**

When it comes to school discipline, what I am always most worried about is the disproportionality for our young people who are the most marginalized. Section 6, subsection 6 of the bill says the reporting could take 12 to 36 months. I want to ask how we could get this data in real time so that, if we see disproportionality happening, we can fix it for young people in real time. Then, section 10, subsection 11 talks about changing discipline for homeless youth as well as those in the foster system. Really, why are we doing that for young people who we know are experiencing a lot of issues outside of what is happening at school?

**Jhone Ebert:**

We are working to try to get real-time data put into Infinite Campus in a timely manner. Is it 100 percent today? No, it is not, but that is definitely a goal for all of us; and the school districts would like that in a timely fashion as well.

At the current moment, as these plans stand, it is a review; it is a look back. Those plans look back at the prior school year; they look at disproportionality and those pieces that need to be addressed. What is new in the plan, as you pointed out as well to this section, is that the state superintendent is now involved. There was not a role prior; it stayed at the district level. Now, this comes up to the state superintendent level to review for disproportionality.

The specific timeline you are looking at on page 11, line 38 says, "The specific corrective period shall be at least 12 months and not more than 36 months . . . ." That is the time for correction. What it does not have in here—and I have heard a couple other timing pieces—is when the position of state superintendent of public instruction—currently me—what is the timeline for that position to respond and put corrections in place. That currently is not in here. What is in here is how long the school district has to respond once the corrective action plan is put into place with that school district.

**Christy McGill:**

You were almost getting at two things. There was a systems piece where we really want to review the systems, but you also want to make sure that students themselves are getting to the proper interventions at the proper time.

The system that I have been talking about—what becomes so important is that if a child starts to struggle, we want to intervene earlier, so we do not go to the Tier 3 practices of suspension and expulsion. That is the reason why this system is in place, but they take people, and that has been one of the biggest barriers thus far. We do really recognize, and the districts recognize, that there is a systems piece around disproportionality that is very important. We will do that at the state level, but then there is also an equity piece at the school level. The schools are really looking at that. Some of them use SWIS [School-wide Information System]; some of them use different kinds of data for that real time, where does the student start to struggle, so they can intervene earlier.

**Assemblywoman Anderson:**

I appreciate this sort of discussion as opposed to a grainy video that is attempting to create fear for our students, our parents, and our teachers. I want to put out there that it is very upsetting to see that, as opposed to having a conversation around these issues. There are individuals who would rather do it by video. I appreciate that you are here to talk about this very important issue.

I share the passion others on this Committee have already shown about some sections and the feeling that teachers have of being supported. I appreciate the fact that the word "allow" teachers to do their jobs was present in the Governor's speech as well as the principals' speeches. I would hope that it is not just teachers; it is also support professionals, counselors, speech language pathologists, and some of our other educators who might not have the word "teacher" as part of their name. I realize it is much easier to use the word "teacher," but there are many educators on every campus, in every school setting.

If it is okay with the Chair, I would like to go through the numerous questions I have sent to you, and I will go through the different list. I am going to take my colleague Assemblyman McArthur's questions as well.

My first question comes from page 9, lines 1 through 8, the removal of the language starting with "(a) Substantially disrupts learning by pupils or substantially disrupts the educational environment at the school . . . ." This was language added in 2017, I believe, and has been discussed for some time. I am wondering why the decision to have that removed.

**Jhone Ebert:**

In this section, lines 1 through 8 are components that just moved to a different section. This is the policy with the *Nevada Revised Statutes* (NRS) 392.4634. That was moved. It is in alignment with what we have added on page 8, lines 26 and 27.

**Assemblywoman Anderson:**

I like the new language as well. However, I feel it is too open because, again, we go back to the same issue that has been brought up earlier from my colleague regarding it being a decision of somebody else. I would like to see that back in there.

The next question—do not worry, I do not have a question on every page although it is pretty close—take a look at page 10, line 6. You include consideration of a separate NRS statute, but yet that is a statute related to data. How exactly is that supposed to be utilized with that data? Is it, Oh, this individual has been in trouble four times, so I am not going to do something? Or is there another expectation with the utilization of data in this way?

**Jhone Ebert:**

The expectation here is to be inclusive of the MTSS work that we do with our school districts.

**Assemblywoman Anderson:**

Is the MTSS actually part of that NRS language, or is that a consideration of policies and procedures, or regulations, that have been created?

**Christy McGill:**

It is an evidence-based framework that looks at data. That, again, is trying to move into early interventions. It looks at data, what the needs of the school are, and then coming up with evidence-based practices to address those needs in a very systematic way.

**Assemblywoman Anderson:**

Is that evidence-based framework discussed in that NRS? I do not believe I remember seeing that, but from your answer, which I appreciate very much, the understanding is it is based upon that. Am I understanding that correctly?

**Jhone Ebert:**

We would need to check that NRS; we would not want to give you any misinformation.

**Chair Bilbray-Axelrod:**

You can phone a friend.

**Assemblywoman Anderson:**

Thank you, Dr. Ebert, for that.

**Asher Killian, Committee Counsel:**

The section being referenced is NRS 392.462 which is the section of law that requires each public school to collect data on pupil discipline. The method that is used to analyze that data is not mentioned in that section. That section is just the requirement to gather the data.

**Assemblywoman Anderson:**

The next section is one that might need a bit more clarification. I am trying to figure out the timeline. One of my peers has already brought this up; pages 10 and 11, as you have mentioned, has to do with the timeline. You have that by a certain date, September 15, the principal must review the plan with school staff; by 15 days later, there must be corrections; 15 days later it must be posted on the website; and then a month later, the board of trustees are able to submit a written report. The State Superintendent's review of this information, if I am understanding correctly, is only from the first quarter. Or is it from the prior year? I am very confused by the timeline as to what the superintendent's review is actually looking upon.

**Jhone Ebert:**

The plans that are submitted review the data from the prior school year. They would be submitted to the superintendent in November, and then we would start that review. That November time frame, though, is looking at the prior school year.

**Assemblywoman Anderson:**

Does the State Board of Education ever come into play, or is it always based upon the State Superintendent? Or does the interim Committee on Education of this body ever come into play or have any sort of discussion around these items?

**Jhone Ebert:**

The team at the Nevada Department of Education frequently involves the State Board of Education in all of our reports. We do present the data to the State Board of Education. The new language here does not have the State Board of Education in the cap, nor, specifically to your question, the Interim Committee on Education.

**Assemblywoman Anderson:**

My last question goes to an area that has already been brought up. It has to do with section 7, subsection 6. How is this not creating a hostile work environment, especially if you are in a smaller school where you might only have 30 people who are educators, and you are unable then to send a student out anymore, without written permission. Although I understand the intent, unfortunately, how does this not create a hostile work environment for an educator?

**Jhone Ebert:**

As I mentioned earlier, the process is outlined to protect all parties: the teacher, the students in the classroom, the administration, and the professionals within the entire system. There is the opportunity, if that is becoming an issue, for the teacher to go to the superintendent as well as the authority of the charter school or the university school.

**Assemblywoman Anderson:**

I want to make sure that this is clear as well. On page 21 there is a discussion about a 10-day suspension. I want to make sure this is still within guidelines of federal legislation and that all of this would work with federal guidelines.

**Jhone Ebert:**

Yes, this is in alignment with the federal guidelines.

**Assemblywoman Anderson:**

Thank you, Chair, for so much time, and thank you for answering.

**Chair Bilbray-Axelrod:**

As you know, we have a lot of teachers on this Committee. It is very important that we look at this through the lens of teachers who are absolutely working there every single day. I am going to look at it for a second from the kids' lens and the fact that my colleague talked about homeless and foster youth and children under the age of 11 years old being expelled. What are we doing with these kids? The whole thing that brought this to be was conversation about the Black and Brown kids, the school-to-prison pipeline. Where are these kids going who we are expelling at 11 years old?

**Christy McGill:**

These are complex issues, and we are really trying. If the worst happens and a nine-year-old brings a gun to the school, how do we balance the responsibility of making sure we teach that? What this bill hopes to get at is an "and" not an "or," to balance that school safety, and also have some warning or red flags in place so that those needs can be addressed early on, and throughout.

There is a clause in here that does say, for a child under 11, the principal can look at it and turn it around based upon the needs. Again, it is a way to slow down the system and to focus on safety, and then to really get down to what I think you are saying. I do not think anyone in the education field wants to suspend and expel kids. We want them there. How do we then safely start to address their needs?

**Chair Bilbray-Axelrod:**

Okay, we will ask you to step back, and we will go into testimony in support of A.B. 330. Let us start in Las Vegas.



**Marie Neisess, President, Clark County Education Association:**

Clark County Education Association (CCEA) is in support of Assembly Bill 330, and we appreciate the Governor's efforts in making the issue of school safety a top priority. This fall will be my thirtieth year in CCSD. I spent my entire teaching career working at Title 1 schools with our most at-risk students. I have seen the rise in violent behavior on our campuses firsthand. As the president of CCEA, I hear from educators across the district about the daily disruptions and violence in their classrooms and at their schools. Already this year, more than 200 weapons have been found on CCSD campuses, and the increase in assaults and physical harm to our staff and students alike is unprecedented.

This is the legislative session where we are finally looking to make the historic investments in education that we so desperately need. With that investment comes an expectation of improved student outcomes, but those outcomes are not simply a function of funding. When we have disruptive and violent behavior in our classrooms, it compromises the learning environment. One student has the ability to derail the learning for their entire class when this kind of behavior is not met with the appropriate consequences.

One critical component of this legislation, in particular, is the ability for an educator to remove a violent or disruptive student from his classroom. I cannot stress enough how vital this will be to empowering educators to maintain a safe and productive learning environment for all of their students. Every day, frontline educators tell me how they are afraid to come to work. We have seen a rise in chronic student absenteeism because our students do not feel safe at school. The bottom line is, when students do not feel safe, students do not learn. It is time to cultivate a culture of deterrence on our campuses that prevents the kind of violent and disruptive behavior we are currently dealing with in our schools on a daily basis. We believe A.B. 330 has the potential to accomplish that goal. It is time to safeguard the learning environment so educators can focus on instruction and students can learn. Legislators must act now.

**Greta Blunt Johnson, Private Citizen, Henderson, Nevada:**

I am here before you this afternoon to provide proof why Assembly Bill 330 should be adopted. I am also a member of CCEA. I will be speaking from my own experience.

I was assaulted by a student a year and a half ago at Canyon Springs High School, which resulted in multiple bodily injuries. I had multiple surgeries over a year and had over a year of therapy. I have limited use of my right arm. I suffer tremendous back and right shoulder pain. I need another surgery on my shoulder, but the doctor refused because of my age. At that time, I was 74 years of age. Now, I am on a permanent disability.

No type of discipline was rendered to the student. I believe had the school board had more of a progressive discipline plan in place, it would have made the student accountable for his actions. Also, it would relieve stress from all teachers who have endured being assaulted by students in one way or another, knowing something can be done. I hope you all support this bill.

**Peter Guzman, President, Latin Chamber of Commerce, Las Vegas, Nevada:**

It is a privilege to come before you today and testify on something so important to all of us. I would like to commend our Governor for making education a key component of his administration.

Education is not only critical for our economic development's survival; more importantly, every kid deserves to read, write, understand math and science, and so much more. So, I ask, when is it ever acceptable to put teachers and students in a dangerous setting? The answer: it should never be acceptable. We seem to go overboard to protect those who instill fear, to the detriment of the supermajority of kids and teachers who are there to learn. Too often, in the pursuit of fairness and compassion, we end up with the exact opposite for too many.

Take Jose, for example. Somehow, he got a waiver and gets up at 2 a.m., gets ready, and heads out to catch the city bus in order to get to a school far away, that school his mom views as safer for him. It takes two different buses to get there, but all his mom wants is a safe classroom so he can maybe get a good education and get the family out of poverty. By the way, this is a scenario that is becoming more prevalent.

Bringing back the idea that a school classroom is a privilege to be in is long overdue, that there will be consequences for those who do not view it that way, so that the majority of kids who do understand the importance of an education and safe classrooms can excel. Anything else will no longer be tolerated. This bill addresses that and more.

Lastly, I can tell you without any hesitancy that our Latin Chamber members send their kids to school to learn, to get ahead, and to prepare for careers in this great country. That is why the Latin Chamber of Commerce, without hesitancy, stands with the Governor on this bill.

**Paige Barnes, representing Nevada Association of School Boards:**

We are here in support of A.B. 330. We appreciate the Governor for bringing this bill forward. We are dedicated to safe and respectful learning environments for our students, educators, and administrators. We appreciate the local-level, data-driven decision-making authority the bill provides school boards.

**Paul M. LaMarca, Chief Strategies Officer, Washoe County School District:**

First, let me say sorry on behalf of Dr. Susan Enfield who is not able to be here today. Dr. Enfield supports this bill fully; in fact, we assisted in some of the drafting of the language.

None of us want to see students excluded from school. We must do everything we can to ensure every student has the opportunity to learn. As a school district, we only recommend exclusionary practices when student, staff, or school safety is threatened. For example, there are actions that threaten safety and require immediate responses. Therefore, in addition to current rules regarding possession of a dangerous weapon, we support the removal of

students on a first offense of battery with bodily injury, which is a very high standard, and for distribution of controlled substances. This results in support for the school community as well as for the student who committed the act.

You also find sections of the bill that address students covered by the McKinney-Vento Act. These are students who are homeless and in foster care. This bill introduces language that parallels the discipline of these students with the discipline of students who have individualized education programs (IEP) or students with disabilities. That, again, is a very high standard. It is a critical safety measure, and it is also for the safety of these students themselves.

We do support the removal of the age delineation language that separates 10-and-younger from 11-and-above. No one wants to exclude students, and there are times when students do things that require immediate action for the safety of the school community at large, other students, staff members, and that student in particular. We want greater latitude in how we can support these students. We would never support permanent expulsion of children 10 years of age and younger.

Finally, we support the language regarding the required transition planning as students transition from alternative educational settings back to traditional school settings. This is a great example of how traditional disciplinary practices should, and must, work together with restorative practices to support children.

**Olivia Briggs, Private Citizen, Sparks, Nevada:**

I am from School District 31. When I heard about this bill, I was excited because I have a lot of friends who have dealt with school violence or have even participated in school violence, and it scares me. It is a very important issue that needs to be addressed. I am also part of a foster family. We foster lots of younger children, but I am friends with other foster families who foster older children who are in the school system. When it comes to school violence, foster children are often participants, and it is often not handled well. Their background is not understood. The sections pertaining to foster children are very important; those sections should be widely recognized.

**Chair Bilbray-Axelrod:**

Are there callers in support on the phone?

**Jim Frazee, Private Citizen, Las Vegas, Nevada:**

I am a classroom educator in the Clark County School District, and I have the honor of being vice president of CCEA. I remember being in this very room several sessions ago, testifying in favor of the restorative justice bill. It offered promise and hope, a new way of dealing with minor disturbances. The world has changed a great deal since that evening. The effects of COVID-19 on the social skills of our students cannot be understated. If you would have told me before the lockdown that students would completely forget social norms, I would have never believed you. I was wrong. Unable to settle small disagreements without

resorting to violence, the severity of violence has reached the point that can only be described as savage. The restorative justice law that we passed pre-pandemic cannot address the realities of today's schools. Change must come and it must come now.

Much has been made of the effect of this proposed legislation on the lives of Black and Brown children, and rightfully so. I want you to hear me clearly on this. I have parents of Black and Brown children who have dreams for their kids. They cannot understand the life-changing value that an education can provide. If I cannot teach a class because of the disruptive students, my kids cannot get an education. Their dreams die right there, in a chaotic classroom. All of society loses out. The pipeline to prison is enlarged exponentially. I have heard opponents of this legislation say it will harm Black and Brown children. Nothing could be further from the truth. You must not confuse what is in this bill with fairness and simple implementation. They are two different issues. Students, parents, educators, and our state as a whole call on you to take decisive and urgent action now. I urge you to support this bill, and I thank you for your time.

**Chair Bilbray-Axelrod:**

For the record, so everyone understands, I am going to take two more callers in support. Then I am going to go to Las Vegas and then we will come to you.

**Elizabeth Adler, Member, Clark County Education Association:**

I am a veteran Spanish and English language learner teacher at Sunrise Mountain High School and a member of the Clark County Education Association. I am here today to speak in support of Assembly Bill 330, the Safer and Supportive Schools Act. In the 25 years I have taught in CCSD, I have witnessed a significant increase of disruptive and violent behavior among students. In the past, students had been held accountable for their actions, and the immediate discipline, for most students, was enough to remediate this behavior and discourage them from doing it again. The progressive discipline was a reminder that further misbehavior would result in more severe consequences. Measures were in place for students to learn what behavior was acceptable and how to deal with these behaviors in productive and appropriate ways. The restorative justice process has never referred to the elimination of consequences. Responsibility is the one principle of restorative justice that we should agree students must learn, in any and all situations. In extreme cases of harm to others or violence, a student should be held responsible for his or her actions.

In 2013, the American Academy of Pediatrics issued a statement urging that exclusionary practices are inappropriate and only used in the most extreme and dangerous circumstances. I believe what we have seen in the past few years is a direct result of ignoring consequences for behaviors that, not only endanger everyone in school buildings, but more so the students who are committing these violent acts. The statement goes on to say that the benefits we see in research around restorative practices is that they promote self-regulation, teach positive social skills, and develop work and career-ready attitudes. These benefits have not been our experience since the districts in our state have replaced progressive discipline with restorative justice. The opposite has occurred. We have used it as a buzzword and have provided no adequate training, which has resulted in more violence and more dangerous schools.

Without progressive discipline, we have increased opportunities for students to disregard rules with little or no consequence. Students who follow the rules and want to learn are among the victims, as their right to an education is undermined. The lack of consequences has emboldened students to challenge the authority of staff and ignore the rules put in place to provide a stable and safe educational environment. [A two-minute time expiration warning was given.]

Our children learn how to be in the world through our daily interactions with them in schools. Yet we are showing them that control is wielded by those who create chaos and disregard authority. Collaboration is imperative in this legislative session so that bills related to school safety are passed with integrity and fidelity, including transparency, progressive discipline, social-emotional learning, restorative justice, and statewide mandatory training to all schools and district staff. Please support Assembly Bill 330. Thank you for your time today.

**Chair Bilbray-Axelrod:**

If you have those remarks—it sounds like you were reading—feel free to submit them to our Committee, and we will put them up as well.

**Cindy Martinez, Private Citizen:**

I am a retired category 1 Peace Officers' Standards and Training Commission-certified Nevada peace officer. In the course of my law enforcement career, I encountered many criminal offenders whose criminal and violent behavior, in part, was rooted in challenging childhood home environments, lack of accountability in school, and resultant antisocial behaviors that escalated to property and violent crime.

Recently, a confidential source revealed to me that a seven-year-old child in her school had repeatedly expressed dark and violent ideation to her and others in the school. Of course, I asked if it had been properly documented, and she said it had been documented. She had documented multiple incidents, but the child remained in school. We know the 2017 Parkland shooter was a recipient of restorative justice measures, and the results were deadly at Marjory Stoneman Douglas High School.

Today, we know the learning and socialization losses resulting from Nevada's pandemic response are now exacerbated by the toxic influence of social media. The data being requested is occurring in real time in classrooms today. I submit the off-campus murder of Washoe County's 14-year-old Chloe Edwards as a data point you cannot ignore. This state cannot wait for more data to inform this Legislature to change course. Governor Lombardo's direct law enforcement "lived experience" in the fallout of a failed school environment ought to be thoughtfully considered. The restorative justice model, in today's chaotic society, is unsuccessful in addressing school violence. The attendant economic and societal impacts of classroom disruptions affect the educational environment of all Nevada's children. Nevada's kids need a solidly safe school environment for their future success. By extension, the future societal stability and economic success of Nevada will be improved. We respectfully request you to support A.B. 330.

**Chair Bilbray-Axelrod:**

I am going to go to Las Vegas now. Please try to keep your support brief. I will note, if we do go over time, I will give opposition and neutral extra time as well. Please begin in Las Vegas.

**Angie Joye, Private Citizen, Las Vegas, Nevada:**

I am a proud CCEA member and a second-grade teacher at Ann T. Lynch Elementary School. I am here today to share with you why A.B. 330 is so important. First, I would just like for you to ponder for a moment why a second-grade teacher has been chosen to speak on a bill centered around violence in schools. A second-grade teacher. Let that sink in for a few minutes.

Teachers are being assaulted at an alarming rate. Sadly, the protocols implemented in the past are not working. We cannot be effective in the classroom when it is impossible to teach a lesson due to violent and disruptive students. Every incident takes away significant learning time from students. Currently, the escalation of violence is taking teachers out of the classroom for days and weeks due to the significant injuries; dislocated shoulders, broken wrists, stab wounds, are becoming a norm that is destroying your most needed workforce. This is happening at every level. Elementary, middle, and high school teachers are dealing with daily incidents, and it is impossible to do the job we love most, educating our students. At a certain point, you must put in firm policies to enforce widespread change. The time for reform is now.

Teachers are leaving for good because they cannot teach and because they do not feel safe. We are the most needed profession but also the least protected. Everybody talks about needing teachers, but no one is implementing real change to keep us safe. No one should get injured or assaulted in their workplace, but it continuously keeps happening to us. At this point, many teachers who are currently employed are leaving for safer work environments or retiring early. If you look at the numbers, people are not jumping to sign up for a career as a teacher, in part due to violence. There are many issues that make the job of a teacher difficult. Our workload and pay leave much to be desired. When coupled with violence in the classroom, the level of undesirability for this profession becomes even greater.

We love what we do. But at the same time, we have had enough. Our safety, health, and well-being should not be a sacrifice for the job. We already give up unimaginable amounts of our time over what is required and often spend our [unintelligible] tired of all the lies of the safety and protocols in place that are only good on paper and not implemented at all schools, due either to staff shortages or pure negligence. Stop allowing us to become sad headlines and even casualties of abuse and violence in our workplace. We cannot and will not stay in the classroom like this. Do your part and support A.B. 330. Give all teachers the support and security of a safe working environment so we can focus our efforts on the teaching we are struggling to do.

**Chair Bilbray-Axelrod:**

Thank you. We have two more people in Las Vegas. We are over 20 minutes, so if you could make it as brief as you can. Mr. Lopez, we are not going to make it back to you because we have two people here and we are well over on time. We know Gil Lopez, representing Charter School Association of Nevada, is in support. [Mr. Lopez submitted [Exhibit C](#).] All right, please go ahead.

**Susan Proffitt, Vice President, Nevada Republican Club:**

Thank you, Governor Lombardo. Prayers were answered today when you brought this bill to the floor. Every child has a right to feel safe and an environment that is conducive to learning. I find it hard to believe our Department of Education has allowed a handful of students in various districts to disrupt the classrooms and attack and threaten students with impunity.

As Joe promised and delivered today, he will get shit done. When my child was attacked in an Illinois school, I chose to remove both of them and educate them privately, but most parents cannot afford to spend \$30,000 a year on education. That was over 20 years ago, so the price has gone up. As you consider the suggestions of the Committee and tweak the bill, I suggest that the bill be taken one step further. I believe zero tolerance is needed in all violent acts and threats in our schools because every day students are not learning is another day Nevada is not providing them the education we are paying for. I understand the bill empowers teachers to make judgment calls and remove the child, so I respectfully request that you include a clause concerning a teacher's—

**Chair Bilbray-Axelrod:**

You need to speak to the bill if you are in support of the bill as the bill as written.

**Susan Proffitt:**

Nevada is at the bottom of the nation while a handful of students have been allowed to rob every Nevada student of a successful future. I cannot understand why anyone, especially teachers, would not want this bill to pass if their rights were protected. I really do ask you to consider that, and I thank you for offering a solution to a failing education system that does not include a tax hike.

**Chair Bilbray-Axelrod:**

Thank you, madam. We will go to the next person. Very briefly, sir, if you would.

**Kenny Belknap, Private Citizen, Henderson, Nevada:**

I am a social studies teacher in CCSD, and I am the CCEA treasurer. I am speaking this afternoon in support of [A.B. 330](#) and the changes it makes.

Over the last few years, we have seen violence become an epidemic on our school campuses. Daily, educators are breaking up fights and have students threaten and possibly abuse them. For schools and educators to do our work, we cannot have constant violence and chaos erupting in the middle of the school day. The concern of violence is not just a concern of

educators but of students as well. We regularly hear from our kids that they do not want to come to a certain class or to school at all because they are afraid of being assaulted, hurt, or bullied in some way. Any educator will tell you there is not one solution for all kids when it comes to learning. The same thing goes with kids and regulating their emotions. Oftentimes these kids who are violent need additional supports, but these are not readily available in the system we have. We are not advocating we kick these kids out of the school and deny them an education. These students need more support to help them work through their issues, but their additional emotional needs do not give them the right to interrupt and deny their fellow students an education. Any student who makes the choice to assault a fellow student or an educator should be met with a zero tolerance policy. I encourage all of you to support this bill and thank you for your time.

**Chair Bilbray-Axelrod:**

Thank you. We will end up here in Carson City. I will note giving you each about a minute, and then we will give opposition 25 minutes instead of 20.

**Joy Trushenski, Private Citizen, Carson City, Nevada:**

My father was an educator. Overall, I support A.B. 330, but I believe discipline begins in the home. This bill should include specifics concerning the involvement of parents from the very beginning—

**Chair Bilbray-Axelrod:**

Madam, I am going to stop you. We are talking about the bill as it is written.

**Joy Trushenski:**

I will continue. I believe restorative justice is for minor infractions. For violence and continued disruption by a student, restorative justice does not work. There must be accountability for the students who have behavioral problems. Parents or guardians should be involved from the very beginning in the discipline process. Parents of disciplined students very well might need help themselves. We need to help them all. We need to remove violent and disruptive students from the classroom, even expelling them, if necessary, to provide safety for teachers and other students. Children cannot learn and teachers cannot teach when continually threatened with violence.

**Nicole Rourke, Director, Government and Public Affairs, City of Henderson:**

We are here to support A.B. 330. Our mayor and council have seen increased concerns from our community regarding school violence, and we feel this bill strikes a good balance for the needs of both students and educators.

[[Exhibit D](#), [Exhibit E](#), [Exhibit F](#), and [Exhibit G](#) were submitted in support of A.B. 330.]



**Chair Bilbray-Axelrod:**

We are once again over the 20 minutes. We are at 26 minutes. So unfortunately, if you are on the line to call in support, feel free to submit your testimony, and I will make sure to get it out to members. With that, I will close support testimony and open opposition. It is 3:31 p.m. We will have 25 minutes of opposition. Begin when you are ready.

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

There was a lot of talk about data, but we have a few reports: The U.S. Department of Justice report that says we do not have a mental health service array for our kids; we have a 2020 report by the Council of the Great City Schools—244 pages about how we in Clark County are failing kids with special education needs. We have staffing shortages of teachers, social workers, psychologists, and school counselors. We had a pandemic. We have families facing 20 to 30 percent rent increases, which is part of the context of kids having problems.

In this bill, I worry about kids in foster care, homeless youth, kids under the age of 11, kids on free and reduced school lunch. A lot of the conversation seems to be about kids who should have IEPs and are not in the appropriate educational setting. There are things the school district could do to get them in the appropriate setting, as opposed to using punitive measures. Chair Bilbray-Axelrod, you ask a very important question: Where will these expelled elementary students go? I did not hear an answer, because there are no alternative schools. They will go to their homes.

The section regarding reducing a student under age 11 from expulsion to suspension is in section 10, subsection 12 and only applies to the distribution of controlled substance. Section 8 creates a de facto expulsion, when the principal and superintendent can extend suspensions past three days when in their reasonable belief the child poses a threat to the school. There is no limit on how long they can extend it and how the family remedies the due process rights that are inherent when there is an expulsion. This could function as a de facto expulsion. I want to thank you for your time. I am sorry I sped through that. I do not want to take any of my other people's time.

**Annette Magnus, Executive Director, Battle Born Progress:**

We are here today in strong opposition to A.B. 330, not because we do not support reviewing our safety practices, but because this bill is being used as a ploy. Attacks on restorative practices have been a talking point for many electeds since the campaign trail, but we are still waiting on an actual solution to be presented since we believe the prior bills were never funded nor implemented properly. Let us be abundantly clear: Expelling more students or adding more police does not cut it, as we saw from the hearing with CCSD yesterday.

I will say, I am extremely concerned about safety in our schools, especially since my mother is the front office manager in one. I am particularly concerned as it relates to the threat of gun violence, a topic we work on every single day. I will also say, I am a proud product of

the Clark County School District, and violence happened in 2003 when I graduated from Centennial High School, far before restorative practices were in place. This is not a new issue.

That said, it is shameful we are here today to use the experiences of our educators and the lives of struggling students as a pretense for reinstating failed policies that will result in students winding up being spat out at the bottom of our criminal justice system, or they now will have a permanent mark on their record. It is also wrong to give all of the power to principals and administrators when our educators know better than anyone what they need, plain and simple. No one can even show us data on these issues when asked today. This body needs to be about real solutions, not campaign slogans and political hit ads.

We oppose A.B. 330 because booting students out of school is not about safer or supportive schools. This is about checking a box for a campaign promise at the expense of our young people. This body must support policies that will actually foster a healthier society, not poorly thought-out reactionary sound bites that this bill was drafted for. Please oppose A.B. 330 because this bill is a cop-out, and this is not the Nevada way.

**Robert Munson, Board Director, Nevada State Education Association:**

I am also the treasurer of the Washoe Education Association. As a 25-year veteran teacher, I appreciate the intent of A.B. 330 to ensure educator safety. Unfortunately, it fails to do it in its current language.

Violence in our schools is not new, and we can go through a litany of examples, whether it is Michael Landsberry being shot and killed at Sparks Middle School in 2013 or the Pine Middle School gun brought in 2006 where two students were shot. This is not new, but it is now becoming commonplace, and it is becoming the norm. Our overcrowded classrooms and interruptions to teaching leading to fights involving large groups of students is not surprising anymore. They occur regularly. However, overcrowded classrooms, inadequate pay, and chaos are leading more and more support professionals and teachers to leave the classroom. The well-meaning intentions of the restorative justice that was introduced in the last session have failed, not because they were implemented poorly; they were never really implemented at all. There was no training for teachers and no training for administration, which ultimately led to failure.

We believe consequences need to match the actions and the offense. The Assembly Bill 330 zero tolerance approach is stripping the ability of educators and principals to weigh the individual circumstances and decisions that are made together; too often, it ultimately leads to expulsion for a first infraction, rather than simply temporarily removing the student and addressing the underlying issues that led to the behavior in the first place.

Nevada State Education Association has called for the Respect Educators Act. We support A.B. 194, A.B. 285, as well as Senate Bill 152, which implement real accountability for violence while giving educators the tools necessary to deal with disruptive behavior. Educators need the ability to temporarily remove a student if the behavior seriously interferes

with other students' learning and the teacher's ability to effectively teach. Assembly Bill 330 would allow the principal to take away this ability of educators, leaving educators with limited options and a more dangerous work environment, thus failing to achieve its stated goal.

**Chair Bilbray-Axelrod:**

With that, we will go to Las Vegas. I see two people. Please begin when you are ready.

**Annette Dawson Owens, School Readiness Policy Director, Children's Advocacy Alliance:**

We appreciate our education-minded Governor and his office for meeting with us on this bill, and for Vice Chair Taylor and all others addressing school safety and discipline. There is much work to be done, and we look forward to continuing to find and bring solutions to Nevada.

Many concerns have been brought up. A couple of our biggest concerns surround the age and the rollback of the progress with restorative practices. The Children's Advocacy Alliance is a strong proponent of measures to keep children, families, and educators safe on school campuses at all times. We are champions for those safe, effective, school learning environments and know they are possible at every single school. We one hundred percent support our educators as well as every single child in understanding the supports they need to be successful. Correlation is not causation. Restorative practices are being blamed for the increase in the incidences and difficulties in our schools. When restorative justice is effectively implemented and used with fidelity, we actually see incidences and infractions go down. We have seen this in schools we have studied across the country as well as in exemplars in our own communities here. The reality is, restorative justice has never been fully implemented here, including in CCSD. When it is, teachers are fully supported, along with the children, the parents, and the community as a whole.

Restorative practices and healing-centered practices center on teacher safety and actively support teachers' self-care so they can better support our students. It does not mean the teacher or principal cannot discipline or impose consequences. Our students and teachers have been through difficult times and continue to be, post pandemic. These stressors still exist. We have teacher shortages, learning losses, mental health issues, et cetera. Supports are needed for our students and community as a whole, to not only cope but to thrive.

What is not needed is for children as young as in elementary school to be permanently removed and for all the responsibility for their education to cease. We recently saw Senator Dina Neal mention Peterson Behavioral Center and what is happening there. When that happens, we are just kicking the can down the road and not solving the issues at hand. Good schools have sound policies, procedures, and practices. They have data that show how and what they are doing to support students and address their needs, ensuring continued growth and success. This must be what we provide in our schools: safe, effective learning environments where all students are supported with evidence-based practices.

Who will pay the price for going backwards from restorative practices to zero tolerance practices which also disproportionately pushes out of schools kids who are of color, kids in poverty, and kids with disabilities? It will cost us now and down the road, impacting individual students' lives as well as placing financial burdens on our community as a whole.

**Tonya Walls, Founder, Code Switch: Restorative Justice for Girls of Color:**

We stand adamantly opposed to A.B. 330 because we do not feel it will address safe and supportive schools and, in fact, it will do just the opposite. I agree with all of my colleagues today who spoke in opposition. I am going to take a little different approach.

In 2019, the Legislature responded to a robust and rigorous set of evidentiary data that illuminated the racialized application of punitive, exclusionary, no-tolerance, and progressive discipline policies in Nevada's K-12 schools. As a result of these policies, we have the data. We know what these policies will do. Yet we are seeking in this bill to go back to them. Here is what they will do. Here is what they have done.

Black and Brown students, especially those who are differently abled and/or who self-identify as LGBTQIA, were three to seven times more likely to be suspended and expelled from schools than their other counterparts for low-level subjective discipline categories like disruptive behavior. Black students and, by default, their families, were more likely to be reported to DFS [Clark County Department of Family Services] for cases that were deemed unfounded when investigated. Black students, particularly Black girls, are more likely than any other group of girls to be referred to and/or pushed into juvenile justice for infractions for which other students receive the benefit of the doubt when engaging in. When bullied and/or experiencing racial harassment, Black students and Brown students are more likely to be ignored, leaving them unsafe or unsupported, and having to fend for themselves. When they do defend themselves, they are positioned as the aggressor and treated as such, despite the school and its leaders' ignoring previous complaints, rendering the school an unfriendly, unsafe, uncaring, and violent place for them. Black students report feeling unsafe, unsupported, undereducated, and under cared-for in the current school climate and in the previous climate, under progressive discipline policies. Black and Brown students are performing in low academic categories and yet are not being educated.

This was what the climate and culture and education in Nevada was like before restorative justice legislation—facts, not opinions. Yet, with no similar evidential base, no correlation or causation research, the current climate is leveraging circumstances, likely caused by a national pandemic, to promote a bill that ignores that and instead gaslights us into believing that during the pandemic, we passed this restorative justice legislation, we implemented it with efficacy as intended, we carried out rigorous impact evaluation processes to determine if it was effective or not, and determined that it caused the current circumstance. It did not. Not facts.

Why would we turn back the clock? Why would we go back to something for which we already have rigorous and robust data telling us what will happen? The only reason to pass this legislation is if you do not care about all students' safety. We are not trying to push

students into the prison and poverty pathways—or maybe we are. We appeal to legislators to protect previous legislation because you are protecting the right to an equal education for all of our students. The legislation as written does not prohibit us from responding to violence. The will or the lack of will of those who did not support the legislation when it was first passed and are now gaslighting us to reimplement what we already know we had is not the way. Stand strong. Keep Assembly Bill 168 of the 80th Session.

**Chair Bilbray-Axelrod:**

Thank you for your testimony. We will now go to the phones. We will take three callers in opposition on the phone lines.

**A'Esha Goins, Vice President, Las Vegas Branch, National Association for the Advancement of Colored People:**

The restorative justice process has not been funded nor implemented. The National Association on the Advancement of Colored People supports students, and we support our educators. There is a shortage of wraparound services, and I am extremely concerned for our youth. We are having conversations and hearings and meetings about permanently expelling children, which for many of us is the same as criminalizing children. This is absolutely unsettling. I guess we are just losing hope that the children are our future. Or maybe we have just forgotten that we at one point were children as well. I do not know. What I do know is we cannot permanently expel children, under any circumstances. In a lot of instances, it is the same as criminalizing them. I want you all to remember that these are children, and I urge you to oppose this bill.

**Anna Binder, Private Citizen, Henderson, Nevada:**

I am not going to reiterate everything that our fellow community members have said in opposition today, nor previous testimony, but the answer to where our children will go, especially those under the age of 12, is out of state.

My son, for example, spent a large amount of time in and out of Spring Mountain Treatment Center and Desert Parkway Behavioral Healthcare Hospital, trying to balance keeping him in our home and a part of our family while we navigated his mental behavioral health. We have a middle school that we attend in the City of Henderson that has been given the proper resources for restorative justice, and he is a successful eighth grader in that setting. I worry about his moving to high school, but because we have had such success in the middle school arena, I go to sleep at night with hope in my heart that, as he moves over to Foothill High School, we can continue that path for him.

I drew up the statistics from the Division of Child and Family Services. In 2017, we had over 252 child placements outside of the state of Nevada, and they all went to behavioral programs. For children under 12, there is a huge lack of resources within the state of Nevada. There was nowhere, and there still is nowhere, we can send our babies who have mental behavioral health and need help. We are forced to send them out of state, away from

the people who love and support them. I urge you not to do this, from the bottom of my heart, as a mother who has lived the last 14 years on a path of trying to find success for my own child in this very broken system.

**Chris Giunchigliani, Private Citizen, Las Vegas, Nevada:**

Speaking as a 30-year special education teacher, I wrote the original habitual discipline law in 1997 and 1999, then worked with Assemblyman Tyrone Thompson on A.B. 168 of the 80th Session to make it more appropriate to the times. Unfortunately, this bill really could be used to fix the implementation, because what happened with A.B. 168 of the 80th Session is it never got funded and never got fully implemented, and COVID-19 hit, and we realized that there is a social-emotional loss to our kids. Do we want consequences? Absolutely. But the consequence sequences have to fit the crime, so to speak. You can weave restorative justice throughout your discipline programs. That is something that can be done in every single school in the state of Nevada.

The measures, though, are some things that we still need to reflect on. We do not have behavioral specialists in our schools. We do not have enough counselors or social workers. We do not have paid family counseling for some of the parents of these kids, behavioral counseling. We do not even do training with our substitutes, principals, teachers, police, school aides, where they are all taught together on how to implement a behavior plan for special ed kids, for example. There are so many weaknesses there that can be easily fixed that can actually make sure our school campuses are safe and that all kids have a right to learn and that all teachers have the ability to teach.

One other idea is you could have parents of school-aged children be required by state law to lock up their guns, and then there could be some penalty, and it goes back to the home pipeline. That might help minimize young ones bringing a gun on campus.

There is a special ed training that should occur.

We could look at the university systems and teacher trainings to make sure they are working on discipline, because many schools do not focus on that part of it. If you do not have discipline in your classroom, you cannot teach. There is an excellent least discipline program that should be revitalized. In the long run, MTSS and SEL [social and emotional learning] and special ed training should be done by the Nevada Department of Education—they have some good training—and not by individual districts, because it is inconsistent across the state. Any training that comes about, if you do use this bill for a vehicle of something, there could be things to actually make the implementation and the intent work.

**Chair Bilbray-Axelrod:**

We will come to Carson City. You three should take us to over 25 minutes or just about that. Go ahead, Mr. Daly.

**Chris Daly, Deputy Executive Director, Government Relations, Nevada State Education Association:**

The voice of Nevada educators for over 120 years, Nevada State Education Association (NSEA) genuinely appreciates the goal of A.B. 330 to improve educator safety. We speak from the opposition tables.

We seek amendments [[Exhibit H](#)] to maintain educator authority to temporarily remove a student, to ensure a balance between maintaining order and the rights of students, to maintain the role of elected school boards and the review of discipline practices, and to create a Restorative Justice Monitoring Committee.

Nevada State Education Association's Respect Educators Act aims to elevate the safety, well-being, and autonomy of educators in their work. This includes real accountability for any violence committed against educators and giving educators the tools necessary to deal with disruptive behavior. This is why NSEA supports Assembly Bill 194, Assembly Bill 285 and Senate Bill 152. The Respect Educators Act is also about the better incorporation of educator voice and decisions impacting them. In 1999, as former Assembly member Chris Giunchigliani mentioned, NSEA advocated for the right of educators to temporarily remove a student if they believed that student's behavior seriously interfered with the learning of other students or with the ability of the staff member to discharge their duties. Language in A.B. 330 would allow a principal to take this ability away from certain educators, making their jobs more difficult and making schools less safe.

Nevada State Education Association asks that language added in section 7, subsection 6, be stricken from the bill. Instead, we would offer a process to require data on these removals to be reported to the board of trustees, into a newly reformed Restorative Justice Monitoring Committee. Ensuring a safe work environment for members is a top priority. At the same time, educators are often the biggest advocates for their students, especially when students are from disadvantaged backgrounds. While we appreciate language prioritizing educator safety, we believe there are examples of first-time offenses covered in amendments in section 10 that do not warrant an automatic expulsion. This could include low-level drug offenses or even a very young student who bites a school employee, even with no malice; for that, students should not be permanently expelled.

Nevada State Education Association asks that language in section 10, subsection 1 provide for a level of discretion. Nevada State Education Association has long advocated the role of democratically elected school boards to bring the greatest levels of accountability and responsiveness to communities they serve. To that end, we believe school boards should be included in the review of student discipline practices. We ask that the board of trustees, in sections 4, 6, 9, and 10, not be stricken.

Finally, the Respect Educators Act calls for the creation of a monitoring committee to include educators from across the state, legislators, restorative justice advocates, and folks from the Department of Education, to gain a clear understanding of the impact of the laws, ensure consistent implementation, and secure protection for all students and educators. We

would ask that in section 15 of this bill, instead of just repealing the development of the statewide framework for restorative justice, we include the Restorative Justice Monitoring Committee that could be charged with monitoring the implementation of the statewide restorative justice framework and make recommendations to this Legislature for improvements to the system.

**Chair Bilbray-Axelrod:**

Unfortunately, I think Mr. Daly took almost all the time. We are going to go to you, but make it brief.

**Laura Martin, Executive Director, Progressive Leadership Alliance of Nevada:**

I am here to testify against Assembly Bill 330. I will quickly go through things and not repeat what folks have said, but I do want to bring up one of the more recent episodes of *Nevada Newsmakers*. A member of the Senate here at the Legislature blamed school discipline problems on Tyrone Thompson. But we know the truth. The late Tyrone Thompson was an advocate for restorative justice, but unfortunately, the implementation was underfunded and understaffed and also happened during a pandemic and really never had the chance of being successful.

Additionally, Superintendent Jose Jesus Jara's removal of effective discipline practices by demoting school deans tracks with Governor Lombardo's failure as a sheriff of disbanding the gang unit, which he conceded led to an increase of homicides in Clark County. So maybe it is not the kids; maybe it is the adults.

We see from Governor Lombardo's appearance today that he is more than willing to be the conductor on Nevada's school-to-prison pipeline. It seems to be a part of a tradition of dehumanizing Black kids, the same kids whom the late Assemblyman Tyrone Thompson was trying to support in reaching their full potential and keep out of that school-to-prison pipeline.

When wages are low, housing is scarce, and poverty grows, it is going to manifest in our kids. The Nevada way has meant businesses first at all costs and that cost has been the education of our students.

I will close out by saying, do not call our kids savages, and public education is not a privilege; it is a right. It is a great equalizer for all of our communities and what sets our country apart from others. Thank you all for hearing this bill and giving us the opportunity to testify.

[\[Exhibit I\]](#), [Exhibit J](#), [Exhibit K](#), [Exhibit L](#), and [Exhibit M](#) were submitted in opposition to [A.B. 330](#).]

**Chair Bilbray-Axelrod:**

We are completely out of time. Mr. John Piro, I am sure you have brilliant things to say. I am sorry we did not get back to Vegas, but we have to move on. We have another bill



hearing yet, so I apologize. You are all welcome to submit your comments, and I will make sure the Committee gets those. With that, we are going to close opposition, and we are going to open neutral. Is there anyone in neutral? Remember, neutral does not mean you kind of like it and kind of do not. It means you are completely neutral on the bill.

**John Eppolito, President, Protect Nevada Children:**

[This testimony, given during the neutral testimony segment, was deemed by the Chair to be in opposition to A.B. 330.] You can find 1,500 of us on Facebook at Protect Nevada Children.

There was a principal from Wooster High who spoke; there was a superintendent from Carson City schools who spoke; there was Mary Pierczynski, the lobbyist for the superintendents—They all made great sense. The problem with the bill could be, probably is, what the teachers pointed out. The teachers make much more sense. The first one was Assemblywoman Torres, followed by Assemblywoman La Rue Hatch; I think Assemblywoman Anderson used to be a teacher. Teachers do not have enough control. I only taught for six years. I had four principals over those six years, and they were not consistent. A lot of times the principals are not the ones who are there forever. You have to listen to the teachers. If the teachers had a little more support—section 7, subsection 6, if that was modified slightly—we would be in support.

**Chair Bilbray-Axelrod:**

We are going to have to put you down in opposition. For the record, Assemblywoman Anderson is still a teacher. Is there anyone in Las Vegas in neutral? [There was no one.] Is there anyone on the phone lines in neutral?

**John Carlo, Private Citizen, Las Vegas, Nevada:**

Education should be nonpartisan. I am for the best policy. I thank those from the Governor's office and those superintendents who came together to help educate the state. I do not believe the Governor is smart enough to come up with this legislation by himself. It is true, statistically, that Governor Lombardo, while he was sheriff, did not make Las Vegas safer. We should not be listening solely to him. What I have seen this week is the large—

**Chair Bilbray-Axelrod:**

Could you speak to the bill and to why you are in neutral?

**John Carlo**

I am in neutral. For one thing, there is the number of delinquent children who are being produced in CCSD. I do not think restorative justice practices are producing academically sound children. We heard a second-grade teacher talk about how violent these children are. I do not think A.B. 330 goes far enough. When I was a child—

**Chair Bilbray-Axelrod:**

Sir, I am going to have to stop this testimony. This is not neutral testimony, and we have already closed opposition. I apologize. Are there any more callers in neutral? Please go ahead.

**Jamie Tradzynski, Private Citizen, North Las Vegas, Nevada:**

[Chair deemed the testimony of Jamie Tradzynski to be in opposition to A.B. 330.] I am a teacher in the Clark County School District, and I am a career educator, finishing up my eleventh year in education. I am calling today to speak in neutrality for this bill because I believe it is very important that we take the time to go back, revise, and make sure this bill serves to protect students. While it has good potential, there are still many elements of it that are problematic. I also find the fact that this is yet another unfunded mandate being passed on to education to be an unwise decision. We are already seeing the lack of financial services provided to our districts and how it hurts students.

**Chair Bilbray-Axelrod:**

Madam, I am so sorry. We will put you in opposition, but then we are going to have to move on. Are there any more callers in neutral? [There were none.] I do understand, the neutral position is very nuanced. We will continue to work on that. Superintendent Ebert, Ms. McGill, would you like to come up to make any closing comments?

**Jhone Ebert:**

Thank you, Madam Chair. I thank everyone for the time and for listening today. All of the input is very important. As noted by many of the speakers, there is a lot of work to be done to make sure our students are safe and thriving in an educational environment that we would expect for each and every one of our own children. Thank you very much.

**Chair Bilbray-Axelrod:**

Thank you for being here, Superintendent. With that, I will close the hearing on A.B. 330. We are going to lose some members. Next, we are going to do a bill draft request (BDR) introduction. I will introduce BDR 34-1088.

**BDR 34-1088**—Revises provisions relating to education. (Later introduced as Assembly Bill 400)

This measure is sponsored by the Office of the Governor and revises provisions relating to education. Remember that a vote to introduce a BDR requires the majority of the Committee. Do I have a motion?

ASSEMBLYWOMAN TAYLOR MOVED TO INTRODUCE BILL DRAFT  
REQUEST 34-1088.

ASSEMBLYWOMAN TORRES SECONDED.

Members, is there any discussion on the motion? [There was none.]

THE MOTION CARRIED. (ASSEMBLYMEN D'SILVA AND MCARTHUR WERE ABSENT FOR THE VOTE.)

With that, we will now move on to our final bill presentation. Thank you for your patience, Assemblyman Nguyen. We will open the hearing on Assembly Bill 274. This measure revises provisions governing required instruction and financial literacy. To present this measure, we have Assemblyman Nguyen. Please go ahead when you are ready.

**Assembly Bill 274: Revises provisions governing required instruction in financial literacy. (BDR 34-759)**

**Assemblyman Duy Nguyen, Assembly District No. 8:**

Good afternoon, Chair Bilbray-Axelrod, Vice Chair Taylor, and the most excellent Assembly Committee on Education. I had this presentation at 15 minutes. I am cutting it down to four. This is going to help. Thank you for the opportunity to present A.B. 274 today. Assembly Bill 274 is here to clarify the intent and the importance of codifying the words "financial literacy" in statute as well as ensuring that some basic foundational steps are being taught in the curriculum and standardized by the Nevada Department of Education (NDE).

Currently *Nevada Revised Statutes* (NRS) 389.018, section 1, states that the following subjects are designated as the core academic subjects that must be taught in our public schools: English language arts, mathematics, science, and social studies. Furthermore, section 2 states that a pupil enrolled in a public high school must enroll in a minimum of four units in English language arts, four units of credit in mathematics, three units in science, and three units in social studies including, without limitation, one-half unit in American government, two units of credit in American history, world history or geography, and one-half unit of credit in economics.

"Economics" is the reason why I am here today to present in front of you, the most excellent Committee on Education. It is not clear enough to promote excellence in our young adults entering the real world. That is why A.B. 274 is here. According to the *Merriam-Webster Dictionary*, "economics" is defined as a social science concerned chiefly with the description and analysis of the production, distribution, and consumption of goods and services. How does that help our young adults prepare for the real world when they are not learning the applicable ways to manage their money? The emphasis could be economics at the 30,000-foot level. However, the concentration and focus should be on financial literacy, everyday financial literacy. That is what A.B. 274 is intending to do: adding the words "financial literacy" in the statute to be clear it should be the focus.

"Why is that?" you ask. Last year, I spent six months talking to the constituents of Assembly District 8. Among all, the concerns were about health care, jobs, safety, reproductive freedom, and of course education. Most of the parents in my district are concerned about the lack of corroboration between what is being taught in school and what is reconfirmed at home, around dinner tables, on the subject of financial literacy. Young adults are making financial decisions, as they are leaving the care of their parents, without any proper

knowledge of the basics of household finances. For example, a first paycheck may earn \$500 in gross wages. Most would think, Hey, I have the entire \$500 to spend. No, there are taxes, food costs, health care costs, transportation costs, and housing costs that they are now responsible for that would reduce discretionary income to little or zero remaining. All of a sudden, that \$500 could turn into a negative balance and they will have to resort to credit cards and predatory loan products that could set them back financially and they enter the world of debt and financial insecurity at the beginning of their adulthood.

Therefore, in NRS 389.074, on the specific instruction in financial literacy, the development of a personal financial plan, and now, we are adding, "without limitation, understanding and budgeting for the costs of housing, transportation and health care"—the basics of adult life. When we explain the basics and require a plan for the basics, we can then teach economic topics such as compound interest, investment, stocks and bonds, and things that require at least the basic knowledge first, before getting into the higher level of understanding.

With your permission, Madam Chair, I will go on to the amendment that was just submitted [\[Exhibit N\]](#). I apologize for the tardiness of the amendment; we missed a couple of words, so we had to resubmit it. It is on your committee view, and staff has passed it out to all the members. It is on the Nevada Electronic Legislative Information System (NELIS) as well.

A conceptual amendment at section 2, subsection 3, is to delete the word "encourage" and add the word "require." Following that, adding to section 2, subsection 3, a new paragraph "(a) Students must complete a financial plan as a part of their course requirements and encourage." Change paragraph (a) to (b) and (b) to (c), encouraging and continuing the current language regarding volunteers and business associations as well as other entities helping with the teaching of financial literacy.

The second part of the conceptual amendment makes changes regarding the Statewide Financial Literacy Council, basically transferring it from the Statewide Financial Literacy Council to the Office of Standards and Instructional Support (OSIS) of the Nevada Department of Education so that they can closely align with the mission of the office, while transferring the expertise and keeping the same community members with diverse economic backgrounds: representation from the banking and credit union communities, three educators—one from elementary, one from middle, and one from high school—and of course the addition of one high school student. That is it for my presentation. I will stand for questions.

**Chair Bilbray-Axelrod:**

Thank you very much for that concise presentation. Members, do we have any questions?

**Assemblywoman La Rue Hatch:**

Thank you for bringing this. I am a social studies teacher. This is obviously directly impacting what I teach. When I looked at this bill, I reached out to social studies teachers, specifically economics teachers in Washoe County, and they said they are all teaching financial literacy in their economics classes, so I support that clarity.

My question comes from the amendment. I am a little concerned that things may be placed in the wrong section. For example, in section 2, subsection 3, adding the "must complete a financial plan"—That looks like what you are requiring for the course, which to me would be in section 2, subsection 1. That might need to be placed somewhere else, because subsection 3 is just talking about community partnerships and does not talk about any other topics. That hopefully could be a quick correction.

**Chair Bilbray-Axelrod:**

For the record, committee counsel has said it is okay as long as we have the intent on the record.

**Assemblywoman La Rue Hatch:**

Okay. The only other thing is, I am concerned about changing "encourage" to "require" in subsection 3, and here is why. It is talking about getting community partners to come into your classroom, which I one hundred percent support and our teachers support. I have a six-period schedule, and we are on a three-day rotation, so if someone wants to come in, they have to come in for two whole days, all day long, to meet all of my classes, and it is sometimes a struggle to get people to do that. I am concerned, if we put "require," then teachers who are making a good faith effort to bring people in may be penalized because they cannot quite get people into their schedule.

**Assemblyman Nguyen:**

You are correct; that is why this latest amendment with the words "and encourage" in bold is the latest update. We did catch that when we drafted the amendment. The word "encourage" is still there for the volunteers and for the organizations. The requirement applies only to the financial plan.

**Assemblywoman Torres:**

Thank you and thank you for bringing this legislation. Financial literacy is an important part of the curriculum. That is why it is already part of the economics classes currently being provided, and why we have passed similar legislation, for sure in 2019. We have looked at similar legislation prior to that too.

I have concerns about adding language requiring a financial literacy plan to be developed because it has never been common practice for the Legislature to legislate what educators must teach. Rather, the Department of Education would create the curriculum and provide guidance for the curriculum. I think this could create unintended consequences in the future, where we have policies that say, English teachers must teach *Romeo and Juliet*; they must do this . . . . I do not know whether something like this is standard policy. I do not know whether the Legal Division can chime in. Have there been any other instances where we have legislated the curriculum that is meant to be provided?

**Chair Bilbray-Axelrod:**

We will have to get back to you on that.

**Assemblywoman Taylor:**

I am trying very hard to place the amendments where they go. I cannot seem to locate where it says page 6, subsection 2, because my page 6 does not look like that. I am trying to find that piece, and that was one of the questions from Assemblywoman La Rue Hatch. Can you direct me to that, please?

**Assemblyman Nguyen:**

Assemblywoman Taylor, if you look at the bottom of page 5, line 41, it says, "The board of trustees of each school district and the governing body of each charter school in which pupils are enrolled in any grade of grades 3 to 12, inclusive, shall . . . ," and you see the word "encourage"? [The Assemblywoman assented.] Now that word is being changed to "require."

Then we are going to add the new paragraph (a), which continues on the next page. The old paragraph "(a) Persons to volunteer time . . ." is now paragraph (b). Paragraph (a) will be ". . . inclusive, shall require" and then (a)—

**Assemblywoman Taylor:**

Then paragraph (b) goes to (c).

**Assemblyman Nguyen:**

Right. So, paragraphs (b) and (c) will still be "encouraged." It is just now (a) that is "required."

**Assemblywoman Taylor:**

What threw me off is when you said line 1. I thought the change was actually on line 1.

**Assemblyman Nguyen:**

No, it is not. I am sorry.

**Assemblywoman Taylor:**

That is okay. I just wanted to make sure, as I am going through this, that I have the rest of it.

**Chair Bilbray-Axelrod:**

Could our Legal Counsel chime in on the question asked by Assemblywoman Torres?

**Asher Killian, Committee Counsel:**

Generally, in law, we do not prohibit certain types of instruction, but there are some courses for which certain types of instruction is required. For example, NRS 389.054 requires in American government classes that things such as the essentials of the *Constitution of the United States* and the *Constitution of the State of Nevada* are included. There are similar provisions for inclusion of those things in American history classes in instruction regarding the contributions to science, arts and humanities of Native Americans, Native American tribes, et cetera. There are instances in NRS where particular items are required to be included in the instruction for certain courses.

**Chair Bilbray-Axelrod:**

Thank you for that clarification.

**Assemblywoman Anderson:**

Thank you for bringing the clarifying language. My concerns are from exactly what others have brought up about, on page 5, changing that word "encourage" to "require." I want to make sure that I am clear. Is this an every-year item, this financial management, or is this a different time frame for the grades from 3 through 12?

**Assemblyman Nguyen:**

The intent is to have the requirement done at least one time before they graduate. It could be whichever time in their high school career that this is being taught. The intent is they are required to do at least one financial plan. In doing the research on this and in speaking to different districts, I understand some of the schools are already doing this as a standard. This is just to make sure every student in our entire state has the opportunity to create this plan.

**Assemblywoman Anderson:**

I might need to have more of an offline conversation with you to get clarity about why exactly we are starting as low as third grade, where sometimes the education around coins and everything has actually started in kindergarten and continue as we grow up. I am a bit concerned about the grades that are being mentioned, so we can have that conversation offline.

**Assemblywoman Mosca:**

For the record, what is an example of a plan? Could you share what the intent is?

**Assemblyman Nguyen:**

Going back to page 4, the original intent of A.B. 274 is for the plan to have the basic understanding of budgeting the costs of housing, transportation, health care, and food, which are the basics that youth do not think about that will be their responsibility once they hit the adult world. Having that understanding that, Hey, you need to think about your basic costs first before you get into the fancy stuff. It sets them into a positive path rather than a negative path where they will use credit cards and other predatory lending products to put their hands on funds they do not actually have.

**Chair Bilbray-Axelrod:**

Are there any other questions, Committee?

**Assemblywoman Torres:**

I am looking at the amendment. The amendment has language around the Office of Standards and Instructional Support. I do not really see that in the bill as is. Where in the statute is it situated right now? What part of the bill?

**Assemblyman Nguyen:**

I will get back to you on that. The bill was missing a chapter. We will send that information to the Chair and Committee members.

**Assemblywoman Torres:**

I might want to take that conversation offline because you did not hit on why we are doing that or what we need, such as whether that is something that was requested by OSIS or NDE. Can you comment on that?

**Assemblyman Nguyen:**

This is in consultation with the Office of Standards and Instructional Support. We came out with this by working with them. The feedback is that the Financial Literacy Council right now is operating separately from the Office of Standard Instructional Support. They are actually the members of this committee. This is actually their idea, to transition this over to the Office so that they can work closely with the Office of Standards and Instructional Support to make things a lot more smooth.

**Chair Bilbray-Axelrod:**

We are losing a couple of members again for committees. Now we will have you step back, and I will open it up for testimony in support.

**Nick Vander Poel, representing Payactiv, Inc.:**

On NELIS, you will find a letter from Payactiv [[Exhibit O](#)] in support of Assembly Bill 274. Payactiv is a certified B Corporation [public benefit company] on a mission to help improve financial security and well-being. As a part of this, Payactiv offers free resources to support financial learning and counseling, as well as tools to help users budget and save. Payactiv believes technology is an important tool in the toolbox to help users strengthen their financial literacy and are proud to offer these resources for free to all their users. Payactiv supports this bill and the effort to increase financial literacy and learning for Nevada students. We thank Assemblyman Nguyen for this legislation and thank you for your time.

**Nick Schneider, Policy Analyst, Government Affairs, Vegas Chamber:**

To make this as quick as possible for you all, we are in support of A.B. 274. We believe there is a unique opportunity here to help our upcoming generations excel and be prepared for their adult lives.

**Matt Morris, representing DailyPay, Inc.:**

We have also offered a statement in support [[Exhibit P](#)], which has been posted to NELIS. DailyPay is an employer-integrated earned wage access provider that offers on-demand pay benefits to thousands of hardworking people in the state of Nevada. We are proud to submit the statement in support of A.B. 274, which would ensure that Nevada students have the opportunity to receive instruction in financial literacy. We want to thank Assemblyman Nguyen and the bill sponsors for bringing this bill forward, and we thank the Committee for your time.



**Rick McCann, representing Nevada Association of Public Safety Officers:**

I am also a member of Nevada Law Enforcement Coalition. First, I wish to thank Assemblyman Nguyen and a whole host of bipartisan joint- and co-sponsors, some of whom are sitting right here today. Why the heck am I here? Assemblywoman Thomas just looked at me, Why the hell are you here? I normally appear on law enforcement labor matters, but believe it or not, most of my members across the state are parents. They are parents of children in our school systems.

This bill gives those students a leg up on the understanding of the everyday, basic requirements of their financial lives, something the statutes already require, but this is going to strengthen it a bit. Current law does state that students be taught basic strategies for developing financial responsibility. That is what the law says now, but this bill strengthens that commitment, in my view, to our children, by teaching them to develop a financial plan in their lives that includes an understanding in budgeting for the costs of housing, transportation, health care, and the like.

What a concept. Teaching students these basic ideas of financial awareness might actually help them avoid predatory lenders. I do not know, some student loan programs come to mind that they are going to be dealing with as soon as they graduate. What a concept. Personally, I went to law school so I would not have to do math or do economics and some of you up there may understand why I am saying that.

This would have been cool about 100 years ago when I was in school in Pennsylvania. They have already said it, you have already said it, some of you know, it is a good bill. Work out the damn amendments. I do not care. But the bill, the concept, the process of what we are trying to teach these young children, these young people, young men and women, is important. For that reason, we support this bill.

**Chair Bilbray-Axelrod:**

We know, late in the day, we get Mr. McCann unscripted. Please go ahead.

**Holden Leonard, Private Citizen, Carson City, Nevada:**

I am a member of the Carson Montessori Student Legislative Team. We are in support of A.B. 274. In essence of time, I am going to defer to my teammate who is an expert on the financial literacy bill.

**Hank Brown, Private Citizen, Carson City, Nevada:**

I am a member of the Carson Montessori Student Legislative Team. I am speaking today on behalf of our entire Carson Montessori Student Legislative Team in support of A.B. 274.

There is no question that financial literacy is a must. No one can survive in today's super-fast, computerized world without knowing financial literacy. It is in everyday life: interest rates, withholdings, credit cards, mortgages, insurance, auto loans, student loans, budgets, and even how to avoid getting scammed.

Thank you, Assemblyman Nguyen, for bringing this bill forward again so it is not lost. What is happening is, financial literacy is addressed session after session. It needs just to be implemented. Carson Montessori's Student Legislative Team has worked on financial literacy bills from the start with Senator Joyce Woodhouse, who introduced Senate Bill 220 of the 78th Session. I am a sibling of one of those workers, and I worked last session on Assembly Bill 19 of the 81st Session, which lumped three critical areas of curriculum: civics, financial literacy, and multicultural, into one bill.

I am lucky to be in a school that has an outstanding financial literacy curriculum. It is real-world, hands-on; it is wrapped into everyday classroom lessons which is the way it should be implemented. The Department of Education under Jaynie Malorni just released a curriculum idea chart for April on financial literacy, and NDE has scheduled a training for April 15 for all educators. Please do not let financial literacy miss another opportunity to be launched, and most of all, do not have your Committee wait until 2024 for results. You have a student voice on it now, which is critical. So please get it out and into the hands of educators immediately. Do not wait until the 83rd Session.

**Chair Bilbray-Axelrod:**

Before you leave, can you tell me what grade you guys are in?

**Hank Brown:**

Sixth grade.

**Chair Bilbray-Axelrod:**

Both of you are in sixth grade? Wow. I think you both have tremendous careers. I want to keep you here and ask you what you think about interest rates and a pending recession but if not, we will take that offline. Thank you for being here.

There is no one in Las Vegas. Do we have anyone on the phone lines to speak in support?

**Anna Binder, Private Citizen, Henderson, Nevada:**

I did submit a written comment in support [[Exhibit Q](#)] of this but since I am still here, I wanted to verbalize my support of this. As a mother of six children who are products of the Clark County School District, we were very blessed that our older four children were enrolled in schools that also invested a lot of time into teaching them financial literacy. I successfully have a 19- and 20-year-old with over 750 credit scores and no debt. They are going to college for free, and they have figured out the world and how to make it work for them, when it comes to their finances. My eighth grader this year was taught how to start his own business. They had an entire class on entrepreneurship as well. I am very happy to see this bill come forward, as sometimes I feel like it is site-based, when it really should be statewide. Thank you again, and I really do support this.

**Amy Koo, Acting Deputy Director, One APIA Nevada:**

Assembly Bill 274 is a simple way to provide our students the life skills they need to be successful in their lives after graduation. Financial literacy is often seen as something taught

to you by parents. However, Nevada is an incredibly diverse state with many intergenerational and immigrant families who may not be the most familiar with institutional financial literacy.

As the daughter of immigrants, I learned a lot of my financial planning from friends and through online resources. A financial literacy class in high school would have helped me jump-start planning financially for my future. This bill would address one of the suggestions made by the Nation's Report Card on Financial Literacy for Nevada by creating a stand-alone class on financial literacy. We thank Assemblyman Nguyen for introducing this important legislation, and we urge the Committee to support A.B. 274. [Testifier submitted [Exhibit R](#).]

[[Exhibit S](#) and [Exhibit T](#) were submitted but not discussed and will become part of the record.]

**Chair Bilbray-Axelrod:**

Thank you for the call. Just to be clear, there is no one in Vegas and there is no one else here in Carson City. We will go to the next caller.

**Cyrus Hojjaty, Private Citizen, Las Vegas, Nevada:**

This is an awesome bill. I have been talking about this, along with many other issues, in my high school in Aliso Viejo, California, which was high-ranking. This needs to be taught. A lot of people were getting these high grades, hoping to get a high paying job, and realizing they do not even know how to work with finances, how money, budgeting, and everything else works. Wow, you actually want to teach people something that actually matters. We have to teach people about the stock market because I have been working with that for about 13 years, about when to buy, when to sell, about dividends, price earnings ratio—the list goes on—about bonds, about real estate: when to buy, when to get in, mortgage rates, interest rates, the Federal Reserve, the financial pain that we have had for the last 15 years. It is not just the system; it is the people.

Yes, you have the power to budget and balance everything. Please support this bill. It is very important because look at the percent of Americans who are going paycheck to paycheck, have all these loans: student loans, credit card loans; the list goes on. Look at the posts. People are not doing very well financially. Why do you think people like Suze Orman and Dave Ramsey are so popular? A lot of this can definitely be avoided, and in these intense times, we really need it because the economic situation is very uncertain. Thank you so much for bringing this bill. We appreciate it.

**Shelbie Swartz, Development Manager, Battle Born Progress:**

I am calling in support of A.B. 274, and I want to thank Assemblyman Nguyen for spearheading this critical measure. It is imperative that our children, who are the future of Nevada, have access to financial literacy in our schools. I cannot begin to tell you how many long conversations we have had on our staff about how much we all wish we were taught even a lick of financial literacy in school. Today, as independent adults, we often have

questions about what the difference is between 401(k) plans, how home loans and mortgages work, how investments work, and how we wish we were taught how to do this stuff in school. On behalf of the young folks on our team, we urge you to support A.B. 274.

**Chair Bilbray-Axelrod:**

Thank you. There are no more callers. With that, we will close testimony in support and move to opposition. Is there anyone in Carson City in opposition? I do not see anyone. Is there anyone in Las Vegas? I do not see anyone. Is there anyone on the phone in opposition? [There was no one.] With that, we will close opposition and open it to neutral. Is there any neutral testimony? We have someone coming up, and she is going to show us how neutral is done.

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

Currently, our economics courses include financial literacy. The bill, as initially drafted, has no financial impact to the district. Based on the intent of the amendment, we believe that will maintain. We are going to hold off and wait for that language to come through and then continue to engage from there. We are grateful to the Assemblyman for working with us on adjusting some of those amendments.

**Chair Bilbray-Axelrod:**

Is there anyone on the phone lines in neutral? [There was no one.] With that, I will invite Assemblyman Nguyen back up for any closing remarks.

**Assemblyman Nguyen:**

Thank you again, Chair Bilbray-Axelrod, Vice Chair Taylor, and those left of the excellent Assembly Committee on Education, for the opportunity to present A.B. 274. The main component of this bill requires our students to learn the basics of being an adult and clarifies the importance of economics in the basic topic of financial literacy as we prepare our young adults for the real world. I am so proud of these two young gentlemen who testified so well today. Outside of excellence in reading, writing, science, and social studies, our K-12 students need to understand the benefit of managing personal finances and setting themselves up for success, along with their parents and their educators, the two groups they trust most to guide them to success.

**Chair Bilbray-Axelrod:**

With that, I will close the hearing on A.B. 274 and we will now move on to our last agenda item, which is public comment. As a reminder, members of the public can provide public comment in person or by telephone. The public can also submit public comment up to 24 hours after the meeting. Please begin public comment. You have two minutes.

[Public comment was given.]

We are done for the day. Thank you all for being here. Thank you, young men, for spending time right here in the building. As it is not spring break for you, this must just be your fun place. I was like that, too, so I totally get it. With that, members, I will see you on Tuesday. Thank you very much. We are adjourned [at 4:47 p.m.].

RESPECTFULLY SUBMITTED:

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Funmi Sheddy  
Recording Secretary

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Geigy Stringer  
Transcribing Secretary

APPROVED BY:

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Assemblywoman Shannon Bilbray-Axelrod, Chair

DATE: \_\_\_\_\_

## EXHIBITS

[Exhibit A](#) is the Agenda.

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

[Exhibit C](#) is a letter from Gil Lopez, Executive Director, Charter School Association of Nevada, in support of [A.B. 330](#).

[Exhibit D](#) is written testimony of Pauline Ng Lee, Board Member, Keystone Corporation, in support of [A.B. 330](#).

[Exhibit E](#) is written testimony of Mon Bertolucci, Private Citizen, in support of [A.B. 330](#).

[Exhibit F](#) is written testimony of Michael Festenese, Private Citizen, in support of [A.B. 330](#).

[Exhibit G](#) is written testimony of Thomas Tighe, Private Citizen, Las Vegas, Nevada, in support of [A.B. 330](#).

[Exhibit H](#) is written testimony regarding proposed amendments to [A.B. 330](#), submitted by Chris Daly, Deputy Executive Director, Government Relations, Nevada State Education Association.

[Exhibit I](#) is written testimony of Jshauntae Marshall, Cofounder, No Racism in Schools #1865, Las Vegas, Nevada, in opposition to [A.B. 330](#).

[Exhibit J](#) is a letter from Sylvia Lazos, Private Citizen, Henderson, Nevada, in opposition to [A.B. 330](#).

[Exhibit K](#) is a letter from Dr. Tracy Edwards, Private Citizen, in opposition to [A.B. 330](#).

[Exhibit L](#) is written testimony of Tracey Thomas, Private Citizen, in opposition to [A.B. 330](#).

[Exhibit M](#) is written testimony of Karla Suazo, Private Citizen, in opposition to [A.B. 330](#).

[Exhibit N](#) is a conceptual amendment to [Assembly Bill 274](#), dated March 23, 2023, submitted by Assemblyman Duy Nguyen, Assembly District No. 8.

[Exhibit O](#) is a letter dated March 22, 2023, from Molly Jones, Vice President, Government Affairs, Payactiv, Inc., in support of [A.B. 274](#).

[Exhibit P](#) is a memo dated March 23, 2023, from DailyPay, Inc., New York, New York, in support of [A.B. 274](#).

[Exhibit Q](#) is written testimony of Anna Marie Binder, Private Citizen, in support of [A.B. 274](#).

[Exhibit R](#) is a letter dated March 23, 2023, submitted by Amy Koo, Acting Deputy Director, One APIA Nevada, in support of [A.B. 274](#).

[Exhibit S](#) is a letter from Angel Favela, Private Citizen, Las Vegas, Nevada, in support of [A.B. 274](#).

[Exhibit T](#) is written testimony of Trevor Parrish, Manager, Government Affairs, Vegas Chamber, in support of [A.B. 274](#).