

**MINUTES OF THE  
SENATE COMMITTEE ON EDUCATION**

**Eighty-second Session  
May 19, 2023**

The Senate Committee on Education was called to order by Chair Roberta Lange at 2:24 p.m. on Friday, May 19, 2023, in Room 2134 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to Room 4412 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

**COMMITTEE MEMBERS PRESENT:**

Senator Roberta Lange, Chair  
Senator Edgar Flores, Vice Chair  
Senator Dina Neal  
Senator Fabian Doñate  
Senator Scott Hammond  
Senator Carrie A. Buck  
Senator Robin L. Titus

**GUEST LEGISLATORS PRESENT:**

Assemblywoman Angie Taylor, Assembly District No. 27

**STAFF MEMBERS PRESENT:**

Jen Sturm-Gahner, Policy Analyst  
Asher Killian, Counsel  
Kirsten Oleson, Committee Secretary

CHAIR LANGE:

We will begin with the work session on [Assembly Bill \(A.B.\) 65](#).

**ASSEMBLY BILL 65 (1st Reprint)**: Revises provisions relating to education.  
(BDR 34-275)

Senate Committee on Education  
May 19, 2023  
Page 2

JEN STURM-GAHNER (Policy Analyst):

As nonpartisan staff, I can neither advocate for nor against any measure. Assembly Bill 65 was sponsored by the Assembly Committee on Education on behalf of the Nevada Department of Education (NDE). The bill was heard on May 10, 2023. There are some amendments. The bill and amendments are outlined in the work session document ([Exhibit C](#)).

CHAIR LANGE:

I will entertain a motion.

SENATOR DOÑATE MOVED TO AMEND AND DO PASS AS AMENDED  
A.B. 65.

SENATOR FLORES SECONDED THE MOTION.

SENATOR TITUS:

I appreciate the amendment, although I am still going to vote no on this bill. I have had a number of parents reach out to me concerning that lowering the age of children starting school especially affects those who are home schooling their kids. They feel that they should be the judge. I also believe a parent needs to be in charge of when they feel the child is ready for school. Kids age differently and mature at different levels.

SENATOR HAMMOND:

I echo the same sentiment. I have had several discussions with parents who wanted to keep the age at seven years old. I like everything else about the bill. There is a lot of stuff in there we need, but at this point, I will be voting no. Hopefully, we can continue the discussion.

SENATOR BUCK:

I will support the bill today. People who homeschool their kids can fill out the appropriate paperwork. The earlier we can get kids in school, the better. That is something I experienced as a principal. There were seven-year-old children who had zero literacy skills. It was very alarming because they are supposed to be entering third grade, but they had zero literacy skills.

Senate Committee on Education  
May 19, 2023  
Page 3

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

\* \* \* \* \*

CHAIR LANGE:  
The next bill on work session is A.B. 264.

[ASSEMBLY BILL 264 \(1st Reprint\)](#): Revises provisions governing attendance in public schools. (BDR 34-639)

MS. STURM-GAHNER:  
Assembly Bill 264 was presented by Assemblywoman Angie Taylor on May 17, 2023. There are no amendments. The bill is outlined in the work session document ([Exhibit D](#)).

CHAIR LANGE:  
I will entertain a motion.

SENATOR FLORES MOVED TO DO PASS A.B. 264.

SENATOR DOÑATE SECONDED THE MOTION.

SENATOR BUCK:  
Does this bill include the amendment relating to a threat made to the school?

ASSEMBLYWOMAN ANGIE TAYLOR (Assembly District No. 27):  
There were some questions surrounding what would be identified as a threat, who makes that call and at what level. There are still some things that need to be worked out with that, so we did not include that amendment at this time.

SENATOR BUCK:  
I will support this.

THE MOTION CARRIED UNANIMOUSLY.

\* \* \* \* \*

Senate Committee on Education  
May 19, 2023  
Page 4

CHAIR LANGE:

The next bill on work session is A.B. 285.

[ASSEMBLY BILL 285 \(1st Reprint\)](#): Revises provisions governing school safety and student behavior. (BDR 34-638)

MS. STURM-GAHNER:

Assembly Bill 285 was presented by Assemblywoman Taylor on May 17, 2023. There are some amendments. The bill and amendments are outlined in the work session document ([Exhibit E](#)). Assemblywoman Taylor also submitted a more detailed summary of the proposed amendments ([Exhibit F](#)).

SENATOR NEAL:

Can you elaborate on amendment 16 on page 2, [Exhibit E](#)?

ASSEMBLYWOMAN ANGIE TAYLOR (Assembly District No. 27):

The change is with the homeless or foster care liaison on the campus and when that conversation would take place. We added the foster piece to an earlier amendment. We added the language "upon" because if something happens with a foster child, homeless child or, quite frankly, any child, and it is 2:00 p.m. and school ends at 2:30 p.m., that conversation needs to happen. If the process is "before," then school administrators cannot do anything to correct that behavior or provide support until potentially the next day. By using the language "upon," the administrators would still contact the campus liaison to see if the behavior was influenced by homelessness or foster care. That is why we changed the phrase.

SENATOR NEAL:

Can you explain amendment 18 on page 2, [Exhibit E](#)? I watched the hearing on the Assembly side. I believe this particular provision was disliked in its entirety.

ASSEMBLYWOMAN TAYLOR:

We changed the provision so a student can be removed but, prior to that, there has to be a meeting. The meeting is with the student, parent, teacher, social worker, counselor or whoever else is involved in the multi-tiered systems of support team to explain. The conversation will be about what the child did and why he or she is being removed. That will still happen even with this amendment in place. The change is that, inadvertently, charter schools and the

university school for profoundly gifted pupils were not included in the provisions of this bill. That is why we added that after comparing it to A.B. 330.

**ASSEMBLY BILL 330 (1st Reprint)**: Revises provisions governing education.  
(BDR 34-1087)

I knew that bill was not going forward. However, it came to my attention that these provisions were not being required of charter and gifted schools. You can still remove a student, but you cannot remove a student without giving any information or doing it randomly. The concerns that came up previously were primarily about having meetings with children under the age of 11. We made sure the bill deals with children aged 11 years or older. That issue was addressed. The amendment you see now includes charter schools and the university school for the profoundly gifted.

SENATOR NEAL:

I was more focused on requiring the superintendent of each school to authorize the temporary removal. I remember there were two main complaints. The first point was that the superintendent is not directly running the school. The second was with the time line of when the superintendent would engage in order to be effective. Walk me through the real-life scenario of how and when the superintendent will engage.

ASSEMBLYWOMAN TAYLOR:

The bill has provisions to authorize the temporary removal of a student from a classroom or other premises. The superintendent does not remove the student, but instead writes the provisions about removal and is not at the school for removal. The intention is that a student cannot be removed without getting authorization from the superintendent. We want that happening at the superintendent's level. In Washoe County, that happens with the Superintendent and the Board of Trustees.

To clarify, the superintendent does not physically remove the student, but does set the rules and procedures for the removal process. Superintendents are in charge of that process, not administrators at the school level.

SENATOR FLORES:

I am looking at amendment 10, page 2, Exhibit E. It says "provide that a pupil deemed a habitual disciplinary problem must be at least 11-years-old and

requires written evidence showing reasonable efforts were made to develop a behavior plan.” Can you walk me through what triggers a habitual disciplinary problem? What is the definition of that?

ASSEMBLYWOMAN TAYLOR:

That is in the original bill, in section 6. Legal can answer.

ASHER KILLIAN (Counsel):

The process for declaring a pupil as a habitual disciplinary problem is in *Nevada Revised Statutes* 392.4655. That is amended by section 6 of the bill. It generally requires evidence documenting that within a school year, the pupil has threatened or extorted, or attempted to threaten or extort, another pupil or a teacher two or more times; a record of five significant suspensions from school for any reason; the pupil has not entered into a plan of behavior; and that the homelessness of a pupil was not determined to have caused the behavior. The core of the declaration is the idea that the pupil has either two or more times extorted or threatened a pupil or a teacher or has had five or more significant suspensions within a school year.

SENATOR FLORES:

Is the behavioral plan designed by the school?

ASSEMBLYWOMAN TAYLOR:

The behavioral plan is outlined by what it should look like as a whole by the NDE, then each individual student will have an individualized behavioral plan, the tenants of which are outlined in the bill. Every individual student has a different situation.

SENATOR FLORES:

Amendment 9 in [Exhibit E](#) says, “require certain pupils who are suspended or expelled to enroll in an in-person alternative education program.” Under what circumstances would a student have to enroll in an in-person alternative education program?

ASSEMBLYWOMAN TAYLOR:

The bill says who can be suspended or expelled and what things need to happen. The intention of this amendment is to say that if you are suspended or expelled, as required by federal law, an education must be provided for those students. Part of this bill requires an in-person option. A school cannot say a

student is suspended for a month and has to do all work online. There has to be an in-person option for the student who is suspended or expelled.

SENATOR FLORES:

The way I am reading this is that there will be some students who are suspended or expelled for whom we will not be required to provide an alternative in-person education program. Are you saying, based on amendment 9, that anybody who was suspended or expelled will get the option of an in-person alternative education program? Are there certain students who could be suspended or expelled and not be offered an in-person alternative education? I want to know if that in-person alternative education program has to be provided as an option to all.

ASSEMBLYWOMAN TAYLOR:

It has to be provided to everyone.

MR. KILLIAN:

That is in section 7 and amends NRS 392.466 subsection 6. The new section 7, subsection 1, paragraph (c) is the language concerning this idea. In existing law, there was the idea that if a pupil is expelled—under Nevada law, expulsion is removing people from school for at least one semester—that triggers a requirement for some form of alternative educational services to be provided to the pupil.

In existing law, that is either a requirement for the pupil to enroll in a private school, a program of independent study or a program of distance education that is appropriate for the pupil. Proposed Amendment 3651 adds subsection 6, paragraph (c) to section 7. A pupil who was removed from school for at least a semester may, instead of enrolling in a private school or a program of independent study, enroll in a program of alternative education provided by a school district.

School districts are required to provide, either alone or in combination with other school districts, the programs of alternative education for pupils who have been removed for at least one semester.

ASSEMBLYWOMAN TAYLOR:

The intention is to make sure there is an in-person option.

Senate Committee on Education  
May 19, 2023  
Page 8

SENATOR FLORES:

I appreciate that. I was only concerned because the way I was reading it, there would be a carveout for certain students. I wanted to make sure that we were providing an in-person option for everyone.

SENATOR NEAL:

I have concerns that for the Clark County School District, the Peterson Behavior Program would be an alternative in-person option. Is that correct? That school has no actual education, teaching or learning happening. Does this bill create a pathway for going to that school? It is considered a program under the Superintendent, not under the local school precinct. Is this school included in that?

That Program has to be cleaned up. Personally, I think that Program is an ongoing lawsuit because I do not believe there is any education going on in that building. I am afraid another 11-year-old will find themselves there under the circumstances of this bill. There is no supervision or education going on at that facility. They do their work on a laptop. Whatever they are doing over there is not what I would consider an alternative in-person education model that meets the level of what the federal law intends.

ASSEMBLYWOMAN TAYLOR:

I hear what you are saying. I have also heard some deep concerns about that. The intention of this bill is that the Program is an educational opportunity. If what has been reported is occurring, then the Program is not running correctly. It should be an educational opportunity. It sounds like that Program needs to get better.

SENATOR FLORES MOVED TO AMEND AND DO PASS AS AMENDED  
A.B. 285.

SENATOR HAMMOND SECONDED THE MOTION.

SENATOR TITUS:

I appreciate all the discussion, amendments and the concerns from the parents and educators. I am going to support this bill because I believe we need to begin somewhere. I know a lot of work has gone into this bill. I also want to go on the record to say I am disappointed that Governor Joe Lombardo's bill, A.B. 330, was not given a hearing. I know that this bill is going to fill in some



gaps. I applaud all of those who have been involved in this bill because we need to help these children. Those who are in school, students and staff alike, need to feel safe, but we cannot refuse to help kids who have issues.

SENATOR BUCK:

I am going to support the bill today. I do not think it goes far enough, but it is a great first step. We need to train kids on how to behave when they are coming to our schools and preschools. We need to mentor and coach them so when they turn 11 years old, they know how to behave. Same goes for teaching them so they know how to behave in high school and when they graduate and have a career. They need to know how to function in society. The training needs to start when the child is young.

THE MOTION CARRIED UNANIMOUSLY.

\* \* \* \* \*

SENATOR FLORES:

I want to acknowledge some friends in the room, Jamie and family. Their daughter is graduating from the University of Nevada, Reno, so they are here to celebrate. They are long-term residents in Nevada. They are the type of family who, when someone is having a hard time paying their bills, getting a business license or having questions about immigration issues, they will call them. They are now in Kentucky. Kentucky is lucky to have them. I want to acknowledge that they are good friends. I am proud of the work they have done and proud of their daughter for graduating.

CHAIR LANGE:

I want to acknowledge our staff. This is probably our last education meeting. Our staff works really hard behind the scenes to make sure that these Committee meetings happen. They are organized and do a really good job keeping me organized.

Senator Hammond and I are close friends. I will miss him when he is gone. Senator Hammond, when you look back on your years of service, I hope you see everything you have done to help education. While we might not agree on everything, you are doing things for the right reasons. That is what matters.

SENATOR DOÑATE:

I want to express my thanks to you, Chair Lange. I also want to talk about Senator Hammond and the work he has done. I always joke that he corrupts me in education because he sits next to me, and he plays pranks on me on the Senate Floor. Both he and Senator Flores do. This was my first time sitting next to him. We did not have the chance to interact much last Session because of COVID-19.

What I have learned in the time I have served with him is he is a man who is incredibly graceful in every interaction. Whenever there are kids or people who are presenting for the first time, while the rest of us are thinking of questions we can ask, he is taking photos. After the hearing, he sends the photos capturing the moment. He has a deep admiration for kids and families. He is an educator who believes in the right to education and to live a good life. Many legislators around this Country oftentimes do not think about that. We are really going to miss his leadership and presence, not just in this Committee. He brings humor to hard conversations. It will be difficult to see our Chair not have her best friend around. We will miss him.

SENATOR FLORES:

I want to thank the staff. Nothing in the building works without them. I have a tremendous amount of appreciation for Mr. Killian's legal skills. The staff keeps us organized and structured under the chaos we create and could have avoided had we listened. I realize we create chaos, and they help us make it seem easy.

Madam Chair, it has been an absolute honor and pleasure serving alongside you. I have seen how you manage stress and how you work through difficult scenarios. You are soft, yet, you will cut somebody's throat when you have to. I have seen it happen many times this Session. I appreciate that. I also appreciate that you impose the fact you are the Chair and this is your Committee and remind people how things work. I appreciate your work.

Senator Hammond, I suspect we will be seeing you around and that you will continue to impact kids. It would be nice to see you in a nonpartisan position and see you do what you love without your political job hanging over your head. It is frustrating to operate in the building where you are a politician, a father, an educator, a man who cares and a man of faith. You are trying to navigate all that while everyone thinks they have the right to tell you what you have to do.

I appreciate the way you approach things and your candor. I cannot wait to see what you are going to do next.

SENATOR TITUS:

Madam Chair, I want to compliment you on the professionalism you have shown in this Committee—listening to all sides of the arguments and giving everybody a voice. It is appreciated. I have worked five sessions, but this is my first Session on the Senate Committee on Education. It has been interesting. You have been very patient with many of my questions, and I appreciate that.

Senator Hammond, you are not only the sports guru in this facility, your commitment to education does not go unnoticed. You are a champion for education and truly have earned respect from both sides of the aisle. I have watched you in this Committee and appreciate your activity.

The staff is very patient with all of us. I am proud to always be the one that gets here first. I am amazed at this Committee and I am very happy to be on it.

SENATOR NEAL:

I will start with Senator Hammond. Every time he is on camera on the Senate Floor, he is so close to me that I am also on camera. Senator Hammond, I have been around you for a long time. I really like who you are. You do not know this, but on one of my worst days, you made me laugh—which is very hard to do. I am not a person who laughs; I have my own sarcastic jokes but on one of my worst days in this building, you made me laugh. You have always been kind to me, and I appreciate you. I know I am going to see you outside of this building, but I will miss you. I do not think people know your actual heart. You are truly a family man. Hopefully, you will watch the Bollywood movie I told you about; so will Senator Flores. It has been a pleasure and I am going to miss you.

Chair Lange, I was with you on the Senate Committee on Commerce and Labor, but this is the first time I have been with you as a chairwoman. You have been graceful, and I appreciate the indulgences you have given me. We had a lot of hard bills in this Committee and a lot of thoughtful and tough conversations. I appreciate how you fostered an environment for us to have the tough conversation we needed to have about our State and education.

I know why you and Senator Hammond are friends. I know it is because of sports as well as other reasons. You have very similar hearts; that is why you are so close. I know I will see you again, but thank you for allowing this Committee to flourish the way that it did. Thanks to Mr. Killian for his great legal work.

SENATOR BUCK:

I would like to echo the thoughts and sentiments that were previously stated. Mr. Killian is incredible. He is able to pull information from nowhere like a human encyclopedia. Senator Hammond, it has been an honor to serve with you. I look up to you. You embraced me when I entered into this Legislative Body. I enjoy seeing how you interact with others and the humor you bring to most everything really lightens the journey. I am grateful for you.

Chair Lange, thank you for the way you conducted business in this Committee. It was efficient and to the point. We were able to hammer out some great bills. Thank you so much.

SENATOR HAMMOND:

My wife would be very upset if I did not say something. I thought maybe one person would say something. I was not prepared for this at all. There are going to be many disagreements in life; that will happen all the time. The reality is you carry the relationships you build. That is important. I have had the chance to know everybody on this Committee and the frequent testifiers. That is important to me because 20 years from now, that will matter.

Thanks for the experiences, the great Committee and the great Session. Thank you for the nice words. Thanks to the staff. I often do things just to make them laugh. I tell my kids I would rather spend time with people I know than spend five minutes or an hour with a celebrity who I do not have a relationship with.

CHAIR LANGE:

You can tell by all the emotion here that, as a Committee, we have become very close. While we agree to disagree on a lot of stuff, the fact we work together so well has been just a joy to me. It makes my job so much easier.

We have one more bill to work session, A.B. 339.

Senate Committee on Education  
May 19, 2023  
Page 13

**ASSEMBLY BILL 339 (1st Reprint)**: Revises provisions governing accountability reports of public schools. (BDR 34-786)

Ms. STURM-GAHNER:

Assembly Bill 339, sponsored by Assemblywoman Brittney Miller was heard on May 1, 2023. There are no amendments. The bill is outlined in the work session document ([Exhibit G](#)).

CHAIR LANGE:

I will entertain a motion.

SENATOR FLORES MOVED TO DO PASS A.B. 339.

SENATOR NEAL SECONDED THE MOTION.

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

\* \* \* \* \*

Remainder of page intentionally left blank; signature page to follow.

Senate Committee on Education  
May 19, 2023  
Page 14

CHAIR LANGE:  
The meeting is adjourned at 3:56 p.m.

RESPECTFULLY SUBMITTED:

---

Kirsten Oleson,  
Committee Secretary

APPROVED BY:

---

Senator Roberta Lange, Chair

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

<b>EXHIBIT SUMMARY</b>				
<b>Bill</b>	<b>Exhibit Letter</b>	<b>Introduced on Minute Report Page No.</b>	<b>Witness / Entity</b>	<b>Description</b>
	A	1		Agenda
	B	1		Attendance Roster
A.B. 65	C	2	Jen Sturm-Gahner	Work Session Document
A.B. 264	D	3	Jen Sturm-Gahner	Work Session Document
A.B. 285	E	4	Jen Sturm-Gahner	Work Session Document
A.B. 285	F	4	Jen Sturm-Gahner	Proposed Amendment
A.B. 339	G	13	Jen Sturm-Gahner	Work Session Document