

**NEVADA DEPARTMENT OF EDUCATION
COMMISSION ON SCHOOL FUNDING
NOVEMBER 19, 2020
2:30 P.M.**

Meeting Location

Due to the circumstances created by the COVID-19 pandemic, the Commission on School Funding met via videoconference. In accordance with Governor Sisolak's State of Emergency Directive 006, Section 1, no physical location was designated for this meeting. The meeting was livestreamed on the Nevada Department of Education's (NDE) website.

SUMMARY MINUTES OF THE COMMISSION MEETING

COMMISSION MEMBERS PRESENT

Via Videoconference

Dusty Casey
Andrew J. Feuling
Jason Goudie
Guy Hobbs
Dr. David Jensen
Paul Johnson
Mark Mathers
Punam Mathur
Dr. R. Karlene McCormick-Lee
Jim McIntosh
Dr. Lisa Morris Hibbler

DEPARTMENT STAFF PRESENT

In Carson City

Heidi Haartz, Deputy Superintendent of Business and Support Services
James Kirkpatrick, Administrative Services Officer III
Beau Bennett, Management Analyst IV
Megan Peterson, Management Analyst III

In Las Vegas

Jessica Todtman, Chief Strategy Officer

LEGAL STAFF PRESENT

David Gardner, Senior Deputy Attorney General

AUDIENCE IN ATTENDANCE

Via Videoconference

1: CALL TO ORDER; ROLL CALL; OPENING REMARKS

Meeting called to order at 2:30 P.M. by Commission Chair R. Karlene McCormick-Lee. Quorum was established. Chair McCormick-Lee remarked that after a brief presentation from the Nevada Department of Education, public comment would be opened regarding optimal funding, limited to three minutes per commenter.

2: INFORMATION AND DISCUSSION REGARDING OPTIMAL FUNDING AND THE IMPLEMENTATION AND MONITORING OF THE PUPIL-CENTERED FUNDING PLAN

Heidi Haartz, Deputy Superintendent for Business and Support Services, Nevada Department of Education, and James Kirkpatrick, Administrative Services Officer III, provided an overview of the Pupil-Centered Funding Plan (PCFP). The PCFP is an update to the funding model used in Nevada for K-12 education, the first update in 52 years. The intent of the update is to add transparency and equity to the way education is funded in Nevada. The Commission has reviewed the methodologies and model for the PCFP in alignment with the requirements of Senate Bill (SB) 543.

The [State Education Fund](#) will be used to [fund education](#) upon implementation of the PCFP, with the funding allocated through [five tiers](#). The [Education Stabilization Account](#) acts as a “rainy day” fund. Mr. Kirkpatrick shared a model of [the PCFP](#) compiled in October of 2020, subject to change based on budgetary changes made during the 81st (2021) Legislative Session. Deputy Superintendent Haartz noted that SB 543 provided a hold harmless provision to guarantee that no school district would receive less funding than it did in fiscal year 2020 (FY20).

The Commission has worked to develop a vision statement regarding optimal funding, which first aims to restore funding to FY20 budgeted amounts prior to budget reductions enacted during the 2020 Special Session, before developing models for adequate and optimal funding. The Commission will continue to develop optimal funding to identify revenue sources which will help the State move toward optimal funding.

Member Andrew Feuling clarified that the hold harmless was based on the funds received in FY20, however, upon budget reductions many districts located federal grants for support which may not be clearly illustrated on the Nevada Revised Statutes (NRS) 387 report. Deputy Superintendent Haartz confirmed that the Department would conduct an analysis to determine the hold harmless given the unique circumstances of FY20.

Chris Daly, Nevada State Education Association, made public comment regarding the implementation of the PCFP. *(A complete copy of the statement is available in Appendix A)*

John Vellardita, Clark County Education Association, made public comment regarding the implementation of the PCFP. *(A complete copy of the statement is available in Appendix A)*

Alexander Marks, Nevada State Education Association, made public comment regarding the implementation of the PCFP. *(A complete copy of the statement is available in Appendix A)*

Sylvia Lazos, Nevada Immigrant Coalition, made public comment regarding the implementation of the PCFP. *(A complete copy of the statement is available in Appendix A)*

Lindsay Anderson on behalf of Dr. Kristen McNeill, Superintendent of Washoe County School District, made public comment regarding the implementation of the PCFP. *(A complete copy of the statement is available in Appendix A)*

Ruby Caliendo made public comment regarding the implementation of the PCFP. *(A complete copy of the statement is available in Appendix A)*

Jeff Zander, on behalf of Douglas, Elko, Eureka, Lincoln, Lyon, and Storey County School Districts made public comment regarding the implementation of the PCFP. *(A complete copy of the statement is available in Appendix A)*

Rebecca Garcia, Nevada Parent Teacher Association, made public comment regarding the implementation of the PCFP. *(A complete copy of the statement is available in Appendix A)*

Ryan D. Russell, Allison MacKenzie Attorneys & Counselors at Law, made public comment regarding the implementation of the PCFP. *(A complete copy of the statement is available in Appendix A)*

Amanda Morgan, Educate Nevada Now, made public comment regarding the implementation of the PCFP. *(A complete copy of the statement is available in Appendix A)*

Darlene Anderson made public comment regarding student proficiency. *(A complete copy of the statement is available in Appendix A)*

Susan Keiser, Washoe Retired Education Association, made public comment regarding the implementation of the PCFP. *(A complete copy of the statement is available in Appendix A)*

[Convenience Break]

Additional public comment was submitted in writing and distributed to Members; these comments are available in Appendix A:

- Dolly Rowan submitted public comment regarding the implementation of the PCFP.
- Clark County Black Caucus submitted public comment regarding the implementation of the PCFP.
- Jennifer Kilkenny submitted public comment regarding the implementation of the PCFP.
- Kenneth Paul submitted public comment regarding the implementation of the PCFP.
- Mi Familia Vota submitted public comment regarding the implementation of the PCFP.
- Mike Kazmierski, EDAWN, submitted public comment regarding the implementation of the PCFP.
- Steven Horner submitted public comment regarding the implementation of the PCFP.
- Summer Stephens, Churchill County School District, submitted public comment regarding the implementation of the PCFP.
- Darlene Anderson submitted public comment regarding access to public education.

3: PUBLIC COMMENT

No public comment.

4: ADJOURNMENT

Member Dave Jensen thanked public commenters for taking the time to provide comment and remarked that there is much work to be done before the Legislative Session in February. Member Lisa Morris Hibbler agreed and expressed that it is a weighty committee full of difficult decisions. Chair McCormick-Lee and Member Punam Mathur added their appreciation, and Member Mathur reflected on the dedication and care of those commenters who have consistently provided the Commission feedback and supported unity on behalf of Nevada's children. Member Paul Johnson agreed and expressed that public comment is reflected on by the Commission in their deliberations.

Chair McCormick-Lee noted that funding shortages are a regularly topic of conversation, and one that would continue. She emphasized that the Commission's purpose is equity for all children, and they strive to focus their conversations on equity for students and equity across districts, as well as transparency.

Meeting adjourned at 4:35 P.M.

Appendix A: Statements Given During Public Comment

1. Chris Daly, Nevada State Education Association, made public comment regarding the implementation of the Pupil-Centered Funding Plan.
2. John Vellardita, Clark County Education Association, made public comment regarding the implementation of the Pupil-Centered Funding Plan.
3. Alexander Marks, Nevada State Education Association, made public comment regarding the implementation of the Pupil-Centered Funding Plan.
4. Sylvia Lazos, Nevada Immigrant Coalition, made public comment regarding the implementation of the Pupil-Centered Funding Plan.
5. Lindsay Anderson on behalf of Dr. Kristen McNeill, Superintendent of Washoe County School District, made public comment regarding the implementation of the Pupil-Centered Funding Plan.
6. Ruby Caliendo made public comment regarding the implementation of the Pupil-Centered Funding Plan.
7. Jeff Zander, on behalf of Douglas, Elko, Eureka, Lincoln, Lyon, and Storey County School Districts made public comment regarding the implementation of the Pupil-Centered Funding Plan
8. Rebecca Garcia, Nevada Parent Teacher Association, made public comment regarding the implementation of the Pupil-Centered Funding Plan.
9. Ryan D. Russell, Allison MacKenzie Attorneys & Counselors at Law, made public comment regarding the implementation of the Pupil-Centered Funding Plan.
10. Amanda Morgan, Executive Director of Educate Nevada Now, made public comment regarding the implementation of the Pupil-Centered Funding Plan.
11. Darlene Anderson made public comment regarding student proficiency.
12. Susan Keiser, Washoe Retired Education Association, made public comment regarding the implementation of the Pupil-Centered Funding Plan.
13. Dolly Rowan submitted public comment regarding the implementation of the Pupil-Centered Funding Plan.
14. Clark County Black Caucus submitted public comment regarding the implementation of the Pupil-Centered Funding Plan.
15. Jennifer Kilkenny submitted public comment regarding the implementation of the Pupil-Centered Funding Plan.
16. Kenneth Paul submitted public comment regarding the implementation of the Pupil-Centered Funding Plan.
17. Mi Familia Vota submitted public comment regarding the implementation of the Pupil-Centered Funding Plan.
18. Mike Kazmierski, EDAWN, submitted public comment regarding the implementation of the Pupil-Centered Funding Plan.
19. Steven Horner submitted public comment regarding the implementation of the Pupil-Centered Funding Plan.
20. Summer Stephens, Churchill County School District, submitted public comment regarding the implementation of the Pupil-Centered Funding Plan.
21. Darlene Anderson submitted public comment regarding access to public education.

Item A1, Chris Daly

LISTEN TO EDUCATORS.

Educators do not feel heard, and that's because decision makers just have not been listening.

LISTEN TO EDUCATORS.

When SB543 was first introduced on May 13, 2019, on the 99th day of the legislative session, NSEA issued a statement of opposition. It began with a quote from Ruben Murillo, a special education teacher and then President of NSEA. He said, quote...

NSEA is very disappointed with this proposal. NSEA and other important education stakeholders have been shut out of this process since November. Senator Denis' unwillingness to collaborate with educators on this important issue is evident in his proposed plan. To introduce this massive overhaul of the funding formula on the 99th day of Session is irresponsible and speaks to the poor process. End quote.

LISTEN TO EDUCATORS.

NSEA's statement highlighted policy concerns with the new funding plan – all the same concerns you've heard us repeat at every meeting of this Commission since last September. But NSEA's overarching concern is simply restated—

ANY new funding plan for Nevada schools needs to include new funding to be successful.

LISTEN TO EDUCATORS.

When the legislature passed SB543 in 2019, no one could have foreseen the COVID-19 pandemic and the associated economic crisis hitting hardest here in Nevada. The unfortunate new reality is Nevada is falling further away from optimal funding for K-12 education. \$156M in painful cuts were made to K-12 education this summer, including total elimination of weighted funding for at-risk students and English learners—the very basis for the new funding formula. And with COVID-19 cases hitting record highs this week, the crisis and the related economic impacts are far from over. We know the Governor has requested 12% reduction proposals from all departments, including NDE, for the next biennium. This means the new funding plan will contain draconian cuts to our classrooms, further devastating students and educators.

In other words, SB543 will cut school funding. This is not acceptable!

Now educators are again calling on this Commission, the Legislature, and the Governor to please do no harm and delay the implementation of SB543 until after the pandemic.

PLEASE LISTEN TO EDUCATORS.

Delay the new funding plan and work with us to develop a revenue plan to get us out of the current economic crisis and on our way to optimal funding. Thank you.

Item A2, John Vellardita**Re: Public Comment for November 19, 2020 SB543 Commission Meeting**

SB 543 Commission Members:

I would like to address optimal funding, a recommended timeline for implementation, and a dedicated revenue stream to fund the new funding plan.

Optimal Funding

Optimal funding should be defined as meeting student performance outcomes to improve Nevada's education delivery system. This approach would focus on raising Nevada's k-12 education system from the bottom to say mid-range nationally in math, science, and reading. The most recent APA study can be used to help guide the Commissions' recommendations in determining the cost of meeting performance outcomes. That study identified what the resources are needed to hit key academic performance outcomes.

Implementation Timeline

We advocate that the effective implementation date of the new funding plan be the start of the 2021-2022 school year and have a ten-year timeline as outlined under the SB543 legislation . However, we would recommend that the Commission place great emphasis on adopting aggressive funding levels for the first six years of the plan with emphasis on building up the per pupil baseline funding level. That means the next three legislative Sessions would prioritize building the baseline funding level with adequate appropriations.

Recommended Revenue Stream

CCEA believes it is essential to fully fund the new formula with a dedicated and stable source of revenue. At the September 25, 2020 Commission meeting CCEA presented to you an analysis of Nevada's Property Tax system that we commissioned the Guinn Center to perform. We believe that the Commission should consider recommending to the Legislature that property tax be the primary source of funding for the new plan since schools are the largest beneficiary of property tax dollars.

In a 2019 study commissioned by the Nevada Legislative Counsel Bureau on Revenue Impacts of SJR 14, determined that allowing the property tax depreciation factor to reset on sale for example would generate and additional \$ 13.2 billion in property taxes statewide over the first 12 years of implementation. The 12-year economic impact for Clark County schools alone was estimated at \$ 4.6 billion. These changes in property taxes would fully fund the weights and base.

In Conclusion

In conclusion we recommend that optimal funding tied to performance outcomes for student achievements should be adopted; that a timeline of implementation that invests heavily in the first six years to raise the per pupil baseline funding level be adopted; and, finally that property taxes becomes a dedicated and stable source of revenue to fund the new plan.

CCEA supports the work of the Commission moving forward with recommendations. We are adamantly opposed to putting on hold the implementation of SB543 as outlined in the legislation.

Respectfully,

John Vellardita, Executive Director
Clark County Education Association

Item A3, Alexander Marks

Good afternoon Commission Members,

Alexander Marks with the Nevada State Education Association. Because this meeting is being held during contract hours, I will read a few portions of letters that were submitted to you. I know you have received hundreds of emails; I would encourage you all to read them and Listen to Educators.

From a teacher in Washoe:

"Please help. The COVID -19 Pandemic had exposed how terribly underfunded our schools are. I am a 4th grade teacher at Pleasant Valley Elementary in WCSD. I can't do more with less. Right now 5 classrooms in our building are sharing 1 IPAD cart that our PTA purchased several years ago. My students have to devices on Tuesdays. That's it. We are not able to use our computer lab because my number of students is over 50% capacity rules put in place by the Governor. We cannot afford any more cuts."

From an Education Support Professional in Clark

"I am a school bus driver. My concern over possible cuts are with regard to the safe transportation of the students. Cutting funds to education ultimately will affect the transporting of students. We barely have the supplies to clean & sanitize our buses. We are short on drivers and any cuts in funding will impact the district's ability to hire qualified bus driver candidates, teachers, administrators, and other support staff."

From another teacher

As Nevada educators, we know how hard it is to provide a high-quality education in a system that is chronically underfunded. That's why any new funding plan for Nevada schools needs to include new funding to be successful. My colleagues and I are appalled that a plan that will cut education for our schools is even being discussed. I have taught in Nevada for over 13 years in both rural and urban settings. Despite the lack of funding, I am amazed at the quality of education that occurs because of our hard-working teachers and education support professionals.

I am less impressed by politicians and appointed officials who think it is OK that education is so underfunded.

As our state economy diversifies and changes it is your job to find ways to increase the education budget to recruit highly qualified teachers to our state and give resources to current teachers to keep them in the profession. If you are unable to do so, you have no other choice but to delay. You will hear from several educators telling you the same. Will you ignore us? Or will you finally listen to educators?

As you can see, teachers and education support professionals know what this plan will do. Public education does not work in spreadsheets. A funding plan with no new funding was unworkable. It's unworkable with the additional cuts from last summer. It'll be unworkable with the additional 12% proposed by the governor. Those cuts are just numbers on your spreadsheets, but those cuts have real school site implications and exacerbate the issues in the stories educators have been writing to you about this week (and quite frankly, have been telling you about for the last year).

Please Listen to Educators and do no harm; delay the implementation of SB543.

Item A4, Sylvia Lazos

Good afternoon Commission Members, Sylvia Lazos – I am representing the Nevada Immigrant Coalition. These are parents and the workers who have been hit the hardest by unemployment and by COVID in Southern Nevada. As I sit here and testify today, many state workers have already received notice of furloughs for 2021, representing pay cuts in the range of 10-15%. As many of you know, the unemployment rate for September 2020 for Nevada was 12.6% -- only Hawaii's unemployment rate was worse. On November 10, the Economic Forum reported that they expected the Nevada economy to recover two years from now. Our parents are scared, our parents are strapped with this economy. For this reason, we don't believe it makes any sense to implement 543 in the next biennium. 543 should be implemented when the economy recovers and when the revenue recommendations that this Commission makes, we can implement them. The two go hand in hand: a robust school finance scheme and a robust revenue scheme. Without one we are doomed to failure.

On the issue of weights, the discussion from last week was very much on point. We cannot cannibalize the general education budget by not adequately funding Special Education needs. That remains a giant hole in SB 543 and the adjustments recommended by this Commission should fully fund Special Ed in order that general education and Special Ed kids are not pitted one against the other.

We continue to strongly recommend to you to make allowances or adjustments to keep and grandfather Zoom and Victory programs. The current definition of At-Risk does not take into consideration geography. Poverty, racial segregation – is geographic. When I ask my students in my classes, point to the areas in Nevada that are the poorest and the most likely to be unable to get to the middle class, they know exactly where they are. It is these areas that Zoom and Victory programs have been able to successfully help and to get these schools and areas on the road to be able to provide these children an adequate education. It does not make sense to tear down what has been achieved in order to have an equality based per-pupil formula instead of an equity based per-pupil formula.

Finally, on optimal funding. It is a complex subject, but we recommend that you think about it from a legal perspective. Optimal funding should be that funding which is sufficient, which is what the Nevada Constitution requires, to meet all of the standards that have been set by the State Board of Education and the Legislature. Current funding does not support the work of school districts to reach what the legal requirements that the State Board of Education requires them to do. So that would be a very simple approach to optimal funding. Thank you very much for listening to my comments.

Item A5, Lindsay Anderson on behalf of Dr. Kristen McNeill, Superintendent of the Washoe County School District

To: Commission on School Funding
From: Dr. Kristen McNeill, Superintendent
Washoe County School District

Madame Chair and Members of the Commission on School Funding,

First, I want to recognize all of the hard work and thought that the Nevada Department of Education and the Commission on School Funding have put into the implementation of the Pupil Centered Funding Plan since September of last year. As we know, the Pupil Centered Funding Plan is a completely new model for funding K-12 education in Nevada, and that has required great thought in terms of first defining issues and terms and then working through the various accounting, budgeting, planning and programing issues that arise when planning for the implementation of this new model in less than two years.

While recognizing the important and good work that has been done, Washoe County School District still has several serious concerns, which cause us to hesitate fully endorsing the Commission's decisions.

First, our District continues to question the Regional Cost Adjustment factor that does not reflect what we see in reality in Washoe County as it relates to housing costs, our labor costs, the availability of skilled labor, and general inflationary pressures that result from a growing county population. I don't think anyone questions that Washoe County has the highest cost of living among major counties in the State and yet, we are penalized under the current calculation and shown having one of the lowest cost adjustment factors in the State. Any funding model that starts with this calculation will immediately have its credibility questioned. We believe it is important for the model to help address the critical issue of supporting a livable wage for our teachers, and this model goes backwards in addressing this issue in Washoe. We ask that you reconsider and set the regional cost adjustment to 1.0 across all districts until such time as the Commission has access to regional data that reflects reality.

Secondly, Washoe County School District understands the Commission's recommendation to "remove" Special Education from the formula and account for it separately due to maintenance of effort concerns. However, we urge the Commission to ensure that special education weights are included in the distribution of new funds at the state level. Special Education is significantly underfunded at the federal and state level. Based on the adopted Individual Education Plans (IEPs) of our students, the District has had to shift its general fund or "base" dollars, which should be used to support all students, to cover the shortfall in federal and state funding for special education. Last fiscal year, our General Fund had to cover \$46 million of special education costs, compared to \$32.6 million of State funding. The burden on districts to cover this shortfall has got to be shifted to the State's formula in recognition of the fact that districts do not have the option to reduce spending on students with IEPs.

Similarly, Washoe County School District historically has felt compelled to supplement State funding of programs for English Learners (EL), Gifted and Talented (GATE), and at-risk students with its own general funds, due to the inadequacy of funding from the State. Last fiscal year, Washoe County School District spent more on EL and GATE programming than what it received from the State for these students and it made a sizeable commitment to at-risk programs. The many funding adequacy studies previously commissioned by the State, including the most recent 2018 Augenblick study, have demonstrated the huge funding gap for these weighted categories. In light of the prospect of decreased funding for our District next biennium and possibly being frozen at FY20 funding levels while in a hold harmless status, as well as language in Senate Bill 543, we are deeply concerned about our ability to continue to use base funding, which is intended to support all students, to cover these historical funding shortfalls.

Lastly, the convergence of dramatically reduced revenues due to the recession, the significant decrease in enrollment because of pandemic-related family choices and the potential to be held at FY20 funding levels due to the hold harmless provisions in the new Pupil Centered Funding Plan leaves the Washoe County School District

looking at a frightening fiscal situation next biennium. We understand that the level of funding for K-12 education is separate from the construction and implementation of the new funding model in Nevada. Still, we remained concerned by several key features of the Pupil Centered Funding Plan, as recommended by the Commission on School Funding, that in our view could or would set back funding for many districts. We have voiced these concerns at the Commission, but I think it's important to voice several major concerns again, prior to the beginning of the legislative session in February.

In addition, we need to see decisions by the State this coming legislative session that demonstrate its commitment to K-12 education by starting to fully fund the base, weights and creating a plan to achieve optimal funding. Our students deserve this commitment.

Item A6, Ruby Caliendo

I am a teacher here in Clark County, and I want to say thank you to all of you, because this is a very difficult topic to tackle in such a short amount of time that you guys have been given to come up with the plan. However, as a CC teacher I teach regular students and Special Education students in a regular ed setting as the actual science teacher. I have seen over the last few years more and more programs go by the wayside due to lack of funding. I also teach very high-risk students because at Chaparral we are considered an inner city school due to our economic status of the majority of our students. This is very very problematic for schools like mine to cut this much funding, and not to have a stable funding formula in this state has always ranked Nevada in the bottom for the United States. I would really like to see this program delayed until a lot more work can go into it and the State at the legislature level can find a stable and forever funding source instead of using just the base funds from the state. Thank you.

Item A7, Jeff Zander

Madam Chair and Esteemed Members of the Commission:

Thank you for all your hard work and for being part of this Commission and volunteering your time for Nevada's students. I understand the difficulty of your assignment and appreciate you taking the time to listen to and consider the input of the community and experts as part of your decision-making process.

As you may know, I am the former Superintendent of the Elko County School District. I come to you not just as a former education administrator, but as a native Nevadan representing the best interests of all the students of Nevada.

As someone who cares about our students, it has been disheartening to hear public comment and Commission member discussions that pit one group of students against another and label some as "winners" and some as "losers." It is not my intent to continue down that path. As I just stated, I am a strong advocate for the students of Nevada and as such I am primarily concerned with creating a plan that helps ALL students. I understand the strong support for students within your own communities, just as I want to see the students in my community succeed and thrive, I understand that everyone who sits on this Commission feels the same relative to their own communities. However, it is imperative that the plan that is implemented MUST be functional for all the educational communities throughout Nevada, not just within our own communities.

As this Commission has time and again addressed, education in Nevada is in a tough spot. Nevada schools have not been funded adequately throughout my 32-year tenure; on that we can agree. But to redistribute resources by taking from one group of kids to benefit another is not acceptable. It is unconscionable to take from rural students and school districts who already do not have the same access to AP courses or no elective offerings to learn a trade such as fashion graphic design, culinary arts, or many of the other programs offered at urban magnet and CTE schools. I hear often from our pupils that they wish they had some of the same opportunities as the kids in urban districts. The answer cannot be to create a plan that would reduce or siphon funding from any school district in Nevada.

Under the current PCFP computation, many Districts will be subjected to reduced funding and a hold harmless that basically erodes purchasing power over time. If we are embarking on a new and improved funding formula, why do we even need a hold harmless provision? Why accept a proposal that does any harm to any student or school district? How is accepting inadequate funding for some the "New Nevada?"

In the latest iteration of the PCFP that has been shared with the Commission, several school districts are going to be subjected to the hold harmless clause that does not effectively hold them harmless. In other words, the PCFP returns an amount less than what is currently received. As stated above, we all understand no district was adequately funded prior to the development of the PCFP. With that in mind, it begs the question, are there cost factors are not being properly accounted for in these negatively affected counties?

I believe the answer lies somewhere in the combination of cost factors and base funding allocations. In the PCFP, all districts are being allocated an average salary and benefit cost. In the Nevada Plan, those costs were grouped and averaged by district size and configuration. This structure provided enhanced fiscal neutrality. The PCFP distribution is having an adverse effect on those districts with higher salary and benefit costs. These higher costs could be the result of more lucrative individual salary schedules due to higher costs to recruit and retain staff. It could also be the result of a more veteran district staff and their respective placement on the salary schedules.

Another concern with the implementation of this Plan is that Nevada is a collective bargaining state and, as an unfortunate result, employees have property interest rights in their salary and benefit packages. Thus, districts that are frozen at the hold harmless amount will have no ability to reduce salary and benefit levels for most of their staff. This would restrict their ability to build cost savings through salary and benefit level adjustments, and most likely result in significant reductions in staff through RIF protocols. Decreased educational programming is also a likely by-product.

In my analysis, it is difficult to determine exactly what is creating these adverse distributions. In some districts, it appears to reflect density or scale issues, salary and benefit adjustment issues as described above, regional cost adjustment issues, or possibly a combination of all three. If the adjustments do not accurately reflect the costs necessary to recruit and retain staff in every county, then inequity is inherent within the PCFP. The intent of an equitable distribution of resources is to provide teachers of similar quality to students no matter where they attend.

In addition to updating the current funding formula, the PCFP implements weighted funding for Special Education, At-Risk, ELL, and GATE programming. Why are these PCFP weights not adjusted by the same cost factors that adjust base funding? Is the cost of delivery of this programming the same in every district in Nevada? Of course not and ignoring that fact will lead to more inequity in the PCFP.

I know this Commission is made up of good people. No one here wants to benefit one group of kids to the detriment of another; let's not allow that to happen. You were appointed to analyze the plan, make recommendations, and propose solutions.

Please recommend that we support ALL students and propose an equitable distribution that is funded with the resources necessary to provide a stable, adequate, and supportive school environment for years to come. I strongly believe this Commission and the legislature require additional time and analysis to ensure the ultimate success of all students under the PCFP. Rushing into the radical overhaul of such a complex system will practically guarantee that Nevada's children are denied equal educational opportunities. This is especially true during these difficult and unpredictable times in which we are currently living.

Sincerely,

/s/ JEFF ZANDER

Item A8, Rebecca Garcia

My name is Rebecca Garcia and I am the president of Nevada Parent Teacher Association. Thank you for the opportunity to provide public comment today. We appreciate the efforts of the Commission and the time to give feedback. I appreciate the depth and diversity of experience each of you bring to this important work. While much of this work is highly technical in nature, for me the importance of this work directly relates to the needs of my own children and all children in our state.

A new equitable funding formula is an essential step in improving education funding in Nevada. Optimal funding should reflect the actual needs of all students across our state and the cost to provide resources necessary for students to meet standards. It is well documented that our current funding is suboptimal and does not provide the resources necessary for all students to succeed. Optimal funding must recognize the current realities, what our students in every district across the state need to thrive and should not simply be optimizing existing inadequate funding. We urge the Commission to finalize recommendations with funding goals that restore K-12 cuts and provide at minimum adequate funding as recommended by recent APA studies. It is also essential that the Commission develop and propose a plan to raise the revenue needed to meet these goals. We know additional revenue is needed to meet optimal funding goals and the success of the new funding formula requires additional revenue. Recommendations are needed for the legislative session so that progress can be made in implementing the new funding formula.

We all recognize that Nevada is in a particularly challenging time, but the needs of Nevada's children remain constant. Our children, even in challenging times, do not stop growing, and their need for additional, appropriate resources to receive an education continue even in challenging times. Legislative policy is often a slow process but as you consider education funding, I would remind you to consider what short timeframe there is to impact the life of a child. My youngest was eight years old and in second grade when 543 was passed. In 2023 she will be starting middle school; in 10 years she will be 19 and in college. All students require resources now to receive the education that they receive, and we must recognize across our state how we can best get these resources to kids now, before they're in college. Thank you for your time and consideration.

Item A9, Ryan Russell

My name is Ryan Russell and I'm an attorney with Allison Mackenzie in Carson City, speaking today on behalf of the majority of school districts in the State of Nevada, ten of them: Elko, Eureka, Storey, Douglas, Pershing, Lyon, Lander, Esmeralda, Lincoln, and Carson City. We've provided you at basically every meeting you've had with our written comments, which you have graciously read into public comment, and we've also sent you those public comments. I will try to spare you regurgitating them today and I will try not to be repetitive. Suffice to say, the counties I represent are all unified in their request that the implementation of 543 be delayed. I support in particular the comments made by Mr. Zander today as well as by Washoe County because I believe they were astute.

What we heard today even in the presentation is that the hold harmless provision is still lacking sufficient data to be properly funded. We're on the eve of entering in the next legislative session with a key component still uncertain. That fact is made especially clear or pointed by the pandemic that we're all in. It was mentioned earlier that when this legislation was passed, they could not have foreseen the pandemic or the impact it would have on the budgets of each school district in the state. We know across the board those impacts have been severe. With those severe impacts being suffered right now, implementing this bill or funding plan would be done in a time when we're also being called to further cut the budgets by at least 12%.

I urge you to consider that this is bad timing to roll out a new funding plan, it needs more time to be properly vetted through the good efforts of this Commission, and hopefully through collaborative efforts with the counties and school districts it will effect. I repeat our request that you strongly consider delaying implementation of 543. To revert back to Ms. Haartz's analogy of rebuilding a car, I assure you, you would not take that car on the road if there was a danger of it causing injury to somebody. As this plan is written right now it has the possibility to harm the rural counties, including those I represent. So again, I request that you please delay implementation and I very much appreciated the opportunity to speak with you today.

Item A10, Amanda Morgan

Good afternoon, Madame Chair and members of the Commission. My name is Amanda Morgan with Educate Nevada Now. Thank you for your hard work and dedication to Nevada students and the opportunity to address you today.

ENN is encouraged by the work of the Commission in developing optimal funding targets. We understand Commission members seek to develop benchmarks to achieve optimal funding, including restoring lost funding, achieving adequate funding levels per APA's recommendations, and determining an optimal funding level beyond adequacy.

We look forward to seeing how Optimal funding is defined but are glad to see you have established benchmarks which include restoration of funds and adequacy per APA.

With the prospect of even more K-12 funding cuts, discussion of potential new revenue, and the reality of biennium sessions - we appreciate that the Commission will be in a position to develop timely recommendations for the first two benchmarks.

Further, we highly recommend the Commission make revenue recommendations prior to this upcoming legislative session so we can begin this urgent work now versus waiting until 2023.

We believe developing optimal funding targets beyond adequacy will take a great deal of time and potentially require an additional study, and this work will carry the Commission well into next year or longer.

However, the Commission has the first two benchmarks established and is able to make revenue recommendations to meet them. Our students deserve an immediate plan of action instead of prolonged conversations, and we are encouraged that the commission is in a place to provide that for them.

Again, thank you for your thoughtful deliberations and work on behalf of Nevada students.

Item A11, Darlene Anderson

My question is about those students who are below proficient and who are far far below base. I have not found a maintenance of effort for the work that's being done for those children who are failing, because disaggregated data for African-American children really fall under the behavioral. Once a child is in a behavioral program there is really no requirement that I see for the academic support to continue, so those children are being geared towards a second class education as far as I'm concerned, but I don't see how they're included in this model. Thank you.

Item A12, Susan Kaiser

Good Afternoon, to the Chair and Members of the Commission on School Funding. For the record my name is Susan Kaiser, President of the Washoe Retired Education Association and I am speaking with the approval of my Board of Directors on the topic of SB543. I am a National Board-Certified science teacher now retired after 25 years of service to Nevada students in public schools.

When I left the classroom in June of 2019, my colleagues and I were still spending hours of our personal time to create learning tools and writing grants to obtain the basic curriculum materials needed to teach our students. We worked hard to fill the gaps in students' access to technology by sharing computer carts on a rotation so my students could use digital learning resources two times every quarter. For decades we tried to educate our students on a shoestring budget, and we were even able to show some improvement in spite of chronic underfunding. However, with the lasting impacts of the pandemic these perennial funding challenges are now magnified for every public school educator.

SB543 was rushed through in the last minutes of the 2019 Legislative Session without hearing the voices of educators and education stakeholders who called for a new revenue source. A classroom educator can be the eyes and ears of elected officials. Our experiences in the classroom can illuminate and guide you in understanding the impacts of funding shortfalls on individual students. Some of us are distributing dog-eared and worn textbooks that are 20 years old to our students. Some of us problem solve to create ways that allow all children to access 21st century learning tools like computers and tablets no matter which zip code their school is zoned. Some of us are uniquely trained to teach special needs students. We provide individualized education plans that may include services from other specialists or specialized learning devices to assist in the student's future success as an adult. Sadly, some of us are there to report abuse and neglect when it happens at home. If one can imagine there is a positive impact of the coronavirus pandemic, it is the undeniable value of trained, professional educators in our public schools as a critical component in the daily life of America's kids, families and communities. The contributions of educators in our public schools is crystal clear. But, all of these services require money. When educators tell you they need training and funding for these tools it is because we need these items to benefit Nevada's kids and increase their chance at future flourishing.

I respectfully submit, this is NOT the time to further cut funding to Nevada's public schools. In fact, it is time to listen to the voice of educators and find additional education revenue sources. Perhaps, through re-evaluating the allocations of monies to unaccountable charter schools.

Thank you for your time.

Item A13, Dolly Rowan

I would like to thank each of you for your work on this committee, but may I ask...why can't you as a committee revisit every existing tax and discuss how we can increase and/or adjust to percentile that goes to education, my primary concerns are our Room tax, Business taxes, Entertainment tax, and Mining tax. As those with big money must pay more towards education.

Respectfully,

Dolly Rowan
CCSD Teacher

A14, Clark County Black Caucus

“I have to make you conscious of the things you don’t see.” James Baldwin

The Clark County Black Caucus has been consistent in its position on the adoption of a Nevada weighted funding formula that provides for the equitable distribution of per student funding, and follows the student, based on student needs for academic success, and built on a foundation of racial justice, equity and equality. However, as the 2021 legislative session quickly approaches there is robust discussions around postponing implementation of SB543 due to the COVID-19 pandemic.

While we understand the concerns of many of our allies, community stakeholders and even some decision makers, this pandemic has elevated the harsh realities of an institutional system where accessing equitable education for those already marginalized is just that much more difficult to bear. In our community there must be the urgency of now. For too long, Black students in Nevada have struggled to find access to the educational opportunities afforded to their peers, often on the same campus. The education system in the United States has failed many Black students and another graduating class is months away, while others are in jeopardy.

Our best shot is a funding formula where our youth are not left out. As a result of SB178 we have seen the benefit of student-based funding. To continue with status quo, only widens the gap and leaving most targeted students out. For years we’ve worked towards aligning the new Nevada weighted formula to our Nevada ESSA State Plan. Let’s not give up on our students “least proficient.”

In NDE’s Pupil Centered Funding Plan Component, Tier E would provide for additional weighted funding for each pupil estimated to be enrolled in the school district/charter school/university school who is: 1. An English Learner 2. An at-risk Pupil; or 3. Gifted and Talented Pupil. The Committee is empowered to make recommendations to change the multiplier if it is determined that a disproportionate need to serve the pupils in the affected category exists.

We propose that “At-risk Pupil” be identified as a student receiving free and/or reduced lunch. And that an additional indicator be identified for those students in this group and that are in the lowest 25% quartile of proficiency rate, and receiving free and/or reduced lunch. Additionally, we propose that NDE use the same indicator for “English Learners.” Both of these student groups would receive the same “add on” to meet their additional needs to master English, reducing the proficiency gaps – as required by Every Student Succeeds Act, regardless of race, ethnicity, language, gender, or what neighborhood students live. Equity!!!

This offers Nevada the opportunity to dismantle the systemic racist education funding formula as was the intent of the Nevada Legislature, and delivers an equitable funding formula accessible to ALL Nevada students in every legislator’s district based on their individual need. Education justice!!!

National Education Association www.neaedjustice.org supports the call for racial justice in education, recognizing how historic racism has disenfranchised Black students, and released the following statement. “As an organization representing public school educators across the country, the National Education Association recognizes the need to end institutionally racist systems and POLICIES that have governed our society for too long and kept Black people from full participation in American life... far too many have been overlooked, neglected and forgotten by those in power... we stand with you and we organize with you to dismantle all acts of discrimination and racism. Therefore, we demand justice and equity for Black lives in all places and in all forms – in our judicial, education, housing, health and economic systems.”

In our opinion, one of the most egregious errors made when passing SB543 was the omission of “least proficient” student designation in the proposed funding formula to the detriment of students with the highest risk and greatest needs. The deletion of approximately 106,000 students in Clark County School District alone, raises a serious red flag to Nevada’s commitment to education justice and equity, where huge reforms have been underway since the 2013 legislature. With the history in Nevada of Black students with the highest percentage of students by race falling in this category, we are particularly concerned about the civil rights of these students and condoning of

racism. If the current student designations are not amended, 203 schools that recently received SB178 funding throughout Clark County will be impacted, and NDE cannot keep legislators promise to “do no harm” as mandated in SB543.

As noted in NDE’s Weighted Modeling document, there is a gross disparity in resources and reflects an inequitable distribution of funds. Optimal funding must be required for each designation and maintain the currently approved add on in SB178 at \$1200 for least proficient students. Student targets matter. When Governor Sisolak recommended his preference to cut SB178 funding while maintaining funds to both ZOOM and Victory schools, Black students were disproportionately cut. 66% (86,845) of all students on FRL regardless of race/ethnicity were enrolled in SB178, 56% (19,389) were ELL. CCSD was serving approximately 106,000 students in SB178 when funding was cut. 16,834 were Black and all in the lowest 25% quartile of proficiency rate. While the number of students maintaining their funding in two subgroups is as follows:

ZOOM Students = 4595 Black / 19,677 Hispanic

Victory Students = 3856 Black / 10,684 Hispanic

(Note: Black students’ population in Victory schools has diminished to approx. 20% of Victory schools over the past few years and should not be misconstrued by policy makers in decisions. More Black students were served through SB178 overwhelmingly, based on their academic needs.)

What is especially important to note is that while SB178 serves 100% students least proficient in the lowest 25% quartile, ZOOM and Victory do not, since they are school funded and not student funded as is SB178. Students identified by NDE as least proficient statewide in 2019-2020 school year are as follows, ZOOM 8,846 students were lowest 25% proficient / total students enrolled statewide 40,682 / only 13,969 were targeted ELL students; Victory 5,194 students in lowest 25% proficient / enrolled statewide were 20,054 / 5,721 were ELL students. Funds are not necessarily serving the targeted students and creates an inequitable system for funding where targeted students are left out. Additionally, with SB178 the weighted funding served 100% of targeted FRL or ELL students, ALL least proficient and from a multitude of diverse languages and more inclusive student subgroups throughout the State. (See attached CCBC presentation for more details.)

This misnomer that all students attending a particular school in a particular neighborhood must be least proficient, or that Victory schools serve predominately Black students is inaccurate and incorrect. If our goal is to provide an equitable education to each child than we must fund each student individually based on their specific needs. Schools receiving Victory/ZOOM funds would likely maintain optimal funding based on per student allocations as defined by a fair and equitable funding system that includes optimal funding for least proficient students. Therefore, we strongly support moving forward with a weighted funding formula that includes a comparable add on to both students on FRL and ELL that fall in the lowest 25% quartile, **both** equally needing to master English, based on language or linguistics. As required by federal law, this subgroup (least proficient) should receive a **PRIORITY** in funding with a phased in approach. We suggest an equitable sliding scale for implementation.

Committee members can access our recent presentation to the Interim Legislative Education Committee “Advancing Racial Justice Through Public Policy” attached to this public comment, providing analysis and data important to your decision making from a racial justice perspective. We hope you will take the time to review the information and we warmly welcome your questions.

We did not address the need for Nevada to invest in education and raise the per pupil funding. While we support that effort, we felt compelled to speak today on behalf of the thousands of Black students still fighting for education justice. As the great author and advocate, James Baldwin said “I have to make you conscious of the things you don’t see.”

In closing, we pause to ask you a few questions to ponder in your deliberations. What is the future of education **EQUITY** in Nevada? Are we still on course towards building an education system of racial justice and equity or will the decision be made to go the easy and familiar route of “status quo?” That decision starts with this Commission. But we cannot get distracted by current events, political positioning, or fear. What do we as Nevadans genuinely want our future to look like? Those values will be reflected in the choices our government

makes. We thank you for your service and have faith that you will continue to demonstrate your diligence in being just, impartial, fair, and righteous. These are the tenets of JUSTICE.

Attachment:

Advancing Racial Justice Through Public Policy Presentation

Item A15, Jennifer Kilkenny

I have two teens who have been in CCSD since Kindergarten. In that time, I have watched class sizes grow and opportunities for extra-curriculars diminished.

I have even watched Saville Middle School struggle to find enough desks and chairs for all students.

Large class sizes were going to drive our family (and my small business) out of NV for the sake of our children's education. We stayed only because our son was accepted into a Magnet school.

It is unacceptable that it has gotten this bad. Our state has failed to prioritize education, despite having The Strip, which makes more taxable revenue than most states do.

Yet we are woefully underfunded, and we are failing our students.

We are 48th in education. This is an embarrassment.

It's time to put education FIRST, especially during these difficult times.

We demand the following:

1. Restore funds taken during recent cuts to k-12
2. Develop a plan and present it in the upcoming legislative session. We cannot wait. This needs to happen now. It's overdue.

This helps our children and our state. If we are to retain well-educated people who can contribute to a more diverse economy in Nevada, our entire state will be more fiscally healthy. More businesses will come here, and they won't hesitate when they learn about our schools.

We can give them a reason to be here and contribute to our economy.

But we have to invest in our future to make that happen.

Make it happen.

Sincerely,

Jennifer Kilkenny
CCSD District B parent

Item A16, Kenneth Paul

NV Commission on Funding Members,

School districts are recognized as either urban or rural in Nevada. Rural schools are often smaller schools that take additional teachers for students to have access to similar courses as offered to larger comprehensive schools. In addition, remote schools incur increased costs for services.

The fear or concern is that the per-pupil formula (FCFP Model) may significantly decrease funding for staffing, supplies, and services at a rural CCSD school. It is recognized that there is a "hold harmless" clause built into the per-pupil funding implementation. Rural schools support the implementation of per-pupil funding. Rural schools, within CCSD's urban district, want to know that feedback on the FCFP will be sought and valued by this committee and SB 543 - Committee on Finance. Moapa Valley Schools welcome an early and specific look at impacts of FCFP on CCSD rural schools.

It may take some adjustments, but having the dollars follow students in accordance with NRS388G.500/AB469/SB543 will be a better long-term funding mechanism than the older model. Thank you for your time and attention.

Ken Paul
Principal at W. Mack Lyon MS in Overton NV
Rural Middle School (~400 students) in CCSD
(702) 376-2067

Item A17, Mi Familia Vota

Mi Familia Vota Education Fund’s mission is to unite Latinx, immigrant, and allied communities to promote social and economic justice for our communities. As part of our effort to promote social and economic justice. Mi Familia Vota asks this committee to delay the implementation of the new funding formula.

COVID-19 has disproportionately impacted the Latinx community in Nevada, including students and their families. The implementation of the new funding formula should be delayed until we have a better understanding on how this pandemic will financially impact our already underfunded education in Nevada.

Mi Familia Vota is a national civic engagement organization that unites Latino, immigrant, and allied communities to promote social and economic justice through citizenship workshops, voter registration, and voter participation. Mi Familia Vota has operations in Arizona, California, Colorado, Florida, Nevada, and Texas.

Item A18, Mike Kazmierski

I am writing to provide written public comment to the Commission on School Funding reference the Cost Adjustment factor.

For Washoe County, the cost adjustment factor that is being considered reflects a lower cost of living than most of the rest of the state, which cannot be correct. Our cost of living has increased dramatically over the past several years, including rent increases of more than 50% in just four years, now at a record average of \$1,400 and home prices more than double in 7 years, median home prices now at \$460,000.

Any funding model that does not reflect this high cost of living has its credibility questioned. It is important for the model to be accurate if it is going to address the critical issue of supporting a livable wage for our teachers. It is important to our teachers and our District to reflect reality. Until that is possible, I would urge you to set the regional cost adjustment to 1.0 across all districts until the Commission has access to regional data that reflects reality.

Mike Kazmierski
CEO - EDawn (Economic Development Authority of Western Nevada)
kazmierski@edawn.org
775 829-3737

Item A19, Steven Horner

Dear Commissioners,

As a former Nevada educator, I know how hard it is to provide a high-quality education in a system that is chronically underfunded. That's why any new funding plan for Nevada schools needs to include new funding to be successful.

Unfortunately, SB543 was rushed through during the final minutes of the 2019 legislative session with no new revenue. Now Nevada faces another 12% cuts to a already bare education budget because of the COVID-19 pandemic. This is not acceptable.

Please do no harm and delay the implementation of SB543 until after the pandemic, while education stakeholders are able to develop a revenue plan to get us out of the current economic crisis and on our way to optimal funding.

Steven Horner

sjhorner5107@gmail.com

A20, Summer Stephens

Good afternoon members of the committee,

The Governance Team from Churchill County School District would like to share their concerns regarding Optimal Funding and the implementation of the new Pupil-Centered Funding Plan moving forward. We greatly appreciate the work of the commission and its members. We want to share our support of the new model, but express concerns about its current implementation timeline given the uncertainty of funding due to the current situations in our state. As such, our district asks that at a minimum, the Hold Harmless of FY20 as planned in SB543 be the bottom line on funding for the next biennium. The district must have that certainty moving forward with staffing, programs, and operations.

In addition, we fully support the definition of Optimal meaning that funding supports everything required to ensure every student is college and career ready, which we know changes as new technologies and new career advancements come into play. While we know that Optimal funding is essential to the long term success of Nevada's students, we request the full support of the commission to recommend to the legislature that reductions that have occurred as a result of economic downturn be made whole to ensure the hold harmless numbers of FY20 are able to be met should the legislature enact the Pupil-Centered Funding Model for FY21. If unable to meet the FY20 Hold Harmless provision of the law and to begin to address Optimal funding in Nevada, we would strongly suggest implementation be postponed providing additional time for the commission to engage in this essential work and to allow the recovery of Nevada's economy to support movement towards Optimal Funding.

Thank you for your time and efforts!

Dr. Summer E. Stephens
Superintendent

A21, Darlene Anderson

I would like you to understand my perspective

Darlene Anderson

----- Forwarded message -----

From: Darlene Anderson :

Subject: Fwd: Toni Colley-Perry Recommendations November 13, 2020

So here is a set of recommendations that my sister wrote for a church in Sacramento, California; I have found that there are so many cities that this organization process has not been established. As I have been attempting to find the team that was leading the charge of transition of Black American Citizens to citizenship is not happening in American. We have to understand that the lack of vision that would allow us to build capacity across America lacks in the Black Community. We have addressed this issue if Black Lives Matter why do we have 8year olds that would choose to die rather than to continue to live under this failed system of maintenance that we live in.

Real-life affects us all, we have to account for the children who have been placed in an environment without sustainable options like the Harbor, or the SOS program that has been adopted by the Nevada Legislature I can not understand where is the maintenance of effort for children who are placed in programs that would deal with behavior without the arm of structured education?

Separate but equal was a legal doctrine in United States constitutional law, according to which racial segregation did not necessarily violate the Fourteenth Amendment to the United States Constitution, which guaranteed "equal protection" under the law to all people

The **Due Process Clause** guarantees “**due process** of law” before the government may deprive someone of “life, liberty, or property.” In other words, the **Clause does** not prohibit the government from depriving someone of “substantive” rights such as life, liberty, or property; it simply requires that the government follow ...

No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the **equal protection** of the laws.

The State of Nevada has developed policies that restrict access to public education as they are partnering with a program that they developed called the Harbor and other alternatives services and created a separate and unequal offer of education for the children who are identified and having

b) His or her social, emotional, and academic development.

Sec. 29. NRS 391.282 is hereby amended to read as follows:

391.282 1. The jurisdiction of each school police officer of a school district extends to all school property, buildings and facilities within the school district and, if the board of trustees has entered into a contract with a charter school for the provision of school police officers pursuant to NRS 388A.384, all property, buildings and facilities in which the charter school is located, for the purpose of:

- (a) Protecting school district personnel, pupils, or real or personal property; or
- (b) Cooperating with local law enforcement agencies in matters relating to personnel, pupils or real or personal property of the school district.

2. In addition to the jurisdiction set forth in subsection 1, a school police officer of a school district has jurisdiction:

- (a) Beyond the school property, buildings and facilities **[when] : (1) When** in hot pursuit of a person believed to have committed a crime; **or**

(2) While investigating matters relating to personnel, pupils or real or personal property of the school district;

- (b) At activities or events sponsored by the school district that are in a location other than the school property, buildings or facilities within the school district; and
- (c) **[When authorized by the superintendent of schools of the school district, on] On** the streets that are adjacent to the school property, buildings and facilities within the school district **[for the purpose of issuing traffic citations for] to make arrests for** violations of traffic laws and ordinances . **[during the times that the school is in session or school-related activities are in progress.]**
3. A law enforcement agency that is contacted for assistance by a public school or private school which does not have school police shall respond according to the protocol of the law enforcement agency established for responding to calls for assistance from the general public.

requiring a provider of integrated student supports to comply with the protocol established by the Department pursuant to subsection 1.

4. As used in this section, **[iegaed de** means any measure designed to assist a pupil in **[improving] :**

(a) *Improving* his or her academic achievement and educational attainment and maintaining stability and positivity in his or her life **[.] ; and**

(b) *His or her social, emotional and academic development.*

Sec. 29. NRS 391.282 is hereby amended to read as follows:

391.282 1. The jurisdiction of each school police officer of a school district extends to all school property, buildings and facilities within the school district and, if the board of trustees has entered into a contract with a charter school for the provision of school police officers pursuant to NRS 388A.384, all property, buildings and facilities in which the charter school is located, for the purpose of:

- (a) Protecting school district personnel, pupils, or real or personal property; or
- (b) Cooperating with local law enforcement agencies in matters relating to personnel, pupils or real or personal property of the school district.

2. In addition to the jurisdiction set forth in subsection 1, a school police officer of a school district has jurisdiction:

- (a) Beyond the school property, buildings and facilities **[when] : (1) When** in hot pursuit of a person believed to have committed a crime; **or**
- (2) While investigating matters relating to personnel, pupils or real or personal property of the school district;**

HOW IS THIS DEMONSTRATING ACCESS TO PUBLIC EDUCATION FOR CHILDREN WHO HAVE BEEN IDENTIFIED TO PARTICIPATE IN THIS PROCESS OF PUBLIC MANDATED COMPULSORY EDUCATION BEHAVIOR MODIFICATION LEAST OPTION OF A FREE AND APPROPRIATE PUBLIC EDUCATION AS PARENT CHOICE?

<https://youtu.be/r2BqnbNc3nE>

----- Forwarded message -----

From: Toni Colley

Subject: Toni Colley-Perry Recommendations November 13, 2020 To:

Greetings, Pastor Reece

Attached you will find a more comprehensive description of my recommendations. I appreciate your listening ear. If after reading these notes you would like to talk more about my ideas please feel free to contact me at 916-519-9189. Everything I have shared I have done and believe that those strategies will work. Sorry for the red ink I need to purchase more black ink soon.....lol.

Sincerely,

Toni Colley-Perry

Appendix B: Attachments Submitted with Public Comment

Please email NVBoardEd@doe.nv.gov to request a copies of the attachments for the following public comment:

1. Clark County Black Caucus, Advancing Racial Justice through Public Policy
2. Darlene Anderson, Community Advisory Boards, Head Start Services