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# DEPARTMENT OF HEALTH AND HUMAN SERVICES

DIVISION OF CHILD AND FAMILY SERVICES  
*Helping people. It's who we are and what we do.*



Cindy Pitlock, DNP  
Administrator

## Nevada Children's Commission Education Committee Draft Meeting Minutes

**DATE:** Thursday, September 14, 2023

**TIME:** 12:00 P.M.- Adjournment

**VIDEO CONFERENCE:**

[https://teams.microsoft.com/l/meetup-join/19%3ameeting\\_Y2YxZjFhMzgtZDU3MC00MjYxLWI0ZWYtNjQwYjAyMjEwOTV1%40thread.v2/0?context=%7b%22Tid%22%3a%22e4a340e6-b89e-4e68-8eaa-1544d2703980%22%2c%22Oid%22%3a%22be58909a-421c-4f56-857e-c5f7d4ef6f7f%22%7d](https://teams.microsoft.com/l/meetup-join/19%3ameeting_Y2YxZjFhMzgtZDU3MC00MjYxLWI0ZWYtNjQwYjAyMjEwOTV1%40thread.v2/0?context=%7b%22Tid%22%3a%22e4a340e6-b89e-4e68-8eaa-1544d2703980%22%2c%22Oid%22%3a%22be58909a-421c-4f56-857e-c5f7d4ef6f7f%22%7d)

**TELECONFERENCE LINE:** 1-775-321-6111

**CONFERENCE ID:** 868 281 054#

1. **Call to Order** – Janice Wolf, Kimberly Palma-Ortega, Dr. Jesus Jara, Dr. Tiffany Tyler-Garner, Laura Obrist, Jodi Thornley  
The meeting was called to order at 12:02 p.m. by Janice Wolf.

2. **Welcome and Introductions (Roll Call)** – DCFS Staff  
**Members Present by Video:** Janice Wolf, Kimberly Palma-Ortega, Dr. Tiffany Tyler-Garner, Laura Obrist, Jodi Thornley

**Members Absent:** Dr. Jesus Jara

**DCFS Staff:** Elvira Saldana

**Public:** Gillian Barjon, Dr. Leslie Strasser Congrove

3. **Public Comment and Discussion**

There was no public comment.

4. **For Possible Action:** Meeting Minutes from April 11, 2023– Janice Wolf, Kimberly Palma-Ortega, Dr. Jesus Jara, Dr. Tiffany Tyler-Garner, Laura Obrist, Jodi Thornley

Janice Wolf asked committee members if there were any additions or corrections.

There were no recommendations.

**Action:** A motion was made by Jodi Thornley to approve the minutes, seconded by Kimberly Palma-Ortega, and carried to approve the minutes of April 11, 2023.

**5. For Information:** School Discipline Legislative Changes – Dr. Leslie Strasser Congrove, Clark County Department of Family Services and Gillian Barjon, Legal Aid of Southern Nevada

- Provide an overview of the 2023 legislative changes to school disciplinary procedures and the effect on children with disabilities and in foster care

Janice Wolf stated at the last Children’s Commission meeting Justice Elissa Cadish asked if the education committee would take on the issue of the school discipline legislative changes and look into it. It has a lot of ramifications for children in foster care and children with disabilities. Dr. Leslie Strasser Congrove who is the Education Liaison with the Clark County Department of Family Services (DFS) and Gillian Barjon who is an attorney and team chief of the education advocacy team with the Legal Aid of Southern Nevada, were invited. They both have been very active in looking at ways to address the school discipline issue that has arisen as a result of legislative action. Dr. Leslie Strasser Congrove and Gillian Barjon will be informing the committee on what the issue is and what the committee can look at doing.

Dr. Leslie Strasser Congrove stated she has been with the county as the Education Liaison for over 10 years. This legislative session has been a concern for them. There were two specific bills, AB 285 and AB 330 that passed. Some of the biggest things with the bills are that it is easier to remove kids from school and notice does not need to be given before the removal. At the time of removal is when folks are notified. It is much easier to send a child home from school for any sort of removal without any notification. Principals also have more discretion for removals and for removing children. From their perspective, there are many issues with it. The first is, it puts a huge burden on the caregivers. In some cases, school is the consistent place for children. They are dealing with the fact the only place the children may find to be a consistent component in their lives and the only place they may consider almost like home is now rejecting them. It is a huge issue because the children feel rejected already and now, they are going through a traumatic experience. It is common for the children to just regulate on school campuses. The new disciplinary laws are concerning. In the previous legislative session, there was a special protection for children in foster care. The schools are now allowed to suspend children in foster care for up to 5 days before there is any sort of protection. There are appeals after 3 days of suspension. However, there is no longer a presumption. There was also a presumption that the behavior that may have influenced the removal was a factor of being in foster care, unless proven otherwise. In this last legislative session, changes were made to the protection. The schools are now allowed to suspend children in foster care for up to 5 days before there is any sort of protection. There are appeals after 3 days of suspension. One of the biggest changes is it is no longer presumed the behavior was related to being in foster care. The second part of it is they must look at whether the child continues to pose an ongoing threat. They are trying to work with the school district on having some less exclusionary discipline and having options for in house if there is something going with the children. The Nevada Department of Education is recommending and trying to get schools to have in house protections. The school districts are tracking data to see how the discipline rules and laws are affecting the children. The agency is also trying to work very close with the schools and school district on creating and putting in some trauma-based recommendations.

Gillian Barjon stated she would like to talk about it in terms of ways to look at collecting data, ways the Commission can push for checks and balances, and loopholes to look for that maybe can be collected through data. The changes allow for kids to be out for 5 days before appeal rights kick in. Currently, the progressive discipline plan is not required until a suspension of 3 days. They are concerned with the combined days throughout the year. One of the things they want to look at is tracking how principals are doling out discipline that is cumulative. They also want to make sure they receive shared language around the ambiguity that gives the discretion. Gillian Barjon would like to get resolution on the language, what an actual threat is and what is danger when it comes to child behavior and putting it into context of development. The determination that battery to a child or a peer, someone other than staff is now on the table for permission to suspend or expel a student. The Commission's role can be to help define the limits on what a threat is for a developmentally appropriate age and what danger is. Additionally, there is a check which must be completed by a Superintendent or someone who is an official. They need to define who the officials are and make sure the administrative head of the school is not the same as the principal. To get past the required parent conference (RPC), the approval of the Superintendent or administrative head is required. Gillian Barjon would like to figure out how to have the required training through the administrators of all the schools. Gillian Barjon would also like to track arrests and restraints in detention that happen through the Clark County School District as a means of holding students until parents/caregivers arrive. Another piece that is concerning is the lowered age limit of suspensions and expulsions. If they wish to hone in on ways to protect kids, it will be through the progressive discipline provisions that were added.

Janice Wolf asked committee members if there were any questions.

Laura Obrist asked where they can read the progressive discipline requirements.

Gillian Barjon stated the bill has not been placed into law. They received a guidance memo from the state of Nevada which includes all the provisions.

Dr. Tiffany Tyler-Garner asked if there is a formal regulatory process where public feedback is being received about the policy and if so, when does it happen or has it happened. Dr. Tiffany Tyler-Garner also asked if there are existing mechanisms in place to monitor in the areas Gillian Barjon noted.

Gillian Barjon stated she does not believe there has been a regulatory process yet. Multiple meetings are being held with stakeholders to give guidance on the laws. Gillian Barjon can make it a point to reach out to the department and ask about their timeline for regulatory input and publication of regulatory information. In terms of the monitoring piece, the only people who have the immediate ability to make requests on a regular basis is DFS.

Dr. Leslie Strasser Congrove stated the Nevada Department of Education has been having meetings. Trainings have also been conducted, 2 in September and 2 in October. The first training is on discipline and the second one is on restorative practices. It looks like they are trying to get schools to work on the restorative piece and put it together. Laronica Maurer has

been doing a lot of the trainings. Dr. Leslie Strasser Congrove stated she is more than happy to forward the information.

Gillian Barjon stated for children with disabilities for the different executives who are over professional training or development within the district, it would be best if the Commission can reach out to them.

Janice Wolf asked what they see as the most egregious aspects of the bills and what the education committee and Children's Commission can do.

Dr. Leslie Strasser Congrove stated the biggest issues with the bills are it is easier to remove children, the lack of a timely notice, and the discretion the principals have. Not having alternative options and/or in house options for the children to go is a big issue. When a child is removed, after 2 days they are supposed to provide the child with an education plan to ensure they are not falling behind in their studies, however they are given very little instruction. Another component is how is any sort of meaningful education being provided to children if they are going home.

Gillian Barjon stated the number one issue is defining disruption and threat; however, she does not know if it is the biggest issue the Commission can address. The second issue is collecting information on a more regular basis than the public would receive it, on how often children are being removed and tracking how principals and administrators are using it under certain categories of incidents. In the past, the school justice project was looking at specific incident reports as it pertained to referrals to the Department of Juvenile Justice Services. Gillian Barjon thinks specific incidents need to be looked at as it pertains to removal from instruction.

Janice Wolf asked if any of the bills will be addressed during the interim legislative session to modify them or change them in some way or if there will be any interim hearings.

Gillian Barjon stated she is not aware of an interim hearing and does not think changes will be made to the laws until the next session. The accountability piece can be pushed.

Dr. Leslie Strasser Congrove stated she agrees and does not foresee anything changing.

Gillian Barjon stated she suspects there will be a lot of RPCs in the attendance record. If a child is RPC'd, a conference typically must take place within 3 days. However, with the new law it can be extended if there is an ongoing threat. Anything over 3 days needs to be designated in the attendance record as suspension and not as unverified. Another way to make sure the kids do not fall through the cracks is to push the department to make it an immediate requirement to track the ongoing removal count.

Janice Wolf asked if there were any additional questions from the committee members.

There were no questions.

Janice Wolf asked if it would be helpful to have ongoing dialogue with the committee and the teams who are working on trying to find solutions.

Dr. Leslie Strasser Congrove stated she thinks it would be wonderful. Any information they can provide and support they can have as they figure out what is going on would be helpful.

Gillian Barjon stated it would be helpful. Gillian Barjon would like to be proactive. If the Commission has connections to certain boards, committees, executives, or whoever it may be who is in charge of doling out regulations, professional development etc. they would like to put a bug in their ear about certain provisions.

Janice Wolf thanked Gillian Barjon and Dr. Leslie Strasser Congrove.

Dr. Tiffany Tyler-Garner suggested this issue be agendized in some way and enlist the support of the other systems representatives on the Commission by highlighting that the committee believes there should be some monitoring or follow up to look at the implications of the policy that was passed. Dr. Tiffany Tyler-Garner suggested starting with this presentation and then beyond that asking members to identify what their touchpoints are with the issue and if there are some latent effects for their system. Based on what is learned about the touchpoints, then call for some formal action or change.

**6. For Possible Action: Committee Goals and Objectives – Janice Wolf, Kimberly Palma-Ortega, Dr. Jesus Jara, Dr. Tiffany Tyler-Garner, Laura Obrist, Jodi Thornley**

- Discuss whether committee goals and objectives should be revised to address the impact of the 2023 legislative changes will have on children in foster care and children with disabilities
  - Possible vote and approval of committee goals and objectives
- Janice Wolf asked if the committee members would like to add this legislative discipline issue to the priority list of goals going forward.

Laura Obrist stated she thinks it should be a priority.

Janice Wolf asked for a motion to prioritize the issue of school discipline legislative changes.

**Action:** A motion was made by Laura Obrist to prioritize the issue of school discipline legislative changes, seconded by Jodi Thornley. The motion passed unanimously.

**7. For Possible Action: Discuss and Decide Upon Next Steps – Janice Wolf, Kimberly Palma-Ortega, Dr. Jesus Jara, Dr. Tiffany Tyler-Garner, Laura Obrist, Jodi Thornley**

- Assign Tasks to Committee Members (if needed)  
Tasks were not assigned.
- Specify Agenda Items for the Next Meeting  
No recommendations were made.
- Confirm Next Meeting Date/Time  
The next meeting date was not confirmed.

**8. Public Comment and Discussion**

There was no public comment.

**9. Adjourn**

The meeting adjourned at 1:06 p.m.

DRAFT