

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

**Seventy-Eighth Session  
February 9, 2015**

The Committee on Education was called to order by Chair Melissa Woodbury at 3:16 p.m. on Monday, February 9, 2015, in Room 3142 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4401 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. Copies of the minutes, including the Agenda ([Exhibit A](#)), the Attendance Roster ([Exhibit B](#)), and other substantive exhibits, are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at [www.leg.state.nv.us/App/NELIS/REL/78th2015](http://www.leg.state.nv.us/App/NELIS/REL/78th2015). In addition, copies of the audio or video of the meeting may be purchased, for personal use only, through the Legislative Counsel Bureau's Publications Office (email: [publications@lcb.state.nv.us](mailto:publications@lcb.state.nv.us); telephone: 775-684-6835).

**COMMITTEE MEMBERS PRESENT:**

Assemblywoman Melissa Woodbury, Chair  
Assemblyman Lynn D. Stewart, Vice Chair  
Assemblyman Elliot T. Anderson  
Assemblyman Derek Armstrong  
Assemblywoman Olivia Diaz  
Assemblywoman Victoria A. Dooling  
Assemblyman Chris Edwards  
Assemblyman Edgar Flores  
Assemblyman David M. Gardner  
Assemblyman Pat Hickey  
Assemblywoman Amber Joiner  
Assemblyman Harvey J. Munford  
Assemblywoman Shelly M. Shelton  
Assemblywoman Heidi Swank

**COMMITTEE MEMBERS ABSENT:**

None



**GUEST LEGISLATORS PRESENT:**

None

**STAFF MEMBERS PRESENT:**

H. Pepper Sturm, Committee Policy Analyst  
Kristin Rossiter, Committee Policy Analyst  
Karly O'Krent, Committee Counsel  
Joan Waldock, Committee Secretary  
Trinity Thom, Committee Assistant

**OTHERS PRESENT:**

Dale Erquiaga, Superintendent of Public Instruction, Department of Education  
Jovan Agee, representing Nevada State Education Association  
Nicole Rourke, Executive Director, Government Affairs, Community and Government Relations, Clark County School District  
Mary Pierczynski, representing Nevada Association of School Superintendents  
Lindsay Anderson, Director, Government Affairs, Washoe County School District  
Jesse Wadhams, representing Las Vegas Metropolitan Chamber of Commerce  
Lauren Hulse, representing Charter School Association of Nevada  
Stephen Augspurger, representing Clark County Association of School Administrators and Professional-Technical Employees, and Nevada Association of School Administrators  
Sylvia Lazos, representing Latino Leadership Council  
Lori Navarette, Ph.D., Private Citizen, Henderson, Nevada  
John Wagner, representing Independent American Party of Nevada  
Steve Canavero, Ph.D., Deputy Superintendent for Student Achievement, Department of Education  
Staci Vesneske, Chief Human Resources Officer, Clark County School District  
Jessica Ferrato, representing Nevada Association of School Boards  
Peggy Lear Bowen, Private Citizen, Carson City, Nevada

**Chair Woodbury:**

[Roll was taken. Protocols and procedures were explained.] I now open the hearing on Assembly Bill 27.

**Assembly Bill 27: Makes various changes regarding the licensure of educational personnel. (BDR 34-315)**

**Dale Erquiaga, Superintendent of Public Instruction, Department of Education:**

Later this week, the Committee will receive from me an overview of the Department of Education and the system of public education. Today you get a quick dive into one of the oldest functions of the department and yet probably one of the most obscure, if you are not yourself an educator. That is the process of issuing licenses. One of the longstanding functions of the department is to issue licenses and for the State Board of Education to engage in hearings to suspend or revoke licenses under certain circumstances. The way the statutes operate, the Superintendent of Public Instruction issues the license. As a practical matter, that is accomplished through a license or analyst team in Las Vegas and here in Carson City that reviews the applications for all forms of licensure—substitutes, classroom teachers, administrators—all endorsements. All of those applications are reviewed, pursuant to regulations adopted primarily by the Commission on Professional Standards in Education.

With that introduction, I will explain what the bill in front of you does. It deals with a very small section of the law for persons who are applying for a license who are not U.S. citizens. Under our laws, in the general application of licensure, one must be a U.S. citizen. The existing law allows exceptions for that. If an individual has permission, essentially from the federal government—they may be here on a visitor's visa, for example—they are allowed to apply for licensure if, under existing law, the school district can certify that there is a shortage in the very specific area in which the individual is licensed. What the bill in its original form did was step that back a little bit so that you did not have to be so close to the endorsed area where the shortage exists. So, I might be a social studies-endorsed teacher. This district might not have a shortage of social studies teachers, but they might need someone with my language ability. I speak Mandarin Chinese or I speak Spanish. You have before you a mock-up of the proposed amendment ([Exhibit C](#)). It does two things.

The amendment adds charter schools. Initially, this licensure bill and licensure statute spoke only to the school districts being able to tell the Superintendent that they needed a teacher in this category. This bill, as proposed with the mock-up of amendment 9612, would extend that to charter schools. So, if a charter school were hiring a licensed teacher, they, too, could make this request.

It also expands the categories under which a school district, or now charter school, can make that request. The first is, a shortage exists. Those of you from Clark County (and that is many of you, the vast majority of you as I look

about the room) are very familiar with what we call the "pipeline shortage." You do not have enough teachers, really, of any kind in Clark County, so you are familiar with the teacher shortage. That is the first means by which an individual might be granted a license if the school district informs the Superintendent that it is necessary.

The second is new language that tries to get at the qualifications related to language, that is, if the school district has not been able to employ a person possessing the skills, experience, or abilities of the applicant and such skills are needed. That is again my example of, "I need someone who speaks Mandarin Chinese," and I might need them in Elko, where there might not be a teacher shortage. So we have both pathways available now in this bill. You can certify that there is a shortage and that the Superintendent might grant a license, or you can certify that you need the specific skills of this individual and the Superintendent could grant the license.

The bill and the amendment then go on to delineate the requirements. This is a very restricted license. It is only good in that district. It is only good, essentially, for the job for which the individual was hired. We have added to this amendment, at line 21 on page 2, a requirement that if the individual is terminated we will be notified. That is so that we do not lose them in the system. The license is only good in that district. This is for us to be able to flag the license so that if the individual were to move across a county line and produce a license, we would be able to work with the school district there to say, "Nope. That license is not valid. You need to go through the same process, certifying a shortage or certifying the special requirements." I am sorry to go back and forth between the two documents. It started out as a fairly direct pipeline bill, trying to expand that pipeline a little bit. I think the amendment does a better job of addressing the pipeline issue for charter schools as well as school districts, but also provides real clarity as to why the Superintendent would issue these licenses, under which two circumstances, and that we be notified if the individual is no longer employed. There are all kinds of rules that come with one's paperwork. If you were here on a work visa and your visa expires, your license expires. So there is a reason for us to keep that information.

Very quickly, Madam Chair, I think that is it. I will be glad to answer any questions.

**Assemblyman Elliot T. Anderson:**

My concern relates to crossing out, "in the subject area for which the person is qualified" language. My first impression is that we will put a lot of pressure on that teacher if we are going to come in with evaluations and base so much on

student data. Can you comment on that and why you chose to get rid of that section?

**Dale Erquiaga:**

We struck the language in the section of the statute that says that you have to demonstrate the need in that specific area but left the language in the later section on the license. I am not going to ask you to teach outside your endorsement, if you are a secondary teacher or if you are an elementary teacher and have a broader endorsement. We felt that it was a burden for the district to have to say, "Oh, I do not have any social studies teachers," in that subject area. Rather, "I have a shortage of all kinds of teachers," because I might be able to move a social studies teacher who has another kind of endorsement to a different class and hire you, Mr. Anderson, for that social studies class. That is why it is done the way it is, to make it a little more flexible for the school district to try to demonstrate a shortage, but the language remains for the individual's license.

**Assemblyman Elliot T. Anderson:**

I am sorry. I missed something. What part of the bill are you referring to, Superintendent?

**Chair Woodbury:**

I think it was taken out of the licensure part and maybe it was intended to be left in.

**Dale Erquiaga:**

Yes. It should not be taken out. Let me look at the original bill.

**Assemblyman Anderson:**

I think you were referring to section 1, subsection 3(b), subparagraph (2) in the bill, but then it is crossed out in the mock-up, section 1, subsection 4(b), subparagraph (2).

**Dale Erquiaga:**

Yes, it should not be crossed out in the mock-up of the amendment. Thank you for catching that. I did not. So, we do not want you outside your area of expertise, but we want the flexibility.

**Assemblyman Gardner:**

It is my understanding that this would deal with people on visas coming here to teach. Is there any kind of preference for hiring U.S.-based teachers before using this principle somewhere, either in the law or anything like that?

**Dale Erquiaga:**

The general preference is that one must be a citizen in order for licensure and hiring to take place. These are the rare circumstances where an individual has, pardon the expression, papers that would indicate that they are here in the country on a federally-approved program. We always default, even under existing laws, to citizens.

**Chair Woodbury:**

What is the extent of the shortage right now in Nevada, or what is it expected to be for next school year? How many additional licenses can we expect from this bill?

**Dale Erquiaga:**

Folks from Clark County can give you a better picture of their shortage. I think we started the year there with something like 600-plus substitutes. A substitute is holding a seat for which there is no fully-licensed teacher. That is just Clark County. I am not as familiar with the numbers throughout the state. Clark County is where the crisis really is.

In general, we can expect that if the Legislature approves the Governor's budget, holding class-size reduction at the level that it is and increasing kindergarten, that alone increases the number of new teachers. I think last year statewide we were between 2,000 and 3,000 teachers needed for the new seats. That is not attrition. It is a significant number. Honestly, I have no projection for you as to how many people this is. We had a couple of instances over the last year and a half of folks who got caught in this law and could not get their license because of their status. I am only aware of a handful of licenses that were not issued. We are not going to solve the teacher licensure problem with this bill, but it is certainly one more tool for the districts to be able to hire individuals with fairly unique skills in language or personal life experience.

**Assemblyman Gardner:**

It talks in the bill about qualifications to teach. Some of these people have work visas or something like that. Would their training have come here in the United States, or would it most likely have come in their country of origin? If so, is there some kind of way that we make sure that they are qualified?

**Dale Erquiaga:**

Both. An individual here may have attended an American institution of educator preparation and have the degree but not be a citizen. Or one may come, essentially, on a reciprocity from a European nation or an Asian nation or a South American nation. In that instance, we have to go through this

process. If you are not on the normal list of schools we in the licensure office have to go back and forth between your transcripts and what our laws require for each level of license or endorsement. That is what the licensure analysts do.

**Assemblyman Munford:**

I want to ask a question related to substitute teachers. What is the minimum number of credits for someone to be a substitute teacher? Also, to follow up a little bit, if you want to teach in a field like science, technology, engineering, and mathematics courses, would a long-term substitute teacher need to have a more extensive background in those areas before we could just assign that person to a classroom? I have heard of and seen a lot of substitute teachers that are just there to pick up a paycheck. Their heart is not in it. Their commitment is not in it. They just have it as a job. Just give me a little more insight into what the substitute situation is now in Clark County.

**Dale Erquiaga:**

I am going to defer an answer so that I can look into this to get it right. All the licenses are different, and if I tell you it is 12 credits, I am going to be wrong and someone in the back will yell. I will look that up.

Let me address your other question. If you are a long-term substitute, you hold a substitute license. You may be teaching mathematics, and it may be a struggle for you. That is dramatically different from having an endorsement on your baccalaureate degree in pedagogy for mathematics or for science or for home economics or for some other area. Yes, there is a dramatic difference, particularly at the secondary level, between a substitute and a long-term substitute and a fully licensed and endorsed teacher. That fully licensed and endorsed teacher is what we want, but we do not have enough of them.

**Assemblyman Hickey:**

Regarding this need (quite serious in Clark County, as we understand), are you tying this to any other alternative licensure measures this session? The need can be filled, hopefully, by this enabling legislation, but another alternative has been debated in this body for a while. Are you going to be bringing to us or be in support of other measures along this line for alternative licensure?

**Dale Erquiaga:**

Am I in support of alternative routes to licensure (ARL)? Absolutely. Any of those programs are viable. Those programs, as you may recall, are approved by the Commission on Professional Standards in Education. The language was processed in 2011, which took quite some time to implement. The regulations were still being implemented when I arrived as Superintendent in 2013. It took

us a while to get there. To my knowledge, there is not currently what we call ARL bills in the hopper. I have not seen any yet. The administration has not proposed to change this but, were a bill like that brought, we would absolutely work with the sponsor. If there are more ways to find teachers who have been in business and industry or other private life to give them a classroom, I am happy to work with anybody on that, but I am not aware of any today.

**Assemblyman Stewart:**

I know that this is not in the bill, but in visiting K-12 classrooms and universities, I noticed that some of these teachers might be very brilliant but not very understandable in English. I hope for an unwritten rule that they can be understandable.

**Dale Erquiaga:**

This is a great opportunity to remind the Committee about the two halves of the process. My job, as Superintendent, is to issue a license to an individual who is qualified and legally able. It does not mean they are capable. That is a human resources decision, made at the district level. It is really important for me; I get a lot of calls about instructors. I do not hire them. I license them. That is a different standard from their ability to teach or lead a school. We have folks from the districts here who can talk about their human resources practice. Your point is well taken.

**Chair Woodbury:**

If there are no further questions for Mr. Erquiaga, I am going to ask for testimony in support of A.B. 27. I am going to start here in Carson City. There are quite a few people signing up to testify, so if you could, keep your comments short and do not repeat what someone else has said. A "ditto" is fine.

**Jovan Agee, representing Nevada State Education Association:**

We are in support of this bill. We believe there is a tremendous shortage of teachers in the state, and this bill could potentially help assist with that issue and that problem. We encourage your "aye" vote.

**Nicole Rourke, Executive Director, Government Affairs, Community and Government Relations, Clark County School District:**

We are here in support of this bill and appreciate the Department of Education bringing it forward and the flexibility that it provides as we face a teacher shortage. For clarification, we have approximately 600 openings at the present time. We will actually talk about that in another bill coming up. We are trying to recruit 2,600 teachers by May 26, 2015.



**Mary Pierczynski, representing Nevada Association of School Superintendents:**  
We are in support of this bill as amended.

**Assemblyman Munford:**

Ms. Pierczynski, I know that you have been around a long time, and you know the ins and the outs of education and the good and the bad. Let me ask you this question pertaining to the bill. Why do you think there is a shortage of teachers? Why do people not want to go into this profession? It is a very noble thing to do. It is almost like being a minister or something because you are serving and you are helping shape, mold, and direct. This is a great thing. I taught for a long time. I have interacted with you over the years. I know you are extremely qualified. Why do you think people do not want to go into education? I have my theory, but yours might be different.

**Mary Pierczynski:**

I wish I had an answer to that question. I do not think it is all about money. This is just a personal thought, but I think a lot of times public school and teaching can be a political football. Not just political, but a football. There tends to be a lack of respect, I think, sometimes, for the profession. I think a lot of young people are ushered in other directions. That is my own personal opinion, certainly not that of the Nevada Association of School Superintendents (NASS).

**Assemblyman Munford:**

The climate nationwide seems like it is attacking teachers to some degree, as if they are to blame for the problems that exist in education, as if it is the teachers' fault. A lot of people say, "I do not want to get into that scrutiny," or "I do not want to get into that hatchet game." Blaming teachers for this poor performance—the schools' and students'—when it is not really the teachers' fault seems to be the consultants. These people are experts, or think they are experts, but have never been in a classroom before and do not even know what it is all about. They seem to be always talking like they know everything about education. They should talk to some teachers and let them share what it is all about.

**Mary Pierczynski:**

I also think that a lot of people who do go into the profession find out it is not an easy job. I think we see a lot of people leaving in the first three to five years. I think the statistics and the studies show that. For many different reasons they leave, but it is a tough job. I think that for some people, you not only have to know your material, but you have to know how to handle children. That is not always easy.

**Assemblyman Munford:**

You have to like children.

**Assemblyman Elliot T. Anderson:**

Ms. Pierczynski, did I hear you right? Do you think that when politicians maybe talk a little bit too much about teachers trying to do their job for them; do you think that discourages teachers from staying in the profession?

**Mary Pierczynski:**

Assemblyman Anderson, when I said "political," I am talking not just politicians, but generally. It is just a hot topic to talk about and to blame education for a lot of issues. It is a tough job. I think that a lot of people who do go into education, when they get in there, it is a lot more difficult than what they thought. Everybody has been to school in our country. Everybody knows a little bit about school. It makes it a popular topic. It makes everyone an expert, to a certain extent. That is my own personal opinion, again, not that of the NASS.

**Lindsay Anderson, Director, Government Affairs, Washoe County School District:**

We are here in support of this legislation. Like Clark County, teacher shortage is an issue for us. We currently have 99 positions open as we approach the coming school year. One of our strategic plan goals is to increase the diversity of our workforce. We look forward to using this legislation to achieve those goals.

**Jesse Wadhams, representing Las Vegas Metropolitan Chamber of Commerce:**

I wanted to register our support of A.B. 27. Anything that helps add tools to deal with teacher recruitment, the chamber is in support of. So we would add a "Me, too" to the number of comments you have heard already.

**Lauren Hulse, representing Charter School Association of Nevada:**

We are here supporting this. I believe, just for the record, I put down "neutral." We are supporting the amendment to include charter schools. We believe that we want the charter schools to have the same opportunities to recruit teachers that traditional school districts have.

**Stephen Augspurger, representing Clark County Association of School Administrators and Professional-Technical Employees, and Nevada Association of School Administrators:**

This afternoon, I am also representing Lonnie Shields and the Nevada Association of School Administrators. We are here to express our support for this bill. We strongly encourage its passage.

**Chair Woodbury:**

Is there anyone else in Carson City in support of A.B. 27? [There was no one.] We will go to Las Vegas.

**Sylvia Lazos, representing Latino Leadership Council:**

I am the vice chair and chair of the education committee of the Latino Leadership Council. We strongly support A.B. 27. As Assemblyman Munford has pointed out, we need to address the shortage of teachers in Nevada. This is one more tool to make that happen. One additional fact for the consideration of the Committee is that Nevada is a state that has a high proportion of noncitizens. According to the latest census, one in five persons who reside in our state are noncitizens. It makes a great deal of sense to expand the pool of those potentially able to obtain a license to teach, and not exclude 20 percent of Nevadans from that honorable profession.

We would also like to mention that Nevada is becoming, or is, a global economy, a global state, and a global city. Our education system has to reflect our ambitions to become globally competitive. In order to do so, we need to have more dual language programs. We need to promote knowledge of a language other than English. European children routinely know how to speak more than one language. That is definitely an advantage for those young adults when they are in business settings. Young Nevadans deserve that same kind of advantage. When we are able to hire persons who were born abroad, that means that we have a pool of talent that we can use and tap into to have more dual language programs in the state of Nevada. Currently we have but a handful, and it is truly a waste of our resources when we do not tap into potential candidates who can teach in these kinds of programs. For that reason, Madam Chair, we strongly support A.B. 27 and ask that members of the Committee do as well.

**Lori Navarette, Ph.D., Private Citizen, Henderson, Nevada:**

I wanted to share an experience I had here in Nevada. About eight years ago, I was hired to coordinate a teacher education program, a collaboration with Clark County School District, College of Southern Nevada, and Nevada State College. Through that program, we recruited over 300 ethnically and racially diverse students. Over 70 percent of them were Latino students. They were required to go through the same licensure requirements as everybody else. There were 27 of them that we had to stop right at the point of student teaching. They continued to go through the program, hoping that the Development, Relief, and Education for Alien Minors Act of 2011 would pass or that they would be able to earn a teaching license. They could not go further. They could not student teach. These students had used passports from their own countries, which is legal, and took the Praxis exam and passed. Some of

them had to take it one or two times. They had to take the same course work. We lost 27 of them that were going into secondary math, secondary social studies, and secondary science. In fact, they ended up having to pull out of the teacher education program, and we had to help them to move into another degree like interdisciplinary studies. We lost students to biology degrees, math degrees; elementary education candidates had to go into general interdisciplinary studies degrees. Because of the law, they could not get any further than that. I will tell you that these students were excellent candidates for a teacher education program. I have seen that. I have been at three institutions of higher education. I wholeheartedly support this bill. It would fill such a need in the school district. It would also diversify our teacher candidates across the state.

**Chair Woodbury:**

Anyone else in Las Vegas? [There was no one.] I will come back to Carson City. Now I will take testimony in opposition to A.B. 27.

**John Wagner, representing Independent American Party of Nevada:**

We have in this country, unfortunately, a lot of students who come in from overseas, Europe and so forth, and they get their degrees. Maybe they do not even get their degrees, but they overstay their visas. They are just here. They are not legally here. I am opposed to anybody that is not legally here in this country getting a job like this. My daughter works in California. She has worked as a substitute teacher. The last class that she had was a class of mentally challenged students. They were not being taken care of by the first teacher. The first teacher took the job at the beginning of the year. She just could not handle it and just threw up her hands and left. My daughter inherited the class as the substitute. She handled it for a while, until they got a permanent teacher. She was hoping that she would maintain it because she really started to attach herself to these children. I know that there is a teacher shortage, but I do not think that, if I read the bill right, you can hire people who are not here legally. I do not think that is right. No matter what the need is, I do not think that is right. That is where my opposition to the bill comes from. If I am reading the bill wrong, then that is a different story. The way I read it, they are talking about people who do not belong here in this country, not legal residents.

**Assemblyman Gardner:**

Based on my reading, if you read section 1, if they are not here legally, they cannot, by law, be hired under this program. Only legal residents, on a visa or something, can be hired through this program.

**John Wagner:**

If that is the case, then I misread the bill. I would have to say that I go along with it, for the students' sake. The way I read it initially, it looked like you could be hiring people who do not belong here legally. That would not be right because there are a lot of people here that need jobs. I would not be in favor of hiring anybody like that.

**Chair Woodbury:**

I am going to have my legal staff comment on the legality of the individuals talked about in the bill.

**Karly O'Krent, Committee Counsel:**

Subsection 2 of A.B. 27 provides that the Superintendent of Public Instruction may only issue a license to one of these individuals if the person is otherwise entitled to work in the United States, pursuant to federal laws and regulations.

**John Wagner:**

Would that be somebody who, should we say, was blanketed in by President Obama's amnesty thing? Would that be considered "legally here" now? I would not be in favor of that, either.

**Karly O'Krent:**

That is a great question. I am not sure whether or not those individuals would qualify as being otherwise entitled. I am happy to look into that and get back to you.

**Chair Woodbury:**

Anyone else here in Carson City who wishes to testify against A.B. 27? [There was no one.] Anyone in Las Vegas? [There was no one.] Anyone here or in Las Vegas that wishes to testify as neutral? [There was no one.]

Mr. Erquiaga, do you have any closing comments? [There were none.] Any questions from members? [There were none.] I am going to close the hearing on A.B. 27.

I will now open the hearing on Assembly Bill 30.

**Assembly Bill 30:** Revises provisions relating to plans to improve the achievement of pupils enrolled in public schools in this State. (BDR 34- 312)

**Steve Canavero, Ph.D., Deputy Superintendent for Student Achievement,  
Department of Education:**

Every year, across our state, principals at our schools create school performance plans. They are all grounded in the first section of this bill. They send those plans through their trustees to the Department of Education (DOE). Every year the State Board of Education creates a state improvement plan. The intent of this particular bill is to wed those two different plans, if you will, into a coherent body. Section 1, subsection 7 is the first revision to the entities to which we distribute the school plans from the principals. Section 2 is where the heart of this lives, creating in law, alignment between these plans. We have added some elements on page 6 to the state's improvement plan, the state's process. One of those, subsection 2, paragraph (d), subparagraph (1), sub-subparagraph (II) adds the remediation programs that we offer, especially now in high school, under the career and college readiness assessment that was passed last session. In the 12th grade year, this is how students would be remediated or accelerated as well as the remediation requirement for students who do not pass the end-of-course examinations that are new. Another is adding literacy to the list of strategies for the State Board of Education to consider. If you continue to the end of the bill, this is where you will see the new language, at section 2, subsection 3, paragraph (e). This is where the State Board of Education, through the DOE, would review the school performance plans that are created by the principals. That would help inform the State Board of Education's planning and annual work when it determines common factors and problems facing the state. Additionally, the State Board of Education would use a review of these plans to make recommendations to the department concerning how the department can support the needs of the schools.

You will see the last revision is where we push the date to March. The school plans do not come to us until February, so we have the March deadline for the State Board of Education, rather than the January deadline, to accommodate this process.

**Assemblyman Elliot T. Anderson:**

Mr. Canavero, my question is on subsection 2, paragraph (d), subparagraph (1), sub-subparagraph (II)—the remediation provision you referenced. Could you explain how you are remediating the examination administered pursuant to *Nevada Revised Statutes* (NRS) 389.807? I thought that was the ACT exam provision. I am not sure how, exactly, you would report that. I understand it for the end-of-course examinations, but can you elaborate what you would be reporting?

**Steve Canavero:**

Certainly. Under this, within the state's plan, would be understanding how the 12th grade year is being redefined, based upon the results from the ACT, or any other college and career readiness exam, administered in the eleventh grade. If a student fails to meet, let us say, the specific college and career readiness benchmarks on the ACT, then the question to the school districts as contemplated in the law is, what changes in that 12th grade year for that particular student? Additionally, what would change for the student if they were to score above the 22 or the threshold in the 12th grade year? Here is where, in the plan, that type of information and direction would live.

**Assemblyman Elliot T. Anderson:**

You would be looking at the results of the diagnostic and then using that to say, "These are the skills you are deficient in, that we think you need to get up to speed on before you go to school or before you go into a career." Am I understanding that correctly?

**Steve Canavero:**

That is precisely what that would be intended for.

**Chair Woodbury:**

Why do you want to strike out the Superintendent of Public Instruction, the Governor, and the State Board of Education from receiving the report?

**Steve Canavero:**

It seemed that rather than these entities receiving 600-plus school plans, as they have in the past, it was probably more beneficial for them to receive the state's plan, which incorporates the schools' common factors and problems.

**Chair Woodbury:**

It says in section 2, subsection 3, paragraph (e) that the State Board of Education will review the plans. Are those the same plans that were struck out that they will not receive?

**Steve Canavero:**

That is correct. They go to the Department of Education, and then the Department reviews them with the State Board of Education. They would not be getting them directly, but the Department receives them and then works with the State Board to identify those common factors and problems.

**Assemblyman Munford:**

These plans you are talking about—is this something that is done at the school itself, that has a record of poor performance? Are there going to be any

teachers involved in implementing this plan and creating it and putting it into motion? You are talking about administrators, but teachers are the ones who see these children every day and deal with them one-on-one. How much of a role are they going to play in the entire implementation of this plan?

**Steve Canavero:**

I just mentioned the principals and the administrators because they are the ones in the statute required to ensure that the plan is created. In statute, it lists, "the plan must be in consultation with the employees of the schools," which is a broad enough encompassing label to include teachers and support staff and others. That is the school plan. In relation to the state plan, we are required in section 2 to consult with employees of the DOE and at least one employee appointed by the Nevada Association of School Boards from both a large and a small school district. There is also a list of other entities with which we consult in developing the state's plan. As a matter of practice, teachers are always included in that process.

**Assemblyman Gardner:**

The second plan that you are preparing—would legislators be able to get that? Is that something we would get through one of the interim committees? Would that be coming to us at all?

**Steve Canavero:**

The state's improvement plan, as well as the schools', are all posted for public review. They are available on our website, on the districts' websites, and we distribute to the Legislative Counsel Bureau, so they are always on file for you. If anyone wishes to receive copies outside of any one of those avenues, just contact DOE. We will be happy to send them to you.

**Chair Woodbury:**

If there are no further questions, I am going to call for those in support of Assembly Bill 30 here in Carson City.

**Nicole Rourke, Executive Director, Government Affairs, Community and Government Relations, Clark County School District:**

We are here to support A.B. 30. We appreciate the support that it provides to our schools and our principals in creating these plans and moving the work forward.

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

We, too, are in support of A.B. 30 and appreciate the opportunity to express that at your Committee.



**Lindsay Anderson, Director, Government Affairs, Washoe County School District:**

We are in support. We particularly like the delay in the date so that schools have a little bit longer to develop their plans, as well as reducing the number of recipients. We are submitting tons of reports to a lot of different people. It makes it a little easier to go to one place.

**Jesse Wadhams, representing Las Vegas Metropolitan Chamber of Commerce:**

We are in support of A.B. 30. I will not belabor any points already made. We do believe that the streamlining of the plans will help make sense for various schools and agencies. We believe this will be beneficial to all the schools.

**Stephen Augspurger, representing Clark County Association of School Administrators and Professional-Technical Employees, and Nevada Association of School Administrators:**

We, too, are in support of this change.

**Chair Woodbury:**

Anyone else here in Carson City? [There was no one.] Anyone in Las Vegas in support of A.B. 30?

**Sylvia Lazos, representing Latino Leadership Council:**

We support A.B. 30. We think that it is important that there be somebody at the Department of Education who is closely reviewing state improvement plans and that this does not become one more piece of paperwork that we are burdening school principals with. We are very happy to see that there is going to be a give and take among DOE, the State Board of Education, and the individual principals.

We would like to make a suggestion for the consideration of the Committee and for the consideration of the sponsor. In section 2, subsection 2(d)(2), it mentions that the strategic plan should have in it suggestions "to improve the literacy skills of pupils." We think that, in addition to that requirement, there should be a component about improving the English language development skills for English language learners (ELL) and long-term ELLs. Let me explain why. Many of our schools that are in the status of needing improvement plans are also high ELL schools. High ELL schools we define as one in four children in a classroom being an ELL student. In particular in middle schools and high schools, we have long-term ELLs. In Clark County, we have 11,500 long-term ELLs. Those children are graduating at very, very low rates. When you look at the literacy scores for 8th grade children in ELL, they are scoring below children who need Individualized Education Programs. The reason they are not progressing academically is that they do not have the language skills to

understand and comprehend the academic material that is being presented to them. If we are going to improve schools in Nevada, we have to improve ELL performance. This is coherent with Senate Bill No. 504 of the 77th Session. That also requires a strategic plan to close the achievement gap of ELL students, something that is not yet operational. If we can also cross-reference that requirement with the state improvement plans, I think that makes for a more comprehensive system. Madam Chair, we plan to provide you with these suggestions in writing and also provide a copy to Steve Canavero with the specific suggestion.

**Chair Woodbury:**

Dr. Canavero, do you mind addressing that suggestion?

**Steve Canavero:**

Yes, we will work with Ms. O'Krent for language and will work on our amendment.

**Assemblyman Stewart:**

It is great to have reports. Do you feel that these reports and the information that you are getting from them is being implemented to improve education? Do you have any indication that suggestions that are made by a principal or programs are having a positive effect, that things are improving in those areas being reported?

**Steve Canavero:**

I can speak to this state-specific and then talk about a school briefly. Under the direction of the Superintendent and the State Board of Education, it was clear when I arrived that the state improvement plan was not what Ms. Lazos referred to as just a piece of paper or a plan that we do. We know that plans in and of themselves do not change attitudes and behaviors as a result. It was clear that they were intended to establish clear metrics, benchmarks, and strategies aligning to those key factors, common problems that we were referring to. The evolution of the state's plan, on the state side, has been incredible in the last two iterations: January 2014 when I arrived under the Superintendent, and then I picked up, from January until this January, when the State Board of Education just adopted its newest state improvement plan, which has very clear performance measures that carry in the state improvement plan all the way through down to each of our offices and our divisions, respectively.

On the school side, I think this notion of the work of S.B. No. 504 of the 77th Session and the ELL work is a good example of where we have been able to learn from the research in the field which areas in particular the state should invest in, when they are working specifically with ELLs. Those

were written into the funding bill for S.B. No. 504 of the 77th Session. They will be expanded slightly, given the feedback from the field and given the results from the field, the positive results of English proficiency, as well as academic return on those investments from the state to those schools. I think that is a really good example of an area where we have seen, on the planning side but also narrowing to the research-based and what is evidence-based in the field as to areas that we can fund in schools and we get a return in student achievement and English language proficiency.

**Assemblyman Stewart:**

Could you give us a one-page summary of specific data that shows that you received this suggestion, you implemented it, and the results?

[No verbal response.]

**Assemblywoman Diaz:**

There is a date by which the principal has to submit the final plan. I want you to walk me through how these changes are now going to improve the process because you are striking out the Superintendent, the Governor, and the State Board of Education. How are we making it better? I have been involved in many plans and putting them together, but then the real work lies behind those plans actually being put into action.

**Steve Canavero:**

Much of the implementation work is under the purview of the district. Those districts that have very clearly aligned goals then establish the goals at the district level. Those goals are then pushed down and then the principals engage their staff to draft an actionable plan, if you will. They would then execute that plan. I will walk you through how I anticipate the process to go and what we anticipated in designing this.

That plan would be submitted to the department by the end of January. The schools are responsible for "expeditiously," the term in the statutes, executing by February 15. They have to begin implementing those provisions and plan. The state could say to an underperforming school, Title I in particular is where it is carved out best, "Thank you very much, but your plan does not really reflect what we see in the data," or "When we look at your data, we are really not sure how you arrived at these conclusions." They will have that interaction. Absent that interaction, it goes to DOE staff to review the plans.

While this is happening, we are constantly updating the State Board of Education on how we are doing on our goals, under the state improvement plan. Periodically throughout the year, we have actionable statistics that we have to

report and people responsible for reporting. The department would review the plans while, typically, its executive leadership is engaging the constituent group in reviewing the actual state improvement plan. All that information collapses in a fairly short time period between the end of January and March, which is when the State Board of Education would update its plan, taking into consideration the constituent feedback, as well as the Department's review of the school performance plans. What are the common factors involved? What are we seeing from the schools? What are we seeing from the constituents? They bring those together to revise the state improvement plan.

Additionally, there is also a requirement for a five-year strategic plan. So all those coalesce into setting up a five-year vision, if you will, for the state. Then, there are check-ins throughout the year. I think that is, generally speaking, how we would envision it. Historically, it has been disconnected, quite frankly. The plans come in. Then we go and work with constituents. We look at the data ourselves. Then the state establishes its priority. Here we are kind of taking some bottom-up feedback from the schools and what is coming from the State Board of Education as well, and then marrying those two, if you will, into a cohesive plan. That is our hope.

**Assemblywoman Diaz:**

I wanted to know why the Council to Establish Academic Standards for Public Schools is out of the picture, because that language is now stricken. Why was that not working, and why were they taken out of this mix?

**Steve Canavero:**

The Council has been struck because we have roughly a baker's dozen of councils, commissions, and boards that the department works with. Here it did not seem like we could argue why the Council to Establish Academic Standards for Public Schools should receive the plan and the others should not. As the department, as a matter of practice, we make these available to all of our councils and commissions. We would simply have to list them and then when they sunset, we would have to come back in and exclude them. That was the reason why we just put in the main bodies and take out the councils or any other boards or commissions that we would establish.

**Assemblyman Stewart:**

Let me get this straight. You get the report the first week of January. Is that right?

**Steve Canavero:**

If it follows the exact deadline, we would receive it on January 31. That is when the schools submit their reports, their plans.

**Assemblyman Stewart:**

When is the final report?

**Steve Canavero:**

We would have a month and a half to take that information from those school-based plans and incorporate it with the Department of Education's work. Then the State Board of Education would adopt its plan, the state's plan, on March 15.

**Assemblyman Stewart:**

Would they have a semester and a half to see if the plan is improving things or not?

**Steve Canavero:**

It is an annual plan. For many schools, as a matter of practice, it is a matter of continuous improvement. They check in midyear on their strategies. Maybe at the beginning of the year, they begin to review their plan. They check in and then they submit their plan in January. It is on a calendar cycle, but it captures the academic year.

**Chair Woodbury:**

If there are no other questions for Dr. Canavero, I am going to continue to take testimony in support of A.B. 30. [There was none.] I am going to go to testimony in opposition to A.B. 30. [There was none.] Is there any testimony neutral to A.B. 30? [There was none.] Seeing no further testimony, I am going to close the hearing on A.B. 30.

I will open the testimony on Assembly Bill 55.

**Assembly Bill 55: Revising provisions relating to the licensure of certain teachers and other educational personnel. (BDR 34-473)**

Although there is a fiscal note on this bill, our job is to consider the bill from a policy perspective. This measure was requested by Clark County School District (CCSD). I believe Nicole Rourke is here with us to talk about the bill.

**Nicole Rourke, Executive Director, Government Affairs, Community and Government Relations, Clark County School District:**

I also have Dr. Staci Vesneske in Las Vegas, who is our chief human resources officer. I will pass off the testimony to her at a later point; however, first we would like to introduce you to our CCSD "Good News Minute."

We know that every time there is bad news about the CCSD everyone knows it. We want to make sure that you are also aware of the many good things, and even great things, that are happening in schools in our district. "Our Good News Minute" will include student successes, staff accomplishments, and school awards for each hearing.

Today, I would like to tell you that the U.S. Department of Education has selected 23 CCSD students as candidates for the U.S. Presidential Scholars Program. The prestigious program recognizes and honors some of our nation's most distinguished seniors, including students who demonstrate exceptional scholarship and talent in the visual, creative, and performing arts. Each year, up to 141 students are chosen from among outstanding graduating seniors to become U.S. Presidential Scholars across the nation.

I will start my testimony on Assembly Bill 55. Assembly Bill 55 allows newly hired teachers a six-month window to complete testing necessary to obtain Nevada licensure. The Clark County School District currently has over 600 job vacancies in crucial subject areas such as elementary, mathematics, science, English, and special education. The district is working diligently to hire 2,600 teachers by May 26 to fill anticipated positions needed for the 2015-16 school year. The district is doing everything it can to fill these positions, including use of an expanded media campaign, hiring additional recruiters, and greatly increasing our alternative routes to licensure program offerings. Partnerships with recognized groups like Teach for America and our Nevada System of Higher Education have helped somewhat, but our need to fill classrooms with quality teachers goes far beyond the capacity of local organizations.

The Clark County School District's number one priority is to hire a highly effective educator in every classroom. Several roadblocks exist in order for us to be successful in doing so. Getting a license to teach is not easy. It takes a huge investment of time and energy. Becoming a teacher should be rigorous, but once someone is ready to teach and has been hired, it is reasonable to allow them a short time period to meet any unique Nevada requirements when moving into Nevada from out of state.

Assembly Bill 55 will help school districts hire out-of-state candidates in August, allowing them a short window to meet final requirements. This will expand the scope of quality teachers who can immediately come in and make a difference in students' lives.

Here is a walkthrough of A.B. 55. Section 1, subsection 1, paragraph (c), charges the Commission on Professional Standards in Education with

promulgating regulations that will create the temporary permit. Licensure is under the purview of this commission, and we believe the temporary permit should be also. Section 1, subsection 4, limits the authorization of the permit to six months to ensure teachers have enough time to take the required examinations but an end date to give them a reasonable deadline for completion.

The focus of this bill is to support recruitment of teachers from out of state who have met all other requirements for being a teacher but still need time to take examinations specific to Nevada licensure. There are 13 states across the nation that do not require the Praxis II examination currently and so, specifically, it is that exam that we are looking to allow time for. These teachers are already prepared to enter our classrooms. They have graduated from a college of education, are eligible for or already hold a license in their state, or have been fully licensed previously.

Now, I would like to turn the time over to Staci Vesneske, our chief human resources officer, to give you some examples of our recruitment process and struggles.

**Staci Vesneske, Chief Human Resources Officer, Clark County School District:**

Over the past three years we have needed to hire candidates from out of state well into August. In the 2013-14 school year, 281 out-of-state candidates were hired between August 1 and September 15. For the 2014-15 school year, there were 100. Some may have been able to meet licensure requirements before school began. Others may have agreed to start as substitutes until we were sure they would meet full licensure. What we do know is that last year alone, 31 candidates who we deemed eligible for licensure turned us down because they did not want to move here and take a job as a substitute while pending licensure and testing outcomes. At the elementary level, that is over 800 students who could have had a trained and licensed teacher in their classroom for that time period.

Thirteen states do not require the Praxis Principles of Learning and Teaching tests, and some teacher program completers in other states wait to take the subject area Praxis examinations until they know which state they will work in. Again, these individuals simply need additional time to take the applicable Praxis test.

In addition, 161 candidates needed additional time to meet licensure requirements but were eventually cleared for licensure. If any of those had also turned us down while pending licensure, then those classrooms would not have had a fully licensed teacher in them.

We estimate that for Clark County, approximately 400 permits may be requested in a calendar year, mostly during the months of August and September. However, we believe that is a liberal estimate because it assumes all out-of-state individuals hired after August 1 may need a permit, which we know is not the case. In sum, we think that up to 300 late summer out-of-state hires might be impacted, along with another 100 hires to fill vacancies which might occur throughout the school year.

In summary, we anticipate that the increasing population growth of Clark County will continue the district's need to hire in August through September, and throughout the entire school year. We must maximize our ability to hire out-of-state candidates who might require a limited time period to finish their licensure requirements. Our need for highly qualified teachers is great, and we must do everything in our power as a state to ensure for our children that the process does not prevent highly qualified teachers from moving to Nevada.

**Assemblyman Armstrong:**

If we are creating this program where they are allowed to have a six-month temporary status, how likely is it that they are able to complete the examinations or any licensing requirements within that six months? Is there time in the school year that allows them to complete that? How hard is that going to be for teachers?

**Nicole Rourke:**

The examination is scheduled approximately every two to four weeks. There is a period over the summer where they take a break also. We feel that six months is a good window. Initially we were looking at a year but thought the six-month window would be a reasonable amount of time for them to take that examination.

**Assemblyman Armstrong:**

Have there been any thoughts as to if teachers do not complete that, then is there a disruption in that classroom for replacing that teacher if they have not finished those requirements?

**Nicole Rourke:**

It would be no more disruptive than having a substitute teacher in their classroom currently and having to replace that substitute. We anticipate that these folks are already coming fully prepared and they just need a certain amount of time to take the examination. We would anticipate by their move here that they would be able to pass that exam within that window.



**Assemblyman Hickey:**

I think we all appreciate the urgency of this matter; however, it was stated before, by Superintendent Erquiaga, that the Commission on Professional Standards in Education has moved somewhat slowly. In section 2, at the end of the bill, should this bill pass you are not asking for regulations to be brought forth until January 2016, and you have already had your representative from Las Vegas say that you would like hires to be done next summer. Would you be willing to consider a date at a certain point earlier than next year where they would get these regulations done? In other bills, if that was not achieved, then it was given over to the Department of Education to make those regulations. If we are really dealing with an emergency, is this going to move quickly enough to take care of your needs, or would you consider an amendment to possibly make this move faster?

**Nicole Rourke:**

Yes, we certainly would. I think this date was contemplated to be outside of the temporary regulation period, if I am not mistaken. Yes, we need this as quickly as possible and would consider that a very friendly amendment.

**Assemblyman Elliot T. Anderson:**

This question is either for Ms. Rourke or for Dr. Vesneske. Do you know what would happen, when you were contemplating this, if they do not complete the requirements? Would they lose their job?

**Staci Vesneske:**

What would occur is, if somebody were unable to meet the licensure requirements, they would lose their full teaching position; however, they might apply then, at that point, for a substitute license and they might be able to continue in the classroom as a substitute, but it would be at substitute pay. They would lose their regular teaching position if they did not have the appropriate license for that position.

**Assemblyman Elliot T. Anderson:**

My other question, then, is when you say in section 1, subsection 1(c), "who have not successfully completed the examinations required for initial licensure," what examinations are you referring to?

**Staci Vesneske:**

We are talking specifically about the content area of Praxis. If you are a math teacher, that might be in math. The Principles of Learning and Teaching, the other Praxis, is the pedagogical assessment. Either one of those is what we are looking to have some extended time for individuals to complete.

**Assemblyman Elliot T. Anderson:**

I just wanted to make sure that we are getting people in the right subject areas and that it was not just something technical.

**Assemblyman Gardner:**

You were talking about 13 states. Does that mean that in all the other states we are good, or are we going to have to worry about teachers from those other states as well?

**Staci Vesneske:**

If an individual had passed the Praxis pedagogical assessment in their own state—one of the others besides the 13—then they would be good to go. However, what we find is that sometimes individuals will complete an entire program, such as student teaching, in another state but wait to see what state they are hired in to determine what testing is required so they do not have to pay for tests they might not need in addition to moving costs. I would not say that we are okay with the other states; it would be dependent on the individual situation.

**Assemblyman Edwards:**

Did I understand you correctly that if teachers in a full-time capacity are not able to pass their exams, then they could become a substitute?

**Staci Vesneske:**

If they met the requirements to be a substitute, yes.

**Assemblyman Edwards:**

I am not quite sure I follow the logic there. You are not qualified to teach the subject matter as a full-time teacher; why are you qualified as a substitute?

**Staci Vesneske:**

Because substitutes have to meet fewer licensure requirements. Our desire is to have a fully qualified, fully licensed teacher in every vacancy. Currently, we have substitute teachers in over 600 of our classrooms. All those individuals are not eligible for a regular license. They may only have two years of college, or they may not have completed an appropriate alternative route to licensure. So we have substitutes, and our goal is to eliminate substitutes from being in the classroom. If we had enough candidates, we would remove the teacher who did not meet the requirements, and then we would hire a teacher who did meet the requirements. That is, certainly, our ideal situation.

**Assemblyman Edwards:**

I guess I am still looking for the logic in it. Maybe I need to talk with you a bit more offline.

**Assemblywoman Diaz:**

I can help clarify for my colleague here. Basically, to become a substitute in the districts, you only need a certain number of credits taken at the college level. To become a substitute the requirement is equivalent to an associate in arts degree (AA), or maybe less credit work. So you have a frame of reference, you only need certain college credits to qualify to apply for a substitute teaching license. To apply for a teacher's license, you do have to have a degree in education in order to be considered to be licensed in the state. With that comes student teaching and your practicum and all of those pieces that fit together in order for you to be licensed. So we are talking about an AA credit load versus a bachelor's degree or master's degree or higher, depending on what that teacher has accomplished.

**Assemblyman Edwards:**

My concern is that there seems to be some kind of a test that they would have already failed, and that would not be the case if you were a substitute.

**Assemblywoman Diaz:**

My response to that is that every state is different. Every state issues teacher licenses in a different way.

I have been at a school that has consistent turnover, year after year. It puts the pressure on the principals to try to get a licensed teacher in that classroom. By the time their license paperwork is processed through DOE sometimes we lose these people to other states. The only thing that I want to get some reassurance on is about the background check. We do not want to get in a situation where we expedite everything and we put someone in a teaching position because they have had a valid teaching license somewhere else, and maybe something happened there that we do not know about. How do we then address the issue of security for our children, making sure that their backgrounds are clean before we issue the provisional six-month licensure?

**Staci Vesneske:**

In answer to your question, we do a full vetting process and then, upon hire, individuals are fingerprinted. The Nevada Department of Education also fingerprints the individuals. While we are not in control—and I do not believe that the state is in control of when the fingerprints come back due to our system—individuals can be issued a license, perhaps, and can be hired.

However, they will have gone through a full vetting process, with reference checking prior to being placed in a classroom.

**Assemblywoman Diaz:**

If you issue a provisional license and something happens with those fingerprints when you get them back, is that immediate grounds for termination?

**Staci Vesneske:**

It depends on what the hit is. Occasionally, there might be someone who may have done something 15 or 20 years ago that they do not recall on the background disclosure and it is not an offense for which we would deny employment. If it were an offense for which we would deny employment, or it was a deliberate misrepresentation, then we typically would work through our system to terminate that individual.

**Assemblyman Armstrong:**

We talked about the possibility of the teachers, if they do not finish this by six months, being able to apply to be a substitute and be paid the substitute wage. If I am a teacher, is that a good policy? We are just cutting their wages as the recourse for not completing this after six months. Would not the time period for this be better off as a year so that, if you hired them in August, they would have the summer to finish this while they are off?

**Staci Vesneske:**

We are open to various timeframes. Our intention in having the shorter time window was to try to address some of Department of Education's concerns related to ensuring that a teacher was highly qualified in the classroom for that particular year. If they were not, that teacher would be let go.

**Chair Woodbury:**

Where it says in section 1, subsection 1(c), "have not successfully completed the examinations" it almost sounds as if it means they tried but have not been successful. Does it apply to those who have not been successful as well as to those who just do not have the time? Will they be given a temporary license?

**Staci Vesneske:**

Yes, actually it would apply to both sets of individuals—individuals who did not have time to take the test the first time, and we do, occasionally, have individuals who might not pass the content area test the first time and then pass it the second time. That was another reason for having the shorter window because we certainly would not want to give individuals an unlimited time to pass the test, if they could not do it on the first or second try.

**Chair Woodbury:**

Do you have any information on how often an applicant does not pass a test—any of those tests—the first time?

**Staci Vesneske:**

I can certainly get specific data relative to that. I will tell you that it is quite rare.

**Chair Woodbury:**

If there are no further questions, I am going to ask for testimony in support of A.B. 55 here in Carson City.

**Jovan Agee, representing Nevada State Education Association:**

While we support the bill in concept for many of the reasons stated by the district, we would ask for the Committee as well as the district to entertain an amendment that would actually extend the six-month window for a temporary license to align with the school year. We are very concerned with the potential exposure, and would like to close that definitively. We would ask for that consideration before taking a vote.

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

We are in full support of this bill.

**Jessica Ferrato, representing Nevada Association of School Boards:**

We are in support of the bill. We wanted to highlight that it will benefit not only the urban counties but also the rurals.

**Lauren Hulse, representing Charter School Association of Nevada:**

We are in support of this bill.

**Jesse Wadhams, representing Las Vegas Metropolitan Chamber of Commerce:**

We are also in support of the bill.

**Chair Woodbury:**

Anyone in Las Vegas in support? [There was no one.] I will take testimony in opposition here in Carson City. [There was none.] In Las Vegas, is there anyone in opposition? [There was no one.] Any testimony neutral, here in Carson City or Las Vegas? [There was none.] Ms. Rourke, would you like to make any final comments?

**Nicole Rourke:**

Thank you for hearing our bill. We will be happy to follow up on any questions or requests for amendments.

**Assemblyman Munford:**

Is there any cap on how many times you can take the test and fail it before you consider someone who takes an extensive amount of time to not be an adequate or qualified teacher? Can they take it three, four, five, six, seven times and still be considered for employment?

**Nicole Rourke:**

I am not sure of a cap at all. I will have Dr. Vesneske weigh in on that part. But, they have to pay each time they take that exam. They might have a personal cap. They also have a window for licensure. Right now they are a long-term substitute until they can pass that exam. So there is sort of a self-imposed cap and time frame in which they would become fully employed. The temporary permit would then have a six-month time frame that would cap and expire.

**Assemblyman Munford:**

What is the fee to take the Praxis test?

**Nicole Rourke:**

I will defer to Dr. Vesneske and see if she is aware of that.

**Staci Vesneske:**

I am not aware of the exact amount, so I would not want to give it to you. I believe it is over \$100.

**Chair Woodbury:**

I will close the hearing on A.B. 55 and will now take public comment. Is there anyone who would like to come forward in Carson City?

**Peggy Lear Bowen, Private Citizen, Carson City, Nevada:**

I did not plan to speak to you today until this last bill. I should note that I am a former member of the State Board of Education, elected for three terms (12 years). I worked with many teachers over the course of those years pertaining to the Praxis examination. I suggested to the Commission on Professional Standards in Education that they do an investigation of the Praxis company, on the basis of potentially limiting our teacher pool, which might be causing a teacher shortage.

I was working with a professional who had a master's degree in teaching art at the high school and middle school level. She attempted the Praxis test 13 times. To answer your question Assemblyman Munford, the cost to take each examination is over \$100. What you did not hear is they give you your scores after the next date for the taking of the next examination is available, so

they charge you another \$75 or so for an emergency allowance to take the test. So you are paying in excess of \$100 plus \$75 more for when you get your test score. At that point in time—and I see many of you shaking your heads because you know I am speaking the truth. I do not have to have a good memory; I speak the truth. I assisted my friend and colleague in her trying to obtain passage of the Praxis. She had gone an alternative route to licensure. Her degree was from another state. It was in the subject of art. We are not even talking a core subject at this point; we are talking art, in high school, an accomplished artist, and the Praxis test. She passed the section of the test every single time in regard to knowledge of her material. Where she was not as successful, where she failed by as little as two points and as many as six points, the part of the Praxis was taking a photograph or submitting two different types of art that she was capable of doing and then writing about. They never told her where she failed in her writing to pass that portion of the Praxis test. She never was told where she failed in her artistic communication or knowledge of art or ability to do art or communicate that to students. She simply was told that she failed by 2 to 6 points.

Well, the day that she had to relinquish her license to the state of Nevada but maintain her substitute license, they were having a commission meeting. I went in and sat down. I said, "Is it not about time that you investigated the Praxis company and its test regarding how people tended to fail, so they continued to make more money and we continued to lose potentially fantastic teachers?" I did not know that the Praxis president was in the back of the room. I never said my friend's name. I never said anything other than that she had attempted the test; I thought it was only about 9 or 10 times at that point; it was actually 12 times at that point. I explained about the 2- to 6-point loss that meant that if you did not pass both sets of the Praxis that you were not given a "pass." I also explained in that meeting that she was due to take that same Praxis exam or whatever one they were going to throw at her again to get her legitimate secondary license by this requirement within about a two-week period, because that was when the next one was scheduled. Well, I have to tell you, ladies and gentlemen, she had a stroke of genius. When she went to take that test the next time, and she also took the elementary test, as far as portions of it go, she passed that examination in two weeks that she failed by 2 to 6 points for the twelfth time by 45 points, I believe that is the number that she said. She had a stroke of genius and passed the written portion, not the knowledge portion, but the written portion by an additional 45 points. And that meant she could be licensed in the state of Nevada. I am glad genius hit her so she could go back and renew her license in the area of art.

Ladies and gentlemen, you need to check which test you are using. You need to check the validity of what you are looking for. And you need to check to see what the other states are doing. Every state was allowed to do what they needed to do. I know in the years since I have been on the State Board of Education some things have changed, but I do not think, I know, the Praxis combined those two tests so that they are now interwoven into one test to get a score. I do not know how people are doing on that, especially teachers who have been in the profession somewhere else, who are licensed somewhere else, and are of the older group. I do know this: When it came to that teacher with a master's degree with artistic awards throughout her teaching career and her professional career as an artist, that she was denied her ability to share and to impart to our Nevada students all the talent and wonder that she had because the Praxis test denied it by 2 to 6 points on something that she had written about how she did her works of art that she had photographed.

Those are things that you need to be aware of. It was a money machine when the No Child Left Behind Act of 2001 became law. They had a perfect failure clause. As we all know, and we have now learned, if your school scored 90 percent in reading, math, and language arts this year, if they did not score 92.5 percent next year, your school did not make adequate yearly progress, and you were now a failure school. I wanted to share that with you.

**Chair Woodbury:**

Is there anyone else here in Carson City for public comment? [There was no one.] In Las Vegas? [There was no one.]

Committee, our next hearing is Wednesday, February 11. We will be hearing two bills and presentations from the Nevada Department of Education and the Nevada System of Higher Education. Also, I want to remind you about our joint



hearing with the Senate on Friday, February 13. We will be meeting in Room 4100. The time will be upon adjournment of the Assembly Committee on Commerce and Labor.

This meeting is adjourned [at 4:50 p.m.].

[The Chair asked that two additional letters in support of Assembly Bill 27 be included: a letter from Sylvia Lazos ([Exhibit D](#)), and a letter from Ruben Murillo ([Exhibit E](#)) are on the Nevada Electronic Legislative Information System (NELIS).]

[The Chair asked that one additional letter in support of Assembly Bill 55 be included: a letter from Ruben Murillo ([Exhibit F](#)) is on NELIS.]

RESPECTFULLY SUBMITTED:

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Joan Waldock  
Committee Secretary

APPROVED BY:

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Assemblywoman Melissa Woodbury, Chair

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

**EXHIBITS**

**Committee Name:** Committee on Education

**Date:** February 9, 2015

**Time of Meeting:** 3:16 p.m.

Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B		Attendance Roster
A.B. 27	C	Dale Erquiaga / Department of Education	Proposed amendment
A.B. 27	D	Sylvia Lazos / Latino Leadership Council	Letter of support
A.B. 27	E	Ruben Murillo / Nevada State Education Association	Letter of support
A.B. 55	F	Ruben Murillo / Nevada State Education Association	Letter of support