

**MINUTES OF THE
SENATE COMMITTEE ON EDUCATION**

**Seventy-Eighth Session
February 3, 2015**

The Senate Committee on Education was called to order by Chair Becky Harris at 3:30 p.m. on Tuesday, February 3, 2015, in Room 2149 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to Room 4412 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Senator Becky Harris, Chair
Senator Scott Hammond, Vice Chair
Senator Don Gustavson
Senator Mark Lipparelli
Senator Joyce Woodhouse
Senator Moises (Mo) Denis
Senator Tick Segerblom

STAFF MEMBERS PRESENT:

Todd Butterworth, Policy Analyst
Risa Lang, Counsel
Jan Brase, Committee Secretary

OTHERS PRESENT:

Nicole Rourke, Clark County School District
John Haynal, Principal, Dr. Owen C. Roundy Elementary School, Clark County School District
Steve Canavero, Ph.D., Deputy Superintendent for Instructional, Research and Evaluative Services, Department of Education
Vikki Courtney, Nevada State Education Association
Lindsay Anderson, Washoe County School District
Mary Pierczynski, Ed.D., Nevada Association of School Superintendents
Jessica Ferrato, Nevada Association of School Boards
Paul Moradkhan, Las Vegas Metro Chamber of Commerce

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John Eppolito
David Carter, Nevada Legislative Affairs Committee

Chair Harris:

The Committee has received the "Senate Committee on Education Rules for the 2015 Session" ([Exhibit C](#)).

SENATOR HAMMOND MOVED TO ADOPT THE SENATE COMMITTEE
ON EDUCATION RULES FOR THE 2015 SESSION.

SENATOR WOODHOUSE SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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Todd Butterworth (Policy Analyst):

The Committee has received a copy of the "Committee Brief" ([Exhibit D](#)). Important topics include deadlines, Committee jurisdiction, bill draft requests, information about educational entities, national topics of concern, commonly used acronyms, and funding options and key contact information. Legislation from last Session is summarized and reviewed in this document. Major themes addressed included teacher performance evaluations, supports for English Language Learners, student testing and charter schools. Education will be an important topic during this Session. Issues we expect to consider are early childhood education, improvement of under-performing schools, digital learning, and use and privacy of student data. Also under consideration are teacher and principal evaluations and development, school choice and financial aid for higher education.

Three education-related bodies met during the most recent interim: the Legislative Committee on Education, the Committee to Conduct an Interim Study Concerning Community Colleges and the Task Force on K-12 Public Education Funding. Subjects discussed and reported include K-12 funding formulas, and governance structure and funding methods for community colleges. Nevada statutes require 116 education reports on a variety of topics. [Exhibit D](#) outlines ten of these reports. Links to other important information are also available through the Committee Brief.

I have provided additional handouts ([Exhibit E](#) and [Exhibit F](#)). [Exhibit E](#), "Quality Counts," is an annual report card of state education systems published by *Education Week*. This year, Nevada received an overall grade of D. Only the state of Mississippi was ranked lower, Nevada's highest component score related to student group equity. Education funding scored lowest.

The Education Commission of the States publishes a report, "How Does Education in my State Compare," [Exhibit F](#). This is a useful document in understanding education policy. By the end of the week, I will provide the *2015 Education Data Book*. This volume is compiled by the Research Division and contains more than 200 pages of charts and data related to education in Nevada. It should be noted the *2013 Nevada Education Data Book* received a national publications award from The National Conference of State Legislatures, and has been viewed online more than 200,000 times.

Chair Harris:

We will hear Senate Bill (S.B.) 75.

SENATE BILL 75: Revises provisions governing the administration of certain examinations. (BDR 34-472)

Nicole Rourke (Clark County School District):

Today, I am happy to report the Class of 2014, in the Clark County School District (CCSD), earned 505 Advanced and Honors Diplomas. These diplomas have increased credit requirements and require students to complete higher level course work.

Senate Bill 75 is a bill proposed by the CCSD. The bill revises NRS 389.550 regarding the timing of standardized testing. Section 1, subsection 3, paragraph (a) requires the administration of exams at a uniform time during the spring semester. This language does not contemplate varied school calendars resulting in fewer days of instruction for some students, particularly those who attend year-round schools. The bill deletes this language and replaces it with a requirement that the State Board of Education prescribe a minimum number of instructional days, allowing all students an equal opportunity for academic success. In an effort to provide seats for the growing number of students enrolling in our schools, we are moving toward more year-round calendars. While all students attend school for 180 days, the timing changes for each track of students in a year-round school. End dates based on the traditional 9-month

calendar limit the amount of instruction for some students. This bill will ensure that students, regardless of their calendar, will receive the minimum days of instruction before being tested for year-end assessments. The implications of not changing the law are severe. The schools' Nevada School Performance Framework star rankings are at risk; teacher evaluations will be partly based on outcomes of these assessments, and testing data may be inaccurate and not representative of students' abilities. Educators may also be unfairly evaluated, and their jobs may be at risk. A simple change in testing dates could address the problem.

Senator Hammond:

Which tests are addressed by this bill?

Ms. Rourke:

We are specifically talking about tests that are prescribed by the Education Board. Those are criterion reference tests in Grades 3 through 8 which are impacted by our year-round calendars. These tests are administered only in elementary schools.

Senator Denis:

This bill will benefit students in year-round schools who will have a standard number of days of instruction before testing. What about students who are admitted partway through the school year?

Ms. Rourke:

It is certainly a challenge for our schools. The CCSD has a number of programs to address this issue. However, this bill does not contemplate a remedy.

Chair Harris:

Regarding the language in section 1, subsection 3, paragraph (a) of S.B. 75, a minimum number of days of instruction must be provided prior to testing. I am concerned this provision may suggest allowing students to be exempt from testing if the school district has not been able to provide the required number of instruction days.

Ms. Rourke:

The CCSD would be open to a clarifying amendment.

John Haynal, Principal (Dr. Owen C. Roundy Elementary School, Clark County School District):

Roundy Elementary School is a Turnaround Zone School. I took over as lead administrator at the beginning of the 2012-2013 school year. I have been in education as a teacher and administrator for over 30 years. During most of my career, I have worked with at-risk students. Ninety-two percent of Roundy Elementary School's students are eligible for free lunch; 525 students are identified as English Language Learners; 107 have a designated Individualized Education Program in accordance with federal law, and 12 students are homeless. However, in 2 years we have raised our performance from a two-star school to a four-star school. Using the Nevada School Performance Framework as a reference, we have risen more than 28 growth points in 2 years.

This is our first school year as a year-round school. A year-round calendar moves as many as 6 weeks of summer vacation in front of the assessment window. We are concerned because the assessments we are required to administer are aligned with a 9-month school year. For example, a student on a 9-month calendar would have 60 days of instruction before testing. Depending on the schedule, a student in a year-round school might have between 20 and 38 days.

Senate Bill 75 will ensure an opportunity for all Nevada students to succeed.

Senator Hammond:

Section 2 reads, "This act becomes effective upon passage and approval." The bill, if passed and approved, may not be effective until June 2015. Your students are scheduled for testing in April 2015. Will your staff be prepared?

Mr. Haynal:

Yes, we are prepared to administer the test under current guidelines.

Senator Hammond:

Students in year-round schools this year will not have the benefit of the additional instructional days contemplated in S.B. 75. Is that correct?

Mr. Haynal:

Yes, that is correct.

Steve Canavero, Ph.D. (Deputy Superintendent for Instructional, Research and Evaluative Services, Department of Education):

The Board supports S.B. 75. The Board has studied the issue and supports developing testing windows based on actual instructional days rather than the traditional method of setting tests on a static calendar date.

Senator Hammond:

Can you clarify the timelines between testing and impact on star ratings, teacher evaluations and other performance measures?

Dr. Canavero:

The evaluation system goes live next year. The Board is requesting, in a waiver extension, a pause in accountability for 1 year following the assessments.

Senator Hammond:

I appreciate schools, students and teachers having a fair chance to adjust to new testing schedules.

Vikki Courtney (Nevada State Education Association):

The Nevada State Education Association supports S.B. 75. I have submitted written testimony ([Exhibit G](#)).

Lindsay Anderson, (Washoe County School District):

Two years ago, the Washoe County School District (WCSD) moved to a balanced calendar. A balanced calendar is a modified year-round approach. Classes begin in early August with longer breaks in October, December and in the spring. This calendar provides for remediation, student enrichment and limits to learning loss during the long summer breaks. Senate Bill 75 provides flexibility for the WCSD, especially given the possibility of a need for school calendar adjustments in the future.

Mary Pierczynski, Ed.D. (Nevada Association of School Superintendents):

The Nevada Association of School Superintendents supports S.B. 75.

Jessica Ferrato (Nevada Association of School Boards):

The Nevada Association of School Boards supports S.B. 75.

Paul Moradkhan (Las Vegas Metro Chamber of Commerce):

The Las Vegas Metro Chamber of Commerce supports S.B. 75

Chair Harris:

I will close the hearing on S.B. 75 and open the meeting to public comments.

John Eppolito:

I am a former teacher and have four children in the California school system. I object to the Smarter Balance Assessment Consortium (SBAC) test. This is a 10-hour test for fourth graders. The test is designed in a way to ensure many students will fail. The results of the tests are not available until the following school year. In addition, there are issues with data collection. Many states, including California, allow an opt-out provision. My daughter, who is in eighth grade in Nevada, does not plan to take this test. However, she has been informed that if she is in school between April 13 and June 3, 2015, she will be required to test. I ask that the Committee consider allowing an opt-out provision for the SBAC test.

David Carter (Nevada Legislative Affairs Committee):

I am an education advocate with 33 years of experience as an accountant, of which, 25 years were with school districts in California. As an active supporter of education, I plan to follow legislation and the process during this Legislative Session. I look forward to speaking with the Committee.

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Chair Harris:

There being no further business or comment before the Senate Committee on Education, we will now adjourn at 4:20 p.m.

RESPECTFULLY SUBMITTED:

Jan Brase,
Committee Secretary

APPROVED BY:

Senator Becky Harris, Chair

DATE: _____

EXHIBIT SUMMARY				
Bill	Exhibit		Witness or Agency	Description
	A	1		Agenda
	B	4		Attendance Roster
	C	2	Senator Becky Harris	Senate Committee on Education, Rules 2015
	D	26	Todd Butterworth	Committee Brief
	E	14	Todd Butterworth	Report Quality Counts
	F	10	Todd Butterworth	Report ECS State Comparisons
S.B. 75	G	1	Vikki Courtney	Written Testimony