

**MINUTES OF THE
SENATE COMMITTEE ON EDUCATION**

**Seventy-Eighth Session
March 26, 2015**

The Senate Committee on Education was called to order by Chair Becky Harris at 3:30 p.m. on Thursday, March 26, 2015, in Room 2135 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

COMMITTEE MEMBERS ABSENT:

Senator Tick Segerblom (Excused)

GUEST LEGISLATORS PRESENT:

Senator Patricia Farley, Senatorial District No. 8

STAFF MEMBERS PRESENT:

Todd Butterworth, Policy Analyst
Risa Lang, Counsel
Betty Kaminski, Committee Manager
Beth Ann Reykers, Committee Secretary

OTHERS PRESENT:

Steven Canavero, Ph.D., Deputy Superintendent for Student Achievement,
Department of Education
Patrick Gavin, Director, State Public Charter School Authority
Stephen Augspurger, Executive Director, Clark County Association of School
Administrators and Professional-Technical Employees
Juanita Clark, Charleston Neighborhood Preservation
Ray Bacon, Nevada Manufacturers Association
David W. Carter, Nevada Legislative Affairs Committee
Lindsay Anderson, Washoe County School District
Nicole Rourke, Clark County School District
Jessica Ferrato, Nevada Association of School Boards
Yvette Williams, Chair, Clark County Black Caucus
Vikki Courtney, President, Clark County Education Association; Nevada
Education Association
Brenda Pearson, Director, Professional Learning Program, Clark County
Education Association
Stephanie Swain, Member, Clark County Education Association
Craig Stevens, Clark County School District
Seth Rau, Nevada Succeeds
Dale A.R. Erquiaga, Superintendent of Public Instruction, Department of
Education
Lisa Morris Hibbler, Deputy Director, Community Services, City of Las Vegas
Susie Lee, President, Chair, Board of Directors, Communities in Schools of
Nevada
Tiffany Tyler, Ph.D., Chief Operations Officer, Nevada Partners, Inc.
Mary Pierczynski, Ed.D., Nevada Association of School Superintendents
Samuel McMullen, Las Vegas Global Economic Alliance
Adam Johnson, Chair, Education Committee, Clark County Black Caucus
Marsha Irvin, Clark County Black Caucus
William High, Clark County Black Caucus
Justin Harrison, Las Vegas Metro Chamber of Commerce
April Tatro-Medlin
Victoria Carreón, Director of Education Policy, Guinn Center for Policy Priorities
Janet Murphy, Deputy Chief, Budget Division, Department of Administration

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Chair Harris:

We will open the hearing on Senate Bill (S.B.) 117.

SENATE BILL 117: Revises provisions relating to immunizations. (BDR 34-691)

Chair Harris:

Senate Bill 117 is sponsored by the Senate Committee on Health and Human Services. Originally, it required student immunizations. Senator Joe P. Hardy, Senatorial District No. 12, has advised me that he would like to amend the bill and go in a different direction dealing with adults, not students. Because we are not dealing with education or students in S.B. 117, it is better heard by the Senate Committee on Health and Human Services. Therefore, the Senate Committee on Education will not hear the bill, and I will accept a motion to rerefer S.B. 117 to the Senate Committee on Health and Human Services.

SENATOR LIPPARELLI MOVED WITHOUT RECOMMENDATION TO
REREFER S.B. 117 TO THE SENATE COMMITTEE ON HEALTH AND
HUMAN SERVICES.

SENATOR HAMMOND SECONDED THE MOTION.

Senator Hammond:

Please summarize the proposed changes to S.B. 117.

Chair Harris:

Originally, S.B. 117 dealt with the human papillomavirus and the meningococcal disease vaccinations for students. That is no longer the case. The bill now discusses flu shots for health care providers who work in senior-care facilities.

THE MOTION CARRIED UNANIMOUSLY.

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Chair Harris:

I will now open the work session on S.B. 178.

SENATE BILL 178: Revises provisions relating to pupil health. (BDR 34-235)

Todd Butterworth (Policy Analyst):

I will read from the work session document for S.B. 178 ([Exhibit C](#)).

Chair Harris:

There is an amendment that allows a child to be excluded from this physical education requirement upon advice of the child's physician and with concurrence from the child's parents. There is a total of six amendments to this bill.

Senator Hammond:

Senate Bill 178 addresses the need for children to have more physical activity included within the school day. A physical education (PE) mandate was too onerous for the schools to implement, so the language that mandated the physical education requirement has been changed to reflect the intent to increase a child's physical activity while at school. This allows the schools to encourage more physical activity of all kinds, not solely in a PE class.

We were also concerned about mandating PE for students with disabilities.

Senator Denis:

The provision to collect a data sampling of student heights and weights remains within the bill. This data sampling will allow the State to compete for federal grants.

SENATOR HAMMOND MOVED TO AMEND AND DO PASS AS AMENDED
S.B. 178.

SENATOR DENIS SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR LIPPARELLI VOTED NO.)

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Mr. Butterworth:

I will now read from the work session document for S.B. 208 ([Exhibit D](#)).

SENATE BILL 208: Requires certain notice to be provided to certain parents and legal guardians when a new charter school will begin accepting applications. (BDR 34-729)

Chair Harris:

The purpose of S.B. 208 was to increase diversity in Nevada's charter schools. There was significant stakeholder input regarding the nine amendments to this bill. As amended, S.B. 208 adopts a reasonable efforts standard, recognizing to be representative of a community means different things in different contexts. The State Public Charter School Authority (SPCSA) is in full support of the bill, as amended.

Senator Denis:

Does the inclusion of the "for good cause" language allow charter schools to circumvent the language of this bill in totality?

Chair Harris:

The "good cause" language recognizes that there are instances when a charter school does not have a facility location prior to opening enrollment. Therefore, the school could not advertise the location as prescribed in the bill. This language addresses the unique and sometimes special circumstances surrounding the opening of a new charter school.

SENATOR HAMMOND MOVED TO AMEND AND DO PASS AS AMENDED
S.B. 208.

SENATOR GUSTAVSON SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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Mr. Butterworth:

I will now read from the work session document for S.B. 418 ([Exhibit E](#)).

SENATE BILL 418: Revises provisions relating to refunds paid by private postsecondary educational institutions. (BDR 34-727)

Chair Harris:

There will be an additional amendment changing the \$100 limit to \$150 on retained fees for all private, postsecondary institutions or no more than 10 percent of the agreed-upon tuition, whichever is less.

The original amendment enables a postsecondary institution to withhold any funds that are clearly disclosed as nonrefundable.

SENATOR WOODHOUSE MOVED TO AMEND AND DO PASS AS AMENDED S.B. 418.

SENATOR DENIS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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Chair Harris:

We will close the work session and open the hearing on S.B. 77.

SENATE BILL 77: Revises provisions relating to education. (BDR 34-314)

Steven Canavero, Ph.D. (Deputy Superintendent for Student Achievement, Department of Education):

Historically, Nevada has relied upon the federal interventions of differentiated support and accountability for our public schools as part of a portfolio of performance of public schools. The State has adopted the federal government's standards and codified them into State law. In 2013, this Legislature cleaned out a number of provisions in law that reflected the No Child Left Behind Act.

Senate Bill 77 began as a way to codify much of what was in Nevada's federal waiver, and how we work with underperforming schools across the State. It has changed substantially from that beginning. Our waiver brought forward the need to look at our supports and interventions for our most needy schools. Some of what we are asking in S.B. 77 is already provided in our waiver.

Presently, Nevada's waiver provides for the closure of schools that have been operating under a priority improvement plan for 3 consecutive years. For those

same schools, it also provides for closure or restart. The Department of Education (NDE) noticed the waiver did not address the issue of underperforming schools in a comprehensive manner. The intent of S.B. 77 is to balance supports with appropriate accountability for the lowest performing schools in Nevada.

Senate Bill 77, as it was originally drafted, took much of the waiver and passed it into law. The term, "turnaround," in the original bill references the turnaround model that the federal government describes. Turnaround is one of the more rigorous models districts may choose to use to address their underperforming schools. Measures may include replacement of the principal and replacement of up to one-half of the staff. These are disruptive, but necessary changes for school sites. The first few sections of S.B. 77 address these issues and correlate directly to the federal regulations. The original bill has the NDE performing a lot of work directly with the underperforming school. The NDE approves the turnaround plan and would take aggressive intervention actions at the school site. The intervention list, which is prescriptive, is listed in section 6 of S.B. 77. The NDE would have a key role ensuring the implementation of the turnaround plan and be empowered to require the local board of trustees to enter into a contract with an Education Management Organization (EMO) or to authorize the board of trustees to convert the school to a charter school.

The center of S.B. 77 remains relatively untouched by the amendment. A proposed amendment adds some additional clarifying language to the end of the original bill related to the assignment of human resources serving the turnaround school ([Exhibit F](#)).

The amendment to S.B. 77 was developed after looking at Nevada's waiver, data and underperforming schools list ([Exhibit G](#) and [Exhibit H](#)). It is designed to address the accountability measures especially as they relate to the role of the NDE. The definition of turnaround is not synonymous with the federal designation. Section 3 of the bill under the proposed amendment defines turnaround as:

Quick, significant change in the operating environment; Dramatic gains in student achievement within 2-3 years; Urgent and bold action creating lasting changes that contribute to achievement; and Sustainability through long term transformation.

The language contained in the proposed amendment to S.B. 77 comes from conversations and research. As the NDE examined underperforming schools in the State, we looked at ways to support local school districts' work with their schools to make essential changes.

Four areas effectively change conditions for students. The first is leadership. The second is differentiated supports and accountability infrastructure. Effective talent management is the third area. This emphasizes the importance of getting leaders and teachers in the school who are willing to commit to change, and are the right fit for the school. Finally, effective instructional infrastructure is essential to change the school's climate and performance. Formative data must drive these key elements of change.

Section 4 of the amended language does not change, but it excludes charter schools from a turnaround school designation.

Section 5 gives the responsibility to the State Board of Education, rather than the NDE, to designate a public school as a turnaround school based upon three criteria: it is a public elementary school or middle school that is in the lowest 5 percent; it is a high school with a graduation rate of less than 60 percent; it is a school that meets additional criteria identified by the State Board, which section 5 authorizes to adopt regulations that describe additional criteria that may be used to define a turnaround school. This aforementioned item 3 provides the NDE flexibility to include an additional item. Charter schools are not measured by these criteria.

Section 5 continues with a notice requirement. The NDE will notify the school and the local board of trustees when a school is being designated as a turnaround school.

Senator Lipparelli:

Item 3 of the criteria seems overly broad.

Dr. Canavero:

That is not the intent. The intent of item 3 is to ensure there is some flexibility for the NDE to designate a school as a turnaround school that faces significant but special circumstances, but does not fall within the lowest 5 percentile of school performance. It is not the intent to be overly broad, but to enable the NDE to designate a turnaround school for good cause. Some schools are designated as focus schools. They are not at the bottom 5 percent, but due to other criteria, the NDE would have the flexibility to designate the school as a turnaround school, offering additional services to this school and requiring the school to submit a turnaround plan. If schools are underperforming, the authority granted the NDE under criterion 3 would allow the Department to intervene earlier, and hopefully, help the school address its challenges without waiting for it to fail.

Senator Hammond:

Once the criteria are developed, who would have oversight?

Dr. Canavero:

The regulations would be adopted through a public process working with the State Board of Education and the local school districts.

Senator Hammond:

Would the Legislature have an oversight function as well?

Dr. Canavero:

Yes, the Legislative Committee on Education reviews all regulations.

Section 5 of S.B. 77 states the NDE will not establish a turnaround plan for the school; the local school district shall create the plan. The NDE looked at successful models, examined the research and concluded the turnaround process is as much about school district changes in practice as it is about a school's changes in practice. The district will create the turnaround plan and submit it to the NDE. The NDE will forward the plan, with recommendations, to the State Board, which can either approve or deny the plan. If the State Board denies the plan, it will notify the local board of trustees of the deficiencies.

The State Board may accept a turnaround plan or an equivalent intervention by the Department in lieu of a school district's turnaround plan. The State will

develop a template for a turnaround plan. The Clark County School District (CCSD) has a Zoom Zone. In their plan for a zoom school, they addressed many of the items necessary for inclusion in a turnaround plan. Similarly, the Washoe County School District (WCSD) has established an Acceleration Zone and implemented some of the items included in the turnaround plan.

The Department intends to ensure each underperforming school is attended to in a way that will result in substantial improvement. It allows for some flexibility. We do not want to add another layer of rules and requirements, but we do want to be certain that every underperforming school is getting the necessary supports it needs to improve student achievement substantially.

Senator Woodhouse:

Schools already designated as turnaround schools and have intervention plans in place could submit their current plans to the State Board of Education. They would not have to rewrite their existing plans using the format outlined by the NDE.

Dr. Canavero:

That is the intent of this bill. The State Board of Education could accept those in lieu of the turnaround plan.

Senator Woodhouse:

If the Board does not like the current plan, then the turnaround plan would have to be rewritten and a new plan submitted to the Department.

Dr. Canavero:

That is correct. Senate Bill 77 outlines some specific items that must be included, based upon research, which outline the conditions necessary to improve student achievement.

Senator Hammond:

If the school district cannot turn in an acceptable plan, then the NDE has an alternative.

Dr. Canavero:

If a school district cannot submit an acceptable plan on its own, the NDE could then require it to use the forms prescribed by the Department. The NDE would

work with the local school district to assist in the development of a plan that would be accepted by the State Board. The NDE likes to bring approvable plans to the State Board of Education.

Section 6 of the bill establishes required components of the turnaround plan. The NDE will not replace staff. However, the plan that a district submits must include a review of the school's principal.

The NDE has identified three primary areas necessary to address within a plan to achieve improved student performance. They include principal leadership, effective Tier 1 instruction and the appropriate use of data.

The research is clear; if the right leader is placed in an underperforming school, good things will happen. A district may choose to retain or not retain the principal. If they do not retain the principal and have to select a new principal, the NDE desires to weigh in on that decision. There is a lot written describing the traits, attributes, characteristics and dispositions of effective turnaround principals.

There is a companion piece of legislation to this bill requesting a budget of about \$5 million per year in the biennium to support this work. We are hopeful that some of that budget will be approved, which will allow the NDE to provide districts tools to assess principals and identify turnaround leaders. There is a substantial change in the amendment regarding the authority and autonomy of a turnaround principal. Research suggests if the right principal is in place, and the principal is empowered to review the team and get the right staff at the school, student achievement will improve.

Within S.B. 77, we have listed examples of what those incentives might be; salary schedules, flexible school and work schedules, lengthening school day, things of that nature. We believe that once the correct human capital is in the building, that group would make the right decisions based upon the needs of its students and school.

The principal is also empowered with the budget to carry out the work. Any other specifications deemed as necessary by the principal and district would be supported. Section 3 also includes language regarding the local board of trustees' support of the turnaround plan. Having a plan is a prerequisite to

success. Once a plan is in place, there must be oversight and monitoring of the implementation of the plan. In section 6, subsections 3 and 4 discuss evaluating the implementation plan. Senate Bill 77 does not identify whether this evaluation will be conducted by the NDE or the Board.

Chair Harris:

Does the bill address the stability of the staff at the school? What happens if the plan is not successfully implemented by a school?

Dr. Canavero:

If there is no substantial change for those pupils, the State Board will require the local board of trustees to hold a public hearing and consider the options available to them at that time. The trustees would consider the following options: extend the duration of the turnaround plan; require the district to close the school and restart it under a contract with an EMO or Charter Management Organization (CMO); require the district to close the school and transport the students to a higher-performing school; require the board of trustees of the school district to enter into a contract with an EMO; authorize the board of trustees, the school district or the SPCSA to convert the school into a charter school in the manner prescribed in regulation.

Should a school not show positive results for children as outlined in its approved turnaround plan, the local board is required to hold a public hearing to recommend the best course of action for the school to the State Board.

Senator Hammond:

If the local board makes the decision for an EMO to take over the administration of a school, what is the time line for the school to show improvement for student performance?

Dr. Canavero:

Senate Bill 77 gives regulatory authority to the State Board of Education to describe the process. This process will be dramatically different for at least two or three of these options. The regulatory work has not been done to contemplate these scenarios. This area could be further addressed within S.B. 77.

Chair Harris:

We are talking about the most vulnerable student populations in our State. As I read the options, they seem very disruptive to these vulnerable students. How can we provide stability to them? How do we balance change with stability for students?

Dr. Canavero:

The changes addressed in S.B. 77 really address the adults. If the school, including a charter school, is underperforming, we need to get adults into the school that can do the right work for the students. Three consecutive years of poor instruction fundamentally alters a child's life. Of things we can do, closure of a school, although listed as an option, is not feasible in most areas due to school overcrowding. There are instances where closing a school and restarting it as a charter school have worked tremendously well. Charter schools require a tremendous amount of outreach to families, and parents have a strong opportunity to buy into the rebuilding of the school. There are also models where it has completely failed. Both scenarios tell us something about how to accomplish this work.

We will work to add some language to S.B. 77 to address the critical and real concerns surrounding student stability.

Senator Lipparelli:

The incoming principal should have a degree of discretion to replace staff. I am concerned with the provision that states staff may be reassigned; there should be some clarity in the language concerning reassignment.

Dr. Canavero:

Section 7 of S.B. 77 empowers the State Board to adopt regulations to prescribe the process for converting a turnaround school to a charter school should that option be selected by a local school board.

Senator Denis:

What is the definition of "adequate improvement" within S.B. 77?

Dr. Canavero:

Adequate improvement is determined based upon the approved turnaround plan. Included within each turnaround plan are benchmarks for performance.

Adequate performance is measured on a school-by-school basis based upon the execution of the improvement objectives and benchmarks delineated in the school turnaround plan.

Sections 8-11 of S.B. 77 provide some conforming language. Section 12 equates the turnaround plan to the school performance plan. There is no reason to submit both a school performance plan and a turnaround plan for these schools. It is not the Department's intention to have duplicate plans or reporting requirements. Sections 13 and 14 outline the definitions for CMOs and EMOs. There is already language in statute defining an EMO. Both are governing bodies for charter schools.

Chair Harris:

Section 13 of S.B. 77 states the sponsor of a charter school may reappoint any members of the prior governing body. I am concerned that there will be no changes in the board of a failing charter school. There is no mandate for change.

Patrick Gavin (Director, State Public Charter School Authority):

The SPCSA would be comfortable striking that language in its entirety or amending the language to state a majority of the board members shall be replaced. The intent is to replace the adults if they are the problem.

Senator Hammond:

Charter school board membership has specific requirements. Some communities may have difficulty filling prescribed vacancies. I support language that states a certain percentage of the board of a charter school shall be replaced. I believe the composition of the board should be addressed.

Dr. Canavero:

Section 15 outlines some options for the management of a charter school if a sponsor revokes the charter or terminates the contract. These options are designed to ensure a smooth transition for students. The sponsor can manage the school while other arrangements are made, enter into a management agreement with another charter school or enter an agreement directly with a CMO to operate a charter school.

Section 16 excludes turnaround schools from school-based decision-making programs. Section 17 is conforming. Section 18 provides for the conversion of a public school to a charter school if the school fails to meet the benchmarks for academic improvement outlined in the school's approved turnaround plan. Sections 19 and 20 are conforming. Section 21 empowers the sponsor to determine if the board of a charter school should be reconstituted.

Section 22 of the bill revises the application requirements and eliminates the requirements for a charter school within the conversion process. Section 23 allows direct application by a committee to form a charter school or a CMO to form to the proposed sponsor of the school. This allows a direct charter to a CMO. Typically, a CMO is vetted by either the committee to form or the governing body of the charter school. This section provides the sponsor with the vetting process to examine the organizational, academic and financial performance of the CMO before awarding a contract.

Section 24 of the bill allows the sponsor to reconstitute a governing body under specific circumstances as well as those that would also drive a revocation. This provides an alternative to revocation. Section 25 continues to provide for reconstitution around a revocation. Sections 26 and 27 include conforming changes.

Section 28 is an attempt to build incentives and reward schools and personnel for doing great work. Section 28 is obligating the board of trustees to consider approving that school to operate within the Program of Empowerment Schools. If we are going to support and hold accountable those underperforming schools, we should be able to offer something to schools doing a wonderful job.

Senator Hammond:

I think this is a great idea. What comes with the designation of empowerment school? I would like to see the performance data from empowerment schools. That information would be useful as we look at section 28 of S.B. 77.

Dr. Canavero:

Greater autonomy at the site level is given to an empowerment school.

Chair Harris:

As we begin to designate schools to enable them to receive additional services and funding for specific student populations, can you explain the process of updating the designation?

Dr. Canavero:

The turnaround designation and all the supports that come with that designation will be a 3-year endeavor. Each year progress will be evaluated through data, but we foresee support and intervention services in place for the entire 3-year period. The goal is for the behavior and system to be transformed within the 3-year period and for the school to continue that type of growth.

Senator Hammond:

An empowerment school designation should be evaluated over a 3-year period as well.

Senator Woodhouse:

In the CCSD, the first few empowerment schools received autonomy and substantial financial incentives from the private sector. As additional schools were added to the Empowerment Program, the private sector money was not sustained. Empowerment schools received only autonomy.

Dr. Canavero:

Sections 32-34 of S.B. 77 are conforming changes. Section 35 has language aligning professional development to the turnaround plan. Section 36 was written to encourage staff to teach at a turnaround school. It states the evaluation of a teacher at a turnaround school must not be adversely affected by student achievement data during the first or second year the school is operating under a turnaround plan. There is a concern that fear may keep great teachers from accepting the challenge to teach in a turnaround school. We do not want the data to have an adverse impact on teacher performance.

Senator Lipparelli:

This provision addresses my concern that great teachers will not accept the challenge to work in a turnaround school.

Senator Hammond:

Are we going to offer incentives to those teachers who might want to work in a turnaround school?

Dr. Canavero:

In the description of the turnaround plan, the leader of the school is empowered to do certain things. One of those is to create financial incentives for teachers. It is an allowable expense for a turnaround school. Something that is not included in S.B. 77 and should be contemplated is incentivizing for administrators. It is incredibly difficult and challenging work.

Chair Harris:

Has any thought been given to ensure these teachers and administrators are provided professional development specific to the issues facing turnaround schools?

Dr. Canavero:

Section 34 of the bill outlines the need for professional development. No specific descriptions of the professional development required for a successful turnaround school has been included. However, any principal who is charged with a turnaround school is empowered to provide professional development and will definitely bring in capacity-building activities for their staff around instructional and curriculum shifts. This is another area where the principal of the school has flexibility.

Chair Harris:

Are enough funds available under the turnaround plan for the principal to address this critical component?

Dr. Canavero:

Staff development is one of the reasons the NDE requested \$5 million per year in the budget to support turnaround work. The NDE believes that funding is essential to program success.

Section 39 of S.B. 77 addresses the barriers to staff moving into turnaround schools. There are practical realities of a teacher's tenure and the language in this section ensures the collective bargaining agreement does not impair the ability of a teacher to move to a turnaround school. The amended language

protects teachers going out of or coming into a turnaround school. This language was specifically designed with large rural counties in mind. Seniority in those districts may be based upon attendance zones. A teacher's seniority may be adversely affected by moving into an underperforming school if the attendance at that school fluctuates. This language alleviates that concern.

Mr. Gavin:

We appreciate that charter schools are included within S.B. 77. This bill addresses the needs of all students, whether they are in traditional public or public charter schools.

Stephen Augspurger (Executive Director, Clark County Association of School Administrators and Professional-Technical Employees:

The Clark County Association of School Administrators and Professional-Technical Employees (CCASA) has a long history of working with the CCSD in its turnaround school program. As it is currently fashioned, this program has had great success for children. One of the reasons for the success is there has been additional funds available to those schools. Another reason is there has been strategic staffing as well. When you think about financial incentives for both teachers and administrators who are going to turnaround schools, sometimes the financial incentive is simply not enough. We developed a signing bonus for principals that was rather substantial. In many cases, there were assistant principals who went to turnaround schools though they were not eligible for those signing bonuses. What is more important to both teachers and administrators is not the financial increase, but the structural supports at the schools.

Many of the schools designated as turnarounds have had high percentages of long-term substitutes. We will not see improved student performance significant enough to keep a school from remaining in the lowest 5 percent without great teachers. When we think about the resources and supports necessary within turnaround schools, we should make sure they get priority staffing and we do not open the schools with open teaching positions that are filled with substitute teachers. If we are looking at environments where children are going to excel and meet achievement goals, we must have experienced and qualified teachers. Teachers and principals need to have the structural supports in place. There are many good provisions in S.B. 77. The CCASA supports S.B. 77. We are

supportive of the turnaround plan as it currently exists in the CCSD, including the removal of principals from those buildings.

Juanita Clark (Charleston Neighborhood Preservation):

We are cognizant and concerned the curriculum has changed and is unsatisfactory because it replaces things that are basic to the lives and progress of humankind.

Ray Bacon (Nevada Manufacturers Association):

Section 6, subsection 1, empowers a district to reassign the principal to another school within the district. If we want to enhance this bill, we should add the language of demote, terminate or reassign principals as appropriate. We need to have the mechanisms in place to make the best decisions for the students.

Senator Hammond:

Sometimes the dynamics of a school do not work. Whoever is going to reassign, demote or terminate a principal would have to take into consideration what happened at that school. Sometimes a change in environment and circumstances can change the performance of an individual. I think we should contemplate the language suggested by Mr. Bacon, but we also need to understand and take into consideration the dynamics of the school as well.

David W. Carter (Nevada Legislative Affairs Committee):

I am neutral on S.B. 77 because I have not had the time to review the amendments. I request an additional hearing on this bill.

Chair Harris:

We are not going to have a work session on this bill right away. We are not able to have another hearing, but the amendment is available on the Legislature Website, and you are welcome to submit your written comments to the Committee.

Lindsay Anderson (Washoe County School District):

The WCSD shares a passion for high-performing schools. We have no intent to allow low-performing schools to continue. The WCSD has already created its own so-called turnaround zone, called the Acceleration Zone. The WCSD has identified its lowest-performing schools and made many of the changes that are authorized in S.B. 77, including leadership changes, changing the culture, family

engagement, early childhood programs and extended learning time. We appreciate the NDE amendment and its consideration of sections that improve local control. We look forward to partnering with the NDE.

The WCSD has some concerns with S.B. 77. We want to make sure that the definition of an underperforming school is appropriate and that we are using the correct measuring stick to accurately reflect what is happening in those schools. We have concerns surrounding the option to close a public school and reopen it as a charter school. Questions center on liability, transportation, food service, federal dollars and other services that are traditionally associated with a regular public school. In addition, it is unclear in S.B. 77 if a charter school would be required to take all students if the public school closed down, which may include special education students. The WCSD has worked with the NDE on this bill, and will continue to work with the Department as it goes forward.

Senator Hammond:

You raise a good point. This process may require an exception to the enrollment procedures of a charter school in these instances.

Nicole Rourke (Clark County School District):

The CCSD has engaged in the turnaround process over the past several years, and we have developed thoughtful, thorough and in-depth review and exit processes, and specific staff vetting procedures to assist schools to improve student achievement. Senate Bill 77 contemplates a significant shift in decision making from the local level to the State level.

We appreciate the complexity of the turnaround process and the importance of the work to improve both the educational process and student achievement. We thank the NDE for considering our input on S.B. 77 and look forward to continuing the conversation to address our outstanding concerns.

We want to ensure the list of underperforming schools is developed using current data. The current list considers criteria included for federal Focus and Priority School designations, which are based on 2- and 3-year-old data.

We have discussed additional changes with Dr. Canavero, including adding administrators to the incentives in section 6, subsection 1, paragraph (c); changing section 6, subsection 3 back to having the NDE conduct the review;

and making adjustments to section 7 to separate the annual review to address implementation concerns and the improvement of student and school achievement by the end of year 3.

We support the overall concept of the turnaround process and appreciate the Department's willingness to accept our suggestions.

I will provide the information to the Committee regarding the change in school culture involved in the turnaround process.

Senator Hammond:

I would like to see the data used by the CCSD to determine designation of a turnaround school. I am interested in reviewing the selection process, including the data used by the CCSD when determining school designation. We want to ensure we are using the most current data in the determination.

Jessica Ferrato (Nevada Association of School Boards):

We appreciate the NDE bringing forth a measure that focuses on our most struggling schools. The Board has not read the amendment to S.B. 77 and will evaluate it. We do have a concern surrounding loss of control at the local level.

Yvette Williams (Chair, Clark County Black Caucus):

We are testifying neutral. We work closely with the CCSD supervisor of Turnaround Zone Schools, Dr. Jeff Geihs, and his team. They have done some incredible work, and we are starting to see some improvement. We know the State is on the right track in bringing this legislation forward. We have had discussions with both the State and the CCSD regarding S.B. 77. The Clark County Black Caucus would support S.B. 77, as amended.

Turning an unsuccessful turnaround school over to a charter school to administer may not be the best solution. We need further information on that topic. There is an Achievement School District (ASD) bill coming before this Committee. We believe the turnaround schools should come first and then segue into the ASD designation. We support the provision of holding public hearings throughout this process.

Chair Harris:

We will close the hearing on S.B. 77 and open the hearing on S.B. 226.

SENATE BILL 226: Revises provisions relating to education. (BDR 34-790)

Senator Patricia Farley (Senatorial District No. 8):

Senate Bill 226 expands the pool of organizations available to provide professional development to Nevada's educators. Section 1 of the bill adds language to the statutes authorizing school districts to contract with Nevada teachers' associations to provide professional development to teachers and administrators. It also requires the training to be responsive to the needs expressed by the district consistent with the Nevada Educator Performance Framework and appropriate as outlined under federal law.

Section 2 of S.B. 226 clarifies that professional development conferences may also involve teacher associations as providers. In the Executive Budget, the Governor proposed granting funds to improve teaching and strengthen the pipeline of new teachers. He further proposed potential grantees include professional associations and other groups, in addition to the existing regional professional development programs. Expanding the pool of available professional development providers will both increase system capacity and capitalize on competitive forces. Senate Bill 226 supports this vision, but more importantly, it engages our teachers as partners.

Senate Bill 226 increases the provider network available for professional development. It particularly allows the Nevada teachers' associations to offer professional development units to teachers. I encourage your support of S.B. 226.

Vikki Courtney (President, Clark County Education Association; Nevada State Education Association):

We are asking that the Nevada State Education Association (NSEA) and the Clark County Education Association (CCEA) be included as groups to provide professional development for teachers. There may be other groups, but I am not aware of them at this time.

I will now read my written testimony ([Exhibit I](#)).

Senator Hammond:

Teachers have a lot to offer other teachers. I have an issue with classes offered by the CCEA or NSEA promoting union membership within the class content. It

is inappropriate for the instructor to mention union membership multiple times during the course of a class. I have no issue with a banner stating the training is sponsored by NSEA or CCEA, or a table by the registration table. I suggest language be added to the bill that states professional development opportunities offered by associations will not be used as recruitment tools for membership.

Ms. Courtney:

We received grant funding to enable NSEA to offer classes. I think we should be able to let program participants know that the class is sponsored by NSEA and peoples' dues are paying for the class.

Brenda Pearson (Director Professional Learning Program, Clark County Education Association):

I am speaking in favor of S.B. 226. I will now read from my written testimony ([Exhibit J](#)).

Chair Harris:

Would you please give us an idea of the classes offered by CCEA?

Ms. Pearson:

Classes offered by the CCEA include mathematics based upon instructional strategies, teaching the English Language Learner, classroom management, cultural diversity and psychology.

Senator Woodhouse:

Are these courses also available to private and charter schoolteachers?

Ms. Courtney:

We have an open-door policy.

Senator Lipparelli:

Do you need S.B. 226 to offer classes to teachers? It sounds like you are already offering classes. Does a professional development organization in Nevada need this bill to do what is outlined in this bill? Why does your organization not have this ability already?

Ms. Pearson:

We are able to offer classes now, but they must meet the guidelines of the school district. We are not able to conduct classes on professional development days. We would like to grow statewide and we cannot do that without S.B. 226.

Senator Denis:

Are you saying that the CCSD is not able to contract with you at this time?

Ms. Courtney:

The District can contract with us, but we are not able to offer continuing education credits or professional development credit for our classes. This bill will allow the CCEA and the NSEA to offer credits to teachers.

Senator Gustavson:

Do you need this bill in order to receive funding? Is that part of the reason for the bill?

Stephanie Swain (Clark County Education Association):

Senate Bill 226 will allow the CCEA to apply for grant funding.

Senator Hammond:

Is it just grants funding that will be available, or are there other funding sources that may become available to you as a result of this bill?

Ms. Courtney:

I do not have that information. I will research and provide the answer to you.

Ms. Swain:

I will now read from my written testimony ([Exhibit K](#)), explaining educator-led professional development classes.

Senator Hammond:

What is the process for obtaining an accreditation so that teachers can earn credit toward their continuing education requirements?

Ms. Pearson:

Teachers who provide instruction will meet the qualifications required for teaching specific course content. Their credential, curriculum vitae and references will be examined prior to offering them contracts to teach courses.

Senator Gustavson:

The CCSD has a teacher shortage. I do not want to lose classroom teachers to this program.

Ms. Pearson:

No teachers will be hired. Current classroom teachers will be utilized.

Craig Stevens (Clark County School District):

The CCSD supports S.B. 226 and appreciates the CCEA for bringing it forward. We look forward to working with them.

Seth Rau (Nevada Succeeds):

Nevada Succeeds also supports S.B. 226. Two things are impressive within this bill. The first is aligning professional development with the goals of the State Board of Education, and the second is aligning the system of professional development across the State.

In 2014, Nevada Succeeds coauthored a report with the Guinn Center for Policy Priorities looking at ways to improve professional development across Nevada. The data show educator-led professional development with educators leading their peers produces the highest statistical outcomes for improving student achievement in schools.

Chair Harris:

We will close the hearing on Senate Bill 226.

Senate Bill 493 should be rereferred to the Senate Committee on Finance.

SENATE BILL 493: Establishes a program for awarding STEM workforce challenge grants. (BDR 34-594)

Chair Harris:

This is an act relating to economic development creating the STEM Workforce Challenge Grant Fund; creating the committee to oversee the STEM Workforce Challenge Grant fund; providing for the committee to award grants from the fund to certain consortia of community college and state colleges, nonprofit organizations and private businesses; authorizing the committee to award a grant only if 100 percent of the amount of the grant is matched; making an appropriation; and providing for other matters properly relating thereto.

I understand this is largely a finance bill and not a policy bill. Since the Senate Committee on Education's agenda is full until the deadline, we are going to rerefer this bill to the Senate Committee on Finance.

SENATOR WOODHOUSE MOVED WITHOUT RECOMMENDATION TO REREFER S.B. 493 TO THE SENATE COMMITTEE ON FINANCE.

SENATOR GUSTAVSON SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

* * * * *

Chair Harris:

We will now open the hearing on Senate Bill 432.

SENATE BILL 432: Makes an appropriation to be distributed to certain public schools designated as Victory schools. (BDR S-1187)

Dale A.R. Erquiaga (Superintendent of Public Instruction, Department of Education):

Senate Bill 432 is also a budget bill. Section 2 of the bill discusses the money portion of the bill.

The 2013 Legislature created the interim Task Force on K-12 Public Education Funding. The charge of the Task Force was to look at the means by which Nevada funds the public school system: The Nevada Plan for School Finance.

The Nevada Plan for School Finance is the “string theory” of public policy. It is not an easy plan to understand. It is easy to understand that funding is not related to students, or types of students. While a dollar amount goes out per pupil, that dollar amount is equalized based on district characteristics in a formula set in 1967. In 1975, the Legislature added funding for special education students, which is folded into the distribution. Nevada does not have student “weights” or “multipliers,” which add funds to the basic per pupil guarantee based upon student type. During the interim, when the Task Force reviewed the need for an update, it reviewed several types of students, including special education students, English Language Learners and children at risk. At-risk children were defined as students living in poverty. The Task Force used the free and reduced-priced lunch system as its measure of poverty. There are other measures, one of which I will discuss today.

An outgrowth of the Task Force was the clear identification of the need for additional funds for children living in poverty. The Task Force made a recommendation for a funding weight or multiplier for these students. The Task Force also recommended that in this coming biennium, Nevada consider categorical expenditures. Before we can move to a full weight for every one of the students in a specified class, we first allocate money into that category, distribute it for at least 1 biennium, as we assess the cost and work our way to those multipliers.

There is already an example of that in operation in Nevada, the Zoom schools. In 2013, the Legislature crafted a measure providing a categorical grant to English Language Learners. That bill contained two identifiers for eligibility: a school must have a high population of English Language Learners and have some level of underperformance in terms of student achievement.

Senate Bill 432 creates Victory schools. They are a pilot program for children in poverty. Perhaps because of the great emphasis by the State Board of Education, the Governor and the Department of Education surrounding underperformance, the Victory label has been confused with the discussion regarding turnaround or achievement districts or other underperformance measures. The Victory school program is very much like the Zoom school program. It is a pilot, categorical program. Zoom schools have had some measure of success. The Governor has proposed to expand that program

financially. This is Nevada's first entrance into funding specifically for students living in poverty.

Senate Bill 432 establishes categorical program funding to be distributed to Nevada schools that would be designated as Victory schools. Section 1 of the bill is the legislative intent language that describes the special needs of children who live in poverty in terms of how they learn and things that they need in order to be successful. Section 2 of the bill describes the budgetary allocation. It is \$25 million per year of the biennium. Within the budget is funding for a position within the NDE and for an independent third-party evaluation. The remainder of the funds would be distributed on a school basis.

Subsection 2 of section 2 authorizes the NDE to designate Victory schools and requires those designations to be based on two factors. The first is a high percentage of pupils enrolled in the school must be living in households that have an income of less than the federally designated poverty level. This information is based on census data from the federal Bureau of the Census, not free and reduced-price lunch data. We did that in order to more closely target the funds and have a clearer picture of the level of poverty. Free and reduced-price lunch is really a span. In the CCSD, 60 percent of the students qualify for free or reduced-price lunches. For the purpose of our beginning work with children living in poverty, we chose the federal census designation. Other states use federal census data; still others use what is called the Small Area Income and Poverty Estimates Index. Nevada chose this measure as the place to start. We began with the 20 poorest zip codes in the State. We wanted to know how many schools might be included. We designated 17 zip codes. Those zip codes are located in these counties: Clark, Nye, Humboldt, Elko and Washoe.

One of the purposes of a pilot program is to learn about the additional expense of providing categorical assistance to children in poverty. Poverty has different faces in our State because of its diversity. By including schools in these five districts, we are reaching urban poor, rural poor and Native-American poor in our pilot program. Twenty-five to forty percent of the children in these schools live at or below the federal poverty level. These neighborhoods are very poor. Those are the highest indexes in our State. In terms of building a categorical program so we can report to you in 2 years what works, we will have very different pictures. We have urban and rural poor, both of which

include specific ethnic and racial demographic groups who live in poverty, and represent the diversity of Nevada.

Chair Harris:

I am excited to know you are reaching our Native-American populations. We look at the diversity of our State, but as a population, Native Americans are largely left out of the conversation because of their low ratio to other minority populations within the State.

Senator Hammond:

Please elaborate on the rural poverty sector of Clark County.

Mr. Erquiaga:

It is Reid Elementary School, located in Searchlight. There are 25 students in the school.

Senator Lipparelli:

How many schools will be served by the Victory school pilot program?

Mr. Erquiaga:

Based on today's data, it is about 35 schools. That number is still fluctuating. We made a decision based on the recommendation from the Task Force that students should only receive a weight of 1.0. If a student is poor and also an English Language Learner, he or she only receives a weight of 1.0 under most funding schemes. Zoom schools that might be in these zip codes were excluded. We can exclude the number of Zoom schools today, but as the Governor proposed to double that program, the number of Zoom schools will almost double. That may move some schools that are in the Victory school category into the Zoom category. Another factor is school location. We chose a zip code as an area to demark poverty, but enrollment zones do not always match zip codes. We may have a school that is on one side of the zip code boundary line, but all of its students live on the other side of the line, so we are still looking at those lines, especially in Clark County. It may also affect Washoe County. We are still working on the list. Looking at the weight, it will get us to 1.2 or 1.25 percent or an additional 0.25 percent. The Victory school pilot program will provide information about poverty and the interventions that work. It provides some statistical data as well.

Senator Woodhouse:

Are all levels of schools, elementary, middle and high schools being included in the pilot program?

Mr. Erquiaga:

Twenty-six elementary schools, five middle schools and four high schools will be included in the Victory school pilot program. In the Zoom school pilot program, we only served elementary schools. Just as when the Zoom program launched in 2013, there will be a tight time line. Senate Bill 432 requires school identification by the last day of the Legislative Session. Schools will have a short time line to complete planning and community engagement work in order to submit a plan by August. The model works as follows: designation as a Victory school followed by the submission of a plan. Both are specifically delineated within the bill.

Senator Denis:

How would school performance contribute to the designation of Victory schools?

Mr. Erquiaga:

To be considered for the Victory school pilot program, a school must have either a 1-Star or 2-Star rating. Victory schools will have high poverty levels and low performance ratings within the five school districts.

Senator Hammond:

Magnet schools work well and have high student achievement. Why are we reinventing the wheel?

Mr. Erquiaga:

Magnet schools are often successful. They are magnets, drawing children from other zip codes to the school. We are looking for solutions for the children residing in the neighborhood where the poverty exists. A magnet school is not the only solution. Our goal is to build strong neighborhood schools in neighborhoods of poverty for the students who live there.

The first step is designation, the second step is an assessment conducted by the school. For the NDE, the most important part of the plan is the community consultation process. The school plan must identify the root cause of poor

academic performance and the Department is required to engage the community about the perceived root cause. The goal is to help identify the issues as well as to engage the community. This plan presumes there will be a signed memoranda of understanding with the neighborhoods. It could be with a faith-based organization, it may be some other civic program that desires to work with a neighborhood school. In the case of poverty, the evidence shows us that families, mom, dad, grandma and grandpa, and the neighborhood have to be involved with the school or the school will not succeed.

Another key piece to the plan is the school must identify all sources of funding it currently receives. We refer to this as the last dollar in, or the last mile of funding. Some of these schools receive other assistance. They are all certainly Title I schools; in the case of a Native-American school, it may also receive Title VII funding. There might be other local funds that are allocated by the districts, and yet there remains an achievement problem. The Victory school plan must disclose the manner in which all funds are braided together so that there is good use of all funds in these schools. After self-evaluation, the school and its community will identify the piece they are missing to achieve improved student academic performance. It might be wraparound services, the recruitment of teachers or extra time in the school day. That is the piece we want the school and its community to think through, so that these funds can provide additional assistance.

The next piece of the plan is to set the benchmarks for performance. We did not do that up-front with the Zoom schools. Section 2, subsection 8 of S.B. 432 defines the allowable uses of funds. They include: prekindergarten, if one is not provided; full-day kindergarten, if that is not provided; summer academy and additional instruction time; and professional development for teachers and other educational personnel. Professional development is a key component identified from the Zoom pilot program.

Working with children in poverty requires a specific and different skill set. In order to attract good teachers to these schools, some additional resources may be required. Additional allowable uses of funds include programs to recruit and retain highly effective teachers. These schools often have high numbers of substitutes and high numbers of probationary teachers. We know it is a contributing factor to the lack of high academic achievement. A Victory plan for a school may simply be a concentrated plan to recruit highly effective faculty.

Evidence-based social, psychological and health care services are also allowable uses of funds. Programs and services to engage families are included as well as programs to address school climate and culture.

Finally, any evidence-based programs or services specifically designed to meet the needs of students who attend the school may be allowable uses for funds. This language is purposely non-specific to allow the NDE the flexibility to fund items that individual schools and neighborhoods may need to improve student performance. If a plan includes evidence-based research to support an expenditure, the NDE wants the flexibility to consider it, providing the benchmarks to measure performance are specific and measureable.

In the Zoom school pilot program, we had a very prescriptive list, and if it was not on the list, it could not be funded. The allowable uses of funds for Victory schools is a more robust list, taking into consideration some of the things the Zoom schools requested, but were unable to fund.

Senator Denis:

I am concerned with the word “may” contained in S.B. 432. Will that allow schools to use the funding for another purpose?

Risa Lang (Counsel):

The point is well-taken. It says they ‘may’ use the funds for these purposes, so I think looking at it, ... the intent is to use it for only those purposes, but we could certainly add a couple of words to make that clear, if that gave you more comfort.

Senator Lipparelli:

I understand the items in section 2, subsection 8, paragraphs (a) through (f), but paragraphs (g) through (j) seem overly broad. I am concerned there is too much flexibility. Where is the accountability?

Mr. Erquiaga:

It is broad for a reason. Some of these children are urban children living in downtown Las Vegas; others are children living on the Nevada-Idaho border. We have to be somewhat general so that it will apply in very different kinds of schools.

We share your concerns about accountability. If you remember, there is a plan up-front, and the plan identifies what the school is trying to accomplish and what will be used to measure accomplishment. The next section of S.B. 432 discusses the evaluation piece of the Victory school plan. Both pieces have to work. The plan has to be clear on what is to be accomplished, why the selected intervention will do that, and finally, what will be used to measure the success of the intervention. If those three items are not clear, the NDE will not approve the plan. There is also a requirement for third-party evaluation, which is something the Governor has required the NDE include in all of his categorical recommendations. The Governor is clear that districts will not be the only ones reporting progress; there must be an outside party.

Senator Lipparelli:

Hypothetically, \$750,000 is given to each Victory school. The school submits a plan that determines expenditures for additional learning time and recruiting and retaining teachers will improve academic performance. The plan identifies those two items as priorities, and intends to spend \$300,000 and \$450,000, respectively. The NDE agrees and approves the school's plan. The accountability plan later asks how the money was spent for additional learning time and the recruitment and retention of teachers. Upon closer review, it appears the school spent \$749,000 on something completely unrelated to what was approved. Will that then be explained as included as items under paragraph (i)?

Mr. Erquiaga:

Your scenario did not include outcome measures. It had strategic measures. To get to outcome measures, your plan would have required revisions like: "As a result of additional learning time and the recruitment and retention of teachers, our reading rate will increase because the additional time will be spent on task," or "the recruitment of our teachers will focus on the poor-performing academic programs."

For the NDE, the outcome measure is the critical piece. It was a little easier in a Zoom environment because the desired outcomes were improved literacy and the acquisition of English language and reading skills. It is different in a Victory school. It is why the community assessment and the plan are so important in the beginning. We do not want a program in which we just help a school hire

teachers. We want to help a school hire teachers for a specific outcome. That is all I would add, and I appreciate you building the record.

This is a legacy program. Ultimately, this program, in the Governor's vision, will roll over into enhanced student weight for children who live in poverty.

Senator Denis:

How will the funds be allocated to schools?

Mr. Erquiaga:

This is a per pupil allocation funding stream.

Senator Denis:

I am concerned that schools will throw in extraneous items in order to match the allocation, rather than to request the actual cost to implement the desired activity.

Mr. Erquiaga:

Dr. Canavero shares your concern. That is why he has spoken with the local communities about this idea. We have also researched the evidence-based practices, and it is why we are requiring the NDE approve the plan. It did not quite work that way in the Zoom program. The plans were actually approved in the finance office, not the education office.

Senator Woodhouse:

I agree we need to codify the "may" in section 2, subsection 8 of S.B. 432. I did not find anywhere within S.B. 432 that it is a per pupil allocation. This should be added to the language. Also, the term "low rating schools" should be defined within the bill as either 1- or 2-Star rated schools.

Mr. Erquiaga:

Section 2, subsections 11–13 discuss the annual reports and evaluations. There is a trigger in this bill that is different from many you have seen, and that is section 12. If over the 2 or 3 years, the performance rates are unsatisfactory, the NDE reserves the right to remove the money. We reference the plan; this is not an entitlement program. This is an outcome-based model.

Chair Harris:

If you take away the money, will the designation as a Victory school also be removed? If the school improves, will the additional help be taken away?

Mr. Erquiaga:

This is the exciting piece of this program. This is the beginning of modernizing the Nevada Plan for School Finance. What has happened, historically, is exactly as you have described. We give some assistance, a school gets better, it does not need the assistance any longer, so it is moved to another school that is failing, and then the first school goes backwards. The Governor's vision for the Zoom program, the Victory program, the Special Education program and the Gifted and Talented program is to use them for data and move the State funding of education to a weighted formula. The goal is by the time we get to a place where these schools have improved, we will shift over to weights, so we will provide appropriate levels of assistance. The money follows the child, not the performance level of the school. These programs will provide the basis for establishing a weighted funding model.

Chair Harris:

We are looking at the true cost of educating a particular child, recognizing that different children cost different amounts to educate. We are eventually going to get past the labels and get to the appropriate amount of money it costs to educate different types of students.

Mr. Erquiaga:

You have summarized it well. That is our vision. That is the generational opportunity you have to modernize the Nevada Plan. This is like a down payment.

Section 14 of S.B. 432 discusses how the money is allocated and distributed. This is boilerplate language from the Zoom pilot bills. Finally, section 18 contains definitions, such as neighborhood and wraparound services for the purposes of S.B. 432.

Ms. Anderson:

The WCSD is in support of S.B. 432. We are very excited to direct this money to our schools that are in need of assistance.

Ms. Rourke:

The CCSD is in support of S.B. 432 and appreciates the recognition that our students living in poverty need additional support to reach their academic potential. Students living in poverty experience significant risk factors, including stress, emotional and social challenges, academic delays and health needs. We appreciate the appropriation in this bill designed to assist schools and communities in meeting these needs, and similar to the Zoom schools designed for English Language Learners, Victory schools provide support for the unique needs experienced by students living in poverty. We know that the return on investment is essential to everyone and most importantly to our students. Like Zoom schools, the CCSD believes Victory schools will require significant support to meet the deadlines and provide the detailed plans described. We appreciate the flexibility provided in section 2, which will allow us to provide programs that best meet the needs of the students and expend the funds efficiently. The CCSD hopes that flexibility includes the ability to purchase technology that supports student learning, as appropriate.

Thank you for recognizing the needs of our students.

Mr. Gavin:

The SPCSA supports S.B. 432. We appreciate that charter schools, regardless of sponsor, are included within this legislation. We think it is critically important as we look to ensure there is equity for all students regardless of the school sector.

Senator Denis:

If we approve S.B. 432 and double the number of Zoom schools, can you have it operational by August?

Ms. Anderson:

The NDE notified the WCSD which of our schools are on the list, with full understanding that inclusion on the list is dependent on many factors. Those schools were notified that they might be part of this program, so the planning started today. Whether or not they get to execute those plans will be determined. Whether a plan can be operational starting on August 10 is uncertain, but we will do our best.

Ms. Rourke:

It will require a lot of support, and the CCSD plans to work with the designated schools.

Mr. Gavin:

We will work collaboratively toward full implementation of S.B. 432.

Lisa Morris Hibbler, Ed.D. (Deputy Director, Office of Community Services, City of Las Vegas):

I am here today in support of S.B. 432, which emphasizes the need to assist our most vulnerable populations—children of color and children that live in poverty.

The City of Las Vegas has been committed to addressing the achievement gap of students, which oftentimes seems more like an opportunity gap, in the urban core by developing “impact zones” to prove what is possible for students when funding, policy, community engagement and school leadership align. There are 16 schools within the impact zone which represents two collective impact models: The City of Las Vegas Downtown Achieves Program and the Las Vegas My Brother’s Keeper in partnership with Nevada Partners, Inc. Unfortunately, eight of the schools in the Downtown Achieves focus area are currently not being considered for the Victory School designation.

The City established the Innovations in Education committee to help identify strategies, actions and resource alignments to close the achievement gap for children living in poverty. The committee’s diverse leadership, background, knowledge and expertise are critically important to achieving this goal. Collectively, the group has pledged to make a difference in the lives of children and ensure educational excellence is attainable for all. Simply put, we want to live in a community where regardless of where you live and the color of your skin, beginning in preK, students will receive excellent, personalized, standards-based instruction in every classroom. Students at every level will be on track to graduate from high school with the option to attend college. Students and families will have access to the resources necessary for academic, social and emotional success.

The success of our students hinges on the success of the complex systems that impact the daily lives of children and the lives of those responsible for their care

and education. Transportation, housing, health care and nutrition are basic needs that often go unmet. Far too many of our families are living in poverty and struggling to make ends meet.

For example, 61.2 percent of families living within one-eighth of a mile of Matt Kelly and Wendell P. Williams Elementary Schools live in poverty. The average median income is less than \$18,000. Even more alarming is that 43 percent of that same community are female heads of households earning less than \$12,125 per year. The transiency rate, which often represents household instability, can reach nearly 50 percent, like at Howard Hollingsworth Elementary School. This results in academic disruption and impacts learning outcomes. In some schools, 100 percent of the students qualify for free or reduced-priced lunches. Furthermore, the overrepresentation of African-American youth in the juvenile justice system and low graduation rates support the notion of the "school-to-prison pipeline." Sections 8 and 9 of the bill appear to adequately address the social and economic factors that affect learning.

We hope that rather than achieving incremental change across a large system, this funding will be used to achieve transformational change in a small group of schools by coordinating efforts across multiple systems.

Susie Lee (President, Chair, Board of Directors, Communities in Schools of Nevada):

Communities in Schools of Nevada (CIS) is part of the nation's oldest and most effective dropout prevention program, and we currently serve 45,000 students in 43 schools in Clark, Washoe and Elko Counties. Eighty-five percent of the students we serve qualify for free or reduced-price lunches. Communities in Schools supports S.B. 432, specifically the provisions set forth in sections 2 and 8.

These sections enable schools to use funding to provide evidence-based services that deal with social, psychological and health care needs or case management services. We recognize schools and teachers are already under intense pressure to achieve improved results and meet rigorous standards. They face an even more difficult job in raising the academic achievement levels of impoverished students.

Impoverished children face daily obstacles because they lack a variety of nonacademic supports that their more affluent peers take for granted, such as eyeglasses, medical care, food, clothing, shelter or even a caring adult in their lives. The lack of basic necessities can make it impossible for students to focus on academic subjects required for graduation and productive adulthood. A child born into poverty is seven times less likely to graduate from high school.

Communities in Schools has been working in partnership with school districts in Nevada since 2004 providing evidence-based, integrated student support services in our most challenged schools. We place highly trained site coordinators who work directly with school staff to identify nonacademic needs of students who are most at-risk and provide a range of services that help them arrive at the classroom ready to learn and succeed. It is relationships that help our students achieve, and we build on that to achieve success at all levels of school. This partnership achieves impressive results. Eighty-seven percent of our case-managed seniors graduate on time. Students we serve have improved attendance, academic performance, attitude and behavior. We are able to leverage existing community resources, and last year we delivered approximately \$2 million in services to students and families.

Communities in Schools applies a rigorous approach to research, evaluation, staff training and ongoing improvement. This combination of soft skills and hard data adds up to a highly effective model for dropout prevention that yields results in urban, rural and suburban settings. At CIS, we support the S.B. 432 effort to provide additional resources to our most economically disadvantaged students. Today's educational landscape is anything but equal. The achievement gap or gulf between white and African-American or Hispanic students remains strikingly large. Minority students are more racially and socioeconomically isolated today than at any time since public data have been recorded. Even though 70 percent of our students are graduating in Nevada, it leaves 30 percent, disproportionately African Americans and Hispanics, with no cap, no gown and no opportunity. In 2012-2013, only 58 percent of low-income students and only 23 percent of English Language Learner students graduated. Each year, many of these students will join a group of 7 million young adults in the United States aged 16–24 who find themselves disconnected from school and the labor market.

Tiffany Tyler, Ph.D. (Chief Operations Officer, Nevada Partners, Inc.):

As a nonprofit administrator challenged with the task of supporting educational outcomes in communities where six in ten individuals are living in poverty, we echo the previous testimony and support S.B. 432.

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

The Nevada Association of School Superintendents supports S.B. 432. One group of children we do not talk about enough is our Native-American students. We are pleased this population of students is included in the Victory School pilot program.

Ms. Ferrato:

The Nevada Association of School Boards supports S.B. 432. We appreciate the flexibility within the bill to implement this program.

Samuel McMullen (Las Vegas Global Economic Alliance):

The Las Vegas Global Economic Alliance supports S.B. 432. Economic development brings jobs into Nevada. This bill sends a clear message that those jobs are open to all Nevada children.

Adam Johnson (Chair, Education Committee, Clark County Black Caucus):

The Clark County Black Caucus requests the Committee's full support of S.B. 432. We have already determined the need. The Victory schools are a critical opportunity for the State to provide targeted resources and instruction to our children growing up in poverty. The Black Caucus is excited to support this bill. This bill is a great first step to ensure the schools have the autonomy and funding necessary to create learning environments specific to their communities.

Marsha Irvin (Clark County Black Caucus):

I am excited to support S.B. 432. This bill addresses a critical need in our students. I echo the previously provided testimony. I have some suggestions for consideration that I think would improve the implementation of Victory schools. There should be an ability to reassign staff. To move these schools forward, there needs to be a cohesive team that shares a vision for the school. The second suggestion is to designate a teacher-leader at each one of these schools who would work alongside the principal and the community.

At the district level, having the schools in one zone with one supervisor will give these schools the intensive supervision and support needed to make achievement gains in an accelerated time frame. Many of these schools have high turnover in teachers. Teachers and schools invest in professional development, and many times teachers leave at the end of the year. It would be good if these teachers had to stay at these schools for a minimum of 3 years. If a teacher wanted to move earlier, there would be a waiver process in place. It is important that investments in professional development go to benefit the children by making sure the teachers are there implementing what they have learned.

William High (Clark County Black Caucus):

I request you support S.B. 432. Every child deserves an opportunity to excel at his or her highest potential academic level.

Justin Harrison (Las Vegas Metro Chamber of Commerce):

The Las Vegas Metro Chamber of Commerce supports S.B. 432 and the implementation of Victory schools as well as the funding needed for that implementation. My colleague from the Reno Sparks Chamber of Commerce could not be here this evening, but The Chamber also supports S.B. 432.

Mr. Augspurger:

The CCASA supports S.B. 432 and encourages its passage.

April Tatro-Medlin:

I oppose S.B. 432. It is a plan to place hundreds of impoverished students into Victory Schools and would segregate our schools by race and begin a new classification system, the haves and the have-nots. It is these impoverished students who receive higher funding per student, and Nevada recently passed a law that the funding follows the student.

This bill is about impoverished families. Yes, you removed the prevailing wage provision for school construction. The schools belong to the people. The children belong to the families. The funds for this program are provided by the taxpayers. If these funds are to be used to create jobs, community gardens and teaching children to be self-sufficient, they will be better spent. I do not want the government to be involved in our private lives. Our schools should be teaching the basics. If the state of the family was addressed, our schools would

benefit. It is not schools that we fix to help the family; it is the strength of the family that will fix our schools. If families were not stressed about money and could feed their children, children would come to school better prepared to learn. The main purpose of this bill is to provide services. Fix the families and schools will be fixed. I am opposed to S.B. 432.

Victoria Carreón (Director of Education Policy, Guinn Center for Policy Priorities):
The Guinn Center for Policy Priorities is testifying neutral on S.B. 432. I will now read from my written testimony ([Exhibit L](#)).

Janet Murphy (Deputy Chief, Budget Division, Department of Administration):
I am here to note there is a change in the amount of money in section 2 of S.B. 432. For fiscal year 2015-16, the Governor's Executive Budget includes \$24.850 million. We can work with this Committee on a budget amendment or the Senate Committee on Finance.

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Chair Harris:

I now close the hearing on S.B. 432. There being no further comment or business before the Committee, the meeting is adjourned at 7:32 p.m.

RESPECTFULLY SUBMITTED:

Beth Ann Reykers,
Committee Secretary

APPROVED BY:

Senator Becky Harris, Chair

DATE: _____

| EXHIBIT SUMMARY | | | | |
|-----------------|---------|----|---------------------|-----------------------|
| Bill | Exhibit | | Witness or Agency | Description |
| | A | 2 | | Agenda |
| | B | 9 | | Attendance Roster |
| S.B. 178 | C | 12 | Todd Butterworth | Work session Document |
| S.B. 208 | D | 5 | Todd Butterworth | Work session Document |
| S.B. 418 | E | 3 | Todd Butterworth | Work session Document |
| S.B. 77 | F | 38 | Dr. Steven Canavero | Proposed Amendment |
| S.B. 77 | G | 1 | Dr. Steven Canavero | Handout |
| S.B. 77 | H | 7 | Dr. Steven Canavero | Handout |
| S.B. 226 | I | 1 | Vikki Courtney | Written Testimony |
| S.B. 226 | J | 2 | Brenda Pearson | Written Testimony |
| S.B. 226 | K | 1 | Stephanie Swain | Written Testimony |
| S.B. 432 | L | 2 | Victoria Carreón | Written Testimony |