

**MINUTES OF THE
SENATE COMMITTEE ON EDUCATION**

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

The Senate Committee on Education was called to order by Vice Chair Scott Hammond at 4:09 p.m. on Friday, April 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:

Kathleen Vokits, President elect, Nevada State Association of School Nurses
Deborah Pontius, Nevada State Association of School Nurses
Virginia Williamson
Sheila Story
Mary-Sarah Kinner, Las Vegas Sands
Leslie Pittman, American Federation for Children
Michael Chartier, The Friedman Foundation for Educational Choice
Jennifer Hammond, Advocates for Choice in Education of Nevada
Rebecca Franks, Advocates for Choice in Education of Nevada
Tiecha Ashcroft

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Andy Matthews, President, Nevada Policy Research Institute
Elissa Wahl, Nevada Homeschool Network; Vice Chair, State Public Charter School Authority
Natha Anderson, Nevada State Education Association
Scott Baez, Washoe County School District
Jessica Ferrato, Nevada Association of School Boards
Mary Pierczynski, Ed.D., Nevada Association of School Superintendents
Joyce Haldeman, Clark County School District
Andrew Diss, StudentsFirst
Dena Durish, Director of Educator Effectiveness and Family Engagement, Department of Education
Nancy E. Brune, Ph.D., Executive Director, Kenny Guinn Center for Policy Priorities
Seth Rau, Nevada Succeeds
Patrick Gavin, Director, State Public Charter School Authority
Justin Harrison, Las Vegas Metro Chamber of Commerce
Victor Wakefield, Teach for America-Las Vegas Valley; Nevada's Teacher Pipeline Consortium
Brian Myli, Ed.D., Vice President of Leadership and Innovation, Public Education Foundation
Sam McMullen, Las Vegas Global Economic Alliance
Michael Vannozzi, Las Vegas Global Economic Alliance
Vikki Courtney, Nevada State Education Association; Clark County Education Association
Bill Hanlon, Director, Southern Nevada Regional Professional Development Program
Lisa Noonan, Superintendent, Douglas County School District; President, Nevada Association of School Superintendents
Bob Dolezal, Superintendent, White Pine County School District
Kirsten Gleissner, Director, Northwest Regional Professional Development Program
Steve Canavero, Ph.D., Deputy Superintendent for Student Achievement, Department of Education
Blaine Spires, Silver State Charter Schools
Kathleen Conaboy, Chair, State Public Charter School Authority
Kendall Tenney, Beacon Academy of Nevada
Tambre Tondryk, Principal, Beacon Academy of Nevada
Kyle Konold, Executive Director, Delta Academy
Lauren Hulse, Charter School Association of Nevada

Melissa Mackedon

Senator Hammond:

I will open the meeting with Senate Bill (S.B.) 330. The March 31 Committee meeting was adjourned during the hearing on S.B. 330.

SENATE BILL 330: Revises provisions relating to education. (BDR 34-724)

Senator Mark Lipparelli (Senatorial District No. 6):

I have submitted Proposed Amendment 6040 to S.B. 330 ([Exhibit C](#)). Section 9 of the bill is a comprehensive revision and relates to school nurses and requirements relative to their training and hiring. The intention of the bill is not to diminish the ability of school districts to hire school nurses.

Kathleen Vokits (President Elect, Nevada State Association of School Nurses):

I have submitted written testimony ([Exhibit D](#)). The Nevada State Association of School Nurses opposes S.B. 330 and requests an amendment removing section 9.

Deborah Pontius (Nevada State Association of School Nurses):

I am the chief school nurse for Pershing County School District. I am both a State endorsed and nationally certified school nurse. I have submitted my written testimony ([Exhibit E](#)).

I oppose S.B. 330, section 9. *Nevada Administrative Code* (NAC) 391.305 clearly defines the requirements for endorsement of a school nurse. Would the adoption of S.B. 330 result in removing the requirement of a baccalaureate degree as entry into practice or remove the requirement to take a Praxis examination?

Unfortunately, school nursing is considered “nursing light.” Some believe it is a job nurses take on when they retire or want to find work that is not as difficult as working in a hospital. Nothing could be further from the truth. School nurses need to have more knowledge and skills because we work independently. I am the only school nurse in my district, the only one who speaks for medical and health conditions. I do not have a supervisor or a State school nurse consultant. Each one of us is required to interpret and apply laws ourselves.

School nursing is a public health subspecialty. In Nevada, there are two paths to registered nurse licensure, the associate's degree and the bachelor's degrees. A graduate of either program can sit for an examination; however, the programs prepare nursing differently. The bachelor of science in nursing (BSN) degree prepares a nurse for practice using critical thinking skills and independence. It includes content and leadership in public health nursing. The associate's degree does not include these components. These students learn to practice in a structured environment with clear practice parameters and immediate supervision. It does not prepare a nurse to practice in an isolated environment and as a peer with teachers. School nurses are required to speak education language and to explain how health problems interact with learning.

Many states require more than a BSN to practice as a school nurse. For example, Massachusetts requires the completion of a postgraduate school nurse education program. North Carolina requires all school nurses to pass the National Board for Certification of School Nurses examination.

It is a difficult and demanding job. Each county has a unique practice model; for example, Washoe County School District may have a school nurse who covers two or three schools and a clerk who administers basic first aid. I am the only school nurse for four schools and 700 students. My typical day includes clinic visits, accidents and illness evaluations. I review immunization records of new students; consult with principals regarding students' absences; document vision, hearing, height and weight records; consult with parents; provide insulin calculation and administration; discuss cardiopulmonary resuscitation with safety instructors and provide tube feeding for a special needs student. One of the most important duties of the school nurse is attending a student's Individualized Education Program plan meeting. My job is to describe the impact of students' health problems on learning.

I have been a nurse for 35 years and a school nurse for 15 years. The school nurse position is the most challenging, the most difficult and the most rewarding job I have had. The list of daily duties illustrates the importance of the requirements for endorsement outlined in NAC 391.305. They should not be weakened or altered. If this were the case, I would not object to removing the requirement for a Praxis examination. We suggest including exemption language for the Praxis. Exemptions are allowed for other professions such as speech and language pathologists.

Virginia Williamson:

I am opposed to S.B. 330 and have submitted written testimony ([Exhibit F](#)).

Sheila Story:

I am opposed to section 9 of S.B. 330. I am a school nurse at Carson High School and the chief nurse for the Carson City School District. I am president of the Nevada State Association of School Nurses. I have been a school nurse for 14 years, 4 years in the elementary setting and 10 years at Carson High School with a population of 2,100 students. I am the only registered nurse at the school. Our days are busy and our jobs are important. We help the school staff and administrators to ensure the academic success, health and safety of the students.

Chair Harris:

I will close the hearing on S.B. 330. I will open a work session on S.B. 227.

SENATE BILL 227: Creates the Silver State Opportunity Grant Program.
(BDR 34-216)

Todd Butterworth (Policy Analyst):

The Committee has received the work session document ([Exhibit G](#)).

A proposed amendment to S.B. 277 by the Nevada System of Higher Education (NSHE) is attached to the work session document, [Exhibit G](#). It proposes to require the Board of Regents to adopt regulations prescribing a process for students to meet the 15-credit requirement within a student's program of study.

Senator Woodhouse:

This bill incorporates findings from a study completed last year. Community colleges and the NSHE collaborated in the effort.

Senator Gustavson:

I have concerns about the funding and will not be supporting S.B. 227.

Mr. Butterworth:

The bill includes a \$5 million appropriation from the State General Fund. It also allows the program to receive gifts, grants and donations.

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SENATOR SEGERBLOM MOVED TO AMEND AND DO PASS AS AMENDED S.B. 227.

SENATOR WOODHOUSE SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR GUSTAVSON VOTED NO.)

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Chair Harris:

I will accept motions to rerefer S.B. 397 and S.B. 508 to the Senate Committee on Finance.

SENATE BILL 397: Revises provisions relating to the funding formula for K-12 public education. (BDR 34-563)

SENATE BILL 508: Provides for long-term modernization of the Nevada Plan. (BDR 34-1184)

SENATOR DENIS MOVED TO REREFER S.B. 397 TO THE SENATE COMMITTEE ON FINANCE.

SENATOR LIPPARELLI SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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Senator Denis:

There are fiscal and policy elements to S.B. 397. Will the Senate Committee on Finance decide on both?

Chair Harris:

Yes.

SENATOR LIPPARELLI MOVED TO REREFER S.B. 508 TO THE SENATE COMMITTEE ON FINANCE.

SENATOR DENIS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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Chair Harris:

It is my understanding the chair of the Senate Committee on Finance will request an exemption for both bills. We will open the hearing on S.B. 302.

SENATE BILL 302: Establishes a program by which a child enrolled in a licensed private school may receive a grant of money in an amount equal to a certain percentage of the per-pupil amount apportioned to the resident school district of the child. (BDR 34-567)

Senator Scott Hammond (Senatorial District No. 18):

I have long been an advocate for parental involvement in schools. The ultimate expression of parental involvement is when parents choose their children's school. According the Education Commission of the States, private school options continue to gain traction in state houses across the County. More than 20 states offer programs empowering parents to choose educational placement that best meets their children's unique needs. School choice programs provide greater educational opportunities by enhancing competition in the public education system. They also give low-income families a chance to transfer their children to private schools that meet their needs. This option is currently available only to those who can afford private school tuition. Such an inherently discriminatory system only serves to reinforce Nevada's demographic performance gaps. A report from the nonpartisan Center on Education Policy outlined the following conclusions from research studies about school choice programs: students offered school choice programs graduate from high school at a higher rate than their public school counterparts and parents are more satisfied with their child's school. In some jurisdictions with school choice options, public schools demonstrated gains in student achievement because of competition.

Senate Bill 302 authorizes the parent of a child to enter into an agreement to enroll the child in a private school and receive a grant of 90 percent of the local and basic support per pupil as provided in the Nevada Plan. The remaining 10 percent of funding for each student will remain with their home school district. As drafted, the bill requires this agreement to remain with the Department of Education (NDE). I have submitted a proposed amendment

([Exhibit H](#)) to provide for the parent to enter an agreement with the Department of Taxation instead. Each agreement is valid for 1 school year and may be reinstated in a future year at the request of the parent. Grant funds for each child must be deposited to an education savings account, opened by a parent on behalf of the child. The department may deduct up to 3 percent from the grant to cover administrative costs. The department is required to qualify one or more private financial management firms to manage the educational savings accounts and to establish reasonable fees for those accounts. Grant funds may only be used for specific education expenses outlined in the bill. These expenses include tuition, books, accredited tutoring, online courses, examination fees or to fund a college savings account or pre-paid tuition.

In order to participate in the program, private schools must meet certain requirements and maintain ongoing compliance. The department will publish a list of those schools. Students who participate must take national norm-referenced tests in mathematics and English, and the results will be shared with the department. The resulting reports will be aggregated and available for review.

With private school grants widely available, we would expect more private schools to emerge in response to increased demand for private education. This would provide relief to overcrowded public schools, benefiting teachers and students. Private school grants would introduce a dynamic kindergarten through Grade 12 education long available in higher education competition across schools. With parents able to choose their children's schools there would no longer be a guaranteed captive market for school services. Schools would be motivated to maintain high quality teaching and to be more responsive to the needs of students and their parents.

Another benefit of a grant system is that controversial issues can be addressed in the marketplace rather than through public policy. If parents are opposed to state testing, they can choose a school that shares this value. If parents value diversity and progressive thought, they can find such a school. The testing imposed by the No Child Left Behind Act of 2001 was intended to serve an important purpose, to hold our schools accountable. With school choice, accountability becomes implied and efficient; it is built into the system. If the school does not meet the needs and demands of its customers, their ability to choose another school will provide immediate and tangible accountability. In this case, I am decidedly pro-choice.

Some argue this grant program is unconstitutional. Article 11 of the Nevada Constitution states no public fund of any kind or character, state, county or municipal, shall be used for sectarian purposes. Senate Bill 302, in providing school choice and establishing an education savings account grant program is consistent with this provision. This bill will provide families with financial assistance for the purpose of education. It does not benefit or provide funding to private institutions, sectarian or otherwise. Under this program, no dollar is predestined for any particular institution. Rather, parents have the choice to spend their education dollars in keeping with their values. This bill does not require students to enroll in a private school or in a sectarian private school.

An analogy for comparison is state Medicaid expenditures. Under Medicaid, state funds pay for medical services regardless of religious affiliation. The same is true for grants provided under S.B. 302. Grants are used to purchase educational goods and services and provide an education uniquely tailored to meet students' educational needs.

Some argue our public schools will suffer because they fear funds will be siphoned away. This view is misguided for a number of reasons. School choice programs have been in place for more than 25 years, and yet, public schools continue to function. Many public schools have improved. Under this bill, the local school district will continue to receive a 10 percent-per-pupil allocation even though the student is no longer in attendance. The schools in Clark County School District (CCSD) have too many students and too few teachers. It makes sense to expand the education marketplace to address this pressing and growing capacity problem. The teaching profession is in a precipitous decline specifically because of the state of public education. In 3 years between 2009 and 2012, enrollment in Nevada's teacher colleges was down 26 percent. California enrollment has declined by 41 percent. A significant number of Nevada's teachers are nearing retirement age. The private education marketplace can offer employment options that keep teachers in the profession longer and attract new talent to the field. Finally, to the extent they are performing well, our public schools will thrive. Teachers will provide the community with a valuable service and schools will be a success, whether public or private.

I am submitting Proposed Amendment 6121, [Exhibit H](#). Section 3 outlines the institutions eligible for higher education spending from remaining funds in

students' education savings accounts. I propose to strike "nonsectarian" from section 3.5, subsection 2.

Senator Segerblom:

How is does this plan differ from vouchers? Are there any restrictions on the type of schools students can attend?

Senator Hammond:

The major difference is the funding mechanism. Funds are deposited into education savings accounts. The accounts are used by the parents to enroll their children in schools. There are no restrictions on the type of eligible schools or delivery system.

Senator Gustavson:

How are the funds distributed to and spent by parents?

Senator Hammond:

The parent requests an educational savings account. The Department of Taxation would work with a financial institution to establish an interest-bearing account and issue a debit card. Taxation would track and account for expenses. The parent would be provided with an approved list of schools, institutions and delivery systems.

Senator Gustavson:

Could a debit card be programmed to restrict purchases to approved purposes?

Senator Hammond:

Yes, other presenters can provide more detail. Accountability is key to the program.

Senator Denis:

Would homeschool parents be eligible to receive these funds?

Senator Hammond:

The amendment addresses this issue. Some parents who homeschool are not interested in accepting state funding because of the requirements, although they are eligible.

Senator Denis:

The Department of Taxation will issue a list of eligible schools. Is this correct?

Senator Hammond:

Yes, we expect to compile a list of approved providers. Providers will be required to meet specific standards.

Senator Denis:

Where is the accountability related to educational performance? How will we know funds are spent effectively?

Senator Hammond:

Students will be required to test and meet proficiency levels. Graduation rates will be tracked. Data will be collected and reported to the Department of Education.

Senator Denis:

I would want to be assured we could compare student performance.

Senator Hammond:

I would note, homeschool students are not required to take any examinations at this point. Students who take advantage of the option offered in S.B. 302 will be accountable to the parent. There will be testing and the results will be reported to the NDE.

Senator Denis:

Is this option available to parents of children who are currently in private schools?

Senator Hammond:

No, the proposed amendment would allow only students in public schools or students new to the State. Otherwise, all students are eligible.

Chair Harris:

Have you considered running the program through the State Treasurer's Office?

Senator Hammond:

We would be open to investigating this possibility. Returning to the proposed amendment, [Exhibit H](#), section 5 identifies “entity” as a private school licensed pursuant to chapter 394 of the *Nevada Revised Statutes*. The amended section would add “parent” to the eligible institutions, making homeschool students eligible for education savings accounts.

Chair Harris:

The original bill requires testing. If homeschooled students are not required to test, will that requirement change for those participating in education savings accounts.

Senator Hammond:

Proposed section 5 establishes a parent as an entity, an eligible institution. I propose to add subsection 10 to section 7, stating a parent choosing to participate cannot file a notice of intent to homeschool. However, every child participating in this plan is required to test.

Section 7 prescribes those who may not receive an educational savings account. Section 8, subsection 3, prescribes children will receive 90 percent of per pupil funding in the county in which the child resides, plus the amount of local funds allocated. Section 9, subsection 1, paragraph (k), adds a transportation allowance to be paid from the education savings account. I propose to add paragraph (l) to section 9, subsection 1 to allow purchases of curricula and other supplemental materials. Section 11 outlines those who may become a participating entity and gives the Department of Taxation the authority to approve or deny applications.

Senator Denis:

Is the family responsible to finance the difference between the amount of funds allocated and the cost of attending a particular school?

Senator Hammond:

Yes, the family is responsible. We have found private school tuition costs are reasonable.

Senator Denis:

I am concerned the program may result in discrimination. Not all students will be able to attend the schools of their choice if the costs are prohibitive.

Senator Hammond:

We are hearing a number of school choice bills this Session. The Opportunity Scholarship will assist low-income students who hope to attend private schools. If S.B. 302 is passed, private schools may have more funding available for needs-based scholarships.

Chair Harris:

Is there a requirement or incentive for private schools to participate? Are there protections against discrimination?

Senator Hammond:

All of the current laws and regulations regarding discrimination remain in place. We expect the program to be successful and schools will respond to students' needs.

Mary-Sarah Kinner (Las Vegas Sands):

The Las Vegas Sands supports S.B. 302. The bill will provide Nevada's students enrolled in failing schools with the opportunity to earn a high-quality education at the institute of their choice.

Leslie Pittman (American Federation for Children):

The American Federation for Children, a national school choice advocacy organization, supports S.B. 302. I have two questions. Does remaining grant money roll over each year when the education savings account agreement is renewed? Section 12, subsection 2, paragraph (a) provides for examination results to be aggregated according to income level, among other categories. My understanding is this program would not be means tested. How will information on income level be used?

Michael Chartier (The Friedman Foundation for Educational Choice):

The Friedman Foundation for Educational Choice supports S.B. 302. We have seen education savings accounts in Florida, Arizona and Mississippi. Sixteen other states, including Nevada, are considering legislation. One student who suffers from cerebral palsy was able to use funds from his account to build a diverse schedule of classes. Senate Bill 302 will support new and innovative education models and benefit parents and students.

Jennifer Hammond (Advocates for Choice in Education of Nevada):

I have four children who either have graduated from public schools or are currently enrolled. My son, in third grade, could not read. School administrators acknowledged he was struggling but that he was "doing all right." I disagreed and demanded he be tested for a learning disability. I was told his scores did not qualify him as learning disabled, but his IQ score was very low and he was doing the best he could. I was informed my son was not college material and I should accept his limitations. I did not accept their findings. When I had my son tested by an independent learning disability testing center in another state, they found his IQ score to be high, but he was also dyslexic. The public school system failed my son.

I had to fight for accommodations and a 504 plan for every year he was in school. He did not ever receive the full range of assistance he needed and to which he was legally entitled. In his senior year of high school, he received no accommodations. We paid for private tutors who specialized in dyslexia, and I read his textbooks to him. We bought books in audio format to assist with his studies. When he earned his high school diploma, I felt I had graduated, too.

How many other children have been failed by the system? I am concerned about other parents who do not have the resources to advocate for their children who have special needs.

Education savings accounts would benefit all students. I have another son. He taught himself to read when he was 4 years old and found school to be boring. He had a photographic memory, never needed to study and easily passed his classes. For him, school was tedious; however, the advanced placement classes were interesting and challenging for him. He consistently tested at the highest levels on advanced placement examinations, but his grades were below average because he did not complete the homework. He reasoned he did not need to complete the studies when he was able to pass the tests easily. You may not agree with my son's educational philosophy, but may understand the importance of allowing for alternative paths to education.

The school districts did the best they could for both of my sons, but administrators cannot understand the needs and learning styles of each of the thousands of students in their care. Education savings accounts will help students who need flexibility in their curricula and curricula delivery systems. Education savings accounts will also help students who do not use them. The

schools will retain 10 percent of the per pupil funding for students who leave the school district. Parents and students will benefit from S.B. 302 and education savings accounts.

Rebecca Franks (Advocates for Choice in Education in Nevada):

I am the mother of five and grandmother of nine children. I have submitted written testimony ([Exhibit I](#)), and I support S.B. 302.

Tiecha Ashcroft:

My four children have attended school in the Clark County School District. My daughter was having difficulty in school, and because we could not afford a private school, we decided to homeschool all of our children. I suggest removing homeschool students from the provisions of S.B. 302. Homeschool parents are concerned they will eventually be required to submit to standardized testing if they receive public funds. We are also concerned about the provisions allowing for data collection, and ask for language assuring there will be no personally identifiable information in the resulting reports.

Public school is not a good fit for everyone. Parents know their children best and need to be able to choose the best educational direction for them. An education savings account would provide this opportunity, even when a private school costs more than the allotted funds.

Andy Matthews (President, Nevada Policy Research Institute):

The Nevada Policy Research Institute supports S.B. 302. The need to improve Nevada's education system has been discussed at great length and over many years. There is a strong bipartisan consensus about the public education system's shortcomings. The primary reason the conversation continues decades after it began is that we continue to take the same approach to addressing the problems. The approach has been to increase education spending without implementing structural reforms to the system. Since 1960, Nevada has nearly tripled public education spending on a per pupil, inflation-adjusted basis in the hope the increase in resources would improve student achievement. We continue to grapple with the problem of an underperforming school system today, indicating a failure of this strategy. Nevada's children and parents deserve better.

Senate Bill 302 offers an alternative. Education savings accounts provide much needed accountability to our education system by empowering parents who opt

into the program to choose the school or school type best suited for their children. This means schools will have a powerful incentive to deliver high-quality education because their failure to do so would lead to parents taking their tuition dollars elsewhere. Likewise, high-performing schools would see more students coming through their doors. The schools' successes would be rewarded and more students would receive the quality education they deserve. This concept is one we take for granted throughout all of civilized society. We freely choose where we shop, where we eat and where we stay when we go on vacation. We expect and receive high-quality goods and services through this process because producers know the only way to stay in business is to satisfy their customers. These dynamics have been lacking in the education system and the results have been tragic for generations of Nevada's youth. This bill would bring the dynamics of competition and accountability to the system. The statistics on similar programs across the Country and common sense tell us our students would benefit.

Elissa Wahl (Nevada Homeschool Network):

I did not expect the provision allowing homeschool parents to participate in the education savings account. Our concern is public perception. Many parents of children who are enrolled in online schools consider themselves homeschoolers, but they are not. The online schools are paid tuition for each child in attendance.

We cannot support S.B. 302 until we have more information, but request additional language to clarify the homeschool system's position within the legislation.

Natha Anderson (Nevada State Education Association):

I have submitted a letter ([Exhibit J](#)). The Nevada State Education Association opposes S.B. 302.

Senator Gustavson:

Public schools would continue to receive 10 percent of per pupil funding, and there is potential for relieving overcrowding in the classroom. Would this be helpful?

Ms. Anderson:

Although we will retain 10 percent, we will be losing 90 percent. School districts are responsible for expenses not directly related to each student, including books, counselors, building maintenance and administrators.

Senator Lipparelli:

Beyond the financial concern, do you object parents making a decision about the best education system for their child?

Ms. Anderson:

We have other concerns. Ideally, parents should be working with school districts, teachers and staff to address students' concerns.

Senator Denis:

If all of the highest achieving students decide to go to a private school and students who need extra attention remain, what would be the impact on public schools?

Ms. Anderson:

It is a difficult question to answer. In my experience, we tried placing all of the advanced placement students in one class. We found we were not able to assist to all students and address their needs.

Senator Lipparelli:

If all students who need extra attention choose to go to a private school and the highest achieving students remain, what would be the impact on the school?

Ms. Anderson:

I will research and provide more information.

Scott Baez (Washoe County School District):

The Washoe County School District opposes S.B. 302. Students should be provided options in their paths to education. We provide a variety of programs offering specific topics and distinguishing themes focusing on engaged learning. We have district-sponsored charter schools, industry-aligned employment specialties, signature academies, school-within-a-school options, and adult and distance education options. We oppose diverting public funds and limited State resources to private educational institutions. These funds enable us to maintain and continue to improve our services for our students.

Jessica Ferrato (Nevada Association of School Boards):

The Nevada Association of School Boards opposes S.B. 302 for a number of reasons beyond the redirection of public money to private schools. In terms of the policy perspective, we are concerned about the potential for misuse of funds. Other states have reported instances of fraud. In Nevada, there are a large percentage of transient students. We question the ability to administer the program when many students change schools or leave the State during a given school year. While there is accountability in the bill, there are no standards for curricula. Lastly, students from lower-income families may choose to attend a private school, but not have needed transportation.

We are open to working with the sponsor in addressing these concerns.

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

The Nevada Association of School Superintendents opposes S.B. 302, but would be willing to work with the bill's sponsor and outline our concerns.

Joyce Haldeman (Clark County School District):

The CCSD has long opposed initiatives implementing school vouchers and opposes S.B. 302. The premise of the voucher system is that families want to leave public schools for private schools and a higher quality of education. However, nationally, 90 percent of students attend public schools. Our focus should be on fully funding and improving the public school system. Until Nevada public schools are fully funded at the national average, my school district remains firmly opposed to vouchers.

I can respond to Senator Denis' question regarding the impact on schools when high-achieving students leave for private schools. One of the factors to remember when discussing school vouchers is not all students are accepted to the private school of their choice. Schools may not have openings or the students may not meet admission standards. Unfortunately, parents sometimes turn to schools with less rigorous standards. There is a perception that private schools are superior to public schools, which is not always the case.

Senator Lipparelli:

If the goal is better outcomes and school districts have acknowledged the advantages of more educational options, why oppose S.B. 302?

Ms. Haldeman:

Public education is underfunded. Legislation such as S.B. 302 siphons dollars from the public system and focuses funding on a select few. The CCSD offers options for students who choose to attend charter schools or to be homeschooled. Additionally, the CCSD offers opportunities for these students to participate in public school functions, classes and athletics even in the absence of per pupil funding. The object and the goal of public schools are to ensure a quality education for all students.

Senator Lipparelli:

Your concern about funding is understandable. I am concerned because public schools are the only option for delivering alternative education paths. I am encouraged because we are moving in a good direction.

Senator Denis:

If S.B. 302 were enacted, would choices in the public school system be diminished?

Ms. Haldeman:

Students choose our schools because of the high quality of education offered. Many students apply for admission to our career and technical academies before applying to private schools. We are not concerned about our ability to offer choices in our district. The issue is funding. Without resources, we cannot expect to expand our ventures.

Senator Gustavson:

The CCSD does offer many choices. However, I speak to Nevadans who express frustration about the quality of education and outcomes from the public school system. They ask for private school options.

Andrew Diss (StudentsFirst):

We are neutral to S.B. 302. We support the overall concept of the bill. The option should apply only to students who are unable to leave persistently underperforming schools and to students from low-income families.

Senator Hammond:

I am committed to working with all concerned, and will respond to some of the questions raised. Education savings accounts differ from school vouchers in that they allow a roll over provision. We may need to correct language in S.B. 302 to

make the distinction more clear. The issue of students leaving the State during the school year needs to be addressed. Norm-referenced testing allows parents to understand students' grade level placements.

I have been contacted by groups who are interested in opening private schools focusing on students in the minority population. Competition in education is healthy. Many of the changes and choice options in the public school system have been the result of the expansion of charter schools, homeschools and private schools.

Regarding the question of fully funding public schools, we have examples of students who have had excellent education outcomes with only 90 percent of the per pupil funding.

Senate Bill 302 does not focus on public education. As a public educator, I believe in educating the child. This bill focuses in on the child and the child's needs. Understanding there are many methods to teach children effectively, I hope S.B. 302 addresses these methods.

Chair Harris:

I will close the hearing on S.B. 302 and open the hearing on S.B. 474.

SENATE BILL 474: Creates the Great Teaching and Leading Fund. (BDR 34-1183)

Dena Durish (Director of Educator Effectiveness and Family Engagement, Department of Education):

Senate Bill 474 is one piece of a comprehensive education package. The Department of Education has many core goals: reading proficiency by Grade 3, ensuring students enter high schools with skills for success and that they graduate career and college ready. Senate Bill 474 relates to all of these goals, ensuring effective educators are serving students at all levels. I began working in the professional development education field in 1997. Superintendent Dale Erquiaga recognized a need for focusing on the NDE staff, and created the Division of Educator Effectiveness and Family Engagement. The goal is to ensure educators' needs are met in training, licensure, professional development, evaluations and professional growth models.

The Public Education Foundation, in June 2014, found Nevada lacked a system necessary to evaluate objectively the effectiveness of professional development offerings from multiple sources. One of the recommendations is the creation of a system to effectively and objectively evaluate professional development across multiple providers in order to recognize effective systems and then advocate for those methods of development.

The Guinn Center for Policy Priorities and Nevada Succeeds studied literacy efforts and funding sources used across the State, through the local education agencies, the regional professional development centers and State and federal funding sources. They found professional development is an essential driver for improving literacy outcomes for Nevada's students. Many of the efforts are grounded in research-based best practices; however, these practices have not been implemented with fidelity, and outcomes for students remain unacceptably low. The analysis indicated there are several key barriers to providing quality professional development, including a lack of coordination of statewide efforts within school districts, lack of standards for training provided by all agencies, inconsistent implementation and quality of application, limited resource time and lack of effective evaluation mechanisms.

When we look at national research, we find that states that ensure accountability and monitor professional development have effective, comprehensive and cohesive plans. A study conducted by Learning Forward, a national organization, and the Stanford Center for Opportunity Policy in Education found when there is a true partnership in setting goals and priorities between the state agency and the school districts, local districts and regional professional development training programs, nonprofit programs, education associations and higher education partners, it allows for an infrastructure for professional development and provides fertile ground for best ideas and approaches to flourish and to rise to the top. State goals must be defined, focused and comprehensive, and linked closely with those carrying them out.

Senate Bill 474 will decrease the number of teacher vacancies and allow flexibility for innovative licensure programs. The State Board of Education will have a role in professional development priorities. The bill will address the Board's lack of a state level voice in a comprehensive, cohesive and focused statewide development plan.

I am responsible for overseeing the statewide equitable distribution plan. It is a federal reporting requirement ensuring highly qualified teachers and experienced veteran teachers are equitably distributed across our State's schools. This bill will support the distribution of quality teachers in our high-need schools, science, mathematics, engineering and technology programs and other shortage areas.

Senate Bill 474 will allow school districts and other providers the opportunity to prepare leaders who can effectively turn failing schools into successful ones.

Section 1 creates the Great Teaching and Leading Fund and outlines the distribution of grants. Section 1, subsection 5 delineates eligible grant applicants. Employee associations are included in this group. In related legislation, they are requesting authority to provide independent professional development programs through a memorandum of understanding with the school districts. This bill would support employee associations' efforts and allow them to expand their peer assistance and review programs. This section expands professional development opportunities to teacher candidates as well as current educators.

Section 1, subsection 6 outlines the competitive grant process. A committee reviews applications based on criteria and rubric, setting conditions and expected deliverables. The award grants funds to each entity prior to December 31 of each year. This date assists awardees in their planning process.

Section 1, subsection 9 outlines the priorities of the program. The description is intentionally broad to allow the Board discretion in decision-making. Section 1, subsection 10 addresses reporting requirements, especially in terms of program effectiveness. We can expect three levels of effectiveness in professional learning; did the educator learn what they needed to learn, did the educator effectively apply the lessons and did the educator become an instructional leader?

Section 1, subsection 11 provides for an external evaluation of the process. The superintendent of public instruction is required to consult with the Statewide Council for the Coordination of Regional Training Programs in determining the duties of the contractor conducting the external review.

Section 2 requires the Board to work with the governing bodies of the entities outlined in section 1, subsection 7 of S.B. 474. The term “common core state” is struck from section 2, subsection 1, paragraph (a), subparagraph (2) because common core only relates to language arts and mathematics. Changing the language clarifies the intent of applying professional training to all content areas.

Section 3 is transitory language. For the first fiscal year, funds would be allocated to grantees who could demonstrate progress in the areas of science standards, performance evaluations for teachers and administrators, recruitment, selection and retention, and leadership and training for school administrators.

This is a cohesive, comprehensive and thoughtful statewide system.

Senator Woodhouse:

I look forward to working with NDE to coordinate the various pieces of legislation related to education professional development.

Chair Harris:

Section 1, subsection 10 allows for self-reporting of program effectiveness. How was this determined? The independent, third-party analysis in section 1, subsection 11 is provided “to the extent money is available.” Can you explain?

Ms. Durish:

Regional professional development programs (RPDP) and school districts have structures in place for reporting program effectiveness in terms of improving educators’ content knowledge. We determined self-reporting encourages interaction and engagement between professional development providers and teachers. We would expect data, both qualitative and quantitative, to support their conclusions. External evaluations are expected to cost \$30,000. The NDE is committed to fiscal responsibility.

Nancy E. Brune, Ph.D. (Executive Director, Kenny Guinn Center for Policy Priorities):

The Kenny Guinn Center for Policy Priorities supports S.B. 474, and I have submitted testimony ([Exhibit K](#)).

Seth Rau (Nevada Succeeds):

I attended a meeting chaired by Douglas County School Superintendent Lisa Noonan focusing on the RPDP evaluation system. Nevada Succeeds has been working with the RPDP for several months, and we are optimistic a program evaluation plan will be developed. Senate Bill 474 addresses the shortage of teachers in our public school system by expanding the scope of the professional development funding. The bill allows the State Board of Education to coordinate professional development among relevant groups. It will incentivize job-embedded professional development, programs actually built into the structure of the school. The grant process will be transparent and will begin in September of the year before the fiscal year for which the grant is awarded. There will be a 6-month notice before funding is released, giving organizations and schools time to prepare.

We suggest a change to the language of the bill designating the State Board as the entity awarding the grants rather than the superintendent of public instruction. The NDE is an eligible grantee, and there is potential for a conflict of interest. Nevada Succeeds proposes several adjustments to S.B. 474. We suggest first adopting standards for quality professional development statewide, not only for the RPDPs, to ensure the NDE develops rigorous evaluations for all professional development and training programs; second, require an annual evaluation based on student achievement data for the preceding school year; third, develop teachers who are interested in teaching in Title I schools and underserved areas; fourth, support decisions weighted toward State education policy goals; and finally, provide the State Board of Education with final decision-making authority.

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

The State Public Charter School Authority supports S.B. 474. This initiative is essential to improving student outcomes statewide.

Justin Harrison (Las Vegas Metro Chamber of Commerce):

The Las Vegas Metro Chamber of Commerce supports S.B. 474. This is an important measure in the effort to recruit, develop and retain highly effective teachers and administrators.

Victor Wakefield (Teach for America–Las Vegas Valley; Nevada’s Teacher Pipeline Consortium):

Teach for America and Nevada’s Teacher Pipeline Consortium support S.B. 474, and I have submitted written testimony and a letter of support ([Exhibit L](#) and [Exhibit M](#)).

Brian Myli, Ed.D. (Vice President of Leadership and Innovation, Public Education Foundation):

The Public Education Foundation supports S.B. 474, and I have submitted written testimony ([Exhibit N](#)).

Sam McMullen (Las Vegas Global Economic Alliance):

The Las Vegas Global Economic Alliance supports S.B. 474. Surveys have demonstrated 35 percent of businesses have declined to locate in Nevada because of a lack of a trained workforce. Senate Bill 474 is one approach to improving our State’s ability to train teachers and improve education.

Ms. Haldeman:

The Clark County School District supports S.B. 474. We are proud to be part of the consortium working on the teacher pipeline issue over the past several months. Senate Bill 474 will provide an essential role in assisting school districts to ensure great teachers lead the classrooms and our schools.

Ms. Ferrato (Nevada Association of School Boards):

The Nevada Association of School Boards supports S.B. 474.

Michael Vannozzi (Las Vegas Global Economic Alliance):

From an economic development perspective, teachers represent our State’s largest skilled workforce. We are part of the consortium working to develop educator professional development and support S.B. 474.

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

The Nevada State Education Association and the Clark County Education Association support S.B. 474, and I have submitted written testimony ([Exhibit O](#)).

Bill Hanlon (Director, Southern Nevada Regional Professional Development Program):

The Southern Nevada Regional Professional Development Program opposes S.B. 474. Annually, the CCSD needs to hire approximately 2,000 teachers. We now have a shortage of 900 teachers and 300 long-term substitutes. There is a large population of first-year educators who do not have content knowledge, strategies or needed resources. Our organization also faces shortages. We have one elementary mathematics trainer for every 65 schools, one elementary reading trainer for every 32 schools. We are not able to guarantee our students a qualified teacher.

It is imperative for us to invest in providing content knowledge, in teaching strategies and resources to support the training. A successful professional development program is an ongoing process requiring observations in the classroom, instructional materials and recommendations and being available for model teaching.

Many costly programs have been developed, but developing a program does not necessarily deliver results. Students have the right to qualified teachers. Teachers have the right to be properly trained and provided with needed resources.

The RPDP offers classes to parents who want to be able to help their children learn. The advanced placement program offered by the RPDP has been successful. All teachers in Nevada now have advanced placement training at no cost to them. We have improved in terms of the number of students taking advanced placement classes and in terms of student scores. Our programs are effective because we have the flexibility to request resources from our governing board.

The Legislature has a role in education. The RPDP was created by the Legislature. Professional development focuses on academic content areas. We do not conduct training on bullying, multicultural studies or technology. We suggest our role be maintained with the current governance structure, allowing us to maintain program flexibility. We are concerned our budget may be stretched and our ability to meet our mission will be further reduced. Funding for professional development needs to be increased before endorsing new programs.

Lisa Noonan (Superintendent, Douglas County School District; President, Nevada Association of School Superintendents):

The Nevada Association of School Superintendents is neutral on S.B. 474. The Association is committed to ensuring teachers are supported with needed professional development. We are concerned about some of the logistical challenges. An unintended consequence may be the loss of trainers and continuity and quality. We hope to be included in discussions with the sponsor to improve the bill.

Bob Dolezal (Superintendent, White Pine County School District):

The White Pine County School District is neutral on S.B. 474. We appreciate the provision for accountability and independent oversight. However, rural school districts are concerned about the competitive nature of the grant funding. The Northeastern Nevada Professional Development Program does not have adequate grant development staffing. We are concerned the structure of the legislation will result in dividing our State's resources.

Senator Hammond:

I understand you to say you are satisfied with the current structure of the RPDPs and your district's relationship with them. Is this correct?

Mr. Dolezal:

Yes, in my experience, Nevada's RPDP structure is very effective and consistent.

Kirsten Gleissner (Director, Northwest Regional Professional Development Program):

My facilitators are concerned about the uncertainty of a grant-funded professional development system. We are concerned provisions of the bill will conflate professional development with other issues such as the teacher pipeline project and teacher recruitment, retention and evaluation. Teachers need to have a level of certainty their work will be reviewed fairly and that training they are receiving will not influence the process. We are working to develop a more effective and aligned evaluation system, but believe competitive grant funding may fragment and confuse this system. We encourage anyone who is interested to visit and review our program.

Ms. Durish:

A cohesive plan is meant to address statewide initiatives and allow for a wide range of providers. Any plan would be aligned with statewide goals to ensure teachers and leaders who are most in need of professional development are guaranteed opportunities.

Chair Harris:

I will close the hearing on S.B. 474.

Senator Hammond:

I will open the hearing on S.B. 460.

SENATE BILL 460: Revises provisions related to the statewide system of accountability for public schools. (BDR 34-1108)

Senator Becky Harris (Senatorial District No. 9):

Senate Bill 460 addresses an alternative school performance framework and can be considered a companion bill to S.B. 461, which proposes individual graduation plans. Many charter schools have expressed concerns about their charter contracts. The contracts may be automatically revoked as provided by statute. While I believe this automatic-closure provision is an important safeguard to ensure we have high quality charter schools in Nevada, it is evident this policy does not account for the big picture in all circumstances.

SENATE BILL 461: Provides for an individual graduation plan to allow certain pupils enrolled in a public high school to remain enrolled in high school for an additional period to work towards graduation. (BDR 34-1091)

Senator Harris:

The NDE and others are aware of the plight of schools serving at-risk children. In fact, this past year the NDE convened a work group to examine the issue and make policy recommendations. As I understand it, the work group has recommended the creation of an alternative framework to measure the performance of schools serving at-risk kids. However, it is limiting their definition of these schools to very specific entities. They are adjudicated youth schools, credit recovery schools, and behavior continuation schools. While I agree that all these schools should be considered at-risk, I believe the door should be opened for the inclusion of additional, but narrowly defined, public schools. For example, there are charter schools specifically targeting their

services to students who have washed out of the local school district. These are students who have dropped out, been expelled, been declared habitual disciplinary problems or others with similarly difficult situations. Reaching out to and embracing these kids is critical. It is tough; it is often unsuccessful, but it sometimes works. Moreover, when it does work, lives are changed.

The problem for these schools is that the Nevada School Performance Framework and the charter school automatic-closure provision do not recognize the circumstances of these students adequately. If a high school has a student population made up entirely of students who have washed out of the school district and if that high school is able to get a third of its students through to graduation, even if it takes an extra year or two, should we close that school, or should we celebrate its good work?

At the very least, the work should be given a further look, and the measuring stick we use to assess these schools should consider the larger circumstances of their students and missions.

Language on page 2, section 2 of S.B. 460 requires the State Board of Education to adopt regulations prescribing an alternative performance framework for the evaluation of schools serving certain populations, as well as the manner in which those schools will be included in the statewide accountability system. Section 3 requires a public school wishing to be rated under the alternative framework to work with the local school board, or the charter school sponsor, to apply to the State Board for approval. Section 3 also prescribes eligibility requirements for the applicant schools. In short, 75 percent of the school's students must fall into one of five at-risk categories.

It is important to note these categories do not include students we traditionally think of as at-risk, English Language Learners, special education students and those living in poverty. To be considered at-risk for the purpose of changing a school's performance framework, a student must have been expelled, formally deemed a habitual disciplinary problem, an adjudicated delinquent, held back at least twice or subject to other very serious issues.

Section 4 amends the automatic-closure provision. Currently, a charter school is automatically closed if it receives three consecutive annual ratings at the lowest possible level. Senate Bill 460 changes this to any 3 years during the 6-year term of a charter contract. However, the school's sponsor may take other

action if the school has shown ongoing improvement. These actions could include extending the period of evaluation, creating or continuing a plan for improvement, or changing terms of the charter contract. Section 4 also authorizes an underperforming charter school to request assistance from its sponsor and requires the sponsor to provide such assistance.

Section 5 is responsive to a recommendation made by the NDE work group on the alternative framework. Because of the implementation of new criterion-referenced tests this school year, it prohibits the NDE from considering a school's rating for the 2014-2015 school year only.

Rather than punish, we need to encourage schools that take on our most difficult-to-educate students. This will not happen as long as our school performance framework provides no consideration to schools drawing three-quarters of their student bodies from the ranks of those who could not be educated elsewhere.

Senator Denis:

How many schools would fit these criteria?

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

It would be difficult to provide a definite number, approximately 20 schools would immediately qualify, based on students' behavioral profiles.

Senator Harris:

We are in discussions with groups who have concerns about section 4 of S.B. 460, and we will hear from some of them today.

Dr. Canavero:

The NDE can create, through regulation if necessary, a flexible graduation rate requirement.

Senator Hammond:

One of the strengths of the American education system is the ability to give students many opportunities to succeed.

Blaine Spires (Silver State Charter Schools):

Silver State Charter Schools supports S.B. 460. It is an opportunity to support schools that serve at-risk and nontraditional students in an equitable manner. The current framework tries to evaluate schools equally, and this serves to raise the bar. Many of our students meet a different set of standards, and S.B. 460 allows for a different set of evaluations.

Senate Bill 461 and S.B. 509 address flexible graduation requirements, reconstituting governing bodies and holding school employees responsible for results rather than the students. We might consider including these concepts in this bill. Nothing is more important than setting goals for our schools. The school performance framework should consider students as individuals and not statistics.

SENATE BILL 509: Makes various changes to provisions governing charter schools. (BDR 34-1090)

Kathleen Conaboy (Chair, State Public Charter School Authority):

The State Public Charter School Authority will discuss S.B. 460 at a future meeting. Section 4 addresses automatic closure, and we would like to reframe the conversation. Assembly Bill No. 205 of the 77th Session also addressed performance-based chartering and automatic closure. The bill in its final form authorized automatic closure without authorizer discretion. As a member of the board, I spend many hours reading applications trying to understand the roles and responsibilities of the Charter School Authority. It is important that we meet our full statutory responsibilities. We make high-stakes decisions and need to have some discretion in the process. If we can all agree on the decision point in relation to automatic closure, whether it is 3 consecutive years or a rolling time period, charter school sponsors will benefit.

Nationally, other concepts are being developed. One entity known as restart charter schools replace the governing boards of failing schools and bring in new operators. This way, students can continue in the schools without disruption. We in Nevada can look at options in addition to automatic closure.

We will continue to work with the sponsor of S.B. 460 and many other interested parties in the charter school community and are confident we can come to consensus.

Mr. Gavin:

As a candidate for my current position, I was asked how to foster high-quality alternative education settings within the charter sector and how to measure them. It is an important topic, and I am encouraged by this legislation. I look forward to working with the sponsor in balancing innovation and customization with a high degree of accountability.

Senator Woodhouse:

I had an opportunity to observe an automatic-closure hearing. Several students spoke during the hearing. They had not been successful in the traditional school setting, but found their places in their charter schools and the ability to improve. These schools serve students who have been bullied, students who have children, students who have drug issues and students who need to work. These students need quality educations and their schools need to be supported.

Ms. Conaboy:

Assembly Bill No. 205 of the 77th Session provides for the governing board of a charter school to choose to define and set measurable metrics specific to their mission and the role they want to play in the lives of their students. Senate Bill 460 clarifies that if an applicant school is going to be an alternative school and will be evaluated with an alternative framework, a declaration should be made before the school opens. An authorizing board can better evaluate a school's performance when its mission is clearly defined.

Senator Hammond:

For the past 16 years, I have been teaching in a small public high school of approximate 85 students. We have a good reputation and attract many alternative students every year. With a small population, the dynamics and performance outcomes dramatically change with the addition of just a few struggling students. The alternative school performance framework in S.B. 460 would be helpful in fairly measuring our success.

Kendall Tenney (Beacon Academy of Nevada):

Beacon Academy supports S.B. 460. It is an important piece of legislation which addresses a flaw in the current system that dissuades some charter schools from enrolling and helping students who need them the most. These students, in many cases, have given up on finishing high school or going to college. Charter schools are their last, best hope. Graduating from high school in

4 years is not a realistic expectation, but graduating within some period and moving forward with their education is realistic.

Tambre Tondryk (Principal, Beacon Academy of Nevada):

Beacon Academy of Nevada supports S.B. 460 and I have submitted a letter ([Exhibit P](#)). Beacon Academy is an online charter school specializing in providing student support services to at-risk students and would benefit from an alternative performance framework. This year, more than half of our newly enrolled students were 1 or more years behind their age-based cohorts. Under the current Nevada performance framework, schools serving this population are at risk of being closed because they are often rated as low-performing. Many of our students cannot graduate within 4 years or perform at grade level on standardized tests. An alternative performance framework would greatly improve the situation because despite credit deficiencies and related at-risk factors, many students who attend Beacon do find success. For example, Beacon's salutatorian in 2013 had dropped out of school because she was pregnant, and when she enrolled at Beacon, she was 1 1/2 years behind. Her story is important and reflective of many of our students. Moving students from dropout to graduate is an accomplishment for the student and for the dedicated school staff.

Although we support S.B. 460, we are concerned about two items. Section 3, subsection 3 states at least 75 percent of the pupils must meet the established criteria for the school to be eligible for rating under the alternative accountability framework. Requiring this large percentage does not adequately balance the reality of schools helping struggling students while still meeting performance expectations. We hope the Committee will evaluate and establish a realistic threshold that considers student growth and achievement for the academically challenged.

We are also concerned with the revocation language in section 4, changing 3 consecutive years of underperformance by a charter school to any 3 years of the 6-year charter contract. Keeping the current criteria of 3 consecutive years allows the charter school and the sponsor ample time to identify and address deficiencies. Senate Bill 460 will have a positive impact on many young people and schools such as Beacon Academy that work hard to provide as many paths as possible for students to complete their journey to graduation day.

Kyle Konold (Executive Director, Delta Academy):

Delta Academy opened 8 years ago. Our students come to us because they were not successful in a traditional setting for any number of reasons. There are 84 percent of our students come to us credit deficient, 25 percent receive specialized services, 77 percent live in poverty and they are, on average, 3 1/2 school years behind their peers in reading and mathematics. We monitor performance five times each year and have seen growth. When students have so many disadvantages, improvement does not always mean they will perform well on standardized assessments. By current measures, our students may be failing, but they should be recognized for their progress.

Our school model has evolved from a traditional, 5-day-a-week, brick and mortar school to a multiple-option educational experience. We offer online courses and a partnership program with the College of Southern Nevada providing vocational training at no charge. We are committed to helping students succeed, though it may not mean earning a traditional 4-year diploma. We graduated only 6 percent of our students in 4 years, but 35 percent graduated in 5 years. There are many ways to measure success. Understanding our mission and our student body presents a more complete picture.

Ms. Haldeman:

The CCSD supports the alternative framework as a measure of schools serving our most at-risk students. Our staff has worked collaboratively with the NDE to develop the framework for the schools described in S.B. 460. We request some technical adjustments. For example, CCSD schools serving a large number of special education students are addressed in the framework, but they are not included in the bill. The bill requires sponsors of charter schools to provide technical assistance for the improvement of the school, but does not allow the sponsor to intervene in the operation of the school. Our hope is these issues will be addressed through either amendment or regulation.

For the past several years, we have sponsored a graduation program known as "Reclaim Your Future." We go to students' homes and encourage them to return to school so they can graduate. One of the messages we share with them is that it does not matter how long it takes. Obtaining the diploma is the goal. As a result, we have a growing population of students who are 18 to 21 years old who are attending as fifth-year students. Many times, students just need someone to give them hope. The courage demonstrated by students who are

working to overcome disadvantages is commendable. We fully support S.B. 460.

Dr. Pierczynski:

The Nevada Association of School Superintendents supports S.B. 460.

Ms. Ferrato:

Nevada Association of School Boards supports S.B. 460. We agree with Ms. Haldeman's recommendations.

Mr. Baez:

The Washoe County School District supports S.B. 460.

Ms. Courtney:

The Nevada State Education Association supports S.B. 460, and I have submitted written testimony ([Exhibit Q](#)). The bill has the potential to provide public school educators who work at behavioral schools the flexibility they need to show students obtainable academic goals to lead them out of difficult challenges.

Mr. Harrison:

The Las Vegas Metro Chamber of Commerce supports S.B. 460. This will more accurately allow for progress and results for schools serving at-risk and nontraditional students as well as underserved communities.

Lauren Hulse (Charter School Association of Nevada):

The Charter School Association of Nevada is neutral to S.B. 460. We are participating in discussions on section 4, and are optimistic adjustments will be made and standards will be maintained.

Melissa Mackedon:

I am neutral to S.B. 460. We must maintain excellence and high standards in charter schools. Chronically underperforming charter schools make it difficult to carry on the work of advocating for equitable funding and seeking outside funding from private foundations. Opponents of charter schools are quick to point out that many charter schools are failing. I support the concept of S.B. 460. Nevada needs an alternative performance framework to validate the challenging work these schools perform. I suggest we proceed with caution and cognizance of the autotomy for accountability concept.

Mr. Diss:

A great deal of time was invested in A. B. No. 205 of the 77th Session and the charter school accountability system. Senate Bill 460 is the logical extension of that effort. However, I have submitted a letter from the National Association of Charter School Authorizers outlining our concerns ([Exhibit R](#)). Schools serving at-risk populations should provide a mission statement so there is no ambiguity about which framework the schools will fall under.

Elissa Wahl (Vice Chair, State Public Charter School Authority):

The State Public Charter School Authority supports the concept of alternative performance framework, but do not support section 4, subsection 2 of S.B. 460. I have submitted written testimony ([Exhibit S](#)).

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Chair Harris:

There being no further comment or business before the Senate Education Committee, the meeting is adjourned at 8:11 p.m.

RESPECTFULLY SUBMITTED:

Jan Brase,
Committee Secretary

APPROVED BY:

Senator Becky Harris, Chair

DATE: _____

EXHIBIT SUMMARY				
Bill	Exhibit		Witness or Agency	Description
	A	2		Agenda
	B	7		Attendance Roster
S.B. 330	C	2	Senator Mark Lipparelli	Proposed Amendment 6040
S.B. 330	D	2	Kathleen Vokits Nevada State Association of School Nurses	Written Testimony
S.B. 330	E	1	Debbie Pontius	Written Testimony
S.B. 330	F	1	Virginia Williamson	Written Testimony
S.B. 227	G	2	Todd Butterworth Policy Analyst	Work Session Document
S.B. 302	H	13	Senator Scott Hammond	Proposed Amendment 6121
S.B. 302	I	1	Rebecca Franks	Written Testimony
S.B. 302	J	2	Natha Anderson Nevada State Education Association	Letter in opposition
S.B. 474	K	2	Nancy Brune Kenny Guinn Center for Policy Priorities	Written Testimony
S.B. 474	L	2	Victor Wakefield Teach for America – Las Vegas Valley; Nevada’s Teacher Pipeline Consortium	Written Testimony
S.B. 474	M	2	Victor Wakefield Teach for America – Las Vegas Valley; Nevada’s Teacher Pipeline Consortium	Letter
S.B. 474	N	1	Brian Myli Public Education Foundation	Written Testimony
S.B. 474	O	1	Vikki Courtney Nevada State Education Association; Clark County Education Association	Letter of support

EXHIBIT SUMMARY				
Bill	Exhibit		Witness or Agency	Description
S.B. 460	P	2	Tambre Tondryk Beacon Academy of Nevada	Letter of support
S.B. 460	Q	2	Vikki Courtney Nevada State Education Association; Clark County Education Association	Letter of support
S.B. 460	R	3	Andrew Diss	Letter of concern from National Association of Charter School Authorizers
S.B. 460	S	1	Elissa Wahl State Public Charter School Authority	Letter