

**MINUTES OF THE
SENATE COMMITTEE ON EDUCATION**

**Seventy-Eighth Session
April 14, 2015**

The Senate Committee on Education was called to order by Chair Becky Harris at 3:32 p.m. on Tuesday, April 14, 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 A. 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:

Steve Canavero, Ph.D., Deputy Superintendent for Student Achievement,
Department of Education
Paul Moradkhan, Las Vegas Metro Chamber of Commerce
Dena Durish, Director of Educator Effectiveness and Family Engagement,
Department of Education
Seth Rau, Nevada Succeeds
Scott Baez, Washoe County School District
Nicole Rourke, Clark County School District
Adam Johnson, Teach for America
Mary Pierczynski, Ed.D., Nevada Association of School Superintendents

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Jessica Ferrato, Nevada Association of School Boards
Patrick Gavin, Director, State Public Charter School Authority
Lauren Hulse, Executive Director, Charter School Association of Nevada
Barbara Jones
John Wagner, State Chairman, Independent American Party
Sheila Ward

Chair Harris:

I will open the hearing on Assembly Bill (A.B.) 30.

ASSEMBLY BILL 30 (1st Reprint): Revises provisions relating to plans to improve the achievement of pupils enrolled in public schools in this State. (BDR 34-312)

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

Each school is required to submit a School Performance Plan (SPP) annually. Assembly Bill 30 clarifies the content, recipients and time lines for the plans. Assembly Bill 30 requires the SPP to describe the manner in which remediation will be provided to students who do not pass their end-of-course exams. The bill was amended by the Assembly to require the SPP to include a description of strategies which will improve the literacy skills of pupils and efforts to improve the development of English language skills and academic achievement of pupils who are limited English proficient.

Section 2 of A.B. 30 describes the State Improvement Plan (SIP) prepared annually by the State Board of Education (SBE). The Plan describes the Department of Education's (NDE) strategy to improve the achievement of pupils enrolled in Nevada's public schools.

The last part of section 2 describes the use of the SPPs to develop the SIP. The SPPs will be submitted to the NDE and used during its planning process. The SBE, using the aggregate data from the SPPs, will make recommendations to the NDE as to how it can best support the needs of schools.

The SPPs are submitted by January 31 of each year. The SIP, prepared by the NDE, will be submitted to the Governor, Legislative Committee on Education, Legislative Counsel Bureau and the Board of Regents of the Nevada System of Higher Education by March 31 of each year.

Senator Hammond:

Given the tight time line outlined and number of schools, how is the NDE able to review the plans?

Dr. Canavero:

We do not review the plans and approve them in any way. The NDE identifies common factors and challenges identified in the SIPs submitted by the schools. The information contained in the plans is used by SBE and the NDE to develop the SIP. The schools routinely submit these reports to the NDE. It is not a new requirement for the schools. Assembly Bill 27 clarifies how the NDE will use the information from the SIPs in its planning process.

ASSEMBLY BILL 27 (1st Reprint): Makes various changes regarding the licensure of educational personnel. (BDR 34-315)

Chair Harris:

Does the provision of the bill addressing the development of English-language skills pertain to all children, regardless of whether or not English is an additional language? There are children who struggle with the English language who do not fall within the traditional state or federal definition of an English Language Learner. Every child who struggles with English should be provided learning opportunities.

Dr. Canavero:

English Language Learners are specifically designated within the bill, but it is not limited to that one group of students. Your concern is more specifically addressed in A.B. 30, section 2, subsection 2, paragraph (d), subparagraph (2): "Improve the literacy skills of pupils."

Paul Moradkhan (Las Vegas Metro Chamber of Commerce):

The Las Vegas Metro Chamber of Commerce supports A.B. 30. We were in support when it was first heard in the Assembly because student achievement is important.

Chair Harris:

I will now close the hearing on A.B. 30 and open the hearing on A.B. 27.

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

Existing law permits non-United States citizens, or lawful citizens of the United States to be employed by a school district, under specific provisions, when there is a teacher shortage in predetermined areas. In order to employ teachers under the law, a school district must submit a request in writing to the superintendent of public instruction stating it was unable to fill a staff vacancy through traditional means. A description of the marketing and recruitment efforts, as well as statistical data about the candidate pool, must be included within the request. Information describing the in-state and out-of-state recruitment efforts must be described as well.

Assembly Bill 27 does two things: it broadens the definition of “shortage in predetermined areas” to “overall teacher shortage;” and affords governing boards of charter schools the same path to teacher licensure as school districts. While the NDE has worked with school districts in the past to issue licenses to non-United States citizens, charter schools have not had the same opportunity. Language added throughout A.B. 27 includes the governing body of a charter school.

Section 3 of A.B. 27 outlines the accountability process. There have been licenses previously issued under this statute, but no consistent procedure for accountability exists. The bill adds a requirement that a school district or governing body of a charter school shall notify the NDE within 5 days of termination of a teacher licensed under this statute.

Employment of the individual continues to be specific to the school district or charter school for which the license was granted. It is not transferrable.

Senator Lipparelli:

Section 1, subsection 2, paragraph (a) of A.B. 27 states, “... has demonstrated to the satisfaction of Superintendent of Public Instruction that ...”. What is done to demonstrate the satisfaction of need?

Ms. Durish:

The superintendent of a school district, or their designee, shall submit a letter to the superintendent of public instruction stating they were unable to fill a vacancy through traditional means. Information demonstrating marketing and recruitment efforts, as well as statistical information about the candidate pool,

is included in the correspondence. The school district must describe their recruitment efforts both in-state and out-of-state.

Senator Woodhouse:

This summer we discussed problems out-of-state teachers face pertaining to licensure. Will A.B. 27 address this issue?

Ms. Durish:

Some of those issues have already been resolved by the NDE. The process for licensing teachers from out of state has been streamlined and information published on our Website for easy access to out-of-state applicants.

Assembly Bill 27 does not address this issue; it pertains to non-United States citizens.

Senator Gustavson:

We understand there is a teacher shortage, especially in the Clark County School District (CCSD). This bill allows teachers to be hired who are noncitizens. How many typical candidates do we have coming from out of state? How many licenses have been issued? How many have been denied?

Ms. Durish:

I do not know the exact numbers, but I will provide them to the Committee. It is rare to deny a Nevada teaching license to a teacher if he or she holds a clear teaching credential in another state. Less than 5 percent of out-of-state applicants with valid teaching credentials from other states have been denied Nevada licensure.

The reasons for denying a Nevada license may include lack of field experience, student teaching or competency testing. In some cases, Nevada may have more stringent licensing requirements than other states. Nevada has very specific licensure requirements for school nurses and speech pathologists.

Senator Gustavson:

Do you know how many additional candidates A.B. 27 will produce? What subject matter expertise will they possess?

Ms. Durish:

My best estimate is 24 candidates annually. Upon receipt of the documentation of need and confirmation that an individual has been offered a contract from the local school district, the NDE reviews the applicant's documents for licensure.

The NDE has worked with the Chinese Embassy and Chinese ambassadors and other international programs to create teacher exchanges. These efforts are coordinated through the local school districts. The Washoe County School District (WCSD) employs some teachers from China and the CCSD employs some teachers from Spain; approximately 12 teachers in total.

While I think the districts would appreciate the ability to expand their recruitment efforts internationally, I would be surprised if these efforts resulted in a significant increase in applicants.

Chair Harris:

What type of license designation would an applicant receive? Is it specific to the situation because there are so many parameters for licensure?

Ms. Durish:

There are multiple types of teacher licenses issued by the NDE. An applicant for teacher licensure under this provision must have an offer of employment and be qualified to teach. The proof of qualification to teach could be a teaching endorsement, teaching certificate or teaching degree from the applicant's home country. This program is not a method to bring people into the Country who do not have teaching experience.

If a candidate meets the criteria of a job offer and is qualified to teach, he or she will be issued a "conditional" license. Conditions would be placed on the license pertaining to expiration of the license and location of employment, as well as any other provisions determined necessary by the NDE after examining the applicant's application package.

Chair Harris:

Should these individuals acquire United States citizenship, what happens to their teaching license?

Ms. Durish:

We have not had that occur. Any conditional requirements placed on the license pertaining to non-United States citizenship would be removed. Personnel currently licensed through this provision have stated they are in the Country for 3-5 years and intend to return to their country of origin upon completion of this time period. If an individual presents citizenship documents, their license can easily be converted to a traditional license.

Senator Denis:

Will A.B. 27 include students who have graduated school in the United States, such as the Deferred Action for Child Arrivals, (DACA) students?

Ms. Durish:

That is the NDE's understanding and one of the intents of A.B. 27. This will open employment for this group of students.

Senator Denis:

I see that as a positive outcome of the legislation. The DACA students have spent money on their education and Nevada has spent resources for their training. This would be a good return on our investment.

Seth Rau (Nevada Succeeds):

Nevada Succeeds supports A.B. 27. Nevada has 800 teacher vacancies at this time. Expansion of the recruitment pool will help the system and benefit our State.

We have participated in the Nevada Consortium on the Teacher Pipeline (NCTP) along with the CCSD and 40 other community partners. This bill is one of the priorities endorsed by the group.

Scott Baez (Washoe County School District):

The WCSD supports A.B. 27. The WCSD has about 100 teacher vacancies. We endorse any program that will expand the pool of qualified applicants for licensure.

Nicole Rourke (Clark County School District):

The CCSD is in the process of recruiting 2,600 teachers by May 26, 2015, for the next school year. We support A.B. 27 and any other bill coming forward that will provide additional qualified teachers and personnel in our classrooms.

Adam Johnson (Teach for America):

Teach for America's mission is to build a movement of leaders who work to ensure educational equity in Nevada and across the County. For 10 years, our teachers have worked as part of the Las Vegas community to ensure all students have equal access to a great education. Teach for America enthusiastically supports A.B. 27.

As an organization that recruits, selects and trains great teachers, it is fundamental to our work to have the broadest pipeline to recruit qualified teachers to join the work in Nevada. More than 40 individuals with DACA status became teachers in 2014 through Teach for America in ten regions across the United States. I am hopeful the Nevada Chapter will be next.

This Committee is well versed in the teacher shortage facing Nevada. The testimony you heard on the Great Teaching and Leading Fund and others underscore the magnitude of the challenge. Eight-hundred classroom vacancies exist in the State today.

In our work with the NCTP, it is clear solving this challenge will become harder before it becomes easier. Assembly Bill 27 increases the pipeline of great teachers available to the State. What is even more heart-wrenching is students who need our help the most, those in poverty, are being disproportionately impacted by our teacher shortage. Eighty percent of the 626 vacancies in the CCSD are in Title I schools. Even in Zoom schools, where Nevada has invested significantly to improve student outcomes, we still have at least one vacancy in every designated school.

Assembly Bill 27 has the potential to increase the diversity of our current teaching pool; meaning children will become more likely to have teachers in their lives who share their background. It will take higher education investment, school district investment, public and private resources, and policy shifts to ultimately solve this problem. Assembly 27 is a simple, foundational piece of the puzzle. If we want to realize the yield of the State's programmatic investments, we must first ensure we have enough of the most fundamental component; talented people in classrooms. Assembly Bill 27 widens the funnel of highly qualified, diverse teachers into our State.

Mr. Moradkhan:

Nevada's largest business association, the Las Vegas Metro Chamber of Commerce, supports A.B. 27.

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

The Nevada Association of School Superintendents supports A.B. 27. This bill will help the rural areas as well as the urban areas to recruit qualified teachers.

Jessica Ferrato (Nevada Association of School Boards):

The Nevada Association of School Boards supports A.B. 27. It will help address the teacher shortage in the State, especially in the rural districts. Anything we can do to recruit qualified teachers is something we support.

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

The State Public Charter School Authority supports A.B. 27. It will help bring quality teachers to our rural areas. As a sponsor of a school which has a Chinese immersion component, A.B. 27 could be an avenue for schools to diversify the recruitment pool of qualified applicants.

Lauren Hulse (Executive Director, Charter School Association of Nevada):

The Charter School Association of Nevada supports A.B. 27.

Barbara Jones:

I am opposed to A.B. 27 because foreign teachers are hurting the schools in this Country. There are nearly 200 schools in the United States owned by an Islamic Imam from Turkey. In Reno, we have a Turkish instructor. We have Chinese instructors. They come into the United States on H-1B visas. The program, "60 Minutes," highlighted some concerns regarding foreign teachers in schools, particularly in charter schools.

We have enough intelligent people in Nevada and this Country to fill the teacher vacancies that exist.

John Wagner (State Chairman, Independent American Party):

I am opposed to A.B. 27. I am disturbed by the provision that states, "who are not citizens or lawful permanent residents of the United States." Retired teachers should be allowed to serve as substitute teachers. I do not know how it would work if a retired teacher came from out of state. We should look into that possibility.

Provisions in A.B. 27 suggest the image of illegal workers. There are illegal people living in this Country. I am concerned a school district may hire an illegal person. If a person is not legally in the United States, that person should not be allowed to teach and should be deported.

Senator Hammond:

Assembly Bill 27 pertains to teachers coming to Nevada desiring to teach here legally. I know several American teachers who have gone to Japan to teach English and others who have gone abroad to teach. This happens quite often and is a cultural experience available to teachers.

We are asking teachers to come to Nevada legally to teach. They do everything legally, including obtaining a license to teach in the State.

Assembly Bill 27 contemplates allowing schools, public, charter and private, to decide who would be best to teach at a particular school.

Sheila Ward:

I am opposed to part of A.B. 27. We all agree we want qualified teachers, yet the word "qualified" has been taken out of the bill.

Chair Harris:

The bill requires the teacher to be qualified. The amendment to A.B. 27 moved the quality verbiage to a different section of the bill. The intent is to fill all teaching positions with qualified teachers. Any vacancy should be first filled by a qualified teacher with teaching experience rather than a substitute who has no teaching qualifications. The bill provides greater flexibility to schools trying to fill teacher vacancies.

Assembly Bill 27 contains standards and accountability provisions.

Senator Hammond:

Traditionally there has been a shortage of qualified mathematics and science teachers. Assembly Bill 27 provides a school district flexibility to look at their personnel and make the best staffing assignments possible.

Ms. Ward:

I agree with Ms. Jones' testimony. The H-1B visas are a way for undesirable people, perhaps with their own agenda or motives, to enter our Country to teach our children. It is a concern.

Ms. Rourke:

The CCSD "Good News Minute" today is: Gifted and Talented Education Specialist, Bill Gilluly and his GATE students at Vanderburg Elementary School were one of only five schools nationally to be invited to work with the National Aeronautics and Space Administration (NASA) scientists on the Mars Simulation Project. The classroom has become a minidesign studio where students can research various materials and offer ideas in response to design challenges posed by NASA. The students are looking at the work of roboticist Dennis Hong and his design for the robot called IMPASS. Students will eventually design and build models for NASA inventions.

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Chair Harris:

I now close the hearing on A.B. 27. There being no further comment or business before the Committee, the meeting is adjourned at 4:18 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	1		Agenda
	B	3		Attendance Roster