

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

**Seventy-Ninth Session  
April 26, 2017**

The Committee on Education was called to order by Chairman Tyrone Thompson at 3:19 p.m. on Wednesday, April 26, 2017, in Room 3142 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4406 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. Copies of the minutes, including the Agenda ([Exhibit A](#)), the Attendance Roster ([Exhibit B](#)), and other substantive exhibits, are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at [www.leg.state.nv.us/App/NELIS/REL/79th2017](http://www.leg.state.nv.us/App/NELIS/REL/79th2017).

**COMMITTEE MEMBERS PRESENT:**

Assemblyman Tyrone Thompson, Chairman  
Assemblywoman Amber Joiner, Vice Chair  
Assemblyman Elliot T. Anderson  
Assemblywoman Olivia Diaz  
Assemblyman Chris Edwards  
Assemblyman Edgar Flores  
Assemblyman Ozzie Fumo  
Assemblywoman Lisa Krasner  
Assemblyman William McCurdy II  
Assemblywoman Brittney Miller  
Assemblyman Keith Pickard  
Assemblywoman Heidi Swank  
Assemblywoman Jill Tolles  
Assemblywoman Melissa Woodbury

**COMMITTEE MEMBERS ABSENT:**

None

**GUEST LEGISLATORS PRESENT:**

Senator Yvanna D. Cancela, Senate District No. 10  
Senator James A. Settelmeyer, Senate District No. 17



**STAFF MEMBERS PRESENT:**

Amelie Welden, Committee Policy Analyst  
Karly O'Krent, Committee Counsel  
Sharon McCallen, Committee Secretary  
Trinity Thom, Committee Assistant

**OTHERS PRESENT:**

Matt Morris, Legislative Director, Office of the Governor  
Jennifer Zinth, Director, High School and STEM, Education Commission of the States, Denver, Colorado  
Crystal Abba, Vice Chancellor for Academic and Student Affairs, Nevada System of Higher Education  
Frank Woodbeck, Vice Chancellor, Workforce Development, Nevada System of Higher Education  
Stephen Silberkraus, Private Citizen, Henderson, Nevada  
Lindsay Anderson, Director, Government Affairs, Washoe County School District  
Chester O. Burton, President, Western Nevada College  
Michael Flores, Director of Communications and Government Affairs, College of Southern Nevada  
James McCoy, Associate Vice President, Academic Affairs, College of Southern Nevada  
Barbara L. Collins, Principal, College of Southern Nevada High School  
Isaiah Smith, Private Citizen, Las Vegas, Nevada  
Atalaya Strom, Private Citizen, Las Vegas, Nevada  
John A. Kinkella, Dean of Student Services, Western Nevada College  
Lupe Ramirez, Private Citizen, Carson City, Nevada  
Angela Ramirez, Private Citizen, Carson City, Nevada  
Jaklin Guyumjyan, Private Citizen, Las Vegas, Nevada  
David Gardner, Private Citizen, Las Vegas, Nevada  
J. Kyle Dalpe, Ph.D., Interim Dean, Technical Services, Truckee Meadows Community College  
James Campos, representing Nevada State College  
Nicole Rourke, Associate Superintendent, Community and Government Relations, Clark County School District  
Dalton Kaady, Private Citizen, Fallon, Nevada  
Rochelle Tisdale, Principal, Oasis Academy, Fallon, Nevada  
Pat Hickey, Executive Director, Charter School Association of Nevada  
Mary Pierczynski, representing Nevada Association of School Superintendents; and Nevada Association of School Administrators  
Carolyn Turner, representing Las Vegas Metro Chamber of Commerce  
Brian L. Mitchell, Director, Office of Science, Innovation and Technology, Office of the Governor  
Manny Lamarre, Director, Office of Workforce Innovation, Office of the Governor  
Jessica Ferrato, representing Nevada Association of School Boards

Cory Hunt, Deputy Director, Office of Economic Development, Office of the Governor  
Lucas Ingvaldstad, representing Nevada Builders Alliance  
Kent Jones, Principal, Fernley High School  
Steve Canavero, Ph.D., Superintendent of Public Instruction, Department of Education  
Nathan R. Ring, representing Laborers International Union Local No. 872, AFL-CIO; Operating Engineers Local 12; International Union of Painters and Allied Trades District Council 15; and International Union of Painters and Allied Trades District Council 16  
Rusty McAllister, Executive Secretary-Treasurer, Nevada State AFL-CIO  
Rob Benner, Business Representative, Building and Construction Trades Council of Northern Nevada, AFL-CIO  
Kerrie Kramer, representing Charter School Association of Nevada; and NAIOP-Northern Nevada  
Brett Barley, Deputy Superintendent for Student Achievement, Department of Education  
Chris Daly, Deputy Executive Director of Government Relations, Nevada State Education Association

**Chairman Thompson:**

[Roll was taken and Committee rules and protocol were reviewed.] We will start with Senate Bill 19 (1st Reprint).

**Senate Bill 19 (1st Reprint): Revises provisions relating to dual credit courses. (BDR 34-227)**

**Matt Morris, Legislative Director, Office of the Governor:**

I am here today to present Senate Bill 19 (1st Reprint), which is a bill expanding dual enrollment opportunities in Nevada. I am joined by Jennifer Zinth from the Education Commission of the States. She has flown here from Colorado to provide some policy expertise on dual enrollment opportunities. Vice Chancellor for Academic and Student Affairs at the Nevada System of Higher Education, Crystal Abba, is here as well.

I will briefly give you an overview of S.B. 19 (R1). It directly supports the Governor's workforce reform agenda for this legislative session as he described during his State of the State address when he articulated a vision for putting all Nevadans, regardless of age or circumstance, on a career pathway towards success. Along with Senate Bill 66, Senate Bill 516, some higher education capacity building investments that are included in the *Executive Budget*, and other measures, these proposals from the Governor constitute a comprehensive workforce reform strategy for Nevada. Given Nevada's economic growth and diversification over the last five years, dual enrollment, accelerated learning opportunities, internships, apprenticeships, and other advanced-placement programs are critical opportunities for Nevada's workforce reform. We face a skills gap in Nevada that is

becoming more chronic as more and more companies come to Nevada and relocate here. These measures are designed to increase the number of students who go on to college, are on a career pathway, and earn a postsecondary credential.

Nationally, dual-credit programs have been recognized as a proven strategy for increasing credential attainment and prompting college and career readiness. Research shows that students who complete even one dual-credit course are significantly less likely to need remedial education after high school and are more likely to continue pursuing a college degree or credential and finish on time.

The U.S. Department of Education, as well as a number of other states, has recently implemented policies expanding and enhancing dual enrollment opportunities. While dual enrollment is not new to Nevada—we have had dual enrollment laws on the books for some time—we have seen that some programs are working quite well in some areas of the state. We would like to replicate the success of those programs in all parts of the state and expand those opportunities for all of Nevada's students.

The bill begins with a preamble. It is a list of legislative findings that constitutes a declaration of the unique opportunities associated with dual enrollment, particularly for underserved students and traditionally underrepresented communities. It also makes a clear connection between dual enrollment programs and the Workforce Innovation and Opportunities Act (WIOA), which is a federal law that required the state to articulate a strategic, five-year plan for workforce development. We see a clear link between dual enrollment and the WIOA state plan that was submitted last year.

Section 1 of the bill involves the academic plan that is currently required in state law. The bill requires dual enrollment programs to be communicated to students and families, and requires a connection between the individual academic plan that is required under state law and dual enrollment. This closer connection serves to promote college and career readiness, and it enhances the communication that takes place between a student and a guidance counselor when they are formulating the student's academic plan.

Section 3 of the bill deals with an application for dual enrollment and remedial coursework. This section clearly states that any ninth- through twelfth-grader in Nevada may apply for a dual enrollment program. It requires that the application be made publicly accessible, which increases standardization and promotes higher levels of awareness, engagement, interest, and participation. Section 3 also provides that remedial coursework may be completed for dual credit, which promotes timely college completion and college and career readiness upon graduation.

Section 4 is the heart of this bill. It mandates that all school districts and charter schools enter into cooperative agreements with a postsecondary institution or institutions to provide dual enrollment opportunities for students. This section specifies important provisions of the

agreement related to eligibility, the number of credits offered, and cost, but it leaves other specific details to be worked out between the district or charter school and the institution in order to promote flexibility and encourage innovative approaches to offering dual enrollment.

Section 5 of the bill expands the type of institution that can participate in a dual enrollment program. This is a technical, housekeeping change from the original version of the bill. We inadvertently left out Nevada State College, which is the only state college. We wanted to ensure that they were included in the bill. It also specifies that no unreasonable limit may be placed on the number of credits that a high school student can earn by participating in a dual enrollment program. This is important not only because it promotes student achievement and competency-based advancement, but also it serves as an incentive for students to participate in the dual enrollment program.

You will hear from Western Nevada College about some of the results from their Jump Start College program, which are quite compelling. They will have somewhere close to 100 high school students this year who will graduate with an associate degree. We want to ensure there are no limits on the credits that a high school student can earn as a part of a dual enrollment program.

Section 6 deals with notification of dual enrollment opportunities. This is one of the barriers that S.B. 19 (R1) is intended to address. In fact, one of the most significant barriers that students face with programs like dual enrollment is that they simply do not know about them. Section 6 will require that districts and charter schools publicize dual enrollment opportunities along with other educational programs. It will require individual schools to take steps to ensure that this information is provided to students. This will also promote a higher level of engagement, interest, awareness, and participation.

Section 7 is a direct connection to workforce reform initiatives that are ongoing in the state. During the 2015 Special Session, the Workforce Innovations for a New Nevada Account was approved by this body [Assembly Bill 1 of the 29th Special Session.] As part of that program, a company that relocates to Nevada with specific training requirements can partner with a postsecondary institution to develop a curriculum that is tailored to their needs. In this bill, we are providing that if a high school student has enrolled in that program, the credits that they earn after successfully completing the program are stackable and transferable. They can take those credits and continue on in their education, whether it is towards a heating, ventilating, and air-conditioning certificate, an associate degree, or beyond. There are a few programs that are currently underway. I know the Office of Economic Development in the Office of the Governor is here to talk a bit about the Workforce Innovations for a New Nevada Account, career pathways, and how dual enrollment fits into that space.

**Jennifer Zinth, Director, High School and STEM, Education Commission of the States,  
Denver, Colorado:**

The Education Commission of the States is a nonprofit, nonpartisan policy organization. I work on issues across the spectrum of high school, including graduation requirements, assessments, dual enrollment, et cetera. Dual enrollment is the topic on which I do the most policy work because it has been an area of significant interest for many states over the last several years.

This interest by state policymakers is driven by research from the academic community as well as state data on dual enrollment outcomes. There is a significant body of research supporting that dually enrolled students are more likely than their peers who did not dually enroll to see a number of positive outcomes, including high school completion, postsecondary enrollment, and completion. I think it is noteworthy to say that these results bear out when we compare students with similar high school GPAs, test scores, demographic backgrounds, et cetera. When we compare similar students, those who choose dual enrollment are more likely to see these positive outcomes than their peers who decide not to dually enroll.

That said, we are seeing significant variation across the states in the numbers of high school students who are dually enrolled. Unfortunately, there is not a perfect national comparison state-by-state on dual enrollment data. The best comparison we have is federal data from the National Student Clearinghouse. There is a bar graph in this PowerPoint [page 3, ([Exhibit C](#))]. It shows people under the age of 18 who are enrolled in public two-year colleges in the fall of 2013. There are some states where we have more students in four-year colleges who are dually enrolled. In some states, perhaps students are enrolled in private or for-profit institutions. A small number of seniors may be 18 years old before they enroll as seniors. This is the best proxy we have for a 50-state comparison. As you can see on the right, Nevada is behind many other states when it comes to participation using this proxy for dual enrollment.

The Education Commission of the States has conducted an analysis that was published in February 2014 ([Exhibit D](#)). We found a correlation between states with certain key policy components. This analysis is available on our website if you search "dual enrollment." We found a correlation between states with certain policy components in place and the number of students who are dually enrolled in that state. It is beyond the number or percentage of high school students. These students are more likely to be diverse both geographically and demographically in these states.

It is worth noting that S.B. 19 (R1) would bring Nevada in closer alignment with several key policy components that are tied to student access to programs. I will go through each of the access components and briefly describe how S.B. 19 (R1) would bring Nevada's policies into alignment [page 5, ([Exhibit C](#))]. The first model policy component described here is that all eligible students are able to participate. This means there are no barriers imposed by the

high school or district or postsecondary institution that would limit an otherwise eligible student—a student who meets eligibility criteria—from being able to participate. This bill would address this component by requiring all school districts and charter schools to enter into partnership agreements to offer dual enrollment courses.

The next model policy component is on student eligibility requirements. The way it is framed, student eligibility requirements are based on a demonstration of ability to access college-level content. Unfortunately, in some states, there are other eligibility requirements that are layered on and have nothing to do with the student's ability to succeed in a college-level course. Some of these requirements may be related to getting a letter of recommendation from a school counselor, teacher, or other administrator. They may be related to high school GPA, test assessment scores, or student grade level. Some of these indicators may be more related to a student's disengagement from the high school environment than the student's ability to succeed in a college-level course.

Under S.B. 19 (R1), it simply says that a student who completes the application form must satisfy course prerequisites. They are taking some other potential barriers to participation or eligibility requirements that are not correlated with college readiness out of the mix.

The next access policy component here is that the caps on maximum courses that students may access via dual enrollment are not overly restrictive. As you just heard, under S.B. 19 (R1), the State Board of Education is prohibited from unreasonably limiting the number of courses that a student could enroll in or receive credit through a dual enrollment program.

Last, we suggest that all students and parents be annually provided with program information. Students cannot participate in programs that they do not know about. Under this bill, it would be required that dual enrollment courses be included in annual notifications that are provided to students and their parents.

We have also found that finance can be a significant barrier to program participation [page 6, ([Exhibit C](#))]. The last model policy component we will talk about is tuition. We encourage that the responsibility for tuition for dual enrollment not be passed on to students and their families. This bill makes clear that under the agreements between a school district or charter school and the postsecondary partner, they determine who is responsible for tuition. It sets forth alternatives to students paying tuition, including state funds, other sources of funding, funding from the school district or postsecondary partner, et cetera.

**Crystal Abba, Vice Chancellor for Academic and Student Affairs, Nevada System of Higher Education:**

We are in complete and enthusiastic support for S.B. 19 (R1). As the previous presenters indicated, there is strong national data that shows that students who go through dual enrollment programs are more likely to complete high school, less likely to be placed into remediation, more likely to continue on to college, and more likely to complete college.

I can share a bit of data from the high school graduating class from 2015 and the number of students who participated in a dual enrollment program. We could track them out for a short period of time to see what their continuation rate was. I cannot say how many have graduated yet, but I can tell you that 2,671 students participated in some form of dual enrollment.

Of those students, 123 of them graduated with an associate degree or certificate before they graduated from high school. Of those students that participated in a dual enrollment program, 69 percent of them continued on to a Nevada System of Higher Education (NSHE) institution. It is probably higher when you look at the overall continuation rate. Some of those students continued to an institution outside of the state or outside of NSHE. Compare that to the overall NSHE continuation rate, which is 49 percent.

You can see that dual enrollment participation significantly increases the likelihood that a student will continue.

In terms of remedial rates, the placement rate for these particular students that participated and continued was 33 percent. Our overall NSHE remedial placement rate is around 50 percent, so they were significantly less likely to enroll in a remedial course. Again, the data in Nevada is similar to the national data. As a result, we strongly support this measure that will encourage school districts, students, and parents to participate in a dual enrollment program. It will ultimately put them on a path to success.

**Assemblyman Elliot T. Anderson:**

I really like this idea in general. I like the idea of keeping kids motivated in high school and putting them on a path to succeed and get a credential or degree. I also see the way this could decrease the debt load for kids if we are getting them this coursework for free. The only thing I am wondering about with this is what guarantees of rigor we will have since we will be awarding post-high school credit. What guarantees do we have that the coursework will be rigorous enough to ensure that we are not giving people a way to get out of rigor later by doing it in high school?

**Matt Morris:**

I would say three things. One, there is a role for the State Board of Education in this dual enrollment expansion scheme. The application that is required to be made public by the district must be in compliance with any regulations that the State Board of Education adopts. The role of the Board is to ensure these programs are rigorous and high-quality. That goes back to the unreasonable limits on the credits that can be earned. The State Board of Education will have oversight on this process and the specifics of the application. Also, students do have to show that they have met the prerequisites in order to enroll in this course. Because the agreement is a cooperative agreement between the school districts or a charter school and a postsecondary institution, that agreement should provide for ensuring the student is ready to take the course. It will relate back to the academic plan developed between the students and the guidance counselor. You should not have a situation in which a student is not ready to enroll in these courses and is set up for failure.



The other thing I would say is that one of the important provisions of this bill is that if a student applies to participate in a dual-credit program, and the postsecondary institution determines that the student is not ready to take that course, that student can take a remedial course and still earn dual credit. If the student is not ready to take the courses in which the student is interested, they can participate in a course to get them up to speed.

**Assemblyman Elliot T. Anderson:**

I wondered if there was something we could put in the legislation. I was looking specifically at section 4, subsection 2. It establishes the minimum terms and requirements for a cooperative agreement. Is there a way that you could put in a provision to ensure there is comparable rigor?

**Crystal Abba:**

I think we can work on language like that, but you are getting to the heart of the issue that the Board of Regents of NSHE is concerned about. That is the issue of quality. How do we ensure, in a state where you have incredible pressure to graduate more students, that rigor exists? We have an annual presentation that goes to our board where our programs are reviewed. That review process includes external reviewers. One of the most critical components to the quality of a program is your instructors. We want to ensure our instructors are qualified to do so, so what dual enrollment programs do not do, in general, is use high school faculty to teach these courses. These courses are taught by our institutional faculty. It is one way for us to ensure the rigor of the program. In addition, there are implications for accreditation. We have a number of majors in place, including regular review of programs, and ensuring we are hiring instructional faculty that are qualified to teach these programs so that we can confidently say that we are maintaining a level of rigor that is appropriate.

**Assemblyman Elliot T. Anderson:**

I am glad to hear we are thinking about rigor. It would just add to my comfort level, and I think it is best practices, to ensure that we have some statutory requirement as a part of this to ensure that is the baseline for all the parties involved. If you could float some ideas, I would be grateful for that.

**Chairman Thompson:**

I know we are talking about tuition, but where is the transportation? I know we said that just getting the word out is a barrier, but we have to think about how transportation is a barrier. I do not see that in the bill. Could that be included in the cooperative agreements, or is that too far?

**Matt Morris:**

What we tried to do with the cooperative agreement mechanism is strike a balance between ensuring that the core provisions of an agreement to provide dual enrollment are covered without overly prescribing what the agreement must say. Transportation is absolutely a critical issue. Some other issues are liability insurance and where the course is

offered—must it be offered at the college campus? Can it be offered at the high school campus? Those are the types of issues that we would expect to be best negotiated by the school district and the postsecondary institution. One of the things that I mentioned at the outset was that there are phenomenal dual enrollment programs that you will hear from. We did not want to interfere with or impair the system that they had in place, so we worked with some of those stakeholders to ensure we are empowering them to do what they are doing well and leave room for new ideas and innovative solutions. We would expect that transportation could be covered by a cooperative agreement.

**Assemblyman Pickard:**

With respect to the chart in the PowerPoint presentation [page 3, ([Exhibit C](#))], Iowa is hitting it out of the park. What are they doing that our program does not capture? Is what is being proposed today going to get us into the same ball game, or are there other things they are doing that we should consider, possibly through separate legislation? What could we do to get that performance?

**Jennifer Zinth:**

Iowa's legislature has made a significant financial commitment to dual enrollment, which has driven participation. Iowa has two avenues for dual enrollment. One is called "postsecondary enrollment options" where the course is taken at the postsecondary campus—usually a community college campus. That is only maybe about 12 percent of Iowa's total dual enrollment population. The vast majority of high school students dually enrolled in Iowa are taking the course at the high school campus through what is called "concurrent enrollment." Under those agreements, the tuition is negotiated between the high school or school district and the postsecondary partner. The legislation provides an additional weight to the school district to contribute towards defraying those costs. It is 0.48 for a liberal arts and science course for the portion of the day that the student is enrolled in the course. It is a 0.7 weight for career and technical education (CTE) courses.

The most recent figures I have are from a few years ago, but that resulted in between \$20 million and \$22 million from the Legislature to provide those weights to school districts to help defray those costs. I think the financial piece is one of the bigger drivers towards Iowa's enrollment. That success is also due to broad communication to students and their families. There is an expectation that high schools and school districts make these courses available. They also have significant CTE dual enrollment through regional academies. That is something that S.B. 19 (R1) does not address.

**Assemblyman Pickard:**

I am a huge proponent of this. One of my children took as many concurrent enrollment and dual enrollment classes as were available and ended up having to take classes at the university to continue. He will enter college as a junior. Ultimately, the thing I want to focus on is ensuring we have a complete package. That is what got my attention with the Iowa numbers. It looks like they figured it out. If this does not contain all that we need, does this become an incomplete step to achieving the results we see in Iowa?

**Jennifer Zinth:**

There are several ways states are funding dual enrollment programs. Iowa is just one example. That data is from fall of 2013, and we have seen states make gains in dual enrollment participation. Iowa still is considered the national leader, but there are states such as Idaho, Colorado, Utah, et cetera, that have a significant percentage of high school students who are dually enrolled. In Colorado, the school district pays the tuition. In other states, there are other models. There is not one perfect model. Iowa had this participation for a number of years and there is broad communication to families. There is an expectation that school districts make available dual enrollment programs.

**Crystal Abba:**

Your point is incredibly well taken, Assemblyman Pickard. For students who come from low-income families, there will be sticker shock when they see the cost per credit of a course. There are two things you should be aware of. One, the federal government is in the process of conducting a pilot program where participating institutions can provide federal aid, including the Pell grant, to students while they are in high school. The University of Nevada, Reno (UNR) is participating in that, but I have to say it is on an incredibly limited basis—there are less than a dozen students enrolled in that pilot program. However, if that pilot program succeeds, it is possible that in future years, you will see the federal government allowing federal aid to support dual enrollment. It makes perfect sense given the statistics you just heard.

A second piece that you should be aware of is that the Board of Regents, in anticipation of this legislation, adopted a policy that authorizes the institutions to enter into agreements with the school districts to provide a discount for tuition under certain circumstances. Those are negotiations that can occur under section 4 of the bill when that agreement is written up between the institution and the participating school district or high school.

**Assemblyman Flores:**

I appreciate that last response because I was going to get into what is happening at the federal level that will help some of the students. I was also going to ask if we had language in the bill talking about offering online courses because of the transportation issue. Again, I get that you want to keep it flexible, but for kids in my district who do not have a vehicle, online courses and/or ensuring the courses are offered in the school would be amazing.

The only thing I do want to ask about is pertaining to students who are homeschooled. I do not know how that works. I do not know if a child being homeschooled now can go directly to a university or community college and try to do something with dual enrollment, or if we could add language so that they could take advantage of this as well. I do not know how they fall into this mechanism and if we are excluding them at all. Can you walk me through that?

**Matt Morris:**

I will do my best, but Dr. Canavero will come up at some point. He will be much more fluent when it comes to that specific question and others. My understanding would be that because we envision the cooperative agreement to be between a school district or charter school and a postsecondary institution, I would imagine that a homeschooled student in the school district would be able to apply and participate because it is at the district level. It is intentionally not set up to facilitate cooperative agreements between high schools and colleges, but the individual high schools do have a role in disseminating the information. You raised a good point about the extent to which a homeschooled student may access that information.

**Assemblywoman Tolles:**

Thank you for bringing us up to speed with the rest of the nation. This is such an important goal, and we have had a lot of conversations about workforce development throughout this Committee this session. Section 1, subsection 5 speaks to that academic plan for a pupil. It includes enrollment in dual credit courses. The plan must address how the dual credit course will enable the pupil to achieve postgraduate goals. Are we going to need ramp-up training for guidance counselors to become familiar with the courses that are available in the appropriate higher education institutions? How do we envision rolling that out?

**Matt Morris:**

This academic plan is a current statutory requirement. It is not something that S.B. 19 (R1) proposes to add. Dual enrollment is already included in that academic plan. Pursuant to current law, an academic plan can include dual enrollment, advanced placement, International Baccalaureate, et cetera. I would imagine that the guidance counselors who are developing those plans are fairly well-versed in what a dual credit opportunity would look like. What we hope is that this bill will directly lead to increased participation and expanded opportunities, particularly in the work-based space. We would hope that new types of coursework that are internship- or apprenticeship-based would now be considered for dual enrollment opportunities. That would require some additional training or at least for the guidance counselors to be more familiar with the new and expanded types of opportunities available.

**Assemblywoman Tolles:**

I also noticed that there is a fiscal note. I understand that it has been changed. Can you talk about that?

**Matt Morris:**

When the bill was drafted, the intent of the bill was to incentivize school districts to participate in and expand dual enrollment. The biggest barrier is cost. We intended to spell out that a cooperative agreement between the school district or charter school and the postsecondary institution would provide for how those costs were covered—tuition, textbooks, et cetera. It was not intended to be an unfunded mandate on the school district. As originally drafted, there were fiscal concerns. We have worked through those. I believe there are some representatives from some of the school districts who can speak to that.

To elaborate on what I am referring to, this is in section 4, subsection 2, paragraph (c). Dual enrollment is emerging nationally as a proven strategy. Under the Every Student Succeeds Act, there are new provisions that encourage dual enrollment. We are seeing the U.S. Department of Education explore pilot programs like the one offering Pell grants at UNR. On the other hand, there are potentially public-private partnerships that could cover costs. In addition to the potential federal dollars, state dollars, competitive grant dollars, et cetera, there are a lot of ways to do this. The original intent was not to mandate one specific method for covering the cost of tuition. We wanted to ensure that the parties had as much flexibility as possible.

I will give you an example. There is an idea behind some of the dual enrollment courses in Nevada that a student should have some skin in the game and should be responsible for some of the costs. That is what college is about, to an extent. That has merit. We would encourage programs to do what works for them. We want to make sure there is flexibility to the extent possible.

**Assemblyman Edwards:**

My question is about flexibility. It seems as though, if we do this right, we can have a multitude of programs serving a multitude of different students—some who want to continue to a four-year college, some who want a vocational training certificate, et cetera. I can envision where Nevada State College could provide the bus money to get to them. I could understand where the College of Southern Nevada (CSN) might want a shuttle. I can see where some of the rural communities could set up a satellite campus. I know that CSN runs by the rule that wherever 15 students are gathered, they will give a course. In light of that, it seems that there is flexibility within the schools we have. I am also wondering, what about vocational training and the trades? If, for example, the trades were willing to transport the kids to them to start that program, it seems as though you have that built into the flexibility. If there were an accounting firm or banking firm that wanted to provide training in banking and accounting, they might be able to send an instructor. The bottom line is that the ability to do these cooperative agreements opens the door wide to just about every possibility in order to meet as many needs as we can. Is that correct?

**Matt Morris:**

To go back to Assemblyman Elliot T. Anderson's original point about rigor and quality—yes, we want to encourage flexibility and innovation within the framework that these have to be established, credible, and accredited programs within NSHE. Yes, it does potentially open the door for new, work-based internships and apprenticeship programs. Certainly, the cooperative agreement is flexible enough to involve other stakeholders and private sector industries. That is a big part of what section 7 of the bill is related to. However, we do want to ensure that if the programs are not rigorous, if they are not accredited, then we are not doing the student any good because they are no more prepared for college than they were before. Within that framework, yes, it does expand the potential types of learning opportunities.

**Assemblyman Edwards:**

There is talk about the State Board of Education and NSHE approving the courses and curricula. What about the Department of Education? Especially in the rural communities, they might be more viable to approve a program and ensure it has rigor. Is that something we need to add into the bill?

**Crystal Abba:**

Let me step back a second and explain where some of the greatest benefits of this program come from. Some of it came from the comments that Assemblyman Elliot T. Anderson made, which is, one of the best things that students who are dually enrolled can do if they want a four-year degree is to get their general education requirements out of the way. The basics that we all know we have to take—English 101, English 102, History 101, History 102—are not a part of a formal training program. The students would have access to those courses so that when they come to a community college or university, they would not have to take those. If they took those courses at a community college and chose to initially matriculate to a university, there would be a cost savings there.

I think your point is well-taken that the sky is the limit in terms of what this allows for in the framework and the requirement for a cooperative agreement, but it does not prevent any type of agreement from occurring. You mentioned accounting firms. We will not have agreements with accounting firms because they are not school districts or charter schools, but if the high school says they have a bunch of kids that want to get accounting degrees, they may be able to establish a program where they can get initial exposure or an associate of science in accounting. It all depends on the situation and what the institution and school district wants. They will have that conversation.

I think part of the challenge Matt had in crafting the bill was recognizing the fact that we cannot anticipate every situation. That is why it is crafted as broadly as it is—to provide that flexibility. That flexibility is absolutely critical. I was in a dual enrollment program 40 years ago. These programs have been around for a long time. The difference is that the purpose of the bill is to create a mechanism so that it is more formalized and everyone has the opportunity.

**Assemblywoman Diaz:**

I am super excited that we are getting on board if this has been around for 40 years. I am happy that we are finally making this change that is much-needed in our communities. I think many of us have been able to vote for initiatives to advance the workforce in our state and ensure jobs coming to Nevada are also for Nevadans and that we are preparing the workforce here, and not expecting to import it from out of the state when those projects materialize.

While you were talking about this implementation, I could not help but think about Workforce Innovations for a New Nevada funds and CTE funds. I want to see how that funding overlaps or plays into the dual enrollment conversation. If anyone who comes to the table could talk about that, it would be helpful as we are crafting budgets and putting through policy to keep all the pieces in perspective.

**Matt Morris:**

I will try to articulate the different pieces of the jigsaw puzzle when it comes to workforce development investment dollars. Let me start with a quick comment. While dual enrollment has been around or on the books for a while, we have not updated the statute since 2007. A lot has changed. That is one of the driving factors behind the bill. In terms of your question regarding workforce investment funding streams—there are CTE dollars, which are federal and state. You mentioned the Workforce Innovations for a New Nevada funding, and I know a representative from the Office of Economic Development in the Office of the Governor is here to maybe speak to more of the specifics of that fund and what it is for. You have Perkins dollars, which are largely for apprenticeships. Again, you have Pell grants. Under the Workforce Innovation Opportunity Act, you have four different titles. There are displaced worker funds, there is vocational rehabilitation, and the Governor has reserve dollars that go through a workforce development board to local boards. I also know that the director of the Office of Workforce Innovation from the Office of the Governor is here. He can probably speak a bit better than I can about all of those funding streams.

To the extent that any of those dollars are set aside—at the federal or state level, in CTE programs, or through an apprenticeship program—for school districts or charter schools to cover the cost of tuition, the cooperative agreement should be flexible enough to allow the school districts to pursue those funds for dual enrollment.

**Chairman Thompson:**

Is there anyone wishing to testify in favor of the bill?

**Frank Woodbeck, Vice Chancellor, Workforce Development, Nevada System of Higher Education:**

We are here in support of S.B. 19 (R1). Dual enrollment is the future for many students throughout our state. Last year and in past years, several graduating seniors have earned a community college degree at the same time they earned their high school diploma. This legislation greatly enhances the prospect for hundreds of high school students taking advantage of dual enrollment opportunities, especially in conjunction with the academic plans formulated on their behalf.

This legislation will also ensure opportunity to several broader ranges of people representing underserved or at-risk students such as those enrolled in our Jobs for America's Graduates program. The foundation for the institution of this benefit is being laid with such collaborative programs as the CSN extension on the Southeast Career Technical Academy campus. There is also the initiative of busing students from the City of North Las Vegas

to take advantage of advanced manufacturing programs, which in part speaks to Assemblywoman Diaz's question. There has also been the establishment and expansion of the Truckee Meadows Community College High School and the robust establishment of dual credit programs by Western Nevada College in Carson City and their other areas of service, such as Fallon.

These building blocks are vital for our students as well as the staffing and continued growth of companies such as Faraday, Tesla, Panasonic, and others. I might add that this opportunity opens the door for students to seek a career in other parts of our great state and not be confined to thinking of careers within a limited geographic area not far from their home. Therefore, we are in strong support of this plan, and we look forward to working with you on it. [Prepared text was submitted that included additional testimony ([Exhibit E](#)).]

**Stephen Silberkraus, Private Citizen, Henderson, Nevada:**

I am here in strong support of S.B. 19 (R1). As a former dually enrolled student, I am excited to see these revisions to the state's policy for dual enrollment come up. When I was in high school, nearly two decades ago, I was fortunate to succeed in some areas but also struggled in some areas of my education. My school was a fantastic school, and it did not fail me, but it was unable to offer some of the programs and supports that I needed to succeed in my educational career.

I was fortunate enough to look under three rocks and find a document that talked about dual enrollment. It was not a program that was readily available or offered. There were many hoops at that time that I had to jump through to qualify for it, but once I was able to, it set me on a path for success. The very first class I was fortunate enough to take was a political science course. If it had not been for that, I very well may not have been in front of you today.

At that point, there were limits on the number of credits I was able to enroll in, and those were limited to elective credits. Having the flexibility in this bill to take as many as the student is able to and have those cover core curricula is fantastic. Also, making sure the program is publicized better to students so that all students know about the opportunities and can succeed through them is good. This does give every student an opportunity to succeed in a multitude of different ways. I am excited by the prospect that Assemblyman Flores brought up about potentially being able to do online college courses and get that high school credit for students who may be out in the rural communities and may not be able to take courses that the University of Nevada, Las Vegas (UNLV) offers except online. I know dual enrollment made a huge difference in my life, and I know it could make a huge difference in the lives of other young Nevadans.



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

We are deeply committed to dual enrollment. We appreciate the Office of the Governor working with us on the Senate side to address a few of our concerns. We want to give you a bit of information. We have a special partnership with Truckee Meadows Community College (TMCC) in the sense that they have made their entire catalog available to our students from a dual enrollment perspective. We have a great partnership with TMCC, but we also have students enrolled in dual enrollment at UNR, Great Basin College, Western Nevada College, and Sierra Nevada College in Incline Village. They all vary in what they offer and what the cost of those credits is. We do have students enrolled at each of those institutions. That is not to mention our students at our CTE academy and our high school that is actually located on TMCC's campus. It is designed to be a dual enrollment program.

There are barriers, including cost, fees, books, et cetera, but we think there will be funds to help promote this. We have instances where the classes are being taught at the high school campus. At Hug High School, for example, which is near UNR, we teach remedial classes and other credit-bearing courses in the high school, where we bring the instructors onto the high school campus. There are lots of ways that this looks. We have done a lot of experimentation, and we look forward to expanding these offerings through this legislation.

**Chester O. Burton, President, Western Nevada College:**

I appreciate and am in strong support of this legislation, despite the fact that we have a dual enrollment program that meets the criteria of all the things you have heard about best practices around the country. I think it is important to look at standardizing and promoting those programs that give students the same opportunity. I will address a few of the things I have heard because I have firsthand knowledge. Three years ago, we did not have a formalized dual enrollment program, but we implemented all the things you have heard today. We negotiated a formal agreement with the school district, set up a program for each student, and addressed the fiscal issues. What has happened is that we have gone from 0 to nearly 100 graduates who get their high school diplomas as well as their associate degrees. From a fiscal standpoint, when you look at the university tuition at UNR or UNLV at around \$6,000 a year, that is almost \$1.2 million we have saved those parents. We are the second smallest institution in the state.

If you look at Iowa, we have school districts that are exceeding the perception and completion rates that Iowa has. We can do this as a state. I think this legislation is the first step. It is vitally important. These classes are taught by college professors using the same coursework as everyone else. We do not water down these classes. Many of them are taught on our campus. If I do not keep my accreditation, I lose my job. The last thing I will say is, do not unduly handcuff us. We have many different avenues. We deliver coursework to Nevada Virtual Academy in Clark County. This year we will have 13 graduates from that program. We have rural programs, we deliver on-site, and we deliver on campus. I think it is important that we are allowed to maintain a degree of flexibility to continue with these programs.

**Michael Flores, Director of Communications and Government Affairs, College of Southern Nevada:**

I just wanted to take a moment to thank Matt Morris and the Office of the Governor for all of their work on this legislation. Mr. Morris has really checked all of his boxes and reached out to all the stakeholders. We are in full support of S.B. 19 (R1), and we think this can support the work we are doing with the Clark County School District (CCSD) and the students of Clark County. I want to piggyback on what President Burton just said—the flexibility in this bill is really important in order to allow us to do what we need to do with our students. In a moment, you will hear from James McCoy down south and some other people from CSN who are doing great work on this.

**Chairman Thompson:**

On slide 4 ([Exhibit C](#)), it mentions that the model shows great participation among traditionally underrepresented students. Can you please share with us some of your tips and tools to ensure that you have a diverse group of students who are even interested in getting in the program? You also stated you had 100 graduates. Can you share with us the diversity picture?

**Lindsay Anderson:**

I have a chart of students participating at every one of our comprehensive high schools, but also our specialty high schools, like our adult high school, our career and technical academies, et cetera. This is not just for our high-achieving, college-bound students. This is available to students with other interests. This is important for getting those prerequisites out of the way. It is available to all types of students, not just college-bound students.

**Chairman Thompson:**

I get that. What I am saying is, is there any extra outreach, push, or telling kids they might be interested in this? There are some students who are automatically going to be drawn to it. When I see the phrase "underrepresented," those are the students who maybe are just trying to make it through. What, if anything, are your institutions doing to close in that gap and bring more of those students in?

**Lindsay Anderson:**

I would give the example of Hug High School again. They serve a lot of underrepresented students near the university. The classes are taught at the high school campus to allow better access to students who traditionally would not have access.

**Chet Burton:**

Diversity is one of the benefits when you compare our advanced placement classes to our dual enrollment classes. Some of that has been conscious—we have reached out to a lot of underserved populations. You will hear from someone today in our Latino community. We are doing a great deal of outreach. Our service area is about 25 percent Latino.

Our Jump Start Program students exceed that percentage. The Nevada Virtual Academy in Clark County is almost 100 percent underrepresented students. We signed a cooperative agreement with them last year, and in two years, 13 of our 100 graduates are coming from that program. I think the results speak for themselves.

**Michael Flores:**

I have one example. Mojave High School is in your district, Chair Thompson. We started a program there. During the summer, we were working with the principal to start a new pilot program there. It was right before school started, and we did not know how many people would show up. We had a packed room of parents and students who were eager to sign up because students would have the opportunity to take a college course instead of a regular elective. I think that first semester they were taking a college success course. In the second semester, they were taking a communication course. As you know, at that school there are a lot of challenges. I could not believe how packed that room was. It was standing room only. We are trying to think outside the box to go to those low-income schools and ensure these programs are offered to them.

**Chairman Thompson:**

I just want to get to the point that when you build it, they will come. That whole analogy does not set true to every learning environment. I wanted tips and tools, that is all.

**Chet Burton:**

We have set it up so that no one is excluded because of fiscal matters. Through grants and our internal funding, everyone is able to participate. There is no financial barrier.

**James McCoy, Associate Vice President, Academic Affairs, College of Southern Nevada:**

One of my responsibilities at CSN is to work in partnership with our local school district and charter schools outside of the school district in Clark County to offer a wide variety of dual enrollment and concurrent enrollment opportunities for all of our high school students in the south. I want to preface my comment by saying this bill is about access. If we have a predetermined model of concurrent or dual enrollment opportunities and that model does not fit that high school demographic or that student, I think we have an obligation as a state and as higher education institutions in partnership with our local school districts and charter schools to meet the students where they are. Access, access, access. It is not just access, it is access coupled with success. I think we are not doing any favors if we do not keep in mind the idea of opening the door, holding our students by the hand, and walking them across that finish line through all their semesters of dual and concurrent enrollment.

I want to describe three very prominent, structured, concurrent and dual enrollment programs that are offered in southern Nevada in partnership with CCSD and some of our charter schools. The first is our Jumpstart Concurrent Enrollment Program. I want to highlight the word "concurrent" for a moment because the concurrent enrollment program is a bit different. Concurrent enrollment, set as a standard through the National Association of Concurrent Enrollment Partnerships—which, by the way, is the sole accrediting body for

concurrent and dual enrollment programs in the country—provides for that piece that has been spoken about this afternoon regarding rigor, quality of instruction, and 13 other high-caliber standards to ensure that the experience that our high school students are getting is equivalent to the experience our traditional college students are getting in their postsecondary activities.

The Jumpstart Concurrent Enrollment Program is defined as a CCSD teacher who is credentialed and hired on as an adjunct, part-time instructor for CSN. Our CCSD instructors go through the same rigor of interview and qualifying requirements as college instructors to teach in this program. For us, this typically requires a master's degree in the field they are teaching in.

The other program I want to briefly talk about is our CSN high school program. That is a unique program where we literally have three high school campuses on our college campuses offering dual enrollment.

**Assemblyman Elliot T. Anderson:**

Thinking about the fiscal points that were brought up and resolved in the Senate, we have heard a few people say that they have it structured in a way to ensure that the students will not have to pay too much out of pocket. Why were there fiscal notes on this in the Senate?

**Matt Morris:**

I know some of the representatives from the school districts and charter schools are here. They may be able to address this. When we originally drafted this bill, it was drafted in a way that felt like an unfunded mandate, which was not our intent. Before we were able to clarify the language in the bill, there were a number of fiscal notes that were originally attached from some of the local districts. We clarified that the school districts are not required to cover the cost of tuition or textbooks. That is something that the school districts may choose to do. They can pursue federal funding, enter into a public-private partnership, et cetera, to cover the cost. They may pass some or all of the cost for tuition onto students. It depends on the program. I think you heard that from some of the representatives already. There are different ways to approach this. Once we have clarified the language of the bill, those fiscal notes were removed. We worked with the Legislative Counsel Bureau's fiscal staff to show that there were no longer any fiscal concerns.

**Crystal Abba:**

The fiscal note that was submitted by NSHE was a zero. There was effectively no fiscal note.

**Assemblyman Elliot T. Anderson:**

Just to clarify, it said you could not estimate it. Is that correct?

**Crystal Abba:**

We will be collecting fees and receiving some state support, so that is how we plan on paying for any necessary instructor expansion. The fiscal note went to section 4, which was requiring the school districts and charter schools to provide support for this type of program.

**Matt Morris:**

With S.B. 19 (R1), we are mandating that these programs and agreements be in place. We are not mandating the cost mechanism. I think one of the issues that we are directly addressing is that more information should be provided so that there is a higher level of interest. Frankly, we do not know how many students who do not know about the program would participate. There is no way to quantify that. We are hoping that by providing more information and a clear application for dual enrollment to students, more students will participate in the programs.

**Barbara L. Collins, Principal, College of Southern Nevada High School:**

I am the proud principal of CSN High School. We are a dual credit program designed to get students a true high school experience with the opportunity of college in a supportive environment. The College of Southern Nevada High School is a school of choice, where we take junior and senior students. They are selected to come to our school based on their overall academic portfolio. Currently, our admitted students have a GPA that ranges from 2.7 to 4.08. Over 30 percent of our population qualifies for free and reduced lunch. We receive students from over 50 high schools throughout the Las Vegas Valley, which makes us completely unique, and our population is very diverse. The College of Southern Nevada and CCSD have a collaborative agreement in which CCSD pays for up to 12 credits per semester for each of my students, which means, with the dedication and support from families, students have the opportunity to graduate with their associate degrees before graduating from high school.

In the past two years, I have added 55 students to our program, so we now boast 470 students, but next year's plan is to increase that by 28 percent, so I will have a total population over three campuses of 645 high school students. That said, I would like to share a few statistics with you. In the 2014-2015 school year, we had an enrollment of 415 students earning 8,531 credits and 14 associate degrees. In the 2015-2016 school year, our population was 435 students, and we earned 9,124 credits and 23 associate degrees. This year, I am at 470 students, and we are slated to earn over 10,000 credits and have 31 students earning their associate degrees in May and hopefully another 12 during the summer. Thank you for allowing me to share a bit about my school with you. I have also brought two of my amazing students with me—Atalaya Strom and Isaiah Smith. Hopefully, they can shed some light on how this program has changed their lives.

**Isaiah Smith, Private Citizen, Las Vegas, Nevada:**

I am a senior at CSN High School. My story begins two years ago, when I learned suddenly that I was moving from Alexandria, Virginia, to Las Vegas. When I moved, I began searching for a school that would best help me be prepared for college, yet I hit a wall very quickly. Not a single magnet school would consider a rising junior for admission, and I was

forced into two options: Pay \$15,000 a year and attend a private school, or take chances with my local public school. Yet, as you might conclude, I found a third option—College of Southern Nevada High School. I cannot put any more emphasis on what I am about to say. I went from one of the most respectable school districts in the nation to one that is looked down upon, and yet I found a program that gave me more opportunities, challenges, and preparation for my future than I ever would have had in Virginia.

When I say "opportunities," I mean 67 college credits that I will graduate with—about 50 of which I got for free. A normal CSN student would expect to pay almost \$5,000 for those. When I say "challenge," I mean I had effectively the entire CSN course catalog available to me. My friends in Virginia cannot take organic chemistry, nor can they take differential equations. Because of the flexibility of this program, I can train for a marathon, serve as president of the National Honor Society, attend community service events, and compete in We the People, all while accumulating these credits. When I say "preparation," I do not mean some big, grand feeling of confidence and college readiness. I mean little things. When I attend the University of Pennsylvania this fall, the same program I used to sign up for classes at CSN, I will use at Penn. I would have never had these things in Virginia.

When I came to Nevada, I was completely clueless. I did not even know Las Vegas had mountains nearby. Because of this program, I will leave Nevada ready to pursue premedicine at the University of Pennsylvania and prepared for my future.

**Atalaya Strom, Private Citizen, Las Vegas, Nevada:**

I am currently enrolled as a junior at CSN High School. Last year I was lost. I did not know who I wanted to be or what I wanted to do. I did not even know what college I wanted to attend. As I was thinking about what I wanted to achieve, I stumbled across CSN High School. The program was unlike any other programs I had learned about because it offered life in a college setting. It was incredible because I realized I could get a head start on my future, and if I applied myself, I could earn my associate degree, which is an opportunity that is not given to high school students through any other program. Now that I have attended CSN High School for almost two semesters, I can honestly say that it is given me so much more than just a head start on my college education. It has taught me independence and given me motivation. The small class sizes have allowed me to create a close relationship with my high school teachers. Being able to take these college classes as a high school student has helped me find my passion. Last semester, I completed a total of 12 college credits, and I am currently enrolled in Biology 101, English 101, Psychology 102, and Sociology 101. None of this would have been possible without this amazing program. I now know that my passion is English. I love every aspect of it, and I want to give back to my community by becoming an English teacher. Not only has the program helped me adjust to a college setting by integrating me with other college students, but it has also helped me adjust to the fast-paced environment that college students are required to work in. Without this program, I would not be where I am now, and for that, I am forever grateful.

**John A. Kinkella, Dean of Student Services, Western Nevada College:**

I wanted to talk briefly about our Jump Start Program. It is a dual enrollment program. I also want to support S.B. 19 (R1). We started as the result of a request from Dr. Sandra Sheldon out in Churchill County, who came from Washington State. She asked why we do not have a dual enrollment program similar to Washington. She said she was accustomed to about 9 percent of her seniors graduating with an associate degree concurrent with high school graduation. In Washington, they stay enrolled in their high school and the college provides the instruction either on-site or at a campus nearby. That is the model we have. We are at nine sites, including seven at high schools and two on campus. Our students are in cohorts with a coach. The intention is for them to finish their first year or first and second year of college. Our success rate for last fall—they had a 96 percent course completion rate and 97 percent of students went from fall semester to spring semester. We are delighted with the degree attainment. We had 27 students graduate the first year, we have 96 set to graduate this year. Next to me is one of the parents of the program, and our Latino outreach coordinator.

**Lupe Ramirez, Private Citizen, Carson City, Nevada:**

I am here to provide my testimony as a parent of a student who is participating in the Jump Start Program at Western Nevada College. When my daughter decided to apply for the program, she knew this was a very rigorous program, yet she was up for the challenge. She went from being an average high school student to a very dedicated college student. She took the counselors' advice very seriously. She knew she had to work hard, and she knew she had to discipline herself. She is now a student who is all about meeting deadlines. Every day she comes home from school, eats her meal, and gets to her books. It is very, very impressive to see the tremendous change in a 16-year-old student. I must say that she has made an impact on her friends. Last year, when she applied for the program, her friends were not confident enough to apply. When they see that my daughter has been very successful, they are applying. I just found out that they are approved to start in the fall. To me, it is not only impressive to see what my daughter is doing for herself, but it is even more impressive to see what she is doing to impact other Latinas who may not have the support from home to do well in their education, advance, and take ownership of their futures. I want to thank everyone who has supported this program.

**Angela Ramirez, Private Citizen, Carson City, Nevada:**

I am a junior at Carson High School. I would like to share with you my experience in the Jump Start Program. This program has definitely made me more mature and given me more life skills. It is not just a program of higher education. It has helped me with time management and gain a better sense of appreciation for the people around me. I am also a cheerleader at Carson High School. Along with being a cheerleader, I have been able to meet all my deadlines and be successful in both at the same time. The workload that we have is very rigorous, and it was a very different transition for me, but I have been able to make that transition successfully. It is thanks to this program that I have been able to succeed and take this step towards my goal. Through this program, I have also learned that I want to become a civil engineer. I am now on course for that for this next semester.

I am taking 17 credits next semester, and I will be on track to graduate with my associate degree next spring. I am thankful for this program. I would like to thank the Legislature for giving me this opportunity to not only help myself, but to make my parents proud and represent my community in a positive manner.

**Jaklin Guyamjyan, Private Citizen, Las Vegas, Nevada:**

I am here to represent CSN High School and share a bit about how it changed my life. I was born in Russia, and I grew up in Armenia. At the age of six, I was awarded the green card lottery to come to the U.S. It was always a dream of ours to come to the United States, as it is in many other countries. I landed in New York City on September 10, 2001. My first day in America was very unexpected. I have lived in Las Vegas ever since, and I have been here for 17 years. I am an only child of two very old-fashioned Armenian parents, and it was very difficult growing up. High school became even more difficult. I began isolating myself from my peers and skipping class. I was at the point of not graduating high school. I applied for the CSN High School program in my junior year, and I was almost not considered for the program due to my attendance and grades. After interviewing with the counselors and the principal of the program, I was allowed to join. After one year, I completed that program with a 4.0 GPA and went on to achieve my associate degree the following year at 18 years old. At the age of 21, I am now graduating with my four-year degree in finance from the University of Nevada, Las Vegas. I had not paid a penny out of my pocket for my education, and that is not due to family support. That is due to CSN High School giving me the flexibility, accessibility, and affordability to achieve a college education. I would have never been the student I have become if it were not for my CSN High School dual enrollment program. I do not think CSN High School necessarily advances students from their regular high school and picks all the smartest kids. It just picks out the students who do not excel in that environment. I was one of those students. I was not excelling in the environment I was in due to restrictions from my cultural background and personal problems. I found myself in an environment where students were likeminded and as goal-oriented as I was at CSN High School. Without this program, a lot of students, like me, would not be where they are today. I am going off to law school next year. I am thankful for the program, and I hope many other students are well aware of the opportunities that are available to them as well.

**David Gardner, Private Citizen, Las Vegas, Nevada:**

Pretty much everything that I wanted to say has already been said, so I will just say that this is a great bill, and you should support it.

**J. Kyle Dalpe, Ph.D., Interim Dean, Technical Services, Truckee Meadows Community College:**

A lot has been said, especially the words of the students, but dual enrollment continues to be a priority for the system as well as the state to meet the economic development needs and accelerate the pathway to graduation. Truckee Meadows Community College (TMCC) offers three pieces, if not more. We have TMCC High School with a technical pathway and a transfer degree pathway. Academy For Career Education (ACE) charter high school is embedded in our applied technology center. We also offer dual credit in the school district.



One of the questions that came up is how we get those programs out there. Generally, we are responding to the principals and what they decide might be needed there. One of the examples from Hug High School was given. That is our criminal justice program. We provide the adjunct instructor. General education helps jump-start a pathway to a four-year degree, two-year degree, career and technical education, et cetera. I do serve on the Board of Directors for Education Alliance. Education Alliance, as well as WCSD, has committed funds in the past and the upcoming year to help students who cannot afford the tuition if they are paying on their own and are a part of one of the other programs.

**James Campos, representing Nevada State College:**

I would like to echo what has been said by higher education institutions. I would also like to give my great appreciation to the Office of the Governor for their hard work on this. Nevada State College is in full support of S.B. 19 (R1).

**Nicole Rourke, Associate Superintendent, Community and Government Relations, Clark County School District:**

We are here to add our support. You have already heard from our principal and several of our students about the success of our programs. We would like you to know that we will be expanding our jump start programs to six additional schools next year. They are already offered at 11 schools.

**Dalton Kaady, Private Citizen, Fallon, Nevada:**

I have been enrolled in the Jump Start Program for two years at Western Nevada College's Fallon campus. I will be graduating from high school in four weeks with both my high school diploma and my associate degree. Earning my associate of arts degree has not been easy, but it has definitely been worth it. I have chosen to enlist in the Nevada Air National Guard, and my academic path has been recognized, as I have been able to enlist as an E3 versus an E1. I have saved thousands of dollars and time, and I have learned how to do college. The rest of my education will be paid for by the Nevada Air National Guard. The classes were not easy, but my professors and cohort coaches were available to meet to help me. I was a three-sport athlete throughout my dual enrollment career. As a result of the program, I am ahead of most of my peers, and I do not have student debt to worry about. Enrolling in dual credits guaranteed that my credits would transfer, versus advanced placement courses, where there are no guarantees that colleges will accept those courses as credits counting towards my college education. Thank you for the opportunity to speak with you today.

**Rochelle Tisdale, Principal, Oasis Academy, Fallon, Nevada:**

I am wearing two hats today. I am Dalton's mom, and I am also the principal of Oasis Academy. Oasis Academy in Fallon offers a slightly different version of the Jump Start Program. One hundred percent of our eleventh and twelfth graders are enrolled in the Jump Start Program. Regardless of whether they are a regular education student, a special education student, a second language student, et cetera, we take them all. There are no prerequisites for our Jump Start Program. The kids are able to enroll based on where they place. That may mean they have to take some developmental courses, but it has

been a wonderful opportunity for us to provide a great education for several students. We have a total of 41 students, and this year we will graduate 38 with both their high school diplomas and their associate degrees. We partner with Western Nevada College. We pay for everything 100 percent. We budgeted for that before I wrote and received the College and Career Readiness Grant last year. We still have it in the budget. We paid for their books, tuition, and Chromebooks to use. Western Nevada College is located right across the street from us. Our kids can go over there. We use their facilities, their instructors, et cetera. Therefore, we do not have to pay for instructors in eleventh or twelfth grade or facilities for those kids. That allows us in turn to pay for all of their education.

It has transformed our community. It is a great thing. We are growing and expanding. As a parent, it has been an amazing experience. I have put one through law school, and Dalton is already done with his associate degree at 18 years old. I do have to say that the biggest resistance we had was from the faculty at the college because they were concerned about the level of rigor and whether bringing high school kids in would lower that. It turned out to be quite the opposite. These kids already know how to do school. They are not coming back learning how to do school again. The professors now are begging to teach our classes. I have to say, with the kids doing sports, they were very accommodating. They were able to continue to have the full high school experience while getting their associate degrees. I am in huge favor of this bill because I think every student in Nevada should have that opportunity.

**Pat Hickey, Executive Director, Charter School Association of Nevada:**

We are here in support. Very briefly, we are also appreciative to the Governor's staff for listening to the questions and concerns and taking this bill from being an unfunded mandate to a creative way to fund opportunities for kids. I am especially glad to hear from one of our charter members that they have found ways to make this work within their budgets. We appreciate and support the passage of this bill.

**Mary Pierczynski, representing Nevada Association of School Superintendents; and Nevada Association of School Administrators:**

When this bill was heard in the Senate, we were neutral on the bill because our concern was an unfunded mandate. We appreciate Mr. Morris and his staff at the Office of the Governor for addressing those issues in section 4 of the bill. We also appreciate the return to local control, where our school boards are able to come up with their own agreements with the institution providing the dual credit for our kids.

I have surveyed all the rural districts who are engaged in this process, and students who are on free and reduced lunch are handled and taken care of so that they do not miss out due to financial reasons.

**Carolyn Turner, representing Las Vegas Metro Chamber of Commerce:**

The Las Vegas Metro Chamber of Commerce is in full support of S.B. 19 (R1) and testified to that effect in the Senate as well. We see that the job market is getting increasingly competitive, and we think this is a great tool for Nevada's students to get some postsecondary

education experience. This bill will streamline that process. Additionally, Tray Abney from the Chamber of Commerce of Reno-Sparks-Northern Nevada could not be here, but asked me to state his support as well.

**Brian L. Mitchell, Director, Office of Science, Innovation and Technology, Office of the Governor:**

I oversee the Governor's science, technology, engineering, and mathematics (STEM) education and workforce strategy. Dual enrollment is a key strategy for growing Nevada's STEM workforce. Many of the opportunities for dual enrollment are in skilled and technical STEM fields such as advanced manufacturing, computer science, mechatronics, information technology, robotics, et cetera. These fields often only require an associate degree or perhaps less, and at \$50,000 per year, they pay higher than the state's average wage.

I would like to share a brief example from Maryland regarding combining STEM and dual enrollment that could be a model for Nevada and also one that seeks to engage underrepresented students in STEM. It is common knowledge that women and minorities are underrepresented in STEM fields at all levels of education and employment. To increase equity in STEM, Maryland created the Minority Student Pipeline Math and Science Partnership. This partnership included a large school district and several colleges focused on delivering dual enrollment in science, math, and engineering. This partnership resulted in over 3,000 college credits delivered to 381 students. Of those 381 students, nearly all of them entered college immediately after graduating from high school. Over half of them declared a STEM major, and 80 percent of those who declared a STEM major persisted in their major after their first year in college. All of those are fantastic results.

Senate Bill 19 (1st Reprint) is designed to encourage more students to pursue dual enrollment. It increases awareness, removes barriers, and adopts other best practices that other states have implemented. I would encourage you to support the bill as well.

**Manny Lamarre, Director, Office of Workforce Innovation, Office of the Governor:**

An important part of our work is around workforce development, and S.B. 19 (R1) is completely aligned to that. I want to share a few quick things. For starters, dual enrollment is an effective strategy to increase postsecondary credentials, which is absolutely critical to achieve success in the new Nevada. We have shared this kind of data many times before, but we know that according to the National Skills Coalition, in 2015, about 51 percent of jobs were middle-skill jobs, so they required more than a high school diploma, but less than a four-year degree. The jobs we are creating require students to attain some form of postsecondary credential. Dual enrollment is absolutely a strong avenue for that.

Expanding dual enrollment develops effective career pathways, particularly in high-demand industries. By increasing dual enrollment access, students are better positioned to take the necessary courses to complete career pathways by attaining valuable certificates or credentials. By exposing students to relevant postsecondary coursework within a pathway, they get the added benefit of being prepared for both college and careers. Essentially, they

get the best of both worlds. In some instances, students can only access relevant real-world experience through dual enrollment because, for example, industry equipment can be too expensive for a local high school. It may be accessible to students through dual enrollment.

Finally, although implicit in my earlier statements, I do want to make it explicit. Dual enrollment will level the financial playing field for the most deserving students. Essentially, there is a significant added-dollar saving for dual enrollment students that makes college more affordable. We know a growing body of research shows that being priced out of postsecondary institutions can have devastating lifetime effects on students. For example, a U.S. Bureau of Labor Statistics study showed that weekly earnings for individuals without a high school diploma were \$488, while weekly earnings for individuals with a high school diploma were roughly \$668. For those with more than a high school diploma—either a four-year degree or in between—they took home \$1,193 per week. Giving students that access to attain those postsecondary credentials is absolutely valuable, and it will sustain our economic growth as well.

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

We are here in support of the bill. I would like to thank the Office of the Governor for its work on this bill. The people were very accommodating in meeting some of our concerns in the other house. We appreciate how everything has been worked out nicely.

**Cory Hunt, Deputy Director, Office of Economic Development, Office of the Governor:**

I am here to testify in support of S.B. 19 (R1) today. One of the leading questions we receive from companies that are looking to locate and expand in the state is around workforce development and the availability of a qualified workforce. It is also essential to the growth of our existing companies in Nevada. The dual enrollment program afforded in S.B. 19 (R1) fills the pipeline earlier and better with more qualified workers for Nevada companies. It sets students on a career path that is essential for their success as well as the success of our industries.

The measure complements some programs that we have been pursuing at the Office of Economic Development in the Office of the Governor. One is the Learn and Earn Advanced Career Pathway (LEAP) program. Through that, we are developing career pathways in all of the fields you have heard about today. The second program is the Workforce Innovations for a New Nevada Account. That is for a program we established during the 29th Special Session. It is being rolled out in both northern and southern Nevada for companies like Faraday Future, Tesla, Hamilton Company, et cetera. We are expanding the program to cybersecurity, food manufacturing, life sciences, and a host of other areas. We feel that with the dual enrollment programs afforded here, we will be able to enroll more of those students.

**Lucas Ingvaldstad, representing Nevada Builders Alliance:**

Workforce development is a top priority for the Nevada Builders Alliance. We hope to capture a population of students who are not necessarily planning to attend college, but can be trained in the construction industry and retain good-paying jobs.

Senate Bill 19 (1st Reprint) is a step in the right direction to provide options for these students. We thank the sponsor and the Committee for all of their hard work on the issue, and we urge your support of the bill.

**Kent Jones, Principal, Fernley High School:**

I am in support of S.B. 19 (R1). At our high school, we currently have the Jump Start Program with Western Nevada College. What I really want to speak on is that we are a rural community. This bill allows us to provide additional courses and opportunities for our students that we would not probably be able to do. In the Lyon County School District, we have five communities. I am with the largest school, and we have very small schools in our district. Those opportunities are the same opportunities of a school with 125 students as they are of a school with 1,000. I grew up in Battle Mountain, Nevada, a rural community. I believe this bill will allow those students and students across our states that do not have access to colleges right there the opportunity to increase their course offerings and go to college.

**Steve Canavero, Ph.D., Superintendent of Public Instruction, Department of Education:**

I am in support of this bill. I wanted to answer a few questions. Assemblyman Flores' question was answered by Mr. Morris. I want to speak quickly about the funding. In 2015, the Legislature and the Governor passed a budget that included \$8 million for competitive dual enrollment STEM grants to the districts and to charter schools. The first year of the biennium, five districts participated. In the second year of the biennium, seven school districts and five charter schools participated. Among those participating schools, there was a 72 percent increase in dual enrollment across those programs. The Governor's budget recommendation for 2017—that we hope the Legislature will approve—includes a \$2 million increase. We have a \$10 million pot to support programs like that, which you are hearing about today. I will reiterate the comments I made on the Senate side regarding these funds. We would ensure a priority for underserved students to gain access to that competitive pot of dollars in order to expand access to and completion of dual enrollment courses.

**Chairman Thompson:**

Is there anyone wishing to testify in opposition to the bill? [There was no one.] Is there anyone wishing to testify as neutral to the bill? [There was no one.] We will close out the hearing for S.B. 19 (R1). We will take a short recess.

[The Committee recessed at 5:09 p.m. and reconvened at 5:14 p.m.]

We will open the hearing for Senate Bill 173.

**Senate Bill 173: Revises provisions relating to facilities for achievement charter schools. (BDR 34-629)**

**Senator Yvanna D. Cancela, Senate District No. 10:**

I am here to present Senate Bill 173. In 2015, the Legislature enacted Assembly Bill 172 of the 78th Session. Among other things, it exempted charter schools from Nevada's prevailing wage law. Public schools built or owned by a school district remain subject to prevailing wage, though at a reduced rate of 90 percent. The 2015 Legislature also enacted Assembly Bill 448 of the 78th Session, creating the Achievement School District (ASD), which calls for the conversion of certain district schools to charter schools. Taken together, these statutes create the unintended consequence of a school district building being exempted from prevailing wage compliance if and when it enters the ASD. For example, Lois Craig Elementary School is currently recommended to become an Achievement charter school. Should a significant maintenance or remodel project be undertaken at the school the day before its conversion, that would be subject to prevailing wage. However, should the project begin the day after its conversion, the school would receive a prevailing wage exemption. Because the building was constructed by and remains the property of the school district, I believe this exemption is unwarranted.

Senate Bill 173 addresses the issue by eliminating the exemption of Achievement charter schools from prevailing wage requirements. To be clear, this does not affect all charter schools. It simply affects schools within the ASD. It specifically makes those requirements applicable to a contract or other agreement for the construction, improvement, repair, or demolition of any building, structure, or property that is used or will be used by an Achievement charter school.

The bill also ensures such projects comply with the same local engineering, design, safety, and other building standards as district school buildings in the same county. The ASD statute also provides for the possibility that an Achievement charter school could one day return to its status as a school district school. At this point, the school would presumably be subject to the prevailing wage law again. It does not make sense that a school in the same building with the same staff and the same students could gain and then lose exemption from prevailing wage simply because of a change in its internal management structure.

**Chairman Thompson:**

Can you briefly walk us through the bill?

**Senator Cancela:**

The bill simply codifies language that is in other pieces of the *Nevada Revised Statutes* (NRS) and applies it to the ASD. In section 1, it specifically copies NRS 338.013 to NRS 338.090 into the Achievement charter school language. Section 2 makes the language conform within NRS, but it really is just intended to copy and paste prevailing wage law into the ASD statutes.

**Assemblyman Edwards:**

Charter schools do not receive money for construction, building, and renovation. They have to take that out of their own funding. If we are going to approach it as a charter school in the ASD, they do not get money for the maintenance, upkeep, and renovations. If those things need to be done, that is the difference between what they would pay without prevailing wage versus what they would have to pay with prevailing wage. Does that get compensated to them by the school district?

**Senator Cancela:**

The intention, and I believe the way the bill would play out, is for the charter school management company or group, whichever is taking on the school within the ASD, to be responsible for the cost of whatever maintenance or changes they would be doing to the building. The intention is for that to be done under prevailing wage, just like the school district does its projects.

**Assemblyman Edwards:**

Given the fact that they do not receive funding to cover their costs for building, construction, and renovations, if they are going to be subjected to the prevailing wage scales, should we not also give them additional money to cover the difference between what they would have paid with the exemption versus what they have to pay without the exemption?

**Senator Cancela:**

In my opinion, they should be held to the same status as the school district. I believe it should be on the operator to pay for the cost. I do not think the state should be giving them additional funds.

**Assemblyman Edwards:**

Not additional funds, but equivalent funds.

**Senator Cancela:**

This bill would not address that. I would be interested in understanding how we could make that happen. In my opinion, it should be on the operator to pay for whatever cost they are incurring, and they should be held to the same standard as the school district.

**Chairman Thompson:**

Is there anyone wishing to testify in favor of the bill?

**Nathan R. Ring, representing Laborers International Union Local No. 872, AFL-CIO;  
Operating Engineers Local 12; International Union of Painters and  
Allied Trades District Council 15; and International Union of Painters  
and Allied Trades District Council 16:**

We stand in strong support of this bill and thank Senator Cancela for bringing the bill. One thing we want to do from the outset is dispel a few myths or misunderstandings about the bill and the way it is written. This is not a rollback from anything done last session.

This does not address the 90 percent prevailing wage issue on schools. This does not address the survey issue. This does not address the threshold issue from last session. It does not apply to all charter schools. It only applies to the ASD charter schools.

To touch upon the question asked by Assemblyman Edwards, the interesting thing about the statutes and the way they are written, and in particular NRS 388B.230, is that any maintenance done on the schools while they are a part of the ASD is the responsibility of the charter management agency. However, any capital projects are still the responsibility of the school district. This is important in a number of ways.

When you are dealing with capital projects, it is the school district that pays for those. When the project costs \$250,000, prevailing wage applies. In the time period that these Achievement charter schools are a part of the ASD, there is a six-year window. When you look at the statute—it is NRS 388B.290—when the six-year point hits, it is a choice whether the school will remain a charter school or revert back to the local school district. Essentially, you would have this window for six years where capital projects are being paid for through a local school district. It could revert back to the local school district, but because they do not have control over the way the money is spent and the construction is done, unless you have section 1, subsection 3 of this bill, the school district will have to retrofit those schools to bring them up to the code that they are required to build to.

The other thing that is important about this bill is the fact that our tax dollars may go into these projects the same that they would a public school over that six-year period. Prevailing wage was enacted for this specific purpose—protecting wages for workers in our communities and protecting our local contractors from losing work to out-of-state contractors. This bill had bipartisan support in the Senate when it was heard. Former Republican Assemblymen David Gardner and Stephen Silberkraus both supported this bill. They saw the issues that were passed last session in the previous bills.

**Assemblywoman Diaz:**

Currently, we have partnerships between charter schools and the school district. I believe some of them utilize public school buildings that were initially built with taxpayer dollars. I wanted to confirm that if they are in a public facility that was built using taxpayer dollars, is this something they have to conform to when they enter into partnerships?

**Nicole Rourke, Associate Superintendent, Community and Government Relations,  
Clark County School District:**

We do not have any partnerships where charter schools occupy our buildings that I am aware of. I can look into it. We brought forth a bill two sessions ago to allow us to do that, but that bill did not pass. The only opportunity for that would be through the ASD. The two schools moving forward with that are not occupying our buildings at this point in time. One is building its own facility and the other is through the Andre Agassi College Preparatory Academy.



**Assemblywoman Diaz:**

Is the new school coming up—Marzano Academy—a charter school?

**Nicole Rourke:**

No, that is not a charter school. That is a CCSD school. That is a partnership, and it is a magnet school, but it is not a charter school.

**Assemblywoman Diaz:**

There are no charter schools at this point that utilize a public school building?

**Nicole Rourke:**

That is correct.

**Assemblywoman Miller:**

Nate, you said something interesting about the ASD taking our schools. Did you say the school districts are still responsible for capital expenses? Even under all of this, Clark County School District (CCSD) would still be responsible for those costs?

**Nate Ring:**

You are correct. For example, let us say the door hinge breaks. That will be something that the ASD authority has control of, but capital projects are different. You are talking about building a new wing of the school or new classrooms. The ownership of the school is still a part of the school district. If you put a school in the ASD, there is a six-year window where it operates that way. It will not be until that point when you decide if it will become a full charter school or whether it will go back to the school district. The bond rollovers that we have done through past sessions are already going into those schools as well.

**Assemblywoman Miller:**

Right now, do we have requirements of prevailing wage in the school district?

**Nate Ring:**

Yes. The way it applies in current school district projects is that any project over \$250,000 for construction will require prevailing wage. Under current law, schools have to pay 90 percent of the prevailing wage rate in Clark County.

**Assemblyman Pickard:**

I just want to follow up on a comment you made. I have heard this before, but I do not understand it. If I heard you correctly, you said the building codes change depending on whether it is a school project, a prevailing wage project, or a nonprevailing wage project? In 20 years of construction, we have to build our buildings to the code based on the occupancy. It has no relation to funding or the user. An assembly occupancy is an assembly occupancy. Can you clarify that? What I thought you said did not make sense.

**Nate Ring:**

I may have misspoken or jumbled what I was saying. It is not the difference between a prevailing wage and a nonprevailing wage project that changes the building codes. The difference is between a charter school and a public school. If you look at section 1, subsection 3 of the bill, it says that the building requirements for public schools will apply to the ASD. Section 2 of the bill makes it clear where it is applying the building codes for schools to that. You have to apply the typical building codes that you would use in our public schools to those when they are in the ASD. Part of the difference is that some charter schools operate out of strip malls, for example. Those building codes will be different than they would with our typical public schools, which will be put into the ASD.

**Assemblyman Pickard:**

You are saying that the charter schools do not have to meet an occupancy rating as an education facility or an assembly occupancy. They can use something else. Is that correct?

**Nate Ring:**

You are correct. The charter schools that operate out of a smaller building or strip mall have different building codes and standards, not just at the state level, but also at the county and local levels, from what our typical public schools would use.

**Assemblyman Edwards:**

If a public school goes into the ASD, its legal status changes, and therefore the laws that apply to it similarly change. If you are in the public schools, you follow public schools' rules, but if you are in the charter schools, you follow charter schools' rules. In this case, if you are in public schools, you pay the 90 percent prevailing wage. Legally, when you move into the charter school, you do not. Am I missing something?

**Nate Ring:**

You are not missing anything. That is absolutely true. You would pay the prevailing wage if a public school started a project today. Tomorrow, if it is put into the ASD, it would not be subject to the prevailing wage requirements. The important thing is that because the capital improvements pursuant to NRS 338B.230 are still the responsibility of the local school district, that makes it a bit weird. You have public dollars that would be going into the capital improvement projects that would not be required to use prevailing wage. That would make it different from every other purchase of a public construction project.

**Assemblyman Edwards:**

That is part of the change in legal status. Yes, the public still owns the building, but the schools can operate under normal guidelines of their legal status. Unless they change the laws about their legal status and their charters, then it should not apply because of that transformation from public schools to the ASD.

**Nate Ring:**

When you are talking about the charter school operation, you are looking at management of the school. Let us use a football team for example. A football team has a stadium, and the hard asset may be owned by someone other than the football team. There is an operation of the football team. There is a management structure, a general manager, and a coach who all run the team the same way the education in the school is run by the charter authority. However, because we have a school that is still a public asset, we want to confirm with this bill that if any capital is going into that public asset, the same prevailing wage requirements that would apply to any other school also apply to that.

**David Gardner, Private Citizen, Las Vegas, Nevada:**

I am testifying in support of this bill. I see it as more of a technical change. Right now, when the school district builds a school or does maintenance to a school, they do it under prevailing wage. When a charter school does it, they do not. This bill says that school districts will be doing the capital expenditures. We are basically saying that the school district, for every school that they handle, will act one way under prevailing wage. The small handful of schools that we have for the ASD will act a separate way. They will have to use a separate set of contractors because it will not be under the prevailing wage requirements. I think because the school district is doing it, it would be easier if all of them were under the same requirements that the rest of the school district has to comply with for purchases and construction. For that reason, I think it is a technical change. I do not think it is taking away from the ASD, which I support. I see it as a technical change that we probably should have caught last session, but we did not.

**Stephen Silberkraus, Private Citizen, Henderson, Nevada:**

I am also here in support of the bill. I will say ditto to Mr. Gardner's comments. I believe that pretty well covered it. It is still a public facility. It has a strong possibility of reverting back to public control. We want to ensure that we do not have to further expend resources to update or change things that have been done during that period. There is also the thought that if the school district has to start doing these schools in a different manner, we will have to start coming up with new procedures and additional staff to do it properly. Additional expenses may have to go to the improvements and our students. For those reasons, I am in support.

**Rusty McAllister, Executive Secretary-Treasurer, Nevada State AFL-CIO:**

We are in support of this bill also. We believe it is a good use of the public dollars to follow the statute that it is still a public school even though it is being managed by a charter school company. It is a public asset, and public dollars are being used to go towards capital improvements on that. For those reasons, we believe this bill makes sense. We want to follow the same codes that the CCSD follows.

**Rob Benner, Business Representative, Building and Construction Trades Council of Northern Nevada, AFL-CIO:**

Ditto.

**Chairman Thompson:**

Is there anyone wishing to testify in opposition to the bill?

**Kerrie Kramer, representing Charter School Association of Nevada; and  
NAIOP-Northern Nevada:**

NAIOP does not oppose prevailing wage projects or prevailing wage being used for public works with public dollars. Our only concern here is if private dollars were being used for prevailing wage jobs on a charter school. That is the only line we do not want to see blurred for the simple fact that it may set precedent going forward that private development would be required to use prevailing wage.

**Pat Hickey, Executive Director, Charter School Association of Nevada:**

We are opposed to the bill as written. We testified against Assembly Bill 154 earlier in the session, which required prevailing wage on the construction of charter schools. We made the point that has already been made. In the construction of new charter schools, public dollars or tax dollars are not used. They are privately financed between private individuals and a contract. In this particular case as it relates to the ASD, there are not going to be any district schools taken over in the next biennium by the ASD. The only two schools that will become a part of this new ASD are charter schools. One already exists—the Andre Agassi College Preparatory Academy is morphing into Democracy Prep Public School. There is also going to be a new Futuro Academy Charter School. Both of those charter schools are being financed by private dollars and not public dollars. I do not agree with the intent of this bill. As the Senator said, these are schools that were paid for by public dollars in Clark County. We were a part of the prevailing wage requirement when they were constructed. I agree, as it was said, that these schools are still owned by the school district and they are responsible for major capital things. However, in the case of the ASD, neither of those schools will be applicable in the next two years because they are not being built by CCSD or public tax dollars.

I would also point out that in the bill it talks about repairs as well. The argument that we made in A.B. 154 was that since charter schools do not get facilities funding compared to district schools, which, on average, get about \$1,200 per student when you wrap all the capital expenses in. Charter schools have to take money out of their academic mission, teacher salaries, books, et cetera, to do repairs. In that sense, I think it is unfair to put prevailing wage on charter schools until they get equal funding. Then, I think if you treat us equally and give us equal amounts of money, yes. But in this case, we oppose it because the two schools that are a part of the ASD are not owned by the school district and should be built and repaired as all charter schools previously have been.

**Chairman Thompson:**

Charter schools are public schools. We have had lots of legislation where the charter schools come up in opposition to things that the public schools are doing. How do we get to parity? A charter school sometimes says that the curriculum is better, but there always seems to be a disagreement when it comes to bringing them to the same level. Operators know what they are getting into when they become a public charter school. Why is there opposition?

**Pat Hickey:**

I would say I think you saw an example in the previous bill, S.B. 19 (R1). Charter schools do not always disagree with what we are trying to do as a whole state, in evidence of the dual enrollment programs. With respect to parity, it is a problem for charter schools especially with respect to financing of their construction and facilities. Charter schools do not get transportation or facilities funding. When we talk about parity, I think the Spending and Government Efficiency Commission recommended that the state ought to reconsider that view and look for that funding parity. In that regard, I would say yes, we should be treated fairly. I am not arguing against prevailing wage for schools, but in this instance, I think this bill is particularly clumsy or unnecessary. In the next few years, the only schools that will be a part of the ASD are not owned by any districts. They will be financed and maintained just out of Distributive School Account funds. No maintenance funds will be provided. We would say that is unfair.

**Assemblyman Elliot T. Anderson:**

I am having problems understanding why the ASD needs to build anything in the first place. As I understand it, it is a takeover. As I understand the ASD, charter schools are not even eligible under the law to be taken over. They are excluded from the definition under the law. I am having trouble following your testimony because of that.

**Pat Hickey:**

Charter schools cannot necessarily be taken over, but they can and frequently do underperform, and they should be closed when that happens. That does not happen. The intervention the state took last time was to say they will not close their public schools; they will try to have an intervention and improve them. One method was to do what the school district is already doing with their turnaround programs. Another one prescribed by the state was the ASD. Under the ASD law we passed last time, schools could voluntarily enter into the ASD. I think that Andre Agassi College Preparatory Academy chose to do this. I am not sure, but Futuro Academy Public Charter School was able to be organized because of other problems in that district. I think it was granted a charter based on the rules. I do not exactly know the answer fully. I think it has been a give and take between the Department of Education and lawmakers here to say that the districts are making a yeoman's effort to improve things with or without schools being taken over by the ASD. It is still in a quiver. The state can certainly do that according to its law, but in this case, that is why I think this particular bill should not be applied because they are charter schools and not traditional public schools.

**Assemblyman Elliot T. Anderson:**

Going back to 2013, this body passed the charter bonding bill for new construction for high-quality charter schools [Senate Bill 384 of the 77th Session]. We did allow some maintenance funding, and there have been efforts to do that. In this case, where schools would voluntarily enter into the ASD and the fact that they are already public schools, was it ever contemplated when the original charter school model was put together that we would

ever exempt them from noneducational mandates? I know the whole point of a charter school is to say we will try something different, give some flexibility, and expect accountability in return. I do not know that it was ever contemplated that we would exempt you from other things that every public school has to do.

**Pat Hickey:**

You are correct that charter schools grew out of the public school system. They were a reform within the public school system. They were supported by teachers' associations initially. One of their characteristics is to be autonomous. They are really magnet-type schools. The reorganization plan is a bit of a page out of the charter school playbook in that you have sites-based governance, more flexibility with curriculum, and how you are spending on things, et cetera. That was what charter schools were based upon. They do have to follow a lot of guidelines in terms of state testing and common core curriculum. Charter schools are not exempt from that—it is not across the board. They have flexibility, as do some magnet schools, but they are not outside of the purview of the state.

**Assemblyman Elliot T. Anderson:**

I guess where my frustration is coming from is that I have stepped out on a limb in past sessions to support high-quality charter schools with the understanding that it is a fair competition. We are not giving charter schools advantages over traditional public schools, and what it sort of feels like to me is that there is picking and choosing of when charter schools want to be considered public schools. I know the Charter School Association of Nevada always makes the point that they are public schools too—they are one of the largest school districts. However, you want to exempt yourselves from some things that you do not like. I guess that is my frustration.

**Pat Hickey:**

I think that if treated fairly, charter schools should not be exempt. I think they should pay prevailing wage if they got close or equal facility funding. I do not think they should get any exceptional treatment, but the reality is that they do not receive facilities funding. Therefore, they have to make do. In principle, the money that finances the building of the schools comes from private developers. That is my reason to oppose this bill. You are imposing a public works framework over the private construction of a school.

**Assemblyman Edwards:**

Would it be correct to say that a charter school is governed by a contract with the public schools, and if we change the terms of that contract, then we may have to change the cost of reimbursement? If we start to add more requirements to the charter schools to act differently or do more, then by the terms of the contract, they would be deserving of additional funding that they are not getting to do the same thing.

**Pat Hickey:**

This body is going to make a lot of those decisions. It is charged to you. Charter schools are chartered by a state authority or sometimes local school districts. Clark County School District has chartered a number of school districts, as has WCSD. They are not chartered

independently with the state. Under that charter, they have to follow certain district or state requirements along with state law. They are not exempt from those things. I get the point that I think you are trying to make. I personally view them and us as partners in this. We are all about the education of kids. We are approaching it differently in some instances as magnet schools do. Washoe County School District is launching a career technical school. We are trying different things in order to catch up, as we look at Iowa and other places. I do not want charter schools to be treated specially. I just think in this instance, it is not fair to superimpose prevailing wage before their construction is truly a public works project. At this point, they are not because of the unequal funding formula that this body has chosen to be the law of the land.

**Assemblyman Edwards:**

If we gave additional funding to compensate for the additional requirements then we are back together. Is that correct?

**Pat Hickey:**

I would find it very difficult to argue that we should not be required to pay prevailing wage if we were getting facilities funding. I am not against the intent of the Senator's bill. I think she is rightfully trying to protect the school districts that are responsible and still do own those properties and are responsible for major repairs. I do not have a problem with that. The problem at this moment in this biennium is that the only two ASD schools that this will apply to are not owned by any of the school districts. They are individual charter schools that are financed privately.

**Assemblyman Fumo:**

How many schools are allowed to enter the ASD annually?

**Pat Hickey:**

I believe it was six. The Department of Education identified somewhere around 75 underperforming schools statewide. Many of them are from Clark County. I think there was a limit of six. There have been bills this session to get rid of the ASD. I think the Department of Education has modified how aggressive they want to be with that intervention. I cannot speak for them, and I would love to see what they have to say about this bill. The counties maybe are doing a better job to improve their schools or have demonstrated a commitment to turning those around. I have visited those schools when I was on the State Board of Education and applaud their efforts. I do not want us to have charter schools take over schools, but at this point, that is the intervention that this body voted for last session. While there are bills to get rid of the ASD, I think if it still exists, S.B. 173 will be a very clumsy attempt to regulate them in a way that is not fair.

**Chairman Thompson:**

Is there anyone wishing to testify as neutral to the bill?

**Brett Barley, Deputy Superintendent for Student Achievement, Department of Education:**

Some of the points I was going to bring up have already been raised around our questions related to Achievement charter schools that are not utilizing a school district building. Futuro Academy Charter School and Democracy Prep Public School at the Andre Agassi College Preparatory Academy campus are using a new facility and a facility built by the original founder. I will not delve into too much detail around the previous issues raised around the potential for private bond issuances that a charter school might achieve by applying for tax exempt bond access through the Department of Business and Industry. That was covered. I would focus the limited time I have now on the agreement that the Achievement charter schools have with the school district. Currently, if there were a school through the ASD that was going to partner with a school district facility, the ASD does require a memorandum of understanding between that operator and the district regarding the use of the facilities. We brought forward regulations to the Legislative Commission during the interim. We outlined a process through which an Achievement charter school and the school district would agree to a facility use agreement. We have been working with districts to iron out what that would look like.

**Senator Cancela:**

Thank you for a very educational and interesting discussion on charter schools broadly. I quickly want to clarify that the bill applies only to the ASD, not to all charter schools. The intent of the bill is simply to close a loophole that was created by two bills that did not cover the ASD from last session and ensure that public buildings and buildings that have been funded by taxpayer dollars continue to have the same standard as our school district buildings. I would also remind the Committee that prevailing wage kicks in when we are dealing with big, capital projects—\$250,000 or more. Operators would not be on the hook for things like fixing a door hinge or installing a new toilet. We are talking about big investment into public facilities. We want to ensure that those jobs are high-quality jobs. We are talking about big dollars.

**Chairman Thompson:**

We will close out the hearing on Senate Bill 173. We will open the hearing for Senate Bill 301 (1st Reprint).

**[Senate Bill 301 \(1st Reprint\)](#): Revises provisions relating to education. (BDR 34-550)**

**Senator James A. Settlemeyer, Senate District No. 17:**

I am here representing the Sunset Subcommittee of the Legislative Commission. It operates in the interim to go through boards and commissions in order to review them and see if they need modifications to make them more efficient. We will go through boards recommended by other Sunset Subcommittee members, which is made up of legislators and private sector individuals who are appointed to the Subcommittee by the Majority Leader of the Senate and the Speaker of the Assembly. In that respect, we look at the boards and determine whether



they should be continued, modified, consolidated, or terminated. The first time I was on the Subcommittee, we finally made the decision to get rid of the pivotal Advisory Council on the Metric System. It had not met since 1979.

There are three entities included in Senate Bill 301 (1st Reprint) that were considered by the Sunset Subcommittee on April 21, 2016. Most of the sections in S.B. 301 (R1) are related to the Subcommittee's recommendation to repeal the State Board for Career and Technical Education. The Board consists of members from the State Board of Education. It is a holdover from the early twentieth century. In 1917, Congress authorized federal aid for vocational education, and required that every state have a state-level board to administer the funds. At the time, the State Board of Education consisted of the Governor, the Superintendent of Public Education Instruction, and the president of the university. Then the Legislature created the State Board of Vocational Education, which consisted of three members of the State Board of Education. A few years later, it added representatives from the Office of the Attorney General and the Office of the Labor Commissioner in the Department of Business and Industry.

In the 1930s, the Legislature began to provide for elected members of that State Board of Education. In the 1970s, the representatives from the Office of the Attorney General and the Office of the Labor Commissioner were replaced with elected board members. The Legislature also required that the two boards meet at the exact same time. They also represent the exact same people, so there is no difference. We have maintained these two boards in the *Nevada Revised Statutes* (NRS) ever since. In reality, the State Board for Career and Technical Education exists only on paper because it is the same board.

When we collected the information to find out about this particular board, we realized they had not really met. They met under a different name because they are the same name. Senate Bill 301 (1st Reprint) abolishes the State Board for Career and Technical Education and transfers their boards to the State Board of Education or the Superintendent of Public Instruction. The members of the Sunset Subcommittee are mindful that federal career and technical education (CTE) regulations require the designation of a state-level board to be responsible for federal funds. Therefore, in section 10 of the bill, it provides that the State Board of Education is hereby designated as the sole state agency to administer the CTE in Nevada.

With that, I will move on to the second board we reviewed—the Advisory Council on Parental Involvement and Family Engagement. Each board or commission that the Sunset Subcommittee reviews is given an opportunity to request revisions of their own statutes and see if they would like to do anything to make them more efficient. The Advisory Council on Parental Involvement and Family Engagement made two separate requests in that respect. They are presented in sections 4 through 6 of S.B. 301 (R1). Their first request is to change their name. The term "parental involvement" would be deleted. Therefore, the Advisory Council on Parental Involvement and Family Engagement indicated that "family engagement" encompasses all members of the family, including the parents. They would just prefer to have the first term deleted.

The second change relates to the reporting that the Advisory Council on Parental Involvement and Family Engagement is required to make to the Legislature. Right now, they are required to make annual reports to the interim Legislative Committee on Education. They are also required to make a biennial report to the Legislature. Senate Bill 301 (R1) combines these two reports into one single annual report in order to make their lives a bit easier.

The final entity is the Interagency Panel. It was reviewed in the Sunset Subcommittee at a different meeting on February 23, 2016. It was created in 1995 to review the replacement of certain children in residential facilities, most of which were located outside of Nevada. Some of these placements were managed jointly by the Department of Education and the Department of Health and Human Services. As provided in NRS, the panel members are the director of the Department of Health and Human Services, the administrator of the Division of Child and Family Services in the Department of Health and Human Services, the administrator of the Division of Public and Behavioral Health in the Department of Health and Human Services, and the Superintendent of Public Instruction. This panel has not met for several years. The Sunset Subcommittee was told that new processes have been developed and are more appropriate for making these determinations for residential placement of eligible children. Therefore, section 31 of this bill provides for the repeal of NRS 388.5237, which has been recommended by those entities. The Senate had other provisions in the bill that they did not care for, so they were deleted by amendment. Senate Bill 301 (1st Reprint) makes no changes to educational boards and commissions.

We have found that some state boards, commissions, and committees have been enacted for a long time, while others have outlived their usefulness. We make these recommendations to you as a Legislature. It is up to you what to decide.

**Assemblywoman Miller:**

When was the last time they met?

**Senator Settlemeyer:**

I was in this room a long time ago for the Assembly Committee on Legislative Operations and Elections and the Assembly Committee on Constitutional Amendments. What would occur is we would meet with the committee and then adjourn. Then we would hand the gavel to someone else in the same room with the same makeup of people. We would start the Assembly Committee on Constitutional Amendments. That, in essence, is what the State Board for Career and Technical Education is doing. The two boards are the same board. They have met, but not really. In their opinion, having the two entities existing in statute and filing reports, when you ask them for their minutes, they give you the minutes of the regular meeting. That is why this bill is being brought forth to combine them. That is exactly how they are being operated currently.

**Chairman Thompson:**

Is there anyone wishing to testify in favor of the bill?

**Brett Barley, Deputy Superintendent for Student Achievement, Department of Education:**

The Department of Education is in support of this bill and the recommendations from the Sunset Subcommittee. We appreciate Senator Settlemeyer's work on the bill. The sunset of the State Board for Career and Technical Education would have no adverse impact on the Department of Education's work. Senator Settlemeyer's explanation of how that body has been operating is spot-on. The language in this bill would streamline the work of the Department of Education.

**Chairman Thompson:**

Is there anyone wishing to testify in opposition to the bill? [There was no one.] Is there anyone wishing to testify as neutral to the bill?

**Chris Daly, Deputy Executive Director of Government Relations, Nevada State Education Association:**

We are here to notify you that we have withdrawn our opposition to S.B. 301 (R1) as amended ([Exhibit F](#)). As introduced, the bill would have required that the teacher member on the State Board of Education teach in the field of career and technical education. This would have limited the ability for teachers from other disciplines to serve on the State Board of Education. We appreciate that this provision has been amended out of the bill.

**Chairman Thompson:**

We will close out the hearing for S.B. 301 (R1). Is there any public comment? [There was none.] This meeting is adjourned [at 6:10 p.m.].

RESPECTFULLY SUBMITTED:

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Sharon McCallen  
Recording Secretary

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Isabel Youngs  
Transcribing Secretary

APPROVED BY:

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Assemblyman Tyrone Thompson, Chairman

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

## EXHIBITS

[Exhibit A](#) is the Agenda.

[Exhibit B](#) is the Attendance Roster.

[Exhibit C](#) is a copy of a PowerPoint presentation titled "Dual Enrollment: 2017 S.B. 19 & National Context," dated April 26, 2017, presented by Jennifer Zinth, Director, High School and STEM, Education Commission of the States, Denver, Colorado, regarding Senate Bill 19 (1st Reprint).

[Exhibit D](#) is a document titled "Increasing Student Access and Success in Dual Enrollment Programs: 13 Model State-Level Policy Components," dated February 2014, authored and submitted by Jennifer Zinth, Director, High School and STEM, Education Commission of the States, Denver, Colorado, regarding Senate Bill 19 (1st Reprint).

[Exhibit E](#) is a letter dated January 24, 2017, in support of Senate Bill 19 (1st Reprint) to Matt Morris and the Office of Governor Sandoval, authored and submitted by Frank Woodbeck, Vice Chancellor, Workforce Development, Nevada System of Higher Education.

[Exhibit F](#) is a letter dated March 26, 2017, regarding Senate Bill 301 (1st Reprint) to the Assembly Committee on Education, submitted by Chris Daly, Deputy Executive Director of Government Relations, Nevada State Education Association.