

**MINUTES OF THE
SENATE COMMITTEE ON EDUCATION**

**Seventy-ninth Session
May 4, 2017**

The Senate Committee on Education was called to order by Chair Moises Denis at 3:44 p.m. on Thursday, May 4, 2017, in Room 2134 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to Room 4412 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Senator Moises Denis, Chair
Senator Joyce Woodhouse, Vice Chair
Senator Tick Segerblom
Senator Pat Spearman
Senator Don Gustavson
Senator Scott Hammond
Senator Becky Harris

GUEST LEGISLATORS PRESENT:

Assemblywoman Olivia Diaz, Assembly District No. 11
Assemblyman Jason Frierson, Assembly District No. 8

STAFF MEMBERS PRESENT:

Todd Butterworth, Policy Analyst
Asher Killian, Counsel
Linda Hiller, Committee Secretary

OTHERS PRESENT:

Judi Steele, President & CEO, The Public Education Foundation
John Guedry, Executive Director, The Public Education Foundation
Theo Small, Vice President, Clark County Education Association; Teachers and Leaders Council
Anthony M. Nunez, Principal, Orr Middle School, Clark County School District; Teachers and Leaders Council

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Margaret Marschner-Coyne, Valley High School, Clark County School District;
Teachers and Leaders Council
Chris Daly, Nevada State Education Association
Natha C. Anderson, President, Washoe Education Association
Bret Scoggin
Nichole Bratsouleas-Urias, Clark County Education Association
Jena Salazar
Steven Horner
Pauline Rusert
Erin Krentz
Phil Sorensen
Celese Rayford, Associate Superintendent, Clark County School District
Brad Evans
Jeff Geihs, Associate Superintendent, Clark County School District
Kimberly Hankins
Athena Klock
Jen Trunnels
Anna Slighting, HOPE, Honoring our Public Education
Mario Wolthers
Susan Slykerman
Susan Kaiser, Washoe Education Association
DeeAnn Roberts, Nevada PTA
Phillip Kaiser, Washoe Education Association
Susan Lefave
Dolly Rowan
Peter-Sean Hart
Peggy Lear Bowen
Stephen Augspurger, Executive Director, Clark County Association of School
Administrators and Professional-Technical Employees
Lindsay Anderson, Washoe County School District
Mary Pierczynski, Nevada Association of School Superintendents; Nevada
Association of School Administrators
Sandy Pontillas
Matt Nighswonger
Victor Romero
Jessica Ferrato, Nevada Association of School Boards
Ronni DeFazio
Tamara Luz
Stan Willis

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Terri Shuman
Brian Flick
Valerie McNay
Cassandra Bell
Jana Pleggenkuhle
Erin Riddle
Erik Smith
Vikki Courtney, President, Clark County Education Association
Star Ali Mistriel
Kathern Beasley
Steve Canavero, Ph.D., Superintendent of Public Instruction, Department of Education
Nancy Brune, Director, Kenny Guinn Center for Policy Priorities
Paul Moradkhan, Las Vegas Metro Chamber of Commerce
Michael Flores, College of Southern Nevada
Kyle Dalpe, Interim Dean of Technical Sciences, Truckee Meadows Community College
John Piro
Kent Ervin, Nevada Faculty Alliance
Jill Robinson, Student Body President, College of Southern Nevada
Lauren Eliot
Sylvia Lazos, Vice Chair, Latino Leadership Council
Israel Diaz
Frank McPherson, Assistant Director of Financial Aid, College of Southern Nevada

CHAIR DENIS:

I will open the meeting of the Senate Committee on Education with a presentation by the Clark County Public Education Foundation.

JUDI STEELE (President & CEO, The Public Education Foundation):

We will begin our presentation with a short video on The Public Education Foundation, which is celebrating its 25th anniversary this year. We have a flier to submit ([Exhibit C](#)) that explains what we do.

JOHN GUEDRY (Executive Director, The Public Education Foundation):

I believe The Public Education Foundation is critical to the overall success of our State's education system because they pull the community together—the legislative leaders, community leaders, business leaders and education leaders.

We work collaboratively to find solutions to our challenges in education here in Nevada and across the Country.

From a business standpoint, the reason our company got involved with the Foundation is because we saw two areas that we think make a huge impact on student outcomes—early literacy and expanded leadership training. As we try to improve the Clark County School District (CCSD) and see the challenges with the reorganization effort including changing the culture of the district and the community, we know it will take strong leaders to execute that plan. Without the leadership training the Foundation is doing, we would have a bigger challenge ahead of us. From a business leader's perspective, I believe it is important to continue to grow the Foundation and support it in its work to help all the school districts in the State.

CHAIR DENIS:

I appreciate the work you do. Leadership is the critical piece of education that we sometimes forget about. There needs to be a great leader in a school building, as well as great teachers and great teacher leaders all working together. I have been to some of the sessions The Public Education Foundation has given on leadership. It was high quality information, and I think you are making a difference.

I will now open the hearing on Assembly Bill (A.B.) 320.

ASSEMBLY BILL 320 (1st Reprint): Revises provisions relating to the statewide performance evaluation system. (BDR 34-1016)

ASSEMBLYMAN JASON FRIERSON (Assembly District No. 8):

This bill reflects an effort to ensure that our teachers are held accountable and that we have a measure to look at teachers and their effectiveness in a meaningful way, not an arbitrary way. I have teachers in my family, and I believe teachers are our heroes. They are the people we entrust with the care of our children for a significant part of the day.

We need to ensure that we have incentives for teachers to teach in the most difficult environments and in the struggling schools, ensuring that a teacher is not penalized for that. In the child welfare system, you see the impact of what happens in a child's home when he or she does not have the kind of nourishment to be able to focus in school. You can see the effects when there

is not a supportive parent or when there is violence in the home or in the neighborhood. We cannot take care of all of that for all of our children, but we should not punish teachers for having to deal with those issues. If a teacher has a classroom of children from well-to-do families that have support and structure at home, naturally those children will do better in school. We should also have a system that encourages teachers to go to the schools where students are struggling.

Under current law, the State Department of Education (NDE) has regulations to evaluate teachers and administrators. As of July 2017, pupil achievement data must account for at least 40 percent of the evaluation for a teacher or administrator. Half of that percentage is the statewide exams. The No Child Left Behind Act of 2001 required that statewide exams be part of the evaluation system, however the Every Student Succeeds Act of 2015 (ESSA) no longer requires that. This provides us with an opportunity to be flexible and creative in how we evaluate our teachers.

This bill proposes to get rid of the 20 percent set-aside for statewide exams, which, by the way, we have not yet been able to implement. Removing this 20 percent would enable us to focus on student learning goals (SLG) and student achievement, which would assess locally where teachers and administrators could set goals.

I worked significantly with the Teachers and Leaders Council (TLC) through NDE to come up with something meaningful in A.B. 320 that could be nonpartisan and provide a meaningful way to evaluate teachers. With the amendment TLC proposed, we go even further and get universal support in evaluating teachers in a meaningful way. I also worked with NDE and Superintendent Canavero on the bill and appreciate the level of cooperation and engagement from them on this issue. I am confident we all want the same thing, which is to have the best classrooms for our children with professionals in those classrooms who are being held accountable. I do not know that we yet agree on how to get there, but I think we are coming closer.

Because this is not my wheelhouse, I will not try to explain in detail the proposed amendments. Overall, the bill proposes to spread out evaluations, particularly for teachers who are performing well. We have scaled that back and acknowledge that the original bill probably had too much space between evaluations. We also agreed that NDE can audit the implementation of the

evaluation system and that both educators and administrators cannot receive the highest level of evaluation unless they are performing minimally in other areas. If they are performing extremely low in one area, they can outperform in another area, but it will still limit their ability to receive that highest level.

Lastly, trying to define student growth can be done in a meaningful way to create the best atmosphere for students and teachers alike. This bill is in no way trying to avoid making teachers accountable, but it needs to take in all the factors, in all subjects, and in a meaningful way. Right now, if you are a highly-evaluated teacher at a great school, why would you go to a lower school where you will be penalized by definition because those students are not performing at the same level?

THEO SMALL (Vice President, Clark County Education Association; Teachers and Leaders Council):

I have served with the TLC through NDE since its inception in 2011. We appreciate this bill. As a reminder, this policy when it came through in the 2011 Legislative Session, was part of federal Race to the Top funds where all states were required to have 50 percent of their evaluation be on State evaluations. With the leadership of Senator Becky Harris in the last Session, we were able to broaden that definition of accountability to locally derived assessments.

Assembly Bill 320 represents the work of the TLC since the federal ESSA was passed, giving money back to states and local districts. The bill covers teachers and other licensed educational professionals like school psychologists, nurses and administrators. There were some amendments on the Assembly side.

ANTHONY M. NUNEZ (Principal, Orr Middle School, Clark County School District; Teachers and Leaders Council):

I have had the fortune of leading two schools through the turnaround process in the CCSD. Turnaround Schools are underperforming schools that we are assigned to as principals to turn them around and rapidly increase student outcomes. In both situations, hiring a good number of highly effective teachers is part of the process. Removing these school-wide aggregate scores is important because when I ask teachers to come work at my school, I do not want to tell them that for the first couple of years their evaluation scores will be lower. That does not play well with people who are highly effective who have received high evaluation results.

For example, when I worked at an elementary school, we would have fifth graders functioning at about a kindergarten reading level. Even if a highly-effective teacher made two years' worth of growth with those students, they would only be reading at a second grade level, but the Smarter Balanced Assessment Consortium (SBAC) assessment would test them at a fifth grade level because of their age, and there is a high likelihood that these students will still score in the nonproficient status. That does not mean the teacher was ineffective, so he or she should not be rated ineffective in that section of their evaluation. Similarly In the middle school where I am principal, we have students up to eighth grade reading at prekindergarten levels. If we make two years' worth of growth in those students, they are still going to take grade-level reading assessments, reading at a first grade or a second grade reading level.

The SLGs solve this problem because it allows principals, teachers and administrators to work collaboratively to do a needs assessment and provide prescriptive programming which we monitor using multiple measures to identify the gaps in learning so we can accelerate achievement. The SLG is our roadmap there, because it is accurately reflective of what a teacher accomplished.

MARGARET MARSCHNER-COYNE (Valley High School, Clark County School District; Teachers and Leaders Council):

The purpose of the SLGs is to increase student achievement and growth as well as teacher instructional and professional growth. This form of assessment addresses the whole child's need and informs future instruction. The SLGs use the amount of desired student growth as a starting point when considering the instructional strategies it will take to achieve that target, rather than creating a goal where the measured growth is the only outcome. It makes student learning a priority for teachers. Additionally, student growth is measurable within a year, using the SLG process, as there are multiple data points. This is a more authentic assessment of student growth. Using one data point, such as State assessments, you measure proficiency but you do not demonstrate the growth of the students in the classroom. One data point does not inform instructional practices and does not accurately reflect the learning of the student.

Finally, the SLG process has positively impacted our professional growth as teachers because following the SLG process deepens teachers' self-reflection on their instructional practices and student needs. We are more actively creating high-level, authentic assessments, gathering data and analyzing that data

because of this process. Teachers need this opportunity to create assessments that accurately let them know where their students are and where they need to go so they can teach the whole child. With SLGs, we are now working within grade levels and with administrators to do just this.

One teacher in particular that I work with told me that by going through the SLG process, he became a better teacher by looking at data specific to his students and seeing how it positively and negatively impacted student growth. Teachers cannot make these decisions with assessments that are out of their control. The teachers I work with support the SLG process as a means of evaluating the work that happens in their classrooms and providing accountability for themselves.

MR. SMALL:

I want to clarify that the conceptual amendment ([Exhibit D](#)) provided today from the TLC is supported by the NDE. I also want to acknowledge that I am also speaking for our TLC Chair, Pam Salazar, who is representing Nevada in Washington, D.C. with principal leadership.

The first part of the TLC conceptual amendment referenced the summative rating, which is how educators are currently evaluated with the Nevada Educator Performance Framework (NEPF) by the lowest possible score. Say my student data does not show that I have made high growth with my students, whatever high growth determines, so if I am a special education teacher, my growth may not be a year's worth of growth. There has to be some balance between my overall evaluation of effective or highly effective, and how my students do.

The second part of the TLC conceptual amendment, [Exhibit D](#), defines student growth. It gives flexibility. Ideally, if someone is already at their proficient levels, they will make a year's growth every year in the school system. We also have unique circumstances where you may have a student who makes more than a year's growth or you may have a student who makes less than a year's growth based on their ability.

CHAIR DENIS:

I do not see the actual term "student growth" in the bill. The main question was how the definition of student growth was going to be used.

MR. SMALL:

We will have to look at language around the SLGs, the 20 percent that is connected to the growth the education professional is working with that student. We may have to add language to ensure that representation of student growth is in there. When you do that as a professional, you test and score where the student is when they come in, then you look at how you intervened as a teacher, and then what was their growth throughout that year. That is part of the SLG, and we can work with the NDE on that.

The third piece in the TLC conceptual amendment, [Exhibit D](#), is related to having the State Board of Education and school districts look at the evaluation system to ensure that all the practices are there, including the practice of observation and ensuring that all the parts of the evaluation system are working.

The fourth part of the conceptual amendment is allowing the NDE to go into school districts and audit the system to make sure all the pieces are there. You can go as close as to the classroom level, having conversations before an observation and after an observation. This happens three times for probationary teachers and at least once for postprobationary teachers.

CHAIR DENIS:

Going back to [A.B. 320](#), in subsections 2 and 3 of both section 4 and section 5, it seems like we are not addressing postprobationary educators who receive an evaluation of highly effective for just one year. Is it the intent that those educators would receive one evaluation in the following year as in subsection 2 of both section 4 and section 5? If the second evaluation is also highly effective, would the provisions of subsection 3 kick in and they would be evaluated once the following two years?

MR. SMALL:

That is correct. If you are highly effective the first year, you are still going through the full cycle the second year. If you are highly effective two years in a row, the Assembly amendment would say you can be off the actual process of observation. You would still have a SLG as part of your growth plan, but you would be off the evaluation cycle for two years.

CHRIS DALY (Nevada State Education Association):

We support A.B. 320, and I have submitted a letter of support ([Exhibit E](#)). Regarding the amendments, it is important to keep in mind that this is compromised legislation. We initially supported A.B. 212, which would have completely removed student data from teacher evaluations.

ASSEMBLY BILL 212: Prohibits the use of pupil achievement data to evaluate employees of a school district. (BDR 34-693)

Assembly Bill 320 was amended in the Assembly, not to strengthen the legislation, but to attempt to win bipartisan support. We at the Nevada State Education Association (NSEA) feel the rug was pulled out from under that agreement in the Assembly. Moving forward with more amendments, we are concerned that these actually do win bipartisan support for this legislation so it can be enacted into law.

NATHA C. ANDERSON (President, Washoe Education Association):

I support this bill because teachers want accountability, and we want it in a fair, timely, rigorous and valid manner. One of the members of the Washoe Education Association that I represent, who is an American history teacher, told me that 10 percent of his evaluation is based on a cumulative test score from freshman and sophomore students. He has not had the opportunity to teach these students or help them, yet 10 percent of his evaluation currently is based upon on a cumulative test score. We believe that A.B. 320 would fix this.

The timeliness of these test scores being applied to a teacher's evaluation usually means that those test scores are from last year's students. A middle school teacher told me that has been her situation and she has not had a chance to make adjustments to help these students and help her evaluation be stronger. A special education teacher told me that the Nevada Alternate Assessment for students with intellectual disabilities is a videotaped test based on grade level State standards. She said that last year she spent three hours doing a test for a 19-year-old student who is developmentally 18 months old, asking questions about quadratic equations. This is what our teachers are being asked to do. A better way would be to use the student learning objectives we do in the Washoe County School District (WCSD) that allow us to make adjustments as the school year progresses.

BRET SCOGGIN:

I am a former teacher and current principal. I support A.B. 320 because the current evaluation system not only creates an impossibility for the teacher; it also creates an impossibility for the kids. Can you imagine how it makes a child feel to be told he or she is a failure? As a secondary school math and science teacher, I would often encounter students who were functioning at a first and second grade level when they walked into my room. Sometimes I got kids who did not speak English. One year, I had a student from another country in my class who was 17 years old, had never been in school before and did not speak English, and yet I had to test him to a ninth grade level. I needed to grow him to a ninth grade level in one year. When you create an impossibility, you stifle creativity and the passion we all have for teaching. It is not just the teachers who are affected, it is the students. This bill will fix this.

NICHOLE BRATSOULEAS-URIAS (Clark County Education Association):

I am an elementary school teacher-librarian, a member of the Clark County Education Association (CCEA) and I support this bill. I work in North Las Vegas for the CCSD, teaching information literacy. I also weave social studies and science into those standards because classroom teachers no longer have the time they used to have to teach to these standards.

Nationally and locally, we know that race and poverty are the two biggest factors that impact student outcomes. All of my students are on Free and Reduced-Price Lunch, only 5 percent of my students are Caucasian and more than 50 percent of my students are English Language Learners (ELL). I am exactly where I want to be and I would not want to work with any other students. My individual SLG for this year was to have at least 80 percent of my first graders be able to identify the text features of a book. In August, only 43 percent of those students knew those six text features. By March 30, 89.7 percent of those first graders knew all the text features.

I am also the advisor on my school's student council and for the school's speech and debate team. The best part of my job is empowering my students to be lifelong readers and to be literate, global citizens who read for pleasure, information, research and, eventually, read to their children. I am a highly effective teacher and my data proves this. I will teach your children, but let me empower them with the love of reading and do not make me worry about standardized test outcomes. Let me grow a generation of readers.

JENA SALAZAR:

I am a self-contained teacher with students between the ages of three and five years old and all are diagnosed with autism. I am new to teaching special education after 15 years of teaching general education, and I cannot imagine going back now. This year, I earned a highly effective rating in nine areas on the NEPF. Thankfully, I work at a school where the schoolwide score was three, but if I taught at a school with a lower rating, it would affect my evaluation by scores on tests my students will not participate in for four to five more years. This bill will encourage and empower teachers to teach where they are most needed. I have submitted my written testimony ([Exhibit F](#)) in support of A.B. 320.

STEVEN HORNER:

I am a retired special education teacher. My job as a teacher was not to just push information, it was to help the students find ways to learn and retain information. All the teachers I know want to be held accountable, but not for things they cannot control. I have submitted my written testimony ([Exhibit G](#)) in support of A.B. 320.

PAULINE RUSERT:

I have been a certified teacher since 1997 in two states and multiple school districts. Linking test scores directly to individual teacher evaluations in the Common Core State Standards (CCSS) or any environment is fundamentally flawed. Teaching and learning begins informally, at least at birth. Testing in various forms begins between kindergarten and third grade. Therefore, there cannot be a direct correlation between any one year of instruction and one year's worth of test scores.

Learning is cumulative and there are so many variables out of the control of individual teachers, administrators and even students and their guardians. To so heavily weight testing when we are moving away from evaluating students on a single data point and trying to discourage teaching to the test, the idea of evaluating teachers based on a single year of their student's test scores is not only ironic, it is dangerous. If you are going to use test scores, use holistic scores from writing tests and Mathematics Assessment Resource Service tasks and things more akin to what we are trying to do with CCSS.

ERIN KRENTZ:

I am a primary grade teacher in Reno. For this evaluation process, I was also evaluated on students I have yet to teach because I teach first grade. There are many situations out of our control in the school where I teach. We have high transiency, poverty and we are not always sure that our students are coming to school prepared each day, because their last meal might have been lunch from the previous day. These things affect how a student performs during the day and during testing times. We also have language barriers. We have students who are still learning the foundational skills of reading but who cannot go home and practice with family members because of those language barriers, so we start over every day from the beginning. At home, there are behavioral issues that affect the students and the class as a whole, and all of these factors tie into the assessments. We would like it to be seen that we are trying to better these students to become citizens of our community. These assessments are not showing the great work we do within the classroom.

PHIL SORENSEN:

I have been a science teacher in Nevada schools since 1989. I am a member of the NSEA and President-elect of the Douglas County Professional Education Association. I support A.B. 320 in its amended form. I am on record for supporting A.B. 212 and opposing A.B. 320, but now that the former bill is dead and language has been added to the latter bill, I am in support of it.

My focus is to share my support of the elimination of test scores from teacher evaluations and provide an alternative that could be used for measures of student learning and teacher accountability. Standardized tests have been shown to consistently measure the socioeconomic levels of the kids taking the test. In the most recent data compiled from 2013, it shows that 51 percent of Nevada children reside in homes of low income or poverty. Many of the factors that influence these test scores are out of one teacher's control. Subjecting teachers to be evaluated by student test data is holding them accountable for societal issues outside of public schools.

As Audrey Amrein-Beardsley at Arizona State University mentioned in her testimony before the Assembly Committee on Education in April, many states are dropping test scores from teacher evaluations. Nevada is behind the national trend on this. Dr. Beardsley also shared that there are currently 14 lawsuits across the Country because of test scores being tied to evaluations. There is an alternative way to measure student growth, and A.B. 320 is a meaningful,

authentic way to measure student learning while holding teaching professionals accountable. I support this bill.

CELESE RAYFORD (Associate Superintendent, Clark County School District):

We support A.B. 320 with the amendments adopted from April 24 that indicate 20 percent of the evaluations would be based on pupil achievement data generated from the relevant school or school district. If existing law retains that 40 percent of evaluations are based on State and local assessments, it will have an adverse effect. Many licensed staff will be rated minimally effective, developing or ineffective. It will be almost impossible for licensed staff to be rated highly effective and a challenge to be effective.

We have teachers right now who are rated effective and highly effective whose ratings would change to minimally effective, developing or ineffective if A.B. 320 as currently written does not pass. The existing law is contrary to other State initiatives to recruit and retain effective and highly effective teachers to the schools where we need them the most, such as the Victory Schools, Turnaround Schools and Zoom Schools.

If teachers know that 20 percent of their evaluation will be based on a schoolwide score, why would they apply to work at our most at-risk schools? Our Victory Schools have made efforts to recruit and retain effective and highly effective teachers. The pay-for-performance bill, A.B. No. 483 of the 78th Session, passed in 2015, requires school districts to come up with a system of accountability based on school performance and return on investment compared to other like schools. Four CCSD schools qualify for increased salaries under that bill. Before qualifying for this program, these schools would not have been able to attract good teachers.

For our schools that received an aggregate score of 1 or 2, teachers who teach at these schools are unable to be rated as highly effective. In fact, it is impossible. There is no connection between using State assessments and other State initiatives to focus on recruiting and retaining effective and highly effective teachers.

BRAD EVANS:

I have the pleasure of being an ELL facilitator and teacher at Valley High School in the CCSD. I have a master's degree in applied linguistics and am certified to teach French, English, Spanish and ELL in Nevada. I agree with everything my

colleagues have said, particularly in regard to the validity of these exams, especially the point that 20 percent is more effective for teacher growth.

I work with students who are new to the U.S. All of my students have been in the Country less than two years. In one year, I had one student make nine years of reading growth as measured by his Lexile levels. However, under the current law, I would be rated as an ineffective teacher. I do not know what more I can do than get nine years of growth. I have another student who spoke no English, and after three years, this student is now passing proficiencies. Understand that ELL students will be particularly harmed without this bill.

I leave you with this. Are you the sum of your GRE scores, your LSAT, your SAT, your ACT? Should we use the LSAT to count for 40 percent of your votes when you seek reelection? Our students deserve higher quality data and our teachers deserve not to be punished for serving the most needy students.

JEFF GEIHS (Associate Superintendent, Clark County School District):

As an associate superintendent in the CCSD, I supervise the Turnaround Zone. I support A.B. 320 as currently written with the amendments adopted from the April 24 meeting of the Assembly Committee on Education, making 20 percent of evaluations based on student achievement data and SLGs instead of 40 percent.

I cannot emphasize enough what a dramatic and negative consequence it will be if the proposed amendments by the NDE were to pass. Mr. Nunez, the highly effective principal at Orr Middle School, which is in my area of supervision, commented that he would have a difficult time recruiting highly-effective teachers to his school if they realize their evaluations would drop at his school.

I have a middle school that got an aggregate score of 2. The administrators there do their due diligence in evaluating teachers properly. Some of the teachers in the performance area of instruction receive some twos, but they were rated overall effective. Under this system, they fall to minimally effective. Conversely, with school aggregate scores of 4 or 5, you could have an ineffective teacher be bumped up to effective status. I have submitted my written testimony ([Exhibit H](#)).

KIMBERLY HANKINS:

I am a 20-year veteran educator. You will hear the word “unfair” a lot today. It is unfair that my students go home to parents who are illegal and live in fear that their mom might not be there. It is unfair that my students live in poverty and they may not have food over the weekend, so whatever I store at school they hoard to take home. It is unfair that those children live in that condition but the reality is that their poverty and the second language struggle affects our children. It is unfair that our students are tested in a language they have not learned yet. It is unfair that our children have to spend their time in a household with 15 other people because that is what they can afford. That is the reality of my children’s life in my classroom. I am asking you to do what is fair; to evaluate me on the job I do. I welcome you in my classroom. I welcome you to come evaluate my kids. Come celebrate with my as my little group of kindergarten readers in second grade now read almost at a second grade level. Those same students will hit third grade next year and they will take the SBAC test and that same celebration will be taken away because they are going to fail because they do not know the language. Their reading is not there, and it is not because I have not done my job. I have.

ATHENA KLOCK:

I am a secondary math and science teacher for the WCSD, formerly an industrial research chemist. After a decade of teaching, I know two things to be true. First, teachers are some of the hardest working professionals I have ever met and second, they are evaluated on outcomes over which they have limited or no control. I support A.B. 320 and have submitted my written testimony ([Exhibit I](#)).

JEN TRUNNELS:

I am a sixth grade teacher at a federal Title I assisted school in the WCSD. My students vary in ability from kindergarten through eleventh grade. Our current overreliance on standardized tests exacerbates our lost instructional time. Currently, we administer Measures of Academic Progress (MAP) tests for three months in the beginning, middle and end of the year. We have six to seven weeks of SBAC testing, we weekly progress monitor, we test in the classroom on ongoing things constantly and even though our students are not taking MAP or SBAC tests all the time, we constantly have students pulled out of class to finish testing during that time.

This inhibits our ability to provide Tier I whole class instruction. If I have eight students out at a time, I cannot teach something to the whole class because

those eight students are going to miss out. We have one-third less time teaching in the classroom because of the standardized tests that are administered throughout the school year for Tier I instruction. This frequent testing also diverts the energy of teachers into compliance exercises, excessive paperwork and it incentivizes teaching to the test, which narrows the curriculum.

That is my concern, because when I first started teaching 17 years ago, the focus was on multiple intelligences and exploring how can we teach kids to be creative and how can we address their strengths. Now our focus is on their weaknesses, we test them to death, and they are sick of the excessive testing as much as teachers. We need to get back to finding what is important and narrowing our testing to assess meaningful things that will help our kids learn, not just another data point.

ANNA SLIGHTING (HOPE, Honoring our Public Education):

I am a CCSD teacher in support of A.B. 320 and the amendments as discussed today. I represent HOPE of Nevada, Honoring Our Public Education and I have submitted my written testimony ([Exhibit J](#)).

MARIO WOLTERS:

I am a resource teacher for the CCSD and a member of the CCEA in support of A.B. 320. There are a lot of factors that go into student achievement, including socioeconomic status, parental involvement, and education and mastery of the English language. Twenty percent is already having a pretty significant impact on teacher evaluations. I can speak for a few of the teachers I spoke with whose evaluations were under a three when I know for sure these are teachers that are way above that level. This is enough to scare some teachers off. If you move it to a 40 percent, you scare off even more, and we will be wondering who is going to teach these classes in these high-needs areas. My concern is that these positions will be filled with long-term substitute teachers. Not to disparage these substitutes, but we go to school for several years to learn how to do this job and we attend student teaching, so we go through a rigorous education to ensure we can teach well. I would be sad if this scared even more quality teachers away from teaching here.

SUSAN SLYKERMAN:

I am the teacher-librarian at Liberty High School, a member of the CCEA and President of the Clark County School Librarians Association. I am here in

support of A.B. 320 with the amendments given. In the CCSD, all librarians must have a teaching certificate and have taught for three years. I have been on a cadre of creating the NEPF for teacher-librarians. The vast difference comes in the professional aspect of the NEPF. Next year it will be piloted between elementary and secondary teacher-librarians in the State. Instead of just a SLG for librarians, we are also looking at professional learning goals. This way, the teacher-librarian could choose SLGs or professional learning goals, because we teach to the entire school, not just one class or grade level. We need that option. As a secondary librarian, if I were to set the SLGs of one class, you can bet I would bring that class in more often than I would the other kids, which is not fair to the other students or to my teaching ability to affect everyone. I have submitted my written testimony ([Exhibit K](#)).

SUSAN KAISER (Washoe Education Association):

I am a science teacher at Pine Middle School. I am here in support of A.B. 320. The NDE position is that student assessments must be a part of teacher evaluations but only math and English are tested. This means the French teacher and the art teacher evaluations would be based on student performance in subjects they do not teach. I have submitted my written testimony, and I also submitted an example of a French teacher's rubric ([Exhibit L](#)).

DEEANN ROBERTS (Nevada PTA):

I am a recently retired educator of 30 years in Nevada and the Vice President of Advocacy for Nevada PTA. I am speaking as a mother of three children as well. My older child was taking Criterion-Referenced Test (CRT) in the fifth grade when he was sick. I sent him to school because it was CRT day. After the testing, we discovered he had pneumonia, and we kept him home from school the next day. I received a call from the principal telling me my son needed to be at school to finish his CRTs. Being a teacher, I knew the importance of the CRT test, and I took him in. I now have 13-year-old twins who both told me of kids who will blow it for their teachers, because some kids do not like their teachers. This system is unfair and it has consequences. I support A.B. 320.

PHILLIP KAISER (Washoe Education Association):

I am a teacher for the WCSD, and I support A.B. 320 without the amendments from the Superintendent of Instruction of the NDE. You have already heard of the ridiculous nature of assessing teachers on students they do not teach in their subjects. There is also a problem with the validity of the testing, in part because in eighth grade, advanced students who take algebra opt out of the

SBAC test and because they do not take that test, the school will have a lower score overall in math. Additionally, we have people who, for a variety of reasons, opt their kids out of SBAC testing which invalidates the overall scores because a lot of the high end kids are not taking the test. I have submitted my written testimony ([Exhibit M](#)).

SUSAN LEFAVE:

I am a teacher at Mary & Zel Lowman Elementary School, a Victory School in the CCSD. I have read this bill with the State aggregated report on schools. I am glad you revised it to the student growth model. The aggregated report was punitive and does not show the growth my students made this year. My students were entered into a Science, Technology, Engineering and Mathematics essay contest with other students in Clark County. My students were competing with students from magnet schools and from more affluent areas, and they won second and third place. It is not the place you are from, but the chance to succeed. My students made a 25 percent growth in reading and math on their monthly evaluation scores.

Give our students the chance to succeed with qualified teachers. High-stakes standardized testing does not identify qualified teachers. The teachers in the Turnaround Schools should be the best that CCSD can provide. As a teacher, I cannot force a student to use strategies I have taught, nor can I force them to work out answers I know they can tackle. I can only encourage them to make good choices. Many of these students come to school not having eaten the night before, and they fall asleep in class because there was a shooting outside their apartment door the night before.

I work hard to meet the educational needs of my students and if you want to grade me, be fair by using the student growth model for the students I teach that year. I encourage you to pass A.B. 320 with the revisions of the growth model.

DOLLY ROWAN:

I support this bill and I have been a strong advocate for A.B. 212. I will never believe a teacher should be evaluated by the test scores of his or her students. Rather, they should be evaluated by how they respond to their students and their needs, be it their level of achievement or their personal developmental needs. I teach early childhood autistic students and with A.B. 320, it provides me the opportunity to have a conversation with my administrators where I can

work with my students and show their individual growth. Before, I would be based on standardized tests that affect an entire school. I have complete faith that you will do the right thing and support A.B. 320.

PETER-SEAN HART:

I am an English Language Acquisition teacher at Dell H. Robison Middle School in the CCSD. My school is a Title I school and a Zoom School with a high transient population. I am a special education student myself and I am an educator who starts my day at 5:45 a.m. every school day and ends it at 7:30 p.m. My student population is transient and my students come to class with low skill levels. Because of this, when they get a little taste of success, it goes a long way, but when they get in front of a computer screen to take the assessments, they get very frustrated. Sometimes they even fixate on one question and cannot move on. I do not think anybody disagrees with the fact that these assessments are important, but they do not show how awesome and how great my students are. They do not show that I have students who come to me with a first grade reading level in sixth grade and by the beginning of December, they are at a third grade reading level. The tests do not show this.

I invite you to come to one of my classrooms and see how great these kids are. You cannot tell from these assessments, and it is not fair to me as an educator that their test scores do not show how great they are, and yet that is a part of my evaluation. The accountability needs to be more fair. I believe A.B. 320 does that. Having the evaluations rely on 40 percent is not going to get the good quality teachers these students need and deserve.

PEGGY LEAR BOWEN:

Twenty percent is better than 40 percent. What do we want to accomplish? We want our children to learn and show you what they have learned. If Nevada would like to do well, they would not go with the compromise, but they would remove it from the bill. Remove the 20 percent and the 40 percent and any type of standardized testing involved in the evaluation of a teacher, because you are not evaluating the teacher. Look at what you want to accomplish and see if the tool you want to use is doing that for you. If not, cease using any evaluation tool that does not accomplish your goal. Otherwise, I regretfully have to support A.B. 320 as amended because it is better than nothing.

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STEPHEN AUGSPURGER (Executive Director, Clark County Association of School Administrators and Professional-Technical Employees):

I am also speaking for the Washoe County school administrators, and we all support A.B. 320 as written.

LINDSAY ANDERSON (Washoe County School District):

We support A.B. 320.

MARY PIERCZYNSKI (Nevada Association of School Superintendents; Nevada Association of School Administrators):

We support this bill with the TLC amendments.

SANDY PONTILLAS:

During one of my first education classes at the University of Nevada, Las Vegas (UNLV), I remember a professor lecturing about the difficulty of being a teacher in Las Vegas. She wanted to ensure that we were pursuing our profession with eyes wide open. According to her, as a city, we were in the top three of many unfavorable categories such as teen pregnancy, divorce rate, transiency, alcoholism and suicide. I seriously reconsidered becoming a teacher because I knew it would be heartbreaking to work with students dealing with so many hardships that I had no control over. I soon realized that this was exactly what I needed to do.

As a 19-year veteran, I am now a consulting teacher with peer assistance and review. I coach new teachers who work in schools with a high ELL population and low socioeconomic status. These teachers educate some of the most at-risk children in the valley, and they persevere under the most difficult circumstances. They are a precious commodity to be valued, encouraged and appreciated. By tying test scores to teacher evaluations, you are placing blame squarely on the shoulders of teachers and these shoulders can handle only so much.

So many of our teachers come to us with issues over which we have no control and these issues impact a child's ability to learn. I consider myself to be a strong teacher advocate but an even stronger child advocate. All children deserve great teachers, but you do not want to create roadblocks to recruitment and retention. Hold us accountable, but please do it in a way that is more meaningful.

MATT NIGHSWONGER:

I am a teacher for the CCSD and a member of CCEA. I teach U.S. government and politics. I am dedicated and passionate about helping the next generation become engaged, active members of the political process. We need to change the political apathy in America. My class motto is "Gov is Life." I strive to do this by making the subject relevant and exciting, not testing-based. In the past few years, we have engaged in a mock trial, mock committee debates, congressional role playing activities, congressional drafts, presidential parades, interest group debates, political party commercial creations and many more activities. More testing would change the student learning environment from an active, engaged environment to a mundane class focused on memorizing information and passing tests. Help teachers continue to make classrooms and learning environments enjoyable instead of a place of dread.

VICTOR ROMERO:

I am a special education teacher at Desert Pines High School (DPHS), a Title I, Tier I high school in the CCSD. The current evaluation system does not discourage people from staying at DPHS. If the aggregate score goes up to 40 percent of my evaluation next year and drops my score below a 3, I will have to leave this school that I love. I really do not want to. I support A.B. 320 and have submitted my written testimony ([Exhibit N](#)).

JESSICA FERRATO (Nevada Association of School Boards):

We support the bill and the recommendations from the TLC in the amendment.

RONNI DEFAZIO:

I am an educator at a Title I, Tier I high school. I love my students and school very much. It takes me 45 minutes to get to work, but I live near Coronado High School, which I am guessing has an aggregate score of 4. As a special education teacher, it is crucial to show data to demonstrate growth within your students. I have done this every year. This year, when going over my evaluation with my administrator, I was disheartened and discouraged. My school's aggregate score is a 2, which brought my overall score down.

This year, I taught three different subjects, two of which were brand new to our curriculum, and I worked extremely hard to get my students to where they are. I obviously am negatively impacted by this. Teachers like me might now be thinking, "I should just move to a school such as Coronado, because it is better for my evaluation and gas mileage!"

Effective and highly-effective teachers who teach at my school should get an automatic score of four. It is already difficult for a school like mine to keep teachers, and if this bill is not passed, it will drive the most caring teachers out. For this to be considered to be 40 percent of our evaluations for next year, is outright ridiculous. I support this bill.

TAMARA LUZ:

I teach for the CCSD and I am a member of the CCEA. I am here to support A.B. 320 and I have submitted my written testimony ([Exhibit O](#)).

STAN WILLIS:

I am a social studies teacher at Valley High School and a member of CCEA. My main concern is that basing teacher evaluations on what other teachers do could run afoul of the 5th and 14th Amendments to the U.S. Constitution because it could unjustly deprive a teacher of his or her life, liberty or property. I support A.B. 320. I have submitted my written testimony ([Exhibit P](#)).

TERRI SHUMAN:

I am an itinerate tester with the CCSD, a member of the support staff. Even though my evaluation is not based on test scores provided by our students at our Zoom School, I am here in support of our teachers. The teachers at our Zoom School work hard to attend to each individual student and to make the best come out of each pupil. I facilitate the tests and every teacher who comes in to our testing lab to do the SBAC is an individual as are each of the individual students who come in to take the tests. I support A.B. 320.

BRIAN FLICK:

I am a CCSD art teacher in kindergarten through fifth grade. I had double kindergarten classes and double second grade classes today and we celebrated Star Wars Day. I reluctantly support A.B. 320 because I think it is a step in the right direction, but zero percent is better than 20 percent or 40 percent. When we talk about accountability, it needs to be fair. Teachers are not afraid of accountability; in fact, we welcome it.

The State needs to be held accountable for giving us our test scores in a timely manner so we can adjust our lesson plans to meet the needs of our students. That is not happening now. The State also needs to be held accountable for properly funding education so we can meet the needs of our students. I encourage you to work toward that. Testing is for the teacher to drive our

instruction, but it has been used to punish us and our schools and our students. Work with us and let us meet the needs of our students.

VALERIE MCNAY:

I am a speech language pathologist in the CCSD. I support A.B. 320 and since this is teacher appreciation week, I want to appreciate all the teachers here tonight.

CASSANDRA BELL:

I am here in support of A.B. 320. I am in the midst of the testing right now. Our kids started testing this morning at 7:50 a.m. and some of the kids did not finish until 3:20 p.m. I had to stay there and give up some of my time so they could finish their SBAC assessment today. We do not need to be evaluated on the backs of students. We do not mind being accountable, but we do not want to be evaluated on the backs of students who have had problems some of the earlier speakers mentioned.

JANA PLEGGENKUHLE:

I am here in favor of A.B. 320 because it includes the cap of 20 percent of formative assessment, student learning goals, school, teacher and district assessments, which is the place to start. Overall, statewide standardized tests have no business being part of a teacher's evaluation. The purpose of all student assessments should be to guide instruction and inform progress, not as a tool to determine teacher effectiveness. I submitted my written testimony ([Exhibit Q](#)).

ERIN RIDDLE:

I support A.B. 320 because putting the test scores of the SBAC on the backs of any teacher is not okay. I teach prekindergarten, and I get the score the school gets. If the kids do not do well in my room, it does not reflect in my evaluation; it reflects what the kids in third, fourth and fifth grades get.

ERIK SMITH:

I am a national board certified teacher for the CCSD. I ditto everything that has been said. I want to add the inconvenient truth of the unintended consequences going on right now. I am in the midst of the testing phase and for the next three weeks, learning has basically come to a halt. Is this the best we can ask for? Is this the bang for the buck we really want? Is this the thing we want; me on the sideline basically watching my students be tested for things I could not get to

because time ran out? Yet, I will be held accountable for it in the midst of things I was not able to teach. We have to abolish this as best we can. Yes, 20 percent is better than 40 percent, but zero percent is our goal, because the learning comes to a stop when we are administering these tests.

VIKKI COURTNEY (President, Clark County Education Association):

I am the President of the CCEA, representing 18,000 educators and other licensed professionals. We support A.B. 320 with the amendments presented today by the TLC.

STAR ALI MISTRIEL:

I am a CCSD teacher in support of this bill. I agree that zero would be better than 20 percent. Teachers work hard to ensure our children get quality instruction. However, we are being evaluated on students being tested on a year's worth of content and we have not given them a full year's worth of content. That is unfair.

KATHERN BEASLEY:

I am a new teacher here at CCSD and the experience has been wonderful. However, taxing the teachers 20 percent of their evaluation is a deterrent. I support A.B. 320.

CHAIR DENIS:

We appreciate teachers for coming here and we know you taught all day and then came here to testify. Happy teacher appreciation week. I will now take testimony from those opposed to the bill.

STEVE CANAVERO, PH.D. (Superintendent of Public Instruction, Department of Education):

I second that. One of the themes I heard today was that the statewide aggregate is unworkable or untenable. Specific to the amendment we are proposing ([Exhibit R](#)), we have some revised language from the National Center for Teacher Quality to provide some best practice review. There is nowhere in this amendment that statewide aggregated data is used. Schoolwide, aggregate data is not being proposed.

I increase it to 40 percent, which is an issue we need to discuss. I will say that in order to have pupil outcomes be meaningful, it is between 33 percent and 50 percent. We see states in the Nation ([Exhibit S](#)) staying within that

framework which is why I kept it at 40 percent where it was. I have provided some options for districts to choose. One is entirely 40 percent based on the SLGs, depending on which district you are in.

I heard another theme; that teachers want to be accountable for student learning. If the schoolwide aggregate is untenable and folks want to be held accountable for within-classroom learning, then we should be held accountable for in-classroom learning. That accountability for in-classroom learning should matter in a meaningful way.

I also heard that if it is to be for fair and valid, there should be an approval process at the get-go to appreciate what it being used for those in-classroom measures. These can be in-class assessments, just like the SLGs the TLC has included in their amendment, [Exhibit D](#). Another amendment not included in our NDE amendment, [Exhibit R](#), is that I expressly call out regulations that should be adopted that address issues like truancy, partial attendance and mobility. Those factors should be addressed and it should be clear. When we talk about fairness, I think of it in two ways—one is fairness to the teacher who is being evaluated, and the other is fairness to the student who is under the direct supervision of that teacher.

SENATOR SPEARMAN:

I appreciate everyone who testified today. My frustration comes in the fact that for the last 30 years, there has been a systematic dismantling of funding and appreciation of public education. We find ourselves at this point where we have provided a can opener to a world class surgeon, sent them into the operating room and we are not disappointed with the result. I agree with the zero percent because we have not funded it the way it should be.

NANCY BRUNE (Director, Kenny Guinn Center for Policy Priorities):

We are neutral on [A.B. 320](#), given our research and considering our education policy principles, one of which is that teachers, principals and those who support student success should be compensated and treated as professionals and held to the highest expectations. We like the provisions to eliminate the use of schoolwide data and leverage the use of student growth because we believe they collectively support best practices and avoid drawing teachers away from our schools with the highest needs. We also support the conceptual amendment by TLC.

We do not fully support this bill because the current bill restricts the use of statewide exams and assessments. As noted by the National Council on Teacher Quality and in one of the Guinn Center reports we submitted to the Spending and Government Efficiency Commission last year, 43 states require that student growth and achievement data be considered as one of multiple measures in evaluating teacher effectiveness. More than 30 states use student achievement data derived from statewide assessments.

A December 2016 Bellwether Education Partners report summarizing teacher evaluation policies around the Country concluded with several recommendations including one to preserve a role for student achievement in teacher evaluation systems. Efforts to eliminate student achievement data measures from teacher accountability systems are a mistake, the report concluded.

We think school districts and schools should be empowered and have latitude over the methods they use for evaluating teachers. Limiting state assessment restricts our schools. We recommend the bill remove the restriction on using statewide examinations and assessments and allow it to be an option for school districts and schools.

Data can help shine a light on issues of inequity in schools. Our evaluation system needs improvement, however, we need to ensure that those improvements help the most vulnerable students. We cannot allow a system that risks glossing over glaring inequity. An effective system that leverages growth data can be a tool for equity. In Washington, D.C. and other systems around the Country, there is evidence that a strong evaluation system can attract our top educators to our schools with the highest needs.

CHAIR DENIS:

Before I close this bill's hearing, I want to submit a document ([Exhibit T](#)) from Dr. Audrey Amrein-Beardsley who was to testify by phone today but could not make it. I also have letters of support from teachers, Gregory S. Winiewicz, Carolyn Lara, Kenneth Belknap and Shelly Poss, who could not testify today ([Exhibit U](#)). I will now close A.B. 320 and open A.B. 188.

ASSEMBLY BILL 188 (1st Reprint): Revises provisions governing the eligibility requirements for grants awarded under the Silver State Opportunity Grant Program. (BDR 34-869)

ASSEMBLYWOMAN OLIVIA DIAZ (Assembly District No. 11):

This bill is a Southern Nevada Forum (SNF) priority. During the 2015-2016 Interim, I was part of the SNF and assigned to the Higher Education Subcommittee. During the course of that Interim, we were informed of the different measures we had advanced out of this legislative body; one of which was the Silver State Opportunity Grant (SSOG) Program.

When I heard how many students had been affected by the 15-credit-hour requisite that came with the eligibility of the SSOG, I found a lot of my constituents were probably losing out on this much-needed, State-based financial aid. I want to ensure we support our students so they can support us. I want a Nevada-educated worker to be able to fill any job opening at plant like Tesla that is receiving taxpayer subsidy. I want our school districts to fill every teacher vacancy with Nevada graduates. We are a long way from those goals.

According to a briefing by the Superintendent of Public Instruction at the NDE, out of 100 Nevada students, only 46 go on to seek a college degree and 6 graduate in 4 years, with 17 of those students graduating in 6 years. About half of all Nevadans who go on to higher education enroll in a community college because of its affordability. Even so, community college tuition can be out of reach for many Nevadans. The only needs-based grant available to Nevada's community college students is the SSOG, enacted in a bipartisan effort during the 78th Session of the Legislature in 2015. That program requires students enroll in 15 credit hours per semester. This comes out to 5 courses that meet 3 times a week for 1 hour and assign 3 hours of homework for a total of 60 hours per week.

Less than 6 percent of CSN students are enrolled for that big of a course load. This means that 94 percent of these students cannot even qualify for this grant money. This bill would lower course load requirements to 12 hours. Initially, I was thinking of making it 9 hours, but many people thought that was too low, so I compromised to make it 12 credit hours per semester. It is unfair to make a one-size-fits-all opportunity grant. I have submitted some survey results and responses to the SSOG Program ([Exhibit V](#), [Exhibit W](#) and [Exhibit X](#)).

PAUL MORADKHAN (Las Vegas Metro Chamber of Commerce):

During the Interim, there were two points of discussion regarding the SSOG Program—making the fund permanent and adding flexibility for full-time students. The current bill is 15 credits per semester, but there was a consensus

to put in some flexibility for students doing 12 hours per semester, since that is often considered full time. We support A.B. 188.

SENATOR HAMMOND:

I like it when you talk about flexibility and how one-size-fits-all does not work. Last Session when this SSOG Program began, we heard a lot of testimony about the idea of 15 credit hours per semester to get students through school because they were not getting through on 12 hours per semester. How do you rebut that testimony about 15-to-finish from last Session? How are we making sure they still get through with 12 credits per semester instead of 15?

ASSEMBLYWOMAN DIAZ:

The 15-to-finish notion is created more with the mindset of a traditional, four-year college student. It is doable if you are fresh out of high school. It does not really apply to the nontraditional, community college population, which this SSOG is basically targeting. These individuals are often coming back to school, juggling work and maybe family and trying to basically pull themselves up by their bootstraps. My rebuttal to the 15-to-finish notion is that it depends because some people have to be on a 9 credit per semester track and others can do it with 12. Just because it is going to take me longer taking 12 credits instead of 15, should I not get the benefit or the assistance? I might have greater need. The formula is based on the expected family contribution (EFC) score. There might be someone sitting at a zero EFC in greater need, but they are being denied the money because they are taking 12 credits and we are giving the money to someone with a higher EFC.

SENATOR HARRIS:

I was a nontraditional student over the last 18 months. I could have been required to take 15 credits to finish, and I would not have been able to complete my graduate program at 15 credits per semester. I had to work, and I had legislative responsibilities and a family. If it had not been for a flexible system, I would not have my Master of Laws degree. It is important to recognize that the majority of students in Nevada are nontraditional students. Trying to box them out of an education because they cannot fit a formula is not the way to invest in economic development or to move the needle with education. I support this bill. How much, if any, money was left on the table because we did not have enough students that could qualify for the grant money?

ASSEMBLYWOMAN DIAZ:

I believe what happened with the money was that a certain amount got allocated to the College of Southern Nevada (CSN). If CSN did not use the money, it was pulled back and given to another institution. I do want to ensure that the money is staying at those institutions and will then be dispersed to those students.

SENATOR SPEARMAN:

In section 1, subsection 6, paragraph (b) of A.B. 188, it sounds like a two strikes rule. There could be issues that interfere with a student getting their work done, maybe the loss of a job or a health issue, so why is that two strikes factor in there?

ASSEMBLYWOMAN DIAZ:

That is for the instance where a student cannot maintain the 12-credit course load but who wants to give it another try. In section 1, subsection 7, there is a hardship waiver, or exemption. This is different. There is a waiver from the requirements based on a hardship to the individual circumstances of the student. That gives the community college flexibility to make the determination they were not able to maintain the credit load because, say, something happened in their family and the student had to become the main bread winner or something else catastrophic in nature prevented them from fulfilling their initial obligation.

SENATOR SPEARMAN:

I did not see hardship defined.

ASSEMBLYWOMAN DIAZ:

I did leave that flexibility up to the individual institutions.

MICHAEL FLORES (College of Southern Nevada):

During the 2015-2016 Interim, we had a roundtable discussion with Senator Woodhouse where she heard from many of our CSN students who were recipients of the SSOG Program. Many of them were risking losing their marriages and some of them their jobs just to participate in this scholarship. We like the flexibility of this, and we know that 12 credits are a lot more doable for some of our students. It took me ten years to get my four-year degree and it was not because I was lazy or because I did not want it, but life happened.

KYLE DALPE (Interim Dean of Technical Sciences, Truckee Meadows Community College):

We support A.B. 188. On the subject of the 15-to-finish, we try to encourage students through advising that if they take 12 credits per semester, they should also try to take 6 credits in the summer because it catches them up so they can progress through their program at the same rate but with the variability in their schedule. Opening it up to 12 credits provides access to more students overall.

JOHN PIRO:

I was a nontraditional student when I came out of the U.S. Army, using the GI Bill, which provided flexibility. Sometimes I took 9 credits and sometimes I took 12 credits. Two of my coworkers are both working parents and having to complete 15 credits per semester makes it nearly impossible for them to be eligible for this program and improve their lives. I think this is an important piece of legislation, and I promised them I would come and testify in support of it. There does need to be more flexibility with this grant so more people can use it. The community college system is where somebody gets their buildup. It is where I started before I went to UNLV and then on to law school. If you give people a chance to utilize this grant, they will become more integrated through college and move up the ladder. I support A.B. 188.

KENT ERVIN (Nevada Faculty Alliance):

We support A.B. 188, and the increased flexibility will help these students who are trying to juggle lots of issues. Also, the federal full-time definition is 12 credit hours per semester for financial aid. If you have different rules between systems, there are various glitches, and if a student misses one threshold, they can be thrown out of a program. If you want to know the answers, do a comparison between the students taking 12 hours versus 15 hours, or the eligible, but not funded, students and we will find out.

MR. MORADKHAN:

The Las Vegas Latin Chamber of Commerce and the Las Vegas Urban Chamber of Commerce also support this bill.

JILL ROBINSON (Student Body President, College of Southern Nevada):

We are looking for a full quality education rather than one in which we are in a rush to meet deadlines. Part of my main issue with this is that when a student goes to CSN or any of our Nevada institutions, when we are advised how to study for our classes, we are told to study three hours per credit. I am taking

7 courses, so if I am going to study 3 hours per class, that will add up to 20 hours a day of study. If I am studying 20 hours a day, when am I working? As student body president, I also have to work 24 hours a week. It leaves me very little time to sleep, eat and be human. This means I will only be going through the motions of being a student, not getting any quality work done. The 12 credit amount would be much better for students in general. I support A.B. 188.

LAUREN ELIOT:

I support A.B. 188. As a CSN student, I was thankful when I received the SSOG. It has been a lifesaver for me as I work toward my degree. However, the workload I am required to take on has negatively affected my life and school performance. To hold on to the grant that is so necessary to me to continue my education, I have all but quit my job to maintain the necessary study hours to fully retain the information I am given in each course.

Additionally, I am spread very thin between my five classes and have let a few assignments slip by me. In the fall, to keep my grant, I have signed up for seven classes. I worry I will not be able to keep to the high standard I hold myself to. If the necessary credits were lower, I could keep my job, excel at my classes and have time to explore the many extracurricular activities that may benefit me as I begin applying to universities.

SYLVIA LAZOS (Vice Chair, Latino Leadership Council):

We at the Latino Leadership Council (LLC) support A.B. 188 and want to emphasize that the Las Vegas Latin Chamber of Commerce also supports the bill because we need to broaden the access to college education as well as the college pipeline. Nevada ranks fiftieth in the Nation in the number of people who hold degrees in the working age group of 25 to 54 years old. We are also ranked fiftieth in the Nation in terms of Latinos who hold college degrees.

If we make changes that broaden the access, we will be able to do what Assemblywoman Diaz was talking about; to be able to provide the workforce for these great projects we are spending so much taxpayer dollars on to develop the workforce. I have submitted a letter of support from the LLC ([Exhibit Y](#)).

ISRAEL DIAZ:

I appreciate the grant and I will be graduating in about two weeks. My family gets to see me walk. I was not going to walk initially because it was just an

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Associate's degree, but my family encouraged me to walk for the Latin community. I killed myself to get this degree. I am in support of the 12 credits because it is the perfect number. It is doable. I support education, and I want to make Nevada better, which is why I support A.B. 188.

FRANK MCPHERSON (Assistant Director of Financial Aid, College of Southern Nevada):

The CSN supported the 12-12-6 configuration in the original Assembly hearings for this bill. I still think it is a great idea because I see students who struggle to maintain that 15 credits. The federal government does define full time as 12 credits per semester. I support this bill.

ASSEMBLYWOMAN DIAZ:

As an educator, I understand institutions cannot create blanket approaches to solve all our challenges. We need to recognize and accept Nevada's diverse student backgrounds and adjust requirements to reflect the fact that most students come from working-class backgrounds.

CHAIR DENIS:

Seeing no one wanting to make public comment, I will close the hearing on A.B. 188 and open the work session.

TODD BUTTERWORTH (Policy Analyst):

The first bill on our work session is A.B. 64, which was heard in our Committee on May 2.

ASSEMBLY BILL 64 (1st Reprint): Revises requirements for receipt of a high school diploma for pupils with disabilities. (BDR 34-251)

There are no amendments included in the work session document ([Exhibit Z](#)).

SENATOR SEGERBLOM MOVED TO DO PASS A.B. 64.

SENATOR SPEARMAN SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY. (SENATOR GUSTAVSON WAS EXCUSED FOR THE VOTE.)

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MR. BUTTERWORTH:

The next bill on work session is A.B. 221, heard in this Committee on April 27. There are no amendments in the work session document ([Exhibit AA](#)).

ASSEMBLY BILL 221 (1st Reprint): Revises provisions governing the model plan developed for the management of a crisis or an emergency that involves a public school to include a procedure for the evacuation of a charter school. (BDR 34-594)

SENATOR WOODHOUSE MOVED TO DO PASS A.B. 221.

SENATOR SEGERBLOM SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY. (SENATOR GUSTAVSON WAS EXCUSED FOR THE VOTE.)

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The last bill on work session today is A.B. 482, heard in this Committee on April 27.

ASSEMBLY BILL 482: Revises provisions relating to programs of career and technical education. (BDR 34-1093)

This is another bill with no amendments in the work session document ([Exhibit BB](#)).

SENATOR HARRIS MOVED TO DO PASS A.B. 482.

SENATOR WOODHOUSE SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY. (SENATOR GUSTAVSON WAS EXCUSED FOR THE VOTE.)

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CHAIR DENIS:

Seeing no more business for us today, I will close the meeting of the Senate Committee on Education at 6:06 p.m.

RESPECTFULLY SUBMITTED:

Linda Hiller,
Committee Secretary

APPROVED BY:

Senator Moises Denis, Chair

DATE: _____

EXHIBIT SUMMARY				
Bill	Exhibit / # of pages		Witness / Entity	Description
	A	2		Agenda
	B	17		Attendance Roster
	C	1	Judi Steele / The Public Education Foundation	Submitted Flier
A.B. 320	D	1	Pam Salazar / Nevada Teachers and Leaders Council	Conceptual Amendment
A.B. 320	E	2	Chris Daly / Nevada State Education Association	Letter of Support
A.B. 320	F	1	Jena Salazar	Written Testimony in Support
A.B. 320	G	1	Steven Horner	Written Testimony in Support
A.B. 320	H	2	Jeff Geihs / CCSD	Written Testimony in Support
A.B. 320	I	2	Athena Klock	Written Testimony in Support
A.B. 320	J	1	Anna Slighting / HOPE	Written Testimony in Support
A.B. 320	K	1	Susan Slykerman	Written Testimony in Support
A.B. 320	L	2	Susan Kaiser	Written Testimony in Support
A.B. 320	M	1	Phillip Kaiser	Written Testimony in Support
A.B. 320	N	2	Victor Romero	Written Testimony in Support
A.B. 320	O	2	Tamara Luz	Written Testimony in Support
A.B. 320	P	1	Stan Willis	Written Testimony in Support
A.B. 320	Q	1	Jana Pleggenkuhle	Written Testimony in Support
A.B. 320	R	2	Steve Canavero / NDE	Proposed Amendment
A.B. 320	S	4	Steve Canavero / NDE	Supporting Report Education Commission of the States
A.B. 320	T	2	Audrey Amrein-Beardsley / Arizona State University	Written Testimony
A.B. 320	U	4	Teachers in Support	Letters of Support
A.B. 188	V	1	College of Southern Nevada	Results Silver State Opportunity Grant

A.B.188	W	14	College of Southern Nevada	Survey Results Silver State Opportunity Grant
A.B. 188	X	5	Assemblywoman Olivia Diaz	Responses Silver State Opportunity Grant Hearing 3/13/17
A.B. 188	Y	1	Sylvia Lazos / Latin Leadership Council	Letter of Support
A.B. 64	Z	1	Todd Butterworth	Work Session Document
A.B. 221	AA	1	Todd Butterworth	Work Session Document
A.B. 482	BB	1	Todd Butterworth	Work Session Document