

**MINUTES OF THE
SENATE COMMITTEE ON EDUCATION**

**Seventy-ninth Session
May 11, 2017**

The Senate Committee on Education was called to order by Chair Moises Denis at 3:43 p.m. on Thursday, May 11, 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:

Assemblyman Richard Carrillo, Assembly District No. 18
Assemblywoman Brittney Miller, Assembly District No. 5

STAFF MEMBERS PRESENT:

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

OTHERS PRESENT:

Charlene Frost
Joe Rajchel, ACLU of Nevada
Mark Regan, Northern Nevada Fire Chiefs Association
Stephen Augspurger, Executive Director, Clark County Association of School Administrators and Professional-Technical Employees

Senate Committee on Education
May 11, 2017
Page 2

Lindsay Anderson, Washoe County School District
Nicole Rourke, Associate Superintendent, Community and Government Relations, Clark County School District
Mary Pierczynski, Nevada Association of School Superintendents; Nevada Association of School Administrators
Jessica Ferrato, Nevada Association of School Boards
Nick Vassiliadis, R&R Partners Foundation
Christy McGill, Director, Office for a Safe and Respectful Learning Environment, Department of Education
Jason Lamberth
Tom Dunn, Professional Fire Fighters of Nevada
Ruben Murillo, Jr., President, Nevada State Education Association
Chet Miller
Jana Pleggenkuhle
Mike Ramirez, Las Vegas Police Protective Association
Ed Gonzalez, Clark County Education Association
Natha C. Anderson, President, Washoe Education Association
Priscilla Maloney, AFSCME Local 4041
Chris Daly, Nevada State Education Association
Sarah Popek, Clark County School District
Anthony Nunez, Clark County School District
Megan Rauch, Kenny Guinn Center for Policy Priorities
Victoria Higgins, Clark County School District
Eve Rubalcava, Clark County School District
Kelly Crompton, City of Las Vegas
Sylvia Lazos, Policy Director, Educate Nevada Now
Steve Jimenez, Nevada Hispanic Legislative Caucus
Steve Canavero, Ph.D., Superintendent of Public Instruction, Department of Education
Lane Hess, Clark County School District
Kenia Morales

CHAIR DENIS:

I will open today's meeting of the Senate Committee on Education with Assembly Bill (A.B.) 292.

ASSEMBLY BILL 292 (1st Reprint): Revises provisions relating to bullying and cyber-bullying in public schools. (BDR 34-916)

ASSEMBLYMAN RICHARD CARRILLO (Assembly District No. 18):

In the 2015 Legislative Session, S.B. No. 504 of the 78th Session was passed in response to many issues that surround bullying. Assembly Bill 292 is in response to issues that have arisen since the passage and implementation of that 2015 bill. One of the issues we are trying to address is communication between the school and home. I am going to turn over the first part of the testimony on this bill to Charlene Frost who was instrumental in assisting with the development of the bill.

CHARLENE FROST:

I am the parent of a student currently attending a Clark County School District (CCSD) school and a constituent in Assemblyman Carrillo's District. I am going to speak to section 1, subsection 3 of A.B. 292, which changes the timeline of the parent or guardian notification when an alleged incident of bullying is reported. The catalyst for this proposed change was to eliminate the potential that a parent would be notified after the end of the school day and not have any means to talk to anyone at the school until a later time if the report was received on a Friday or prior to a holiday. With the addition of this language, the parent will have the opportunity to contact the school and be part of the solution to these instances of bullying. In the process, this will reinforce parent engagement and involvement.

I submitted an email I received when my son was accused of being involved in a bullying incident earlier this school year ([Exhibit C](#)). Please note the highlighted portion of the email which states that the student "may be interviewed." That email was sent to me at 5:00 p.m. on the day of the report, and I received a robo-call from the school at 5:04 p.m. This was more than four hours after the end of my son's school day, leaving me with no opportunity to speak to anyone at the school until the following day.

I called the school the next day, concerned primarily because my son could not provide me with much information except that he was told to write a statement and sign it. Finding out that he had already been questioned left me feeling like I had been misled by the email. I was unable to speak to the school's dean, who was handling the complaint, so it was another 24 hours before I heard from the school. It was ultimately determined that the incident was not bullying, but I was left with the feeling that not only was my involvement unwanted, my concerns were unwarranted. Earlier in the school year, my son was a target of

bullying, and although I received a call during the school day informing me of that incident, I was given little information that time either.

Section 1, subsection 3 of A.B. 292 is not intended to slow down the investigation process. It is about involving and engaging parents from the beginning of the process instead of waiting until the middle or the end. Parents should have every opportunity to participate in their child's education and school issues as soon as possible. If parents are going to be expected to be involved, it should also be when things are not necessarily going well. Parents' rights do not stop when their child enters the school and then magically reappear when their child comes home. Parent involvement should not be a priority for schools only when it is convenient and easy.

This bill only changes the time a parent needs to be notified about a bullying investigation prior to interviewing the pupil to 6:00 p.m. the day the report is received or by 6:00 p.m. the following day if the report is received after school or on a day that school is not in session. If a parent receives a notice before school vacation, that long break can seem interminable with no information and no one to contact, and by not notifying a parent or guardian until 6:00 p.m., the school is only receiving one side of the narrative around the situation.

This bill is intended to notify the parent utilizing the same modes of communication that are currently in statute—telephone, electronic mail and other electronic means or in person. I want to also clarify that this is only notification. If the school were unable to reach the parent in person, a voicemail message and/or email such as I received would be sufficient. Current law does not require consent, and this section of the bill does not require active consent, either. It is solely intended to give the parent an opportunity to be able to contact someone at the school before the school day ends.

ASSEMBLYMAN CARRILLO:

I want to make sure that we also clarify for legislative intent that there is a distinction which must be made between a student reporting something to a teacher or trusted staff person and that person asking clarifying questions of the student and perhaps other students to figure out what is going on informally so they can establish and ensure safety.

Safety needs to be secured before moving forward with any other actions for all parties involved. Once that informal information gathering has occurred and safety has been established, parents should be notified prior to interviews during the formal investigation of the bullying complaint. The intent is to establish safety and a safety plan first because the safety of students should never be secondary.

Another issue we have heard from parents is that although their child was bullied, they still do not feel the child is safe in the school, so they want to have their child moved to another school. However, many are being denied zone variances and are forced to remain in their current schools. Section 1, subsection 10 of A.B. 292 allows for the parent of a student confirmed to have been bullied the ability to request that their student be assigned to another school in the district. That request will be made to the school board of trustees who shall assign the student to another school in consultation with the parent.

Although there are many schools that are actively investigating bullying allegations on a daily basis, I have heard from families that many of their concerns, questions and complaints of bullying are going unanswered. For that reason, I thought it was important to add an additional level of accountability around reports of bullying. The language you see in section 1, subsections 11 and 12, is an attempt to do just that. Each school principal or designee will be required to submit a monthly report to their direct supervisor that includes the number of reports received, the number of those reports that were substantiated and the number of reports that were unsubstantiated.

Each calendar quarter, those supervisors will be required to submit a report to the Office for a Safe and Respectful Learning Environment (OSRLE) with the information that was gathered from the school principals. This way, it will highlight schools that are doing something that is working or merely underreporting. The intent in this section is to give school districts another means to look more closely at those schools and either determine what the school is doing right and figure out ways to replicate those techniques at other schools, or whether they are simply underreporting or underinvestigating. This way schools can develop a plan of action to ensure that complaints are being investigated and proper steps are being taken if a bullying complaint is substantiated.

When the bill was being heard in the Assembly, some stakeholders mentioned putting a carve-out in the bill in the section that deals with parent notification so it would only apply to special education students and their families. I rejected that idea because it appeared this could potentially exclude students who have not been identified for special education services or those students with disabilities who do not need nor qualify for services in the educational setting. All families should have the opportunity to become further engaged in all facets of their children's education.

SENATOR HAMMOND:

Having been an administrator who has dealt with this issue, I can say the number of incidences of bullying has increased. The more we have talked about bullying with our kids, the more they have started to use that word. If I was out with the students at recess, a child ran toward me with another child close behind, and the first one said, "This kid has been bullying me," would I be able to ask them some questions or would I need to call the parents first?

MS. FROST:

No, the teacher or administrator can ask clarifying questions to find out what is going on and to ensure that safety is established. If the incident rises to the level that needs to be reported as bullying, that is when the notification process would kick in.

SENATOR HAMMOND:

If it did rise to the level of being confirmed to be bullying and the administrator or teacher wanted to ask more questions, would they have to wait until after the parent was notified, even if it takes a day?

MS. FROST:

No, you do not have to wait to get a hold of the parent; you just have to give them notification.

SENATOR HAMMOND:

If I call your cell phone and you do not answer, as long as I have notified you I will be talking to your student, is that okay?

MS. FROST:

Yes. I received a standard form email saying my child had been involved in a potential bullying incident. As it is in the law currently, no one has to talk to you in person.

JOE RAJCHEL (ACLU of Nevada):

The ACLU of Nevada supports A.B. 292 and the protections it puts in place for students and parents in our schools. The requirement that a parent or guardian must first be informed before the student is interviewed creates a protection of process for students who may be in the middle of a bullying claim, either as the victim or the perpetrator. The ACLU has dual interest when it comes to bullying. We support working to end bullying in our school districts, especially when it is based on protected characteristics. We want to ensure that all our education spaces are safe for students to learn and grow. We also want to ensure the rights of those accused of bullying are not unfairly infringed on.

This bill will contribute to the protection of both these interests and will work to protect students with special needs and those who may not have been identified as having a special need from being interviewed and having those needs overlooked or missed. Parental rights will also be protected because they will first be noticed about any incident involving their children before any further disciplinary measure can take place. It will give parents the opportunity to attend their child's interview and raise any concerns they believe the schools should take into consideration.

MARK REGAN (Northern Nevada Fire Chiefs Association):

Speaking as a parent, I support A.B. 292. I have had the experience of having to deal with bullying for more than two years with a school district in the State. Senate Bill No. 504 of the 78th Session was put into *Nevada Revised Statutes* (NRS) to deal with bullying, which we were involved with. The State Board of Education (SBE) was involved with the school district and tried to implement a plan to stop the bullying and to put in place a safety plan for my daughter. The bullying that was occurring was not just by students; it was also by parents, administration and coaches.

My case went to federal court. The school district looked at the existing statute as something in writing but lacking the requirement for it to be enforced. When we were in closed session with our attorneys, the school district attorney said

the NRS says this is what we are supposed to do, but there is no punishment if we do not do it, so what are you going to do to us? We have \$250,000 to fight you, they said. The statute was put in place last Session to protect our students and the laws are there to protect them, but we need something that requires a school district to follow through with the law. We took our case all the way to federal court and we settled, which is why I can talk about it now. We still need to strengthen the law for protection of the students and to require a school district to follow through.

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

I am also representing the Washoe County school administrators today in opposition to A.B. 292. I do not want my comments to be misconstrued to be insensitive to the issues that have been portrayed here. However, the practical application of the language change is worth examining. In 2015, the Nevada Legislature passed S.B. No. 504 of the 78th Session, which provided specific and rigorous requirements for how teachers and administrators work to handle bullying complaints. Rigorous notification requirements were established that required building administrators to take immediate steps to protect the victim, report the issue to the parent or guardian by 6:00 p.m. on the day it was received and to complete a report on the outcome of the investigation within two days.

When the bill was passed, it created significant implementation challenges for every school district in Nevada. However, with significant district training and development of implementation guidelines at the district level, principals were able to implement the requirements of that law. Two years after passage, the principals have embraced the requirements of that law because they accept that their primary responsibility is the protection of students.

The requirements of S.B. No. 504 of the 78th Session are challenging, but they are doable and the bill is good policy, providing a greater emphasis on the duty of care to protect our students. It provides more training and better clarity and consequences for failing to take the required action. Current law requires that the principal notify parents or guardians by 6:00 p.m. on the day the incident is reported to the principal. It also requires the principals, upon receiving these reports, to take immediate steps to protect the victim or victims.

We are in opposition to this bill because the new language proposed in section 1, subsection 3 requires that the notification of parents or guardians of a pupil must precede any interview of the pupil conducted pursuant to section 1, subsection 3, paragraph (b) and must advise the parents or guardians that the pupil is being interviewed. In a school, there is no such thing as an informal interview. Principals are seeking additional information all the time. That is what they are trained to do, to seek information. This bill is not good policy because the requirement to notify parents prior to conducting an interview of students involved in bullying will significantly impede a principal's ability to meet the most important requirement of the current law, which is to take immediate steps to protect the victim. You cannot protect the victim unless you know what has happened, and you cannot know what has happened unless you have a conversation with children.

Principals are problem solvers by nature, and they are trained to find the most appropriate resolution. When children approach a principal or administrator on school grounds to report a bullying incident, that principal or administrator is going to immediately begin to have a discussion with the student, asking questions about what happened. This is necessary to try to ascertain with some degree of certainty who the victim is. Assembly Bill 292 is not good policy because it further restricts the principal's ability to immediately begin a resolution process. Current law establishes for school personnel an urgency to act. This bill imposes an unnecessary delay in protecting the victim and in initiating the required investigation and resolution process.

There are many requirements and responsibilities placed on principals, and the system cannot continue to place more and more on these individuals and expect them to simultaneously fulfill the most important responsibility of protecting kids. Where S.B. No. 504 of the 78th Session was good policy, A.B. 292 is not, because it means principals cannot immediately protect victims and the problem resolution process is delayed, which impedes the identification of the perpetrator of the bullying incident. The notification requirement in A.B. 292 is not reasonable.

There are stringent consequences already in statute through S.B. No. 504 of the 78th Session for people who either willfully or knowingly disobey the law or even for people who procedurally make a mistake. Our current law provides a

method for appeal, and in the final analysis, S.B. No. 504 of the 78th Session presented an appeal process through the Department of Education (NDE).

What we have in place in Nevada works, and if there is a problem, there are appeal mechanisms built in with consequences for its violation. If passed, A.B. 292 will undermine the efforts of our principals to take care of this important responsibility.

LINDSAY ANDERSON (Washoe County School District):

The Washoe County School District (WCSD) is also in opposition to this bill. Senator Hammond asked if a voicemail message would be sufficient notice, and it is good to know that it would suffice. The converse situation is where our concern lies. If the parent picks up the phone and will not let us talk to the child until he or she is present, what are principals supposed to do? Do they proceed and follow the law, entering into a conflict situation with the parent? Do they wait, and possibly jeopardize the investigation being completed in the two-day timeline in current law?

We understand the requirement is only notification, but in the instance where parents forbid us to speak to the child until they are present, how do we proceed if that conversation is days after the incident? Assemblyman Carrillo mentioned his legislative intent about the informal investigation or the asking of questions, but the language in section 1, subsection 3, paragraph (a), says "The notification of the parents or guardians of a pupil must precede any interview of the pupil," so that aforementioned legislative intent is not what we are reading in that language. This is the heart of our concern.

NICOLE ROURKE (Associate Superintendent, Community and Government Relations, Clark County School District):

The Clark County School District agrees in opposing A.B. 292. Our issue is in section 1, subsection 3, about any interview. This prevents principals or anyone who breaks up a situation from really talking to those kids on the way to the office. As a practical matter, we know that this is what happens in schools every day. They start talking to the kids to get to the bottom of the situation, and they do not have any time to waste. This bill undermines the timelines currently in law.

SENATOR HAMMOND:

I appreciate the testimony both you and Ms. Anderson just gave. As an administrator, I can testify that this kind of thing happens all the time. Kids now know about the word bullying, and if you do not solve a conflict, then they all pile up so at the end of the day, you can have a whole list of conflicts to sort out. I looked at that language in the bill, too, and it said, "Any incident." So, in that case, you could have one child show up with a ball in his hand, telling you he is being bullied. If the other kid comes up carrying a paddle and you ask the first kid what happened, he might tell you the other boy is trying to take his ball away.

"How did you get the ball, was he hitting the ball against the wall?" you ask. "Yes, he was," the first boy says. "What happened?" you ask. "It got past him," the boy says. "You then picked the ball up and ran away from him?" you ask. "Yes," he says. "So, he is bullying you?" you ask. As a teacher, you can then go into a discussion about the events and explain to the first boy that he took away the ball the second boy was playing with, and after a few seconds, that incident is over and resolved.

I worry about the incidents piling up and then you have notifications out there, and it seems so unworkable because it is so much work for later on when you may not remember what happened.

MS. ROURKE:

We concur. We think this is problematic. Administrators are not waiting until 5:00 p.m. to notify parents or guardians. That particular email may have gone out at 5:00 p.m., but I am sure there are occasions when they go out at all times of the day as incidents occur. Right now in the law, they do have until the end of the day to make that call, and they have a lot going on all day long.

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

As a former middle school principal, I can say to Senator Hammond that you are right on. It is the practicality of being able to follow all of this, and clarifying language to one person is an interview to another. When parents are notified that you want to talk with their child and they say you cannot talk to them, you are not going to be able to do that. The language in this bill is fraught with

problems. We try to follow the bullying laws carefully, and this will slow the process down and not enable administrators to meet their timelines.

JESSICA FERRATO (Nevada Association of School Boards):
We are also against A.B. 292 for all the reasons stated before me.

NICK VASSILIADIS (R&R Partners Foundation):
The R&R Partners Foundation has an in-house anti-bully program called "Flip the Script" that we have been running since 2011. I wanted to support this bill, but a lot of the testimony today has discussed the impracticality in section 1, subsection 3. However, section 1, subsection 10 is great and so is section 1, subsection 12. We do need to get principal supervisors involved. There are plenty of stories where exceptions need to be made for students who have been harassed so much in one school that the only way they will get a restart is in another school. If we can come together and figure out the issue with section 1, subsection 3, it would be great.

CHRISTY MCGILL (Director, Office for a Safe and Respectful Learning Environment, Department of Education):
The only concern we have with A.B. 292 is the same concern everyone else does. We realize there is a careful balance between parents and schools, and that relationship is important for school safety. We worry that this tips it over the balance point and there will be unintended consequences around the parent notification before interviews. We hope the schools would be empowered to gather information to ensure the students' safety as their main priority, which is our main priority also.

JASON LAMBERTH:
I am the father of Hailee Lamberth, the namesake for S.B. No. 504 of the 78th Session. I fully support any legislative effort to increase school administrator accountability, teacher accountability and to further increase parent engagement and involvement. I like the quarterly reporting to Christy McGill of the Office for a Safe and Respectful Learning Environment. I like the piece about school switching, but I have issues with the notification piece. It could potentially delay investigative efforts and interviewing, and when you are talking about reported incidents of bullying, the slightest delay can have deadly consequences. I support the intent of A.B. 292, but I do not think the language

as written in the bill or in Amendment No. 476 to the bill fully achieves that goal.

TOM DUNN (Professional Fire Fighters of Nevada):

I am a parent of a third grader in the WCSD. I just have a comment on some of the testimony that has been given today. The intent in this bill is good regarding the rights of parents and how their children are treated in school. The rights of parents to be present for when their child is interviewed should not be an inconvenience to the process. Having the ability of a parent's right to be present as in any other hearing, criminal or otherwise, should be taken into consideration.

MS. FROST:

We worked with the OSRLE this afternoon about clarifying the language. As to Senator Hammond's question, I would say that the instance he referenced with the kid with the paddle and the kid with the ball would not rise to the level of bullying under the definition of bullying. Once it rises to the level of the teacher reporting it to the school administrator as bullying, we should then establish the safety of all students and call the parents.

As far as if a parent said not to talk to the child before the parent can get there, or at all, in my mind you run the risk of the administrators talking to the other children involved and your child not having a voice in the situation. I understand the concerns, but quite frankly, parents are too often notified very late or not at all. As for the rest of the bill, I support the entire bill to make sure we include parents in the process.

CHAIR DENIS:

I will close A.B. 292 and open the hearing on A.B. 312.

ASSEMBLY BILL 312 (1st Reprint): Requires the State Board of Education to develop recommendations for pupil-teacher ratios in certain public schools. (BDR 34-960)

ASSEMBLYWOMAN BRITTNEY MILLER (Assembly District No. 5):

I am working on the amended version of A.B. 312, which acknowledges how large classes can impact even the best teachers and students. The bill requires the State to determine and issue best practices that strive to promote the best

learning environments. This bill requires the SBE to develop recommendations for pupil-to-teacher ratios in public schools. We have class-size reduction strategies in place in Nevada, but we also have extreme class sizes. The larger school districts do not have statutory restrictions on class sizes after third grade. Pursuant to NRS 388.700, the pupil-to-teacher ratio for kindergarten through second grade must not exceed 16 to 1 and in third grade it is not to exceed 18 to 1. However, our currently funded class sizes are 21 to 1 in kindergarten, 17 to 1 in first and second grades and 20 to 1 in third grade.

Even with those restrictions, districts can request a variance from the SBE to allow larger classes in first through third grades. In Fiscal Year 2015-2016, quarterly variance requests were approved by the SBE for approximately 650 classrooms in 250 schools. With those variances, many of them were three students or less over the funded ratio. Those are cases where a student may join a class after semester break or in the middle of term.

We also have a different plan that rural school districts participate in to reduce pupil-to-teacher ratios. Nevada's average class sizes do not compare well with other states. As of 2013, our pupil-to-teacher ratio in public elementary and secondary schools averaged 21.5 to 1, the fifth highest in the Nation. The national average was only 16 to 1 and the national median was about 15 to 1.

Assembly Bill 312 acknowledges that class sizes do affect the profession and the student's experiences. While our teachers are extremely talented and passionate, the truth is they have more difficulty and a more demanding job than teachers who teach in smaller classrooms. They are also more likely to be overworked and unsatisfied with their jobs, which can lead to higher rates of attrition. Enormous efforts are placed on recruitment and incentives to bring in new teachers. However, we also need to focus on retention of experienced and seasoned educators. We do not have a robust teacher pipeline to rely on.

Society recognizes and appreciates large caseloads for social workers, public defenders and even doctors and nurses, but what about our educators? Studies have shown that overwhelming workloads are a main reason that teachers leave their jobs, and large classes can significantly increase teacher turnover. In Nevada, 61 percent—the second highest percentage in the Nation—of teachers cite large class sizes as one of their most significant challenges. It is problematic for our teachers who are working in oversized classrooms to be held

accountable to standards that were developed under the assumption that these teachers are working in classrooms with a reasonable number of students. It is disheartening to think that classroom management, student behavior and student achievement is not impacted by large class sizes. In practice, it is extremely difficult to provide the same amount of individualized instruction, attention and assistance with increased student numbers, and it is also more difficult to connect regularly with the parents.

Going briefly over the bill, in section 2.5 there is new language requiring the SBE to prescribe pupil-to-teacher ratios for each grade in an elementary and secondary school that does not already have such a ratio established in statute. The bill further specifies that the ratios must be based on applicable national standards and must take into consideration the unique needs of certain students such as those with special needs and English Language Learners (ELL). The board of trustees for each district shall consider these recommendations. This includes all specialists and teachers of elective classes. The only exception is classes in band, orchestra and choir.

In closing, it bears repeating that large class sizes are not conducive to the learning environment, either academically or socially. In addition, while this bill is not a mandate, it is a step in the right direction for our State to send the message that we strive to support our educators and create a student learning environment where our kids can excel.

SENATOR GUSTAVSON:

Statistics on other side have shown that class-size reduction has not been as cost-effective as it could be. We have a shortage of teachers throughout our State, mainly in Clark County and Washoe County, and we had to hire more teachers for class-size reduction. If we were to eliminate some of the less effective teachers and put the kids into a larger class with more effective teachers, I do not think you would have a problem with these teachers being able to teach the students. I have seen the statistics before, and I do not know that class-size reduction is cost-effective or doing the job.

ASSEMBLYWOMAN MILLER:

This is not actually a class-size reduction bill, but I understand your concern. What we are talking about is the fact that once we get over third grade, especially in the secondary schools, we are looking at extreme class sizes.

There is a point where the number of students in a classroom is too high, so it impacts learning and also the amount of teachers we have. I am talking about classes with more than 40 kids.

SENATOR GUSTAVSON:

I understand this is not a class-size reduction bill, but there is one word in the bill that bothers me. In section 2.5, subsection 1, it says "The State Board shall develop nonbinding recommendations for the ratio of pupils." I feel that if you take out the word "nonbinding" in the next Legislative Session, then it will be binding.

CHAIR DENIS:

What I see this bill doing is trying to help us understand the effects of class size. I have heard people with varying opinions on class size as it relates to the age of the kids. It also depends on the subject. This bill is providing us with some information, especially important to Legislators who will be making policy on this issue.

SENATOR HAMMOND:

You referenced the learning environment and the learning experience, but you stayed away from the term "achievement." I think Senator Gustavson's comments were in reference to some of the research that suggests class sizes do not really have an impact on achievement. The issue I have with the bill is the fact that the SBE will be tasked with developing nonbinding recommendations for class-size ratios for Nevada students in kindergarten through Grade 12.

I have talked to principals at Title I schools and at higher income schools, and almost all of the principals say it is nice to have the flexibility on class size. A Title I principal said, "I wish I could put three or four more students in the seasoned teacher's classroom, pay her more because of her efforts, but I also know that this teacher is able to get every kid in her class advanced a grade level or more ahead in reading and math." These teachers say they do not want a prescribed ratio, especially since the CCSD reorganization is giving more autonomy to the individual schools and their school organizational teams (SOT). My stepmother and I have this conversation all the time because she went to school in Brooklyn where there were 75 kids in a classroom. This was a

different time, of course, but you have to have that flexibility. I worry about the State saying to all the schools that this is where the numbers have to be.

ASSEMBLYWOMAN MILLER:

You are correct that there is research about achievement data, but those numbers are extremely low in order to really impact achievement data when it comes to standardized tests. That is one of the reasons this is not a mandate. There are extreme class sizes happening, though, specifically in Clark County, where there can be 49 seventh graders in a science class made for 32 kids and high numbers in many high school academic core classes. It would not be mandated to say a classroom could not have one more student, especially as transient as some of our schools are, but the idea is to have some idea of what is the best practice that creates a better learning environment.

SENATOR HAMMOND:

My worry is saying at the State level that a certain ratio is required. I am the choice guy; I like it when somebody says, "you have 40 kids in a class but it should be only 32; so we have given you autonomy to decide where to put these kids." We are giving administrators and sites more autonomy, which is good. If they do that, and the parent decides to go somewhere else, I like that because they let their feet do the talking. It sounds like you are saying the SBE ought to come up with recommendations, but the schools do not have to follow them.

ASSEMBLYWOMAN MILLER:

The board of trustees in a district should refer to them and consider them when making their ratios, but it is not binding.

SENATOR HAMMOND:

But the SBE could come up with a recommendation on the ratio, and then it is binding.

ASSEMBLYWOMAN MILLER:

The bigger concern is then we start talking about funding issues. In the scenario you mentioned, if we are referring to the one teacher who says he or she can take a few extra kids, if that is what the SOT wanted to determine, then that could happen. Right now, teachers do not have a choice of how big their pupil-to-teacher ratio is, and in some cases, it is not equitable.

SENATOR HARRIS:

When you listed orchestra, band and choir in the carve-out for ratios, the first thing I thought of was theater. Are there other classes that could qualify for the carve-out that would benefit from a large number of students in class?

ASSEMBLYWOMAN MILLER:

The concern about theater is that they have technical classes, too, where kids are using tools and machinery to build sets. There is sometimes an assumption that theater is not a real class, or a quality class, so lots of kids can just be put into theater.

SENATOR HARRIS:

I recognize for certain theater classes, the kids may need supervision, but for the general education theater classes, it seems like more diversity and ability to select among students would be a good thing. Is it your intent to establish ratios for those types of classes?

ASSEMBLYWOMAN MILLER:

Yes, it is my intention to include parameters for those performing arts classes as well as for art, physical education and library classes and any other classes that benefit from having more students.

SENATOR SPEARMAN:

Fill in the blank: this bill is designed to accomplish _____.

ASSEMBLYWOMAN MILLER:

It is designed to recommend what pupil-teacher ratios should be.

SENATOR SPEARMAN:

Why is that important?

ASSEMBLYWOMAN MILLER:

It is important because we have extreme class sizes in some of our schools. If you ask the average person how many kids they think should be in a classroom, you never hear someone say 40 or 50 fourth graders should be in a class with one teacher. We try to focus as much as we can on individualized learning and meeting each student at an individual level as well as group work and discourse. The more students you have, the more difficult it is and the less attention

certain kids will get, potentially. Also, classroom behavior is affected by the larger number of students in a class because it is harder to discipline. If you were to tell your friend that you want to take your son and 45 of his friends out for ice cream, the reaction would be to ask if you are crazy because most people know it is difficult to manage that many kids. We know class size impacts what happens in the classroom and impacts teacher attrition, both of which are important issues.

SENATOR SPEARMAN:

I agree. Even though most teachers have the desire and ability to teach creatively and make challenging assignments, many have gone into pure survival mode, given the difficulties of managing huge numbers of students and grading an overwhelming number of tests and written assignments. For instance, if an English teacher with 200 students assigned one essay per week and spent only 5 minutes grading each paper, it would take 16 hours to complete one set of papers. That is in addition to the time spent teaching, preparing lessons and fulfilling required extracurricular assignments.

I believe that classroom size matters. I have taught in schools where they were small and I have taught in a school where classes were large. I appreciate this bill, but I wish there was a trial period of three to five years where we fully fund public education and then see how that happens.

RUBEN MURILLO, JR. (President, Nevada State Education Association):

The Nevada State Education Association (NSEA) supports A.B. 312. The origination of this bill was to address factors that impact a teacher's evaluation, and then it changed into this bill that talks about class-size reduction. You can find statistics that support either side of this issue. From a practical standpoint, it impacted me when I went from public school to Catholic high school; from classes that were large to classes that were small. We had seven students in one of my math classes. As a special education teacher, I can also comment on what it was like teaching in an urban school with a lot of students, having to manage different levels of ability.

What I like about A.B. 312 is that it is nonbinding, but it gives parameters. We do not currently have parameters except for first grade through third grade. School districts have an ability to apply for waivers to change the ratio. I have submitted the NSEA letter of support ([Exhibit D](#)).

SENATOR HAMMOND:

In giving more autonomy to the schools, let us say a school is experimenting and decides to put 40 students in a classroom, adding two experienced aides, so now you have three people in the classroom teaching the kids. This does not necessarily meet the guidelines of the pupil-to-teacher ratio, because the two aides are not licensed professionals, but that configuration ratio would be good for the students. Do you agree?

MR. MURILLO:

Of course. It would be great if the districts could find money to provide that many aides in classrooms, or if schools could do that within their budgeting process. That falls under the waiver process and the autonomy that CCSD schools will have under the reorganization. It is not the SBE saying there should only be 16 students in a room, though.

SENATOR HAMMOND:

The thing that keeps coming back is the concern you heard from Senator Gustavson about the language that says nonbinding, and the next time it might be decided that it should be binding. I feel like we are heading in a different direction by giving more autonomy, and yet, are we now taking it away? I get it because I have lots of colleagues who are telling me where they work and how hard it is. Why not allow the autonomy to make these distinctions in different areas of the State, where we do not want to prescribe one rule and expect it to be obeyed all over, because one size does not fit all.

MR. MURILLO:

I would assume that if the bill is adopted, it would tie the hands of many districts. When you say this is nonbinding, but it could be switched to binding, that happens with all kinds of legislation that is passed. It can always be changed. We are hoping there is a reference and some standards that can be included, so if a district chooses to go a different route through their SOT or a waiver process, the flexibility will be there. If it were binding, I would understand your concerns, but this is just a way to provide standards.

ASSEMBLYWOMAN MILLER:

This is nonbinding; it is like a best practice. We have instances where additional classes need to be added in secondary school, so some teachers choose to sell out their prep hour to teach an additional class and they are paid for it. Others

choose not to do that for their own reasons. It is a choice. Right now, we are looking at extreme numbers in the classroom, and these are not being done by choice. This is more out of necessity, but extreme numbers like 60 students in a class are not what teachers would choose, and when it comes to the teacher's evaluation, is it fair?

CHET MILLER:

I support A.B. 312 as both a teacher of physical education and a parent in the CCSD. It is about time we discussed this issue beyond what we have in first through third grade. Class size has an impact on the type of program my fellow physical education teachers and I are able to provide. This goes for other specialists. I know studies have been done to show that class size has as great of an impact on achievement as teacher quality. Even though some may disagree with those studies, I would argue that common sense suggests otherwise. It is common sense that in smaller classes, teachers have a greater ability to provide additional time to each student to address individual needs.

This is especially important in the difficult middle school years. It is common sense that smaller classes will allow for greater classroom management so students have less opportunity to engage in inappropriate behavior. It is common sense that smaller class sizes will drive workload issues down for teachers, thus dropping teacher burnout and turnover. Those who challenge this idea, I suggest you look at the advertisements for those private institutions that sell the idea of smaller classrooms as advantageous to their educational institution. As a parent, I am completely distressed that my child may wind up in a class of 40 or greater as he progresses through his remaining years. Determining and recommending appropriate class sizes will have economic impacts, but spending money to ensure quality educational experience is worth the money. I agree with Senator Spearman that we should fully fund education and evaluate the success later.

JANA PLEGGENKUHLE:

I support A.B. 312 because class size matters and those who say it does not, have probably never been in a classroom. During my career as a teacher, I have had classes ranging from 16 students, thanks to class size reduction, to 36 students. Even with class size reduction, some of my classes were up to 22 kids in first and second grade. I made the decision to switch from general education to special education in elementary schools for various reasons,

including class size. I felt that with smaller class sizes, I could have a greater impact.

My youngest son moved up from elementary school to middle school and then high school, and as the class sizes rose dramatically, his involvement and success declined. I was thankful he had some teachers who were able to contact me and to work with me on his issues. These are teachers with a caseload of 200 students. Overall, with the majority of those middle school and high school years, I would get comments from teachers like, "I have 200 kids; I cannot hold your child's hand." I have been an educator for 25 years in the CCSD, and every year, our class sizes have increased, even in special education. I hope this bill will ensure that the SBE develops recommendations for pupil-teacher ratios that will direct the CCSD to stop increasing class sizes and reducing staffing to save money. This bill is a good first step.

MR. DUNN:

A lot of our older schools, especially in Washoe County, were built to a different standard in a different time when class sizes were much lower, as was the population. Now, we are stuffing 20 pounds of potatoes in a 5-pound bag. Not that I want to make the correlation between potatoes and kids, but that is truly what is happening. I speak for the Professional Fire Fighters of Nevada when I ask you to keep in mind that public safety factors are involved here, not only from the fire side, but also from emergency services and the world we live in now where there can be active shooters and lockdowns in classrooms.

There is an impact on public safety when you are trying to evacuate students from one point to another within a concrete block building. As we are adding more students to classrooms, we are adding more stuff to the classrooms, too—backpacks, shoes, chairs, desks and other things that get in the way of trying to provide the public safety that our students deserve. From that perspective, we want to ensure that our schools are built to a standard that can allow for proper public safety, and that includes class sizes.

I am a parent of a third grader. In kindergarten, her class had 25 kids, then her first grade class had 34 kids, her second grade class had up to 37 kids and this year, she has up to 36 kids. This year, for the first time, we had to hire a tutor for her because of a decrease in her math ability during the school year. Having 36 kids in the classroom does not help. As kids grow and have different

challenges, both at home and at school, some kids may require more one-on-one instruction and additional help. Adding more and more kids to a classroom or a school begs the question, what is the breaking point? At what point are we setting up our teachers for success or for failure?

MIKE RAMIREZ (Las Vegas Police Protective Association):

The Las Vegas Police Protective Association is a coalition of 8,000 members and we support A.B. 312 for the same reason my counterpart, Mr. Dunn just stated regarding the safety issues.

ED GONZALEZ (Clark County Education Association):

We support this bill because having smaller class sizes helps with teacher attrition and other challenges in the classroom. Assembly Bill 312 at least gives a guideline, so if SOTs want to look at this and consider reducing class sizes, at least they have a number to reference and make decisions based on the best use of money.

SENATOR HAMMOND:

What prevents them from looking online to find out best practices?

MR. GONZALEZ:

Nothing prevents outside research, but it would be nice to get a recommendation for a number from the SBE.

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

We also support A.B. 312. Going back to what Senator Hammond brought up, it is true that we can go online and look up data on class size ratios, but it would be more powerful to have something from the NDE saying this is the number it should be and to also have the SBE take a look at it.

As a 20-year teacher, I was fortunate to have a wonderful middle school principal who realized that part of classroom discipline has to do with making a relationship with students and their parents at the start of the school year, not in January or February when we have discipline issues. When my class sizes were up to 24 students, I was able to make those phone calls to all the students in all 6 of my classes within the first 2 weeks of school. When the disciplinary issues arose later in the year, I already had established the relationship with the parent because of our earlier contact. The last six years or

so, my class sizes have been much larger, which has made the phone calls much more cumbersome, and I cannot make the calls within the first two weeks of school. The smaller class sizes definitely make a difference in classroom discipline but also in our parent engagement.

PRISCILLA MALONEY (AFSCME Local 4041):

I represent the American Federation of State, County and Municipal Employees, AFL-CIO, which includes the school retirees, and we support A.B. 312. I understand the concerns about these recommendations being nonbinding, but in section 2.5, subsection 2, paragraph (a), it says "suggested ratio," and in section 2.5, subsection 2, paragraph (b), it says "evidence-based national standards," and in section 2.5, subsection 2, paragraph (c), it says "Take into account the unique needs." This language seems to have some flexibility built in, so people are not hamstrung, and for that reason, we support this bill.

CHRIS DALY (Nevada State Education Association):

We support A.B. 312. Other than teacher evaluations, overcrowded classrooms is the second issue we hear the most about from our members at NSEA, which is why the original version of this bill was so intriguing because it linked teacher evaluations and pupil-to-teacher ratios. With the amendment, this bill is much more reasonable in making the SBE make recommendations for the ratios. When you are forty-seventh in the Nation in per pupil funding, a necessary byproduct of that is more kids in the classrooms. I do not believe the research is conclusive that there is no correlation between student achievement and these ratios. There is a difference of opinion on what the exact number should be, so it is good public policy to have our SBE decide that.

MR. REGAN:

I am speaking for the Northern Nevada Fire Chiefs Association in support of A.B. 312. Our concern is on the safety side of the classrooms being overcrowded. We would ask the NDE to work with fire departments and building officials to look at occupancy capacities so we do not overload classrooms and exit pathways.

MR. AUGSPURGER:

We support this bill and think it is a good start. Our discussion today has centered on the hardship created when the classes are too large; a bigger piece we need to look at in our larger school districts is the management practice of

raising class size with purpose and intent. When you and I run out of money, we go to our savings account, which is what the large school districts do, and in this case, their savings account is the pupil-to-teacher ratio. It would be interesting to see how many times a district has increased the ratio and for what purpose. If I were a member of an education committee, I would be asking those questions of our school districts.

MS. ANDERSON:

Speaking for WCSD, we do not want to have excessively large class sizes. That is not a choice that is made because we think it is in the best interest of everyone. It is purely a function of how much money we have and how many teachers we can hire. The more money we have, the more teachers we hire, the smaller the class sizes. We are in support of funding more teachers to keep class sizes down, but setting a standard we cannot achieve because we do not have the money to get there is inherently problematic.

MS. PIERCZYNSKI:

I will echo what Ms. Anderson said. This bill is important because it starts a conversation we have not had in the State about the large class sizes in our upper grades. It is something that money to help pay for more teachers can solve.

MS. ROURKE:

The reason classes sizes increase is not just a matter of saving money. It is a matter of balancing our budget. We have talked here many times about the recession and the many cuts we had to make, and raising class sizes is one of the things we had to do when we cut more than \$500 million in our budget from 2009 through 2011. We are still recovering from that. The first thing we look at is our ability to reduce class sizes when we think we have funds available. We need the funding to do it.

ASSEMBLYWOMAN MILLER:

I have no doubt that it is a funding issue, but it is twofold. With all the money in the world, it does not matter if we do not have the teacher pipeline to attract professionals into our classrooms. We want to create an environment where we can attract and retain teachers and where students are enjoying their experience and are proud of their schools. I have a letter of support to submit from Carmen Andrews, a CCSD high school teacher ([Exhibit E](#)).

CHAIR DENIS:

I will close the hearing on A.B. 312.

VICE CHAIR WOODHOUSE:

I will now open the hearing on Senate Bill (S.B.) 390.

SENATE BILL 390: Extending and revising the Zoom schools program for the 2017-2019 biennium. (BDR S-788)

SENATOR MOISES DENIS (Senatorial District No. 2):

This is the second hearing we have had on this bill. We went over the original bill before, discussing some changes we wanted to make with the Zoom schools program, then we sent it to the Senate Committee on Finance, and now it is back from there.

In Nevada, nearly 80,000 of our students are ELL, which equals 17 percent of all students in the State, with about 70 percent of these enrolled in the CCSD. Close to 90 percent of the ELL population is Spanish speaking, and according to a University of Nevada, Las Vegas study, Latinos are Nevada's fastest growing demographic under the age of 18 and now make up over half our students in kindergarten through third grade.

Until a few years ago, we did not have a statewide program to address the needs of these students. The good news is, the Zoom schools program has been an unmitigated success at bending the literacy learning curve. Our goal is to continue what we are doing and perhaps expand the program.

During the last hearing on April 13 for S.B. 390, there were two amendments, including one from the NDE and one from the CCSD. I went through those amendments and met with the principals in each group and tried to come up with a compromise in the conceptual amendment ([Exhibit F](#)). The first change is to amend section 1, subsections 1 and 5 to ensure that the identified Zoom schools continue by being renewed every two years.

The second change is to delete section 1, subsection 2, paragraph (b), because we are already doing that.

The third change amends section 1, subsection 3, to allow the use of not more than 5 percent of Zoom money for the listed purposes. In the original bill, it was 2 percent, but the CCSD amendment was to remove that and not limit it. My concern with that was if we left it open and they wanted to use it for these programs, would there be enough money or would we lose a Zoom school on the bottom end because we ran out of money? Rather than have it open, I increased it so schools have the ability in their allotment to use up to 5 percent for something like family engagement or teacher incentives only if the use of it would not negatively impact students.

The fourth change to section 1, subsection 4, requires reading centers to provide services to pupils in fourth or fifth grade who need help getting through the third grade lessons. The emphasis is still trying to get to the kids in third grade, but if they did not get there, we do not want to abandon all the progress we had and to continue working with the child. In many cases, this is done already.

The fifth change is to section 1, subsection 7, and allows the SBE to create the ability to assess everyone equally.

Ms. ROURKE:

We support S.B. 390 with the proposed amendment to increase the percentage for the funds that could be used for teacher incentives, parent engagement and professional development.

SARAH POPEK (Clark County School District):

I am the principal at Myrtle Tate Elementary School speaking in support of S.B. 390. The Zoom school programs such as pre-kindergarten, full-day kindergarten, Zoom reading center, summer academy and more have done a lot for our students. I hope we can continue this funding for our schools and expand to fourth and fifth grades as the amendment, [Exhibit F](#), proposes.

ANTHONY NUNEZ (Clark County School District):

I am the principal at William E. Orr Middle School. I support S.B. 390 because I believe it is a great attraction to get high-quality educators at these schools and to retain them. At my middle school, we have students reading as low as a pre-kindergarten level, so the gap in grade level content knowledge is wide. Our

teachers work hard to reduce that gap, so this funding supports key initiatives for us to do that great work.

MEGAN RAUCH (Kenny Guinn Center for Policy Priorities):

Earlier this year, we published a report that examined the effectiveness of Nevada's literacy interventions, including Zoom schools. According to our research, Nevada should continue to support this program because it provides specific, targeted interventions that bolster the outcomes for ELL students at the highest-need, lowest-performing schools in our State. I have submitted my written testimony ([Exhibit G](#)).

VICTORIA HIGGINS (Clark County School District):

I am a third grade teacher and instructional lead at Myrtle Tate Elementary School in the CCSD, speaking in support of S.B. 390. Many of my students are in the Zoom program. They do not know it is a program, though, they just run as fast as they can to the Zoom center. Really, you have never seen a child so excited to get tutoring. They delight in additional experiences with books at their level and the small group instruction.

Not only do they love the specialized literacy tutoring, I watch them utilize the necessary skills they learn from the Zoom reading center in class. I can qualitatively see and quantitatively measure that this program supports student achievement. I hope these students can continue to get the support they need into fourth and fifth grades. The extended programming of Zoom provides many of the students the opportunity to continue their academics into the summer. It may seem counterintuitive, but my students cling to their desks and beg for more school. Extending programming allows us to grant them this wish. Students share with me their experience from previous years and look forward with delight to upcoming summer experiences. Please do not make me tell them they will not be able to do inventions because of the lack of funding.

EVE RUBALCAVA (Clark County School District):

I am a project facilitator at the reading center at Myrtle Tate Elementary School in support of S.B. 390. This is my third year as a project facilitator, and I have seen great growth academically with data for all the students that come through my reading center. There is another side, which is the growth of the students' confidence over the years as I see the fourth and fifth graders walking around campus, and I want more support for fourth and fifth grade students.

Before I was a project facilitator, I was a classroom teacher. Having programs start one year and then end the next and then having a different program come in, made it difficult for my students because things were always changing. What I noticed with the Zoom program is that there is a steady increase in the students' academic gains, especially with language. I would like to see this Zoom program continue.

KELLY CROMPTON (City of Las Vegas):

We support S.B. 390 for the continued support for Zoom funding. Many of these schools are in Las Vegas, and we have seen a great deal of change in our students with the Zoom program.

SYLVIA LAZOS (Policy Director, Educate Nevada Now):

This is such a successful program; we are in support of S.B. 390. I agree that as we look to how we are going to be thinking about weighted funding and the proposal for additional monies the Governor has put on the table, we support his recommendation that we put additional money into the Zoom schools programs. This is an equity program, not an equality program. Ninety percent of our ELL students go to Title I schools. Eighty percent of our teacher vacancies are in the Title I schools. What does that mean? It means that if you are an ELL child, you are much more likely to have a substitute or a novice teacher. We know that what makes the difference to any child is the quality of the teacher. The reason Zoom and Victory have been successful is because they are both equity, targeted programs. They try to put quality teachers in front of those kids who need them the most. As a State, when we lift the bottom of the bottom with thoughtful interventions, we rise as a State. That is how we can get out of being No. 50 in the Nation and finally being competitive. I have submitted my written testimony that includes data about the Zoom program ([Exhibit H](#)).

SENATOR SPEARMAN:

Can you explain the difference between equity and equality?

Ms. LAZOS:

Equity is boosting up a child in the poorest neighborhood so he or she is on a par with a child in a suburban, higher income neighborhood. What is holding us back is we need to make sure that every child is starting out at the same level.

MR. MURILLO:
We also support S.B. 390.

STEVE JIMENEZ (Nevada Hispanic Legislative Caucus):
I want to echo many of the comments in support of S.B. 390. The Zoom program is a proven evidence-based practice that simply works. After two years, 60 percent of the students who participated in Zoom reading centers were reading proficiently at their grade level. There is still room for growth with this program as 38 percent of ELL students still do not benefit from Zoom schools.

MS. ANDERSON:
On behalf of the WCSD, we support S.B. 390 and we appreciate the amendment, [Exhibit F](#), particularly the third part of it where it ensures we are serving all the students to the best of our ability.

STEVE CANAVERO, PH.D. (Superintendent of Public Instruction, Department of Education):
We support S.B. 390.

MS. PIERCZYNSKI:
We support S.B. 390. Our rural schools receive Zoom money as well. I surveyed them and there were several preschools started and a lot of additional tutoring going on because of the Zoom money.

LANE HESS (CCSD):
I support five of the Zoom reading centers in the elementary schools, working with Ms. Rubalcava and four other elementary schools. Essentially, I support more than 500 students. I echo the support of S.B. 390 and also the expansion into the fourth and fifth grade because we get to see students who come in from first to third grade. Some of the first graders come in barely decoding and as shy ELL students with no confidence. When they come out and are reading on their grade level, they have developed language skills and they are talking and reading exciting and beautiful books. It is a privilege to see these students blossom, so I am in support of expanding the Zoom program into higher grades.

KENIA MORALES:

I am speaking as a mother today in favor of S.B. 390. I have a child at Vail Pittman Elementary School, which is a Title I Zoom school in northwest Las Vegas. I support the Zoom program as well as the expansion because it would mean my daughter would be eligible next year, and I know the program really makes a difference throughout the entire school.

MS. FERRATO:

We support S.B. 390 because the Zoom school results have been incredible. We look forward to seeing this implemented.

MR. GONZALES:

The Clark County Education Association supports this bill. Mr. Jimenez from the Nevada Hispanic Legislative Caucus mentioned that we still have not reached all the ELL population, which is true, because we have some areas such Joseph L. Bowler Sr. Elementary School in Bunkerville, which is 35 percent ELL. This is the school that Senator Denis's legislative assistant, Ben Mendez, attended. That is why we have been strongly in support of S.B. 178, the weighted funding formula bill, after the Southern Nevada Economic Forum put out a statement saying the majority of those funds should go there.

SENATE BILL 178: Revises provisions relating to the funding formula for K-12 public education. (BDR 34-792)

SENATOR DENIS:

There was a question on the issue of summer school and the language in S.B. 390 in section 1, subsection 2, paragraph (g), where it says:

Provide, free of charge, a summer academy or an intersession academy for those schools that do not operate on a traditional school calendar, including, without limitation, the provision of transportation to attend the summer academy or intersession academy or provide for an extended school day.

We added the extended school day to allow schools to choose if they wanted to have a longer day throughout the year, do the extra time at the end of the school year, or, as WCSD does, to have an intersession. You can do one of the choices, not more than one, and I want our legal counsel to put it on the record.

ASHER KILLIAN (Counsel):

The language in section 1, subsection 2 lists a variety of services the Zoom schools offer. Specifically, in paragraph (g), it lists three different kinds of extended contact options—a summer academy, an intersession academy or an extended school day. If you look at section 1, subsection 3, it says the Zoom schools are required to offer the things in paragraphs (a) through (f), but for paragraph (g), they are required to offer one of the programs listed in that paragraph. The schools would have the choice to offer one of the three, but not all three.

SENATOR DENIS:

I have been in many Zoom schools, including Myrtle Tate Elementary School, seeing the great things they are doing and we need to continue. It allows these kids to get to the level they need to reach and it has been a great investment.

SENATOR SPEARMAN:

I will now close the hearing on S.B. 390.

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Senate Committee on Education
May 11, 2017
Page 33

CHAIR DENIS:

I will now open public comment. Seeing no one wishing to make public comment, I will close the meeting of the Senate Committee on Education at 5:44 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	1		Agenda
	B	5		Attendance Roster
A.B. 292	C	1	Charlene Frost	Example Bullying Notification
A.B. 312	D	1	Ruben Murillo, Jr. / Nevada State Education Association	Support – A.B. 312
A.B. 312	E	1	Carmen Andrews	Letter of Support
S.B. 390	F	1	Senator Moises Denis	Proposed Conceptual Amendment
S.B. 390	G	3	Megan Rauch / Kenny Guinn Center for Policy Priorities	Written Testimony
S.B. 390	H	4	Sylvia Lazos / Educate Nevada Now	Written Testimony