

**MINUTES OF THE
SENATE COMMITTEE ON EDUCATION**

**Seventy-ninth Session
May 30, 2017**

The Senate Committee on Education was called to order by Chair Moises Denis at 3:38 p.m. on Tuesday, May 30, 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 Teresa Benitez-Thompson, Assembly District No. 27
Assemblywoman Olivia Diaz, Assembly District No. 11
Assemblywoman Jill Tolles, Assembly District No. 25

STAFF MEMBERS PRESENT:

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

OTHERS PRESENT:

Terri L. Miller, President, S.E.S.A.M.E., Inc.
Robert Eglet, Nevada Justice Association
Dena Durish, Deputy Superintendent, Educator Effectiveness and Family Engagement Division, Department of Education

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Mary Pierczynski, Nevada Association of School Superintendents; Nevada Association of School Administrators
Lindsay Anderson, Washoe County School District
Jessica Ferrato, Nevada Association of School Boards
Patrick Gavin, Executive Director, State Public Charter School Authority, Department of Education
Nicole Rourke, Associate Superintendent, Community and Government Relations, Clark County School District
Ed Gonzalez, Clark County Education Association
David Gomez, Nevada Peace Alliance
Theo Small, Vice President, Clark County Education Association
Craig M. Stevens, Clark County School District
Tom Dunn, Professional Fire Fighters of Nevada
Brad Keating, Clark County School District
Ruben Murillo, Jr., President, Nevada State Education Association
Steve Canavero, Ph.D., Superintendent of Public Instruction, Department of Education
Juanita Clark, Charleston Neighborhood Preservation
Lindsey Dalley
Megan Rauch, Director of Education Policy, Guinn Center for Policy Priorities
Chris Daly, Nevada State Education Association
Heather Isham
Peggy Lear Bowen
Nancy Brune, Director, Guinn Center for Policy Priorities
Brett Barley, Deputy Superintendent for Student Achievement, Department of Education
Jana Wilcox Lavin, Superintendent in Residence, Achievement School District, Department of Education
John Vellardita, Executive Director, Clark County Education Association
Justin Brecht, Nevada Rise Academy
Ignacio Prado, Futuro Academy Charter School
Annette Dawson Owens, Break Free CCSD
David Blodgett, Nevada Prep
Alma Tomsen
Autumn Tampa
Anthony Nunez, Principal, Orr Middle School, Clark County School District
Alaina Criner, Principal, Matt Kelly Elementary School, Clark County School District

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Lou Markouzis, Principal, Mary & Zel Lowman Elementary School, Clark County
School District

Tiarre Tenorio

Barry McLeod

Elsi Hernandez

Lenny De Forge

Daniel Trofholz

Frank Pierce

Anna Slighting, HOPE for Nevada

Angie Sullivan

Adam Berger

Leighanne Mainguy

Betsy Gillis

Janice Polley-Augente, Principal, Desert Rose High School

CHAIR DENIS:

I will open the meeting of the Senate Committee on Education with
Assembly Bill (A.B.) 362.

ASSEMBLY BILL 362 (1st Reprint): Revises provisions relating to educational
personnel. (BDR 34-1144)

ASSEMBLYWOMAN JILL TOLLES (Assembly District No. 25):

The U.S. Centers for Disease Control and Prevention estimates that 1 in 4 girls and 1 in 6 boys will be sexually abused before the age of 18. Ninety-three percent of the time, victims are abused by a family member, friend, a trusted mentor, a coach or a teacher. Predators are often well-liked, charismatic, charming, manipulative, deceptive and effective at grooming their victims and convincing bystanders there is nothing suspicious going on. Although the vast majority of teachers and education professionals are caring and competent, when someone harms children, we have a responsibility to step up and stop it.

Due to certain reporting and communication loopholes between schools and districts, these abusing adults have been able to slip between the cracks and abuse our youth. This issue has received attention both nationally and locally. In Nevada, there have been 12 cases of reported educator sexual misconduct in the Clark County School District (CCSD) this year. According to Meghan Delaney and Amelia Pak-Harvey's three-part series, "Broken Trust," in the

Las Vegas Review-Journal, that is higher than the reported arrests in the 2016-2017 school year in some of the Nation's largest school districts.

On page 2 of my presentation ([Exhibit C](#)) there is a summary of what A.B. 362 does to protect our children. This bill was modeled after a bill from S.E.S.A.M.E., Inc., which stands for Stop Educator Sexual Abuse, Misconduct and Exploitation, whose bill was modeled after the first bill of its kind in Pennsylvania. Since then, other states have followed with similar legislation. Because of all the stakeholders in Nevada helping to contribute to A.B. 362, this has been deemed the new U.S. model. Terri Miller and Dr. Chester Kent of S.E.S.A.M.E. have contributed to this bill, along with the Nevada Department of Education (NDE) and the CCSD, Washoe County School District (WCSD), the rural districts, the State Public Charter School Authority, the legal community and the teachers unions.

TERRI L. MILLER (President, S.E.S.A.M.E., Inc.):

This is my twentieth anniversary of coming to you for legislative action to address the problem of sexual misconduct in schools. I have seen great progress in Nevada on this issue, which has spread nationwide with our group, Stop Educator Sexual Abuse, Misconduct and Exploitation, Inc. I have submitted my written testimony that includes my personal story ([Exhibit D](#)).

ASSEMBLYWOMAN TOLLES:

Back to my presentation, [Exhibit C](#), on page 3, you can see a list of what is in sections 1 through 7 of A.B. 362. Sections 6 and 7 provide for exceptions, including cases where law enforcement has already closed the matter, cases where there is insufficient information or where the person has been exonerated and other situations listed on page 4 of [Exhibit C](#).

On pages 5 and 6 of [Exhibit C](#), section 8 of the bill addresses the responsibilities of job applicants to submit information of any allegations of sexual misconduct on a job and the outcomes of those incidents. Sections 9 and 10 outline the responsibilities of schools or independent contractors and current and past employers.

Section 11 authorizes governing bodies and independent contractors to use collected information to determine employment with certain stipulations listed on page 8 of [Exhibit C](#). Sections 12 through 18 on page 9 deal with record maintenance requirements, temporary employment provisions and more.

Sections 20 through 25 make conforming changes to *Nevada Revised Statutes* and state the effective date of this legislation as July 1.

ROBERT EGLET (Nevada Justice Association):

I have been practicing law in Nevada for 30 years. Unfortunately, a large portion of my practice is involved in these types of cases in civil courts. What happens to these children? Not only is sexual misconduct a violation of their Title IX rights under federal law, but the profound effect this has on children molested by a teacher is staggering. Statistics show that very often after abuse, children who are good students become bad students. They also have a higher probability of becoming high school dropouts, of not pursuing a college education and other ramifications that affect them their entire lives. Many of these problems are not seen for decades in these children and they end up needing intense psychological counseling later on.

Up to 85 percent or more of child molestations by teachers go unreported. This probably means that although we have had more than 32 arrests in the last 3 years involving Clark County school teachers, there are likely more children who have been or are currently being molested and are not talking.

I believe that A.B. 362, along with several others bills that have been working their way through the Legislature this Session, will make significant strides in addressing this epidemic problem we have in Clark County.

DENA DURISH (Deputy Superintendent, Educator Effectiveness and Family Engagement, Department of Education):

Our friendly amendment relates to the current law and references convictions of crimes of sexual offense. It is in Proposed Amendment 5055 to A.B. 362 ([Exhibit E](#)). We noticed that in some circumstances, there had been arrests and charges for a crime, however, we have had cases brought to us of individuals who were never convicted, perhaps due to a case being thrown out on a mistrial or some other circumstance.

In section 18, subsection 6, we are requesting that an amendment of one paragraph be added where the superintendent of a school district would have the opportunity to review cases based on the FBI and law enforcement reports for applicants who have been "arrested for or charged with any crime involving sexual misconduct with a minor or pupil, including, without limitation, any attempt, solicitation or conspiracy to commit such an act." In that case, the

superintendent can deny that application. That review would go through the State Board of Education (SBE), so that applicant would have the opportunity to have a public hearing in front of the SBE if requested.

MARY PIERCZYNSKI (Nevada Association of School Superintendents; Nevada Association of School Administrators):
We support this important legislation.

LINDSAY ANDERSON (Washoe County School District):
We support A.B. 362 and appreciate that the bill protects students while not being unnecessarily burdensome on districts in terms of our normal hiring practices.

JESSICA FERRATO (Nevada Association of School Boards):
We support this bill and appreciate the inclusiveness of the sponsor.

PATRICK GAVIN (Executive Director, State Public Charter School Authority, Department of Education):
We support A.B. 362 and want to highlight that this bill protects all public school pupils, both in traditional public schools and public charter schools. It also protects students who are taught or otherwise have contact with a contractor, including, but not limited to, the employee of an educational management organization contracting with a school.

NICOLE ROURKE (Associate Superintendent, Community and Government Relations, Clark County School District):
We support this bill. We are working with a task force right now to review some of our policies. We have a significant child abuse policy that we worked on a few years ago to help protect kids, so now we are moving into protecting kids through social media and contact with teachers and coaches.

ED GONZALEZ (Clark County Education Association):
We support A.B. 362, especially with its intent to protect the children. We also supported Senate Bill (S.B.) 224 to put cameras in some classrooms.

SENATE BILL 224 (1st Reprint): Requires cameras to be installed in certain classrooms within a public school which are used for special education.
(BDR 34-477)

Additionally, we supported S.B. 287, passed by both Houses, and we appreciate the commitment to protecting children. The vast majority of teachers and education professionals are doing a great job, but we need to protect children from the few who are not.

SENATE BILL 287 (3rd Reprint): Revises provisions relating to the protection of children. (BDR 38-609)

DAVID GOMEZ (Nevada Peace Alliance):

We support this bill. I am in a room full of educators, and I seem to be the only one who is supporting the protection of children.

CHAIR DENIS:

If someone is accused of sexual misconduct, but is found not guilty, what happens?

ASSEMBLYWOMAN TOLLES:

It does not follow the teacher if he or she is exonerated or cleared. There is greater detail in section 6, subsection 2, paragraph (c) of the bill. If a teacher were to disclose that he or she worked in a summer camp and that there were no charges filed within four years after an allegation, then that summer camp did not have to report that there was an allegation.

SENATOR SPEARMAN:

On page 2 of the bill, in the Legislative Counsel's Digest, it says under the description of sections 9 and 10 that a private school that willfully fails to disclose information is subject to discipline. Section 11 authorizes the governing body of a public school and independent contractor to consider the information. It continues on to say, "also provides that the board of trustees of a school district, governing body of a charter school, governing body of a university ...". I am not seeing any specificity with regard to private schools. Is there a way to make sure that any organization that provides education to our children in Nevada be subject to this law? I do not want any loopholes.

ASSEMBLYWOMAN TOLLES:

I agree. This bill does apply to the public charter schools and schools for gifted and talented children that we currently have at a university. It also applies to the private schools releasing the information. I can get back to you with more information.

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In closing, this bill was a collaborative, community effort and I am proud of how our school districts, the NDE and the community stepped up. On a personal note, this issue is important to me and to so many others.

CHAIR DENIS:

I will close the hearing on A.B. 362. Because it is the end of Session, we could take a vote if the Committee is interested. Assemblywoman Tolles has invited any interested Legislators to add their names to the bill sponsorship at this time.

SENATOR GUSTAVSON:

I would like to be added in as a sponsor.

SENATOR WOODHOUSE:

I would too.

SENATOR HARRIS:

I would too.

CHAIR DENIS:

I would too.

SENATOR SEGERBLOM:

I would too.

SENATOR SPEARMAN:

Me too.

SENATOR HAMMOND:

Me too.

ASSEMBLYWOMAN OLIVIA DIAZ (Assembly District No. 11):

I would, too.

SENATOR WOODHOUSE MOVED TO AMEND AND DO PASS AS
AMENDED A.B. 362.

SENATOR SEGERBLOM SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

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CHAIR DENIS:

I will open the hearing on A.B. 124.

ASSEMBLY BILL 124 (1st Reprint): Requires the Commission on Professional Standards in Education to establish the Nevada Model Code of Educator Ethics governing interpersonal interactions and certain communications by teachers, administrators and other employees with pupils. (BDR 34-296)

ASSEMBLYWOMAN OLIVIA DIAZ (Assembly District No. 11):

This bill requires the establishment of a code of ethics by the NDE because being an educator means wearing many hats and making thousands of quick decisions every day. Teachers often spend many hours a day on an intimate level with students in a closed environment, reading their thoughts and their writing assignments. Teachers also create an environment that is safe and optimal for learning, and as teachers, we sometimes need more standardized, ethical parameters to protect the students and ourselves from unintended ethical mishaps. Unlike physicians and attorneys, teachers in Nevada do not have these established parameters. States such as Illinois, Georgia and Idaho have each established a model code of educator ethics.

Teachers are often afraid to have discussions about things they are not sure how to respond to, especially in our ever-evolving society. For example, if there is a questionable situation, such as a student not being picked up after school, leading to a car trip home and then witnessing an unhealthy home life, what should a teacher do? There are no guidelines. This bill will set guidelines approved by a group of people chosen by their peers. Happy and knowledgeable teachers who know how to conduct themselves in their classrooms will yield happy students and parents.

THEO SMALL (Vice President, Clark County Education Association):

There were many exhibits presented to the Assembly Committee on Education when we presented this bill. One is a model code of the educator ethics which lists all the people who worked on the code nationwide. The ethics code is for teachers, administrators, support staff and anyone who is employed by schools and interacts with children.

Thinking about our discussion on the last bill, A.B. 362, what happens if I break trust with a child? This bill, A.B. 124, starts an ethical conversation with educators around making decisions so they never get to that point. There are people in the educational setting like school counselors and psychologists who have a code, but the rest of us do not.

We hope to have a task force to look at the national code in depth, covering five different areas—responsibility to our profession, responsibility to professional practice, responsibility to students, responsibility to our school community and responsibility in our technological world.

This is preventative, and it would be used at the university level, with professional development and in conversations about ensuring that we know what to do in case a situation comes up. That is what a code of ethics does; it helps educators come together, have conversations and be able to make decisions based on a code we can all work with and have a conversation around.

MS. DURISH:

I will walk you through A.B. 124. Mr. Small was one of 24 representatives across the Country, coming up with these ideas over a time span of 18 months. Section 2 references the Commission on Professional Standards in Education (CPSE), which is the regulatory body overseeing educators. The CPSE would be the group that eventually, based on the remainder of the bill processes, adopts those regulations.

In section 3, subsection 1, it stipulates that the code would be for all other educators as well. In section 3, subsection 1, paragraph (b), it references all the categories Mr. Small was mentioning, which is a wide range. This section may be the most important piece because this is a preventative conversation. This bill addresses training that each district and charter school would be responsible for providing. We have been working with many outside providers in that regard. Section 3 also references that the NDE post these rules and guidelines once adopted and also forward them on to other entities. Not only would each educator have to sign a written acknowledgement, the SBE would also be made aware. Section 3, subsection 3, paragraphs (b) and (c) reference our traditional educator preparation programs and our alternative route to licensure. This is a conversation that precedes educators entering the classroom. Many professions have a course on ethics prior to starting work.

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Section 4 of the bill creates The Nevada Educator Code of Ethics Advisory Group, representing many stakeholders to study this issue. Section 5 references what would occur in that Advisory Group. It would give two reports, one in July 2018 and one in December 2018 to the CPSE, the Governor, the SBE and the Legislature.

Ms. ANDERSON:
We support A.B. 124.

MR. GAVIN:
We also support this bill.

CRAIG M. STEVENS (Clark County School District):
We support A.B. 124.

Ms. PIERCZYNSKI:
We support A.B. 124.

Ms. FERRATO:
We also support this bill.

CHAIR DENIS:
Seeing no one else wanting to speak, I am willing to take a motion on A.B. 124.

SENATOR WOODHOUSE MOVED TO DO PASS A.B. 124.

SENATOR HARRIS SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

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CHAIR DENIS:
I will now open the hearing on A.B. 127.

ASSEMBLY BILL 127 (1st Reprint): Revises provisions relating to emergencies in schools. (BDR 34-196)

ASSEMBLYWOMAN TERESA BENITEZ-THOMPSON (Assembly District No. 27):

I call this the school safety bill. The history of this Legislation is on page 2 of my presentation ([Exhibit F](#)), starting on April 20, 1999, with the shooting at Columbine High School in Columbine, Colorado, and ending with the passage of S.B. No. 289 of the 71st Session.

Unfortunately, there have been additional incidents since Columbine, not only nationwide, but also in Nevada. We had a shooting at Pine Middle School on March 14, 2006, where a student brought a gun to school and shot and injured two other students. Then we had the Sparks Middle School shooting on October 21, 2013, where a teacher was killed and 2 students were wounded. We had the Hug High School incident on December 7, 2016, where a teen attending the high school was shot. The first student to die in Washoe County happened at McQueen High School in 1996, the year I was a senior, when a homemade gun was brought and discharged during the lunch hour.

On page 3, [Exhibit F](#), you can see what we have in place today to try to mitigate school violence. Looking at [A.B. 127](#), it is my aim to reexamine the NRS chapters as listed on page 3. Some of the provisions in the bill came about after the Sparks Middle School shooting and the official review of that event. The review of the Hug High School shooting is not complete yet, but we want a vehicle by which we can have a conversation about what school safety means.

There is preamble language on pages 2 and 3 of the bill. The explanation of that language is on page 4 of [Exhibit F](#), which is basically to increase the number of social workers, behavioral health professionals and counselors available to students. Although the bill which was very similar to [A.B. 127](#) that I presented last Session did not pass, we were able to get funding for social workers in schools. Over the 2015-2016 Interim, much work was done by the NDE and school districts to identify needs and to get social workers into the schools. The program is working and I believe it is making a difference. This preamble language just codifies what we did in the budget to support those efforts.

On page 5 of [Exhibit F](#), you can see that sections 2 and 3 define “lockdown” and “school resource officer” so we can have consistency across school districts and schools. This way, there is no confusion about what those terms mean. The way we think about school safety has changed from a focus on fire code to safety with an active shooter because today, a school is ten times more likely to have an active shooter than to have a fire.

Section 4 is explained on page 6 of [Exhibit F](#) and requires a full-time emergency manager in both Washoe County and Clark County. During the economic downturn when budget dollars were tight, we knew there were people wearing multiple hats in school districts and that counties differed in the assignments of their own emergency managers. We have learned through best practice that this must be one job only for the person doing that task.

Section 5 of the bill requires emergency managers and chiefs of school police departments for Clark County and Washoe County to make safety recommendations during the design, construction or purchase of school buildings. This has been happening since the 2015-2016 Interim. This section is further explained on page 7 of [Exhibit F](#). When possible, those schools need to have a consultation with their emergency managers or chiefs of police about tactical safety. How do you keep students safe if there is an incident at the school? Little things matter, like being able to lock a door from the inside or having a magnet on doors so that in an emergency situation it can stay open by itself instead of having someone physically hold it. Ten years ago, we did not have to worry about our school grounds with a single point of entry. Now, we know that is essential to guarantee school safety.

The Department of Public Safety and the Division of Emergency Management did have a fiscal note attached to A.B. 127 that they have withdrawn with the clarification that we are not asking them in the rules to do building codes and engineering and assume the responsibility of complying with all local building codes. Rather, they are giving advice on those tactical components for what they would suggest in a school building if they had to come in quickly in the event of an active shooter.

Section 6 of the bill requires an annual school safety conference, page 8, [Exhibit F](#). It is built to be flexible and to not incur additional burdens or fiscal notes on districts or the NDE. If there is a way to fit the conversation about school safety into other school conferences, we need to do it. We have a biennial family engagement and parent involvement conference, which could be a good place to squeeze in a workshop about school safety. Every other year, there is a national school safety conference, alternating from Las Vegas to Florida each time, and that venue could be another place to insert a school safety workshop. I have submitted amendment language that will allow the school district the authority to be able to have the safety conversation at the annual conference.

Section 7 requires the NDE to make and administer block grants for social workers and mental health counselors in the schools. This has been happening over the Interim.

Sections 8, 9 and 10 are listed on page 10 of [Exhibit F](#). Fiscal notes have been cleared through the Assembly Committee passage of this bill. We have a proposed amendment ([Exhibit G](#)) to address the charter school language for the annual conference. We owe it to our kids and our schools to make sure that we are always thinking about how to keep them safe. This legislation would keep these kids as safe as they can possibly be.

SENATOR SPEARMAN:

Is it possible to present the information on school safety at PTA meetings or in smaller groups and not just conferences?

ASSEMBLYWOMAN BENITEZ-THOMPSON:

The legislative intent is that this does not have to be a stand-alone conference, but that the conversation about school safety can fit in across a number of venues. In section 6, it says the NDE shall coordinate with the Division of Emergency Management, and the reason that is important is because those two agencies review school safety plans so we want the school police and emergency managers included in these conversations. Otherwise, it is academic. The intent is that it is happening and that we are talking about it, and small venues are great. The more interpersonal, the better.

MR. GAVIN:

We support A.B. 127 because we can always do more to make sure our children are safe. We appreciate the inclusion of the charter school sector to ensure the fiscal impact was limited.

MS. ANDERSON:

We support this bill. To Senator Spearman's question, we have school safety teams at the school level that are comprised of a small number of staff and parents. They are briefed on this kind of information. There are some things that are part of our WCSD emergency plan that we do not share because we do not want people to know details of our plan. There is a fine line between making sure the people in the room have the right clearance to have that information and knowing that families are engaged. Knowing that the last time we had a fire

that killed students was in the 1950s is a good reminder that if we practice, we can save lives.

TOM DUNN (Professional Fire Fighters of Nevada):

Times in our Country have changed. Who knew 30 years ago, when I was a high school senior at McQueen High School, that I would be sitting here talking about active shooters within schools? Based on the times we are living in, many fire departments and law enforcement agencies are addressing emergencies in schools based on the most recent events. In Nevada, we have police and fire agencies working and training side by side on active shooter responses to our schools, and also providing emergency medical services for those instances. In some cases, firefighters are assigned to special weapons and tactics teams as well as bomb squads that respond to these incidents.

With the increasing capacity in some of our schools, it is important to continue executing these emergency plans for the safety of the students, the staff and the emergency responders. It is also important that we address the building designs and remodel needs to address these emergency responses including how responders will get into a building and how to safely evacuate students. We support A.B. 127.

MS. PIERCZYNSKI:

We support this bill. I have read different surveys where parents are asked what the most important thing about school is, and the No. 1 response is that their child is safe at school.

BRAD KEATING (Clark County School District):

We appreciate and support A.B. 127. At CCSD, we already have an emergency manager in place, which has been an integral part of the building process to ensure those buildings are as safe as can be. We appreciate the fact that there will not be an additional financial cost regarding the conferences, and we also appreciate the flexibility with the timing of the conferences so we can collaborate with all the school districts in the State.

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

We support A.B. 127 to help keep our students and employees safe.

MS. FERRATO:

We support this bill.

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

We support A.B. 127. This bill has two components. One is the hardware we are building into school plans with things like the single point of entry. Like this bill, the genesis for a similar bill in Cleveland was in response to a school shooting where they said, "We can build all the hardware we want, but if we do not address the humanware, we are not going to resolve the challenge." The Cleveland bill codifies the social workers in schools program, which is our way of helping to build the social, emotional and academic development of our students, as well as having the hardware in place to ensure that our physical plans are safe.

JUANITA CLARK (Charleston Neighborhood Preservation):

We are for this type of information to be conveyed in PTA meetings or groups that meet frequently. This could also cause children to think of the safety and the reckless things they might be doing. For years, we taught children to seek safety under a desk, but when I took some training with the City of Las Vegas, I learned that was not the safest thing to do. It is important we all have the right training in the districts. Keep the information to parents and communities small and not just on a larger scale with the school districts.

LINDSEY DALLEY:

I am from Logandale, and I am not here to speak specifically against this bill in terms of safety, but there is a concern about the tight prescriptiveness in the bill that does not address rural schools. We had an emergency flood situation two years ago where we saw firsthand how CCSD, being an urban district, did more harm than good. The procedures they put in place created more problems than they solved.

There needs to be a way to address rural schools. I would recommend putting local law enforcement officers in charge of coordinating emergency situations. When the CCSD got involved with our situation, they could not get the children home, so they had to spend a night away from their homes because CCSD would not allow them to be bused home. The school children who were kept at school had the lights shut off from Las Vegas and they could not turn them back on. The phones were shut off. The computers were shut off. No one had a key to get access to feed the kids, even though there was food in the school. Finally, the local police officer demanded that the kids be able to be taken home. One size fits all works for 99 percent of the schools, but rural police

officers who are in the community would be a better tool for these rural situations.

ASSEMBLYWOMAN BENITEZ-THOMPSON:

The amendment to section 6 of the bill, [Exhibit G](#), allows language to the State Public Charter School Authority to fit in through its charter school members a chance to have its safety conference as part of its annual conference. That would help the individual charter schools to comply with the law.

To Mr. Dalley, there is a law that may cover what you said about part of the plan including recovering from a crisis or emergency as well as reunifying the pupil with his or her legal parent. Maybe you will attend the conference when we talk about this and we can ensure that what we are putting on paper is practical for rural schools.

SENATOR SEGERBLOM MOVED TO AMEND AND DO PASS AS AMENDED A.B. 127.

SENATOR WOODHOUSE SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

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CHAIR DENIS:

I will now open the hearing on A.B. 7.

ASSEMBLY BILL 7 (2nd Reprint): Revises provisions related to education.
(BDR 34-126)

MR. CANAVERO:

There are three buckets of changes in this bill. It is responsive to the new federal law, the Every Student Succeeds Act of 2015 (ESSA), which is the first time the Elementary and Secondary Education Act of 1965 has been updated since the No Child Left Behind Act of 2001 (NCLB).

Assembly Bill 7 is also responsive to a significant amount of work by the SBE working through a graduation subcommittee on our diploma requirements and

testing. The three general areas this bill addresses are cleanup, licensure and personnel and postsecondary readiness

The cleanup items begin in section 1, subsection 3, changing the term “English proficient” to “English learner.” This is in response to federal law. There are also definitions for “evidence-based,” which, under the ESSA, has a responsibility and criteria for the State to spend dollars on evidence-based interventions. Also throughout the bill, “assessments” is changed to “assessment” when it refers to our college and career ready assessment, which is the American College Testing (ACT) program.

When NCLB went away, so, too, did the requirement for “highly qualified” status. Now, we have three provisions to define—experience, full state certification and effectiveness. You passed a bill pertaining to our teacher evaluation systems, A.B. 320, and there is an effectiveness aspect to that.

ASSEMBLY BILL 320 (2nd Reprint): Revises provisions relating to the statewide performance evaluation system. (BDR 34-1016)

There is full state certification as well as what experience actually means. You will see a number of parallel sections in the bill between district schools and our charter schools that carry out both the definitions and the reporting requirements.

For teachers, we have additions to the reporting for the equitable distribution and access to effective and highly effective teachers. There is a large requirement under the ESSA and for federal rules to ensure that all our students have equitable access to highly effective teachers in the State.

In section 16, there is a change from “annual measurable objectives” to “school achievement targets,” which is consistent with the ESSA. In section 19, there is a significant deletion, where we moved the school performance plans out of statute and we are asking for the ability to utilize regulation instead. We have visions going forward with the biennium to align the various plans and funding streams of the NDE, which was not possible as it was written in law. We want to work through the regulatory and rulemaking process to align school performance.

Regarding assessments and the postsecondary readiness bucket, which is an aspect of policy, one is around the high school assessment system. In the bill, we clarify that it is a singular college and career readiness assessment, for which the ACT has been designated.

Transitioning our end-of-course examination in upper elementary school and high school from a high-stakes assessment to a medium-stakes assessment is also in the bill. This would be embedded in the class like a final exam, rather than a final exam and an end-of-course exam administered by the State. Fourteen other states have end-of-course exams and four of those states have what we have, while three states incorporate it into the course grade, which is what we are contemplating here. The medium-stakes aspect comes when you incorporate that State final into the student's grade. The remainder of the 14 states have some combination of assessments and other criteria. That was informed by the assessments survey conducted about a year ago.

The other fairly significant policy aspect of A.B. 7 is in sections 41.2 to 41.7, which codifies the work the SBE did over the last three years to look closely at our graduation requirements, what it means to have a standard diploma or an advanced diploma and what the values are of those documents. We found that the standard diploma did not necessarily reflect readiness or adequate preparation to pursue postsecondary education right after high school, while the advanced diploma better prepared students for that pursuit.

Through this bill, we are proposing that the SBE adopt regulations under what we are calling a college and career ready diploma. There have been two amendments to the bill, and Amendment No. 917 changes the name from a "pathways diploma" to a "college and career ready high school diploma," which we felt was much clearer to its intent.

The idea with this bill is to align the expectations toward automatic entry into credit-bearing course work into a postsecondary educational institution like we have in the Nevada System of Higher Education and/or we align toward industry certifications for in-demand livable wage careers. With the college and career ready high school diploma, we would align toward credit bearing course work so students can meet placement guarantees and/or students would leave high school with certifications aligned with in-demand industries with livable wage careers.

Within the law, there is a dynamic review and regulatory framework to identify the meat on the bones of this. The SBE would go through its regulation and rule-making public process to fill out those graduation requirements, similar to how we do it presently for the standard and advanced diplomas.

The bill also establishes a required review of the standard diploma. During this process, we had feedback that praised the raising of expectations, but questions were raised about the standard diploma. The SBE will study the standard diploma and consider any necessary changes that could be put into regulation.

There is other language in this policy shift saying that to the extent funds are available, the NDE can provide incentives for students on the college and career ready high school diploma track that would offset or defray costs related to assessments, certificates or certifications. The other language pertains to a public service communications campaign to ensure that taxpayers in the community know about the expectations being raised. I am thankful to the money committees for closing the budget and having almost \$3 million over the biennium to put into this work.

MEGAN RAUCH (Director of Education Policy, Guinn Center for Policy Priorities):
We support A.B. 7 and commend the efforts of the NDE to modernize the high school graduation requirements in Nevada. I have submitted my written testimony ([Exhibit H](#)).

CHRIS DALY (Nevada State Education Association):
The Nevada State Education Association supports this bill. In the ESSA cleanup in the first draft of the language on the Assembly side, there was an unintended consequence when there was a shift from moving teachers from the issue of qualifications to performance. We appreciate that the NDE worked that language out. In addition, the movement of the end-of-course examinations from high stakes to medium stakes is movement in the right direction, and we think more movement needs to happen.

MS. ANDERSON:
We support A.B. 7, and we actually see the heavy lifting being done right after the Legislative Session because the changes to the high school diploma and to the end-of-course exams are both incredibly big lifts. We are preparing for that conversation at the SBE level. Our WCSD director of career and technical

education almost came unglued with the original draft of the bill because she spent so long trying to bring career and technical education, college readiness and career readiness to be the same and have many of the same traits. Separating them set off a lot of red flags. We appreciate the NDE acknowledging that and making modifications.

MR. GAVIN:

We support this legislation. It is important work that will move Nevada forward.

MR. STEVENS:

I echo the comments of those who spoke before me. We appreciate the NDE working with the CCSD on our amendments.

MR. GONZALEZ:

We support A.B. 7 and appreciate the NDE efforts to include multiple stakeholders.

MS. PIERCZYNSKI:

We also support this bill and think the diploma Ms. Anderson discussed is going to be important and it will be beneficial to our students once we work it out with the SBE.

MS. FERRATO:

I would ditto the comments of my colleagues on supporting A.B. 7.

HEATHER ISHAM:

I have a question about the diploma a special education student receives in his or her twelfth-grade year. I believe that if the person does not pass the State required tests, he or she receives a certificate of attendance. Is that correct?

CHAIR DENIS:

When Superintendent Canavero comes up at the end, he will explain that.

PEGGY LEAR BOWEN:

It is nice to have application along with learning and mastery included in the concept of the diploma. Back in the 1960s, when we got a high school diploma, it meant we were at least ready to accomplish some things. Now, why is the diploma not a Nevada graduation diploma, inclusive of one and all and indicative of what we expect a Nevada student to be able to do?

College is merely a career path of the many other career paths that exist and were offered in our high schools, junior highs and middle schools. Now you are at a stage to have a meaningful diploma again. When you work this out, quit having so many differentiated diplomas and have a meaningful diploma for all who graduate. It seems to me the beautiful diploma you just described was the type of diploma I earned back in 1967.

CHAIR DENIS:

In section 41.5 of the bill where you are talking about the career ready high school diploma, what distinguishes that from the regular diploma? It seems to me we always say we want a diploma to represent a student who is ready to go into college or into a career.

MR. CANAVERO:

That is true. What changes is the accumulation of advanced coursework and experiences, which could include internships or externships accrued while a student is in high school. There are certificates a student can earn in high school. I recently met with the National Association of Home Builders and they said there was a pre-apprenticeship certificate that high school students can earn and be guaranteed a job in a skilled trade upon graduation. This is the kind of template that would fit in, as well as the work done through the Office of Workforce Innovation in creating a clearinghouse for the multiple agencies in the State to learn about industry-aligned certificates to have those populated by the SBE and then ultimately conveyed and incentivized through the funds. We can begin to build those into the high school experience and honor them. You heard about the Career Technical Education programs as a way to embed those as well as to ensure that every student leaves with a certificate of value.

CHAIR DENIS:

Is it still the standard diploma with differences?

MR. CANAVERO:

No, it is more like an advanced diploma, which is more aligned to the college entrance requirements. You would be adding another year of math and probably another year of science on the career track. You would change the courses to more specifically apply to an industry, like calculus, for example.

CHAIR DENIS:

I understand the certificate side, but would a standard diploma still prepare someone for college?

MR. CANAVERO:

Yes, but as Ms. Rauch from the Guinn Center testified, times have changed. The skills gap and the certificate gap we now face requires a redoubled effort to questioning whether or not that standard diploma truly does prepare students. We know that three out of four students with a standard diploma enter into remedial coursework, which is unacceptable. The national average is more around 28 percent to 30 percent of students going into remedial coursework, and that is roughly what we now see in our advanced diploma track.

This issue of raising the floor is incredibly complicated. The high school graduation committee looked at what the ceiling would be if we were to aim for the North Star and then come back and adjust the expectations of the standard diploma. Ultimately, we would work toward reducing the number of diploma options and instead claim them all under college and career ready. That way, the advanced diploma would begin to walk back and be incorporated into the career and college ready diploma.

CHAIR DENIS:

I would be worried that if someone worked hard and got that diploma, that somehow it meant it would be a lesser accomplishment. However, you are saying that the advanced diploma is earned by kids doing extra things, and we still have rigorous completion standards to graduate, right?

MR. CANAVERO:

To answer Ms. Isham's question, far too many of our students with an Individualized Education Plan (IEP) graduate without a legal equivalent to a standard diploma. The Governor just signed A.B. 64, which provides students with an IEP to graduate with a legal equivalent diploma if they are not able to pass a particular test. This is done through other mechanisms and means that are consistent with the student's IEP goals. This is retroactive, so students who have already graduated have the opportunity to earn the legal equivalent of the standard diploma.

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

SENATOR SPEARMAN:

I appreciate the acknowledgement that not everyone is going to college and that there are some skill sets we need. I believe Senator Woodhouse has a bill that would allow students to substitute computers and computer science for some of the math classes. The course we are about to chart is vastly different from the agrarian model we have been used to for the last 200 years. We have to make the mental paradigm shift.

MR. CANAVERO:

I could not agree more. I give tremendous credit to the Legislature for passing a number of bills on issues like competency-based education, which helps us address the concerns you raised and changed the mindset of how students learn. We have a tremendous opportunity here, going forward, to reframe high school and the preparation of students for their postsecondary success.

SENATOR WOODHOUSE MOVED TO DO PASS A.B. 7.

SENATOR SPEARMAN SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

* * * * *

CHAIR DENIS:

Senate Bill 430 is a bill we heard on April 11. There has been some discussion among stakeholders since then and tonight we will hear the bill again.

VICE CHAIR WOODHOUSE:

I will open the hearing on S.B. 430.

SENATE BILL 430: Eliminates the Achievement School District. (BDR 34-793)

SENATOR MOISES DENIS (Senatorial District No. 2):

During the 2015 Session, the Legislature enacted A.B. No. 448 of the 78th Session, which created the Achievement School District (ASD) to act as an accountability backstop for the State's lowest-performing schools. We heard about the 80 or so schools that have been the poorest performers, some for more than a decade. Under the ASD statute, each year, up to six underperforming schools can be transferred from their local school district to

the ASD, which is housed within the Nevada Department of Education. These schools will be converted to charter schools and undergo substantial change, sometimes including a replacement of school principal and many of the teaching staff.

In selecting the schools proposed for conversion, the NDE is required to consider student achievement data as well as parental and community input in consultation with the local school board. When a school is converted, parents have the right to transfer their children to another school. The ASD statute specifies how those schools will be operated, staffed, financed and the process for the schools to leave the ASD after a minimum of six years. These schools could ultimately return to their local school districts or operate as independent charter schools. The business of turning around an underperforming school is incredibly difficult and requires special leaders with a very distinct set of skills. It also requires dramatic change and the flexibility to craft solutions unique to each school.

Unfortunately, A.B. No. 448 of the 78th Session was passed on party lines and did not have a broad base of support. During its implementation over the past two years, the ASD has been a bit of a political football, resulting in a great deal of community discussion and media coverage. I have had lengthy discussions with the NDE about this bill, and I have come to believe that there may be a productive compromise that could retain the original vision of the ASD but respond to some of the very real concerns that have been raised by the community.

In general, those concerns have included giving schools every possible resource and chance for success before entering the ASD, recognizing effective local school turnaround interventions and giving them an opportunity to work, protecting students during ASD transitions and empowering parents early on and throughout the process. Through working with the NDE and other stakeholders, Proposed Amendment 5084 ([Exhibit I](#)) addresses these issues within the construct of the ASD. One of the things for me was that there needed to be additional options besides just a charter taking over a school.

MR. CANAVERO:

The Guinn Center for Policy Priorities recently produced a report on school autonomy and the role it can play in rapid improvement of schools. It would help inform the policy direction this bill proposes.

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

We have been looking at models of intervention and underperforming schools over the past six to nine months. Our research led us to 2 states to interview more than 20 teachers, administrators and researchers. We produced a 75-page report that we have condensed ([Exhibit J](#)) with recommendations.

Research indicates there is a positive correlation between school autonomy and increased student achievement. There are four models of autonomous schools that we looked at around the Country. The first was in Shelby County, Tennessee where their school district formed what they called an Innovation Zone (iZone) in 2011 as part of Tennessee's Race to the Top initiative. As a model for intervention in underperforming urban school districts, the iZone is considered among the most successful of these interventions, targeting schools in the bottom 5 percent statewide with the aim to elevate those schools to the top 25 percent. To accomplish this, the iZone concentrates on empowered, effective principals, high-performing teachers, an extended learning day and an iZone support team consisting of curriculum coaches, data analysts, instructional support managers and instructional leadership directors. That support team works with teachers, principals and students to develop site-based plans to improve academic outcomes. Principals are empowered to make all key decisions about a school, including budget, curriculum and personnel. This iZone model has shown the highest improvement in student achievement of any intervention model in Tennessee. It also has one of the best teacher retention rates, and the highest evaluation scores compared to teachers in schools with similar student demographics and school performance.

The second model we looked at was the Boston Public Schools (BPS), which offers multiple layers of autonomy for a subset of its schools. A 2014 study found that nearly one-third of students in the BPS are attending an autonomous school. This Boston model gives school leadership teams greater flexibility to staff schools and tailor professional development trainings in ways that best meet the needs of their teachers. These autonomous schools have an accountability and quality framework to ensure schools are managing resources and programs effectively. The BPS District also uses this information and that of the nonautonomous schools to make decisions about school closures and replacing school leaders. These autonomous schools are extremely popular with parents. Families were twice as likely to list an autonomous school as a first choice for their children. Those schools also reported half as many discipline referrals than traditional public schools and district-wide increases in student

test scores have been reported, with students at the autonomous schools having higher rates of proficiency and growth than their peers in traditional schools.

The third model we reviewed was the Recovery School District (RSD) in Louisiana. Following the devastation from Hurricane Katrina in 2005, Louisiana transferred 100 low-performing schools in New Orleans to the RSD, a state-run entity that converts chronically failing public schools into charter schools, like the Nevada ASD. In the RSD, principals have control over budgets, staffing, curriculum and the use of district services. The RSD decreased the number of failing schools by almost 30 percent over a 5-year period, and nearly half of its schools are rated at A, B or C on the state school performance framework as of 2016.

The fourth model we looked at was the autonomous school model in the Indianapolis Public Schools (IPS) in Indiana. In 2016, the IPS began a pilot program for selected schools to employ varying levels of autonomy at the school sites. This year, the IPS will move to a district-wide program where all schools will have autonomy over their budgets, curriculum and operations. Regardless of the level of autonomy each school has, the school is still held accountable for agreed-upon student outcomes created in partnership with the district. The IPS has been using a model of autonomous schools on a smaller scale for nearly a decade, during which time they reported increases in student proficiency rates. One of these types of autonomous schools, the Innovation Network Schools, had the highest gains in math and reading of any type of school, including those in suburban areas.

MR. CANAVERO:

The amendments we are recommending, [Exhibit I](#), build on the regulations we shared in the Interim committee. We think we are closer to a true “kids-first” approach to school improvement. The first of the amendments is to provide an equivalent conversion option that centers on accountability and autonomy. You heard some of the models today. Presently, we only have a charter conversion above the 5 percent line in the sand, as we call it, for underperformance. Here, we are proposing an alternative centered around autonomy.

Second, maintain the clear line in the sand and do not pull back from that. Also, protect the interest of our most vulnerable students, elevate and empower parents and decisions through a parent petition, and honor effective

interventions through a performance compact. It has been no secret that we have been trying to coalesce the State and our State's decision makers around a clear outcome-based expectation for kids rather than an input model. We also want to ensure collaboration between the districts and the State and to protect district capital investments.

Under our ESSA plan, both the NDE and the State Board of Education committed to becoming the fastest-improving state in the Nation. We know we can do it if we all work together. This kind of goal requires commitment and urgency, and the ASD provides the urgency necessary to get adults to work together on behalf of kids. If we remove that urgency, we go right back to kicking the can down the road.

BRETT BARLEY (Deputy Superintendent for Student Achievement, Department of Education):

The flowchart I submitted ([Exhibit K](#)) is broken up into three sections. The left side is eligible schools, the middle is the role parents play in making decisions throughout the process, and the right is intervention and support that the school would receive. On the left, the top blue box contains schools eligible for the ASD now, which is the bottom 5 percent of elementary and middle schools and high schools with a graduation rate of less than 60 percent. This past year, 47 schools met those criteria and entered the blue circle in the middle of the page, which is the narrowing process where the SBE reduces the number of schools to no more than six schools. There was only one destination, which was an achievement charter school conversion. Over the past year or two, we have received ten applications, and we have only approved two of those achievement charter school applications.

Today, there is a second option besides the conversion school in the flowchart. You can see it in the blue box on the top right. It is the A+ School, which stands for autonomy and accountability.

In sections 10, 12 and 13 of Proposed Amendment 5084, [Exhibit I](#), there is information about an A+ school. It is a school that is partnered with an independent administrator who facilitates the school's transition to an autonomous school. The district for that school remains the Local Education Agency for purposes of serving as the fiscal agent. The independent administrator evaluates the staff and hires an A+ principal to lead all aspects of that school. The independent administrator convenes a community advisory

board comprised of families, staff and community members, just like a School Organizational Team (SOT) in the CCSD. The principal and the community advisory board then receive 100 percent of the State, local and federal dollars designated for the school so they can implement a program they believe makes the best sense for their kids and their community. The A+ school is given a contract identical to the contract given to an achievement charter school with identical student achievement benchmarks.

This past year, there was no school improvement strategy offered to the schools that went through the process but did not get paired with an achievement charter school. We started with 47 qualifying schools and we have 2 schools that will open in the fall, so that leaves 45 schools that ended up with no improvement plan. Looking back at the blue circle in [Exhibit K](#), follow the line for schools not selected and you can see that leads to a purple box in the lower right corner of the flowchart. Those are local interventions like the Acceleration Zone in the WCSD and the Turnaround Zone or the Reinvent Schools in the CCSD. We are hoping to find a school improvement plan for every school that needs rapid improvement in the State, agree to outcomes, and allow those schools to continue that work.

For more information on the performance compact piece, section 9 of [Exhibit I](#), Proposed Amendment 5084, describes the compact. Through its ESSA plan, Nevada has committed to becoming the fastest improving state in the Nation. As Superintendent Canavero said, we believe we can get there, but it is going to take a shared commitment to school improvement. This past year, we offered voluntary performance compacts to all 45 Rising Star schools eligible for ASD consideration but were not selected. It is a very basic agreement about how a school can get to three stars in three years. You take where the school is at, divide the growth target into three sections and then progress toward it over the course of three years. There is no consequence for a school or district not to enter into a performance compact. It is voluntary, but it does provide transparency for adults and kids around shared achievement. The benefit to a school that enters into a compact and hits its targets is that it is removed from consideration for the ASD the following year. We have had four districts in the State take advantage of performance compacts this year.

The second blue box on the left middle of the flowchart, [Exhibit K](#), the "other schools identified for comprehensive support based on ESSA," which are 1-Star and 2-Star schools on a downward trajectory or not improving, are the schools

eligible for a parent petition for ASD conversion. In this scenario, a group of families could come together and petition to select an improvement plan like we see in the purple box under the "Performance Compact & Improvement Plan." The petitioning group could also decide to take no action and then they would go into the consideration process with the SBE. This parent petition process is in section 8 and section 23 of [Exhibit I](#). Once the petition is submitted, it is honored by the ASD executive director and the SBE in making school recommendations and selection decisions. Importantly, there is language within that petition process to protect undocumented families so they can safely participate in the petition process.

Finally, there has been a lot of work and consideration put into the petition process and how to ensure there is adequate information being shared with parents on how the NDE and the districts can partner with each other to ensure families are getting the appropriate information to make the best decisions they can.

JANA WILCOX LAVIN (Superintendent in Residence, Achievement School District, Department of Education):

We have convened a steering committee of parents predominately from schools on the underperforming school list. This committee has been working with us over the past eight weeks to help develop a petition. Some of the language they proposed was brought to the working group and Senator Denis for consideration. One parent participant was here earlier today to say how proud she was that she was able to see the language written into the amendment, [Exhibit I](#). I have submitted written testimonies from Maria Bivins, Gabby Ardon, Dalia Jimenez and Charles Williams who could not be here today ([Exhibit L](#)).

MR. CANAVERO:

In conclusion, if our only option was to turn the keys over to a charter management organization, what we are seeking is to add a second option to turn the keys over to a principal and to allow that principal, working with his or her SOT or governing body to make decisions to hire the staff and to request from the SBE to remove some of the legal or other barriers in their place, which is where the autonomy comes in. This would be putting the control in the hands of a selected principal who could choose a team. There is a provision in the law to exercise the autonomy of this bargain, where the principal and his or her team could request the SBE to waive particular sections of statute and regulation.

CHAIR DENIS:

In reference to the A+ concept, one criterion I asked for came from feedback we got from principals that they have all these limitations getting in the way of their success. We wanted to create something that would allow them to petition to change something as simple as class size. Maybe they think they need smaller class sizes in fourth grade and fifth grade and maybe they want class sizes a little larger in other grades. This way, they could petition to do that based on the plan they create. The other aspect to the A+ schools is that these are district teachers and principals, and the program would allow them to be able to look for the best and the brightest and bring those people in from the district.

The original bill was to get rid of the ASD. As we looked at it, we saw an opportunity to help these schools and also give parents and the school community some ability to make decisions on how to best help these kids.

SENATOR SPEARMAN:

I have received several emails from people who thought this would bring in an outside charter organization that would go statewide and displace many teachers. As it has been explained, that is not the case.

CHAIR DENIS:

One of the options is for a charter school to come in that is not a statewide charter but an individual charter for that specific school.

SENATOR SEGERBLOM:

Would the teachers all be part of that county's teacher pool and could they be members of the union?

CHAIR DENIS:

Yes, they would be part of the bargaining unit for all the people who work in the school.

VICE CHAIR WOODHOUSE:

As we take testimony on S.B. 430, I want to remind everyone to address your comments to the Proposed Amendment 5084, [Exhibit I](#), not the original bill, because that is the opposite of what we are working with now.

MR. GAVIN:

We like this bill and the amendment and appreciate the compromise ensuring that reform and improvement will happen in partnership with communities and families versus being forced upon them.

JOHN VELLARDITA (Executive Director, Clark County Education Association):

For everyone in the Sawyer Building in Las Vegas, all you teachers and administrators, I would ask that you listen to what I have to say because this has been a process for some time. After the 2015 Legislative Session, there was discussion around fixing the bill. We did not subscribe to killing the bill because we know the political reality of trying to repeal something in this Legislative Session is just not there.

To Senator Spearman's comments, and I think this is what captures the compromise, there are two options. One option is the ASD, a top-down outside intervention with schools turned over to a charter management organization with very little say or rights for those employees.

The second option is a bottom-up type of approach starting with parental engagement as well as staff engagement with the administrator being able to go into this A+ model, which is the autonomous model, with 100 percent control of what goes on in that building around student outcomes.

To Senator Segerblom's question about rights and protections for educators and other support staff, this is no different than our turnaround model in the CCSD, in terms of how staff comes in and goes out. Fundamentally, there is no change around that. What is important in this context is that there is more control and more opportunity for the staff that remains. These kinds of solutions come forward because we have a systemically large number of underperforming schools and we do not have the capacity in Clark County to address these with our simple turnaround model. At most, we do 25 schools at a crack. We have close to 90 schools that potentially could fit in with some assistance, so this is an option and a compromise and we support it for that reason.

MR. GOMEZ:

I am the parent to four children. We are here to talk about the Achievement School District and the question is, does everyone in the room understand the ASD, or is it just hearsay based on shared information from disgruntled

employees that might lose a position as an administrator? I have submitted my written testimony ([Exhibit M](#)).

JUSTIN BRECHT (Nevada Rise Academy):

I was a teacher in the CCSD for 13 years and I am the lead founder of Nevada Rise Academy, a proposed charter school that will serve Las Vegas. Much of my work at CCSD was predicated on providing students and parents choices. In the early days, this involved an after-school program. It eventually grew to what we called BRICK Academy, giving parents and students the choice for a fifth-grade program that operated almost independently from their neighborhood school. In this program, we increased the school day, focusing on science, technology, engineering, mathematics and arts education to accelerate academics and develop character.

As the program became successful, we were compelled to expand to fourth grade based on parent demand. Eventually, we served over 80 students in fourth and fifth grade with continual requests from parents and students to expand further. This demand showed me the importance of increasing options for our communities, especially for families in struggling schools with no real options within reach. I support the amendments to S.B. 430, and I have submitted my written testimony ([Exhibit N](#)).

IGNACIO PRADO (Futuro Academy Charter School):

I am the lead founder of Futuro Academy Charter School, an ASD school that is opening this fall. I am also a first-generation immigrant and was an English Language Learner student who received pull-out and push-in services. I ate at least 1,000 Free and Reduced-Price Lunch meals that were subsidized. At no point in my college career was my expected family contribution higher than zero, and I always received the maximum Pell Grant award. Education is foundational to who I am and why I decided to become a teacher. I was an educator here in the CCSD for several years in a similar situation to Mr. Brecht, teaching some extended-day programs and engaging parents.

Like Mr. Brecht, I never heard a parent who did not want a choice or at least an enhancement in their education and who was not willing to go the extra mile to get it. Another thing I learned in this process and in the rollout of the ASD, having been intimately involved with it for the last two years, is that the process has had value and that it has brought a spotlight on the importance of

parent engagement, which includes parents having the right information and making a good decision. I am excited for this amendment and what it provides.

What I am sure of is that we need an ecosystem of solutions as a matter of policy, and they need to be meaningful. We cannot just have a one-way dialogue. I am excited to found Futuro Academy. We have 120 families already registered, mobilized and excited for our choice. It all started with a visit I had to one school in Los Angeles, Gabriela Charter School, in 2012, which awakened the possibilities for students at Echo Park that looked just like the students I was teaching here in the CCSD. I support the amendments to S.B. 430.

ANNETTE DAWSON OWENS (Break Free CCSD):

I have been an educator for 20 years. A few hours ago, I was in the classroom teaching 150 kids as I do on an average day. We have six-and-a-half days left to make a difference in this school year. I am sure you Legislators can relate. What we are not doing is slowing down. On the contrary, we are ramping things up, feeling the weight of making sure we have prepared our kids for what they will need next. We are introducing them to new concepts they will see and need in their next grade level. I hope you feel the same urgency for kids. I know you do as the Session comes to a close. What we do not need to do is to keep sticking only with what we have been doing in the past. We need more choices for kids. We need to continue to change our mindset, because it is not district, it is not charter—it is using our taxpayer dollars to be accountable and bring all good things for kids here. We need choices and models that spur reform, including the ASD and opting-in.

I am not sure why we would only allow 1-Star and 2-Star schools to opt in but not a 3-Star school. If I am a 3-Star school, what is my motivation not to drop to a 2-Star school so I can get the same advantage of a better program? Why not control the opt-in and let every school have a choice? I love what I am hearing tonight including some of the autonomy provisions. We are still bleeding in education and every year I see more and more of my fellow educators leave the system. This is not good for kids and this is why I am fully in the trenches, sitting on two SOTs and the Henderson Community Education Advisory Board (CEAB). We are here to support reform and move education forward. We hear from parents. For the first time in a long time here in the CCSD, there is hope for reform. We cannot wait or slow down. We need to keep all we have that is

good, keep working and bring in more great options for our kids and to ensure that everyone has equal opportunity.

MR. DALLEY:

I met Charles Williams at an ASD community outreach meeting who gave me his written testimony to read, [Exhibit L](#), in support of the amendment.

DAVID BLODGETT (Nevada Prep):

I am part of the founding team of Nevada Prep, a proposed fifth-grade through eighth-grade public charter school. I have spoken in opposition to S.B. 430 in past hearings, but after hearing about the amendments today, I am in support.

MR. DALLEY:

I am chair of the Moapa Valley Community Education Advisory Board's A.B. 394 Reorganization Task Force. I support Proposed Amendment 5084 to S.B. 430. The 2-Star school limit needs to be eliminated because our parents want to stay in the CCSD, but they want to escape the district policies that are damaging our rural schools. I have submitted my written testimony ([Exhibit O](#)).

MR. DALY:

We spoke in favor of S.B. 430 the last time around when it was to repeal the ASD. We continue to advocate the repeal of the ASD as the wrong answer for Nevada's struggling schools. We point to the January FBI raid of the Celerity Educational Group in Los Angeles as emblematic of the lack of accountability built into that model. It is appropriate that we acknowledge Senator Denis and the efforts of this work group to find a solution to this and we also acknowledge some of the improvements of the A+ model over the achievement charter conversion model—notably, that educators would be employed under the memorandums of understanding and would be a part of the union in that model.

Our concerns with Proposed Amendment 5084, [Exhibit I](#), supersede those upsides. For one thing, the parent opt-in provisions have the feel of a parent trigger without educator input. Additionally, the specter of contracting out of services at these A+ school sites remains in the legislation, especially services performed by education support professionals. Finally, the provisions that would allow for waivers of regulations and statutes without stronger guiding language gives us pause. Some speakers referenced this as offering two options but we respectfully disagree. We are seeking a third option, which would be to repeal

the ASD charter school conversions and to look at ways we could give real autonomy, accountability and resources to the struggling schools. We are committed to pursuing this third option.

SENATOR HAMMOND:

I am struggling because it seems like S.B. 430 provides the option to put a high-quality administrator in there, presumably someone from the CCSD, unless we want someone from another part of the State to come in. It seems like you are giving more autonomy to that administrator, charging them up and getting them ready to work, then with the cooperation of the SOT, that administrator can staff the school. That way, there is community buy-in. It seems like all the assets remain in the CCSD, which was a point of contention during the regulation hearings in Clark County.

You said you do not like the potential waiver. I think it is nice, because now you are getting these high-quality administrators saying this regulation seems to be an impediment to allow us to do things. We are only talking about six schools with more autonomy. You heard the talk about these models and what they do for school achievement and for lessening discipline issues. Can you speak to this?

MR. DALY:

Members of the Nevada State Education Association had meetings with the NDE and Senator Denis. You are correct that there are some merits to the A+ proposal, and I think there are more merits to that than to the charter school conversion model. Unfortunately, the language in the amendment adds the A+ to the ASD charter school conversion model. If it were to replace the charter school conversion model, we would be speaking differently today, but it is just another model that does not address the fact that the performance of these achievement charter schools has been poor in other districts where it has been implemented. On the whole, the NSEA opposes S.B. 430 and the proposed amendment as currently drafted. I think we were making some progress, but time is running out and ultimately, putting the A+ schools on top of the achievement charter conversion just makes this cumbersome and it does not address our fundamental concerns with the achievement charter schools. We want to see that scrapped. Looking at other interventions, perhaps similar to the A+ model, may have a lot of merit.

SENATOR HAMMOND:

One of the things I thought was happening was that parents did not feel like they were getting a choice in what direction their poor-quality, low-performing school was going, and this legislation actually does that by allowing them to talk about what they want to have, at least between the A+ system or the quality charter conversion.

MR. DALY:

I would not necessarily disagree with everything that you are saying. We heard from parents who choose not to have the achievement charter school model and they have not been listened to so far. I hear what you are saying, that this would potentially give them a choice, but we have heard loud and clear from parents, especially in the process last fall, that they did not want the achievement charter school conversion and that is still in this legislation.

MS. ANDERSON:

I am here in reluctant opposition to S.B. 430 and the amendment. We worked in good faith and offered a lot of technical suggestions in terms of “shalls” versus “mays” and one year versus two years, but it ultimately comes down to the fact that the WCSD Board of Trustees is committed to these schools and we believe that our acceleration zone and local interventions can do exactly the same thing as is being offered here. In our Acceleration Zones, we have replaced principals with high-performing principals at our low-performing schools and allowed them flexibility in terms of staffing. These things are already happening under the jurisdiction of the elected board of trustees of the people of the WCSD, and our Board’s platform states that they would like to keep it that way.

MS. PIERCZYNSKI:

We thank everyone who tried to improve the ASD concept, and we think the A+ model has some possibilities. However, we think it is being implemented too soon because it still needs work and we would like more work to resolve some of the issues like what you do with overage with teachers, for example. I am looking at that with a more rural school perspective because there are rural schools that would be eligible to be part of this process and some of those issues have not been settled yet and that is why we are opposed to S.B. 430 and the amendment right now.

MS. FERRATO:

We are also here in opposition to this bill. We appreciate all the work that has been done, but we feel there is more work that needs to be done, especially on behalf of the rural school districts.

MS. ROURKE:

The CCSD was part of the working group on this legislation and we made a number of different suggestions, including some around the school selection process, the use of data and how to publish the list, including “shalls” and “mays” like the WCSD also offered. Because those things are not included in Proposed Amendment 5084, [Exhibit I](#), we do not support this legislation. There are efforts already going on in the CCSD, including the reorganization. We feel those plans we are putting in place need some time to work so our schools can implement them with fidelity. We oppose even more reform through the ASD.

ALMA TOMSEN:

I am opposed to S.B. 430 as amended. I am a concerned parent because this bill is trying to make a law to silence and suppress the school communities so the school will not have the ability to use resources to even hold meetings at the school or produce information that would make parents aware of options, even about their school improvement efforts. This is an attempt to disrupt the democratic process of free speech.

Another thing I am against is that this bill would allow my personal information and my student’s information to go to a third party. This is a safety issue. This bill will not end up helping struggling schools. I encourage your dismissal of this bill and let us work together to support the needs of CCSD school organizational teams and help them support their schools and communities.

AUTUMN TAMPA:

I have been a CCSD employee for 18 years. I am disappointed in what I see happening because I thought that when I was coming to speak for S.B. 430, I was going to be speaking in favor of the elimination of the ASD. Proposed Amendment 5084, [Exhibit I](#), is pretty much the opposite of that. The reorganization of the CCSD is already addressing the needs of schools for parental and community input and control. The ASD would interrupt and circumvent the reorganization and confuse everyone. I also think it would drain unnecessary funds by creating the bureaucracy that we already have too much of. The fact that there have been three different versions of this plan in a week

tells us that this is moving way too fast and is somewhat disrespectful to the community, the children, the schools and to the voters. I agree with everything that has been said here today. The only exception is that there should be an amendment specifically for the rural school districts. I want to ask you as our representatives to listen to what we are saying and do not pass this bill.

Ms. ISHAM:

I am the parent of a sixth-grader at Jerome D. Mack Middle School and I am also the product of the CCSD. I respectfully request the abolishment of the ASD. The opinions of parents, teachers, administrators and community leaders should be the governing forces behind school and educational reform, not bureaucrats who do not know our communities, schools, administrators, SOTs, teachers, and most importantly, our children. No matter what age, they should be a part of their own education. Let the current reorganization have a chance to work before implementing any new changes. This proposed reform will cause so much upheaval at so many levels to the detriment of why we are there in the first place, which is for our children.

Teachers should not wonder if they will have a job from year to year. Students should not wonder what school they will be attending each year. Past experience with the ASD has shown the current process hurts children. As I understand it, the private information of parents and/or guardians is collected and disseminated, which violates federal privacy laws. Personally, I do not want just anyone possessing my personal information unless I choose to distribute it. There are way too many unanswered questions about S.B. 430 as amended.

ANTHONY NUNEZ (Principal, Orr Middle School, Clark County School District):

I am against S.B. 430 as amended. It started as a bill to abolish the ASD, which the CCSD supported. However, the current version now expands the ASD. This bill only provides parents with a means to advocate for migration, but it does not provide a community with the means to advocate to continue to operate as is if it appreciates the service provided. The CCSD has sought a more collaborative approach to working with underperforming schools and this bill only represents more opportunities for State control.

When schools are migrated to the Turnaround Zone in the CCSD, the community is invited to provide input on who is selected to be the principal. Additionally, just last Thursday, principal input from all schools on the Rising Star list was solicited on what accountability measures are appropriate. We all

agreed that local accountability is essential in ensuring rapid increases in student achievement. Moreover, S.B. 430 is trying to make it law to silence and suppress school communities so that schools will not even have the opportunity or ability to use resources, to hold meetings at schools or produce information that would make parents aware of other options or even about their school improvement efforts. This is an attempt to sequester school communities so they remain voiceless. The CCSD is currently going through a major reorganization that empowers a school community to take ownership of a school's results.

ALAINA CRINER (Principal, Matt Kelly Elementary School, Clark County School District):

I am here to respectfully speak out against S.B. 430. I encourage the Committee to see the reorganization, A.B. 469, through and to invest in school reform that requires all parties to work together without the upheaval created by the ASD.

ASSEMBLY BILL 469: Provides for the reorganization of large school districts in this State. (BDR 34-986)

We need to let other reforms that passed in 2015—the CCSD reorganization, Victory schools, Zoom schools and Read by Grade 3—have time to be implemented with fidelity and yield results. The most challenging part of the ASD is the timeline and the extreme disruption it causes to Nevada's most vulnerable schools, like the schools on the Rising Star list. Instead of creating a plan that causes the least amount of disruption, S.B. 430 continues, unfortunately, the failed conversion process as passed by the 2015 Legislature. Principals cannot hire vacant positions because teachers do not know if their jobs will be available the following school year. Additionally, principals cannot even keep their best teachers due to the fear that their jobs will not exist within a year. Imagine working and living in an environment like that.

This bill, like A.B. No. 448 of the 78th Session, continues to put an entire school in flux for six months, which is nearly three-fourths of the entire school year. In the first place, the ASD will not have the capacity to convert the majority of these schools, causing unnecessary disruption to the school environment. For any school on the cusp of entering the ASD, hiring high-quality principals will be challenging and may result in hurting another school rising out of underperformance. This bill is neither a better ASD bill nor a bill that will

ultimately end up helping struggling schools. I encourage your immediate dismissal of this bill. Let us work together to support the needs of CCSD SOTs to help them support their schools and communities.

LOU MARKOUZIS (Principal, Mary & Zel Lowman Elementary School, Clark County School District):

We oppose S.B. 430 and want to speak to the reforms from the last Legislative Session that have been helping us like Zoom and Victory schools, and also our own Turnaround Zone initiative here in the CCSD. Many of the schools within these programs have been showing rapid growth and improvement. Prior to the Turnaround Zone, we worked closely in partnership with the NDE under the school improvement grant (SIG) model schools. Each of the SIG schools that were a part of the early implementation of the Turnaround Zone all made vast improvements and had subsequently exited out of the Turnaround Zone process. This included Rancho High School, Mojave High School, Western High School, Chaparral High School, Canyon Springs High School and Doris Hancock Elementary School.

We have these structures already in place in the CCSD, especially with the Turnaround Zone and with the Zoom and Victory initiatives. We would like to continue to work with these structures that are already in place and improve the system we have. With A.B. 469 that was just passed, we are going through the process of giving more autonomy to schools. Allow these initiatives to occur so we can do great things for kids.

TIARRE TENORIO:

I am a parent and PTA president at Richard C. Priest Elementary School as well as a member of the SOT. I oppose S.B. 430 as amended. Many of us do not always have the ability to make arrangements to attend these meetings or to even fully understand all the language of the bills. It is unfair that we are not provided adequate time to fully comprehend what is being presented to us. What I do know is that our school communities deserve a chance to see the current CCSD reorganization through. The Turnaround Zones and SOTs have both been shaken by ASD, and I refuse to believe that A+ schools or the ASD possess some knowledge that thousands of educators in CCSD are oblivious to.

This bill is not the answer and neither is hiring business people to run our schools. Unlicensed teachers are not the answer nor are racially discriminatory criteria. I request a dismissal of S.B. 430 as amended. In section 8,

subsection 3 of Proposed Amendment 5084, [Exhibit I](#), it states that a petition to convert back to public school cannot be circulated until the beginning of the third year as an achievement charter school. In section 8, subsection 7, it refers to starting a petition to convert back to public school. Who will oversee the preparation of the Executive Director's written statement before it is submitted to the board of school trustees?

BARRY MCLEOD:

I am here to speak against S.B. 430 as amended. Before I read my prepared statement, I want to go on record that I do not appreciate the fact that during this long break, the charter school people supporting the ASD spent some time working the room. It is not only unprofessional, but it also reeks of desperation. I know we now live in a world of alternative facts, but the truth is, the majority of Nevadans do not want them here.

Senate Bill 430 started as a bill to abolish the ASD, which I support. It appears to me that this amended bill has come about at the last moment, which makes me wonder why. We already have enough deception in Washington, D.C., let us not bring it to Nevada. We are better than that. The last time I attended a meeting like this, there were literally hundreds of concerned people who showed up to protest against the charter schools. Are we not listening to the people? One of the schools that the charter people wanted to take over but luckily did not was Jerome D. Mack Middle School. That school will receive a national award this week for school innovation and change. It is the only school in the State to receive such an award, and it was earned without the help of the charter people. It takes time, but it is working here. Our schools are making progress. Please do not vote this amended bill into law.

ELSI HERNANDEZ:

I am a parent at Clyde C. Cox Elementary School in opposition to S.B. 430. I am the child of an immigrant who had to learn English in third grade. I am here because my third-grader wants to keep the principal that he helped choose through the SOT team, which I chair, at his school. He wants to see the three-year plan we have made at Cox be followed through. This is from a third-grader.

LENNY DE FORGE:

I am here from Desert Rose High School, an adult education and career technical academy. I am here because I adopted 3 special needs kids 15 years ago, putting them through the CCSD. For years, I have fought to get them a

good education. I have supported the work of the reorganization plan and I thank you for passing A.B. 64, which will allow my student to get a high school diploma this summer.

My kids went to really good schools in Clark County and had a terrible time due to their disabilities. My son works hard to learn, and he currently attends a school that is on your list to convert. He will graduate with a trade and he will become an electrician. You could just throw this all away with this bill. This is a school that makes a difference. My kids survived the CCSD because every year there would be one or two awesome teachers who would take care of them and get them through that grade. These teachers worked wonderfully and overtime to help my kids. At Desert Rose, all the administration and all the teachers are that way. They took time to get to know my kid and they made a difference in his life. I urge you to delay this bill, look at it again and do not pass it. Desert Rose is doing great things and it needs a chance to continue.

DANIEL TROFHOLZ:

I am against S.B. 430 as it is currently written. There needs to be a provision that omits Turnaround Zone schools from even being considered to become A+ schools or even ASD charter schools until they have been given the necessary time, which is three complete school years, to achieve the necessary academic growth. The achievement success of the Turnaround Zone in the CCSD is excellent, incredible and outstanding. It has a proven track record and does provide autonomy to its schools. Due to the excellent reputation and proven success of the Turnaround Zone, you need to make a provision to omit these schools from being affected by what this bill proposes. It is the smart and right thing to do.

Tom Williams Elementary School will be entering its first year as a Turnaround Zone school this upcoming school year. We have a new principal, a new assistant principal and more than half of our teachers will be new to our school. Please leave us alone and let us concentrate on achieving our academic improvement without these distractions and disruptions. We are in excellent hands with Dr. Jeffrey Geihs in the Turnaround Zone. Look at its history and level of achievement. Why would you want to remove a school from that amazing Turnaround Zone? That would make no sense. Please omit turnaround schools from this bill.

FRANK PIERCE:

I am against S.B. 430 as amended. It started as a bill to abolish the ASD, which the CCSD supported. However, the current version of the bill expands the ASD. This bill does not solve the problems in the original piece of legislation of the regulations proposed by the NDE. The CCSD sought a more collaborative approach to working with underperforming schools, yet the bill only represents more opportunities for the State to take control. This bill is trying to make it law to silence and suppress the school communities so the school will not have the ability to use resources like holding meetings at the school or providing information that would make parents aware of other options. This is an attempt to sequester the school community so they remain voiceless. The CCSD is currently going through a major reorganization that empowers a school community to take ownership of its school's results. I encourage this Committee to see this reorganization through and invest in school reform that encourages all partners to work together without the upheaval that would be created by the ASD.

VICE CHAIR WOODHOUSE:

That concludes our 30 minutes allotted for support testimony, the same for opposing testimony, and we will now hear neutral testimony. I remind everyone that we are addressing Proposed Amendment 5084 to S.B. 430.

Ms. BOWEN:

When charter schools were initially put into place as enhancement schools, the conversation in the Legislature that year made it clear that every member of a school would be members of the Public Employees' Retirement System of Nevada. That was an oversight when the laws that created the initial charter schools went into place. You might have the opportunity to rectify that. I was cheering when I first heard the presentation of this bill tonight, until it got to the last part where it talked about schools being taken over, because the original charter schools were not meant to be in competition with public schools. I thought they were all meant to be public schools. What I have seen is the only time they go into the charter school status, such as New Orleans, is when they cannot afford to do what is right for the children, so they turn it over to educational companies. I think this is still a work in progress. It can be worked on to make it so Nevada is taking its children back to make education its No. 1 priority. That does not include giving the schools away.

ANNA SLIGHTING (HOPE for Nevada):

I represent HOPE for Nevada, which stands for Honoring Our Public Education. We like the parent petition pieces of S.B. 430, but we have concerns about some of the details in the proposed amendment, and we are also concerned, among other things, about how capital will be handled after the conversion process. I have submitted my written testimony ([Exhibit P](#)).

ANGIE SULLIVAN:

I am a second-grade teacher speaking neutral on this measure because the previous ASD was so horrible. I cannot express how bad the implementation was and the craziness that happened because of it. I would like to try something new. I do not know if what is being proposed with this bill is that different, nor do I see any major changes in selection or in the people who will be implementing this new approach. We cannot continue to have the ASD as it was before. It was destructive to kids and families, school staff and the community to have those lists come out and to think something bad is going to happen for six to nine months. I cannot express how bad that is. If we need to try something else because our political will cannot get us to a better option, I would choose the lesser of the evils, which would be the A+ school because it is new. However, my preference would be something that is research-based and something that has not failed everywhere. It is sad we have to choose between the lesser of two evils.

ADAM BERGER:

I am a teacher at Desert Oasis High School. I do have concerns with the Guinn Center presentation about the ASD that was implemented in Tennessee. A Vanderbilt University study of that state's program found that the vast majority of teachers exited schools once they came under the auspices of ASD, which required the hiring of many new teachers in the first year of implementation. Approximately one-third of the new hires were novice teachers. The next year, the Vanderbilt researchers found that the ASD did not have a marginal effect on student test scores while district-led turnaround efforts had shown moderate to large positive effects in reading and math. In August 2016, a Tennessee auditor found massive problems with the fiscal management of the ASD. Subsequent analysis found that there were seven key areas where the ASD did not establish process over key human resources and payroll functions, including segregating duties, maintaining personnel files, verifying educational credentials, documenting time and attendance, completing performance reviews and documenting the approvals of bonus and pay raises.

LEIGHANNE MAINGUY:

I have four children in the CCSD, and I am a counselor and member of the SOT at Richard C. Priest Elementary School. My husband is also a teacher for the CCSD. Because I have been here for five-and-a-half hours, I am just going to speak about my concerns. I am concerned for the education of my children. We have been very happy so far. There are some amazing teachers here. I am also concerned about the welfare of the 837 students at the school where I work, because of how damaging it is to turn around an entire school. The social and emotional impact it might have on those students to lose all their teachers and staff concerns me. Some of the children come and ask me if I will still be here next year.

I am also concerned for the mental health of my staff when they spend six months wondering what is going to happen to their jobs. I am the mental health provider at the school, so people come and talk to me in my office. They cry and are concerned. I am concerned about my administration and their well-being. I am concerned that we have people in this room who think we are not making efforts to improve our students and their outcomes. We have a turnaround program and we have the SOT and we have not had the opportunity to reach the full impact of these tools. Those are my concerns.

BETSY GILLIS:

I want to speak as a taxpayer and an educator. I was amazed tonight to hear so many suggestions and ideas from so many people who truly care about children. I am here because I care about children, too.

I am concerned about where it says no resources shall be used to campaign for or against a petition. Furthermore, the proposal goes on to state that should a school district be in violation of the provisions outlined in this section, the Nevada ASD may recommend to the SBE that the school be converted to an achievement charter school, and upon approval, the Nevada ASD shall work with the community to implement a plan for conversion. I think I read it pretty clearly. Basically, it says, do not use resources. No tax dollars.

As a teacher, I am concerned, because if parents call me, email me or text me and want to know what the status is with the school and wonder how they can get involved, I would be violating the law to answer them. I do not want to be a criminal. That is something which should be dealt with. That is not as clear as it could be. As many have already said, the CCSD reorganization is in place. As a

member of my school's SOT, I know we are making a difference and that we are making changes. My biggest concern is that there are still way too many unanswered questions and concerns. You should table this until you have addressed all these concerns and questions. I fear you are not hearing us. Please hear what we are saying.

JANICE POLLEY-AUGENTE (Principal, Desert Rose High School):

We all know that change takes time. I think it is fantastic that everybody is in the process of looking for change or working toward making things better for students, but the question is, what direction of change should we take? That is my concern this evening.

I am in favor of A.B. 469 because it is recent and we have developed school organizational teams that are fantastic. We have more parent support than ever before, we have a greater voice and our schools have had more autonomy than ever before. The question is, are you going to allow us to go through the three to five years that is needed to prove that change will take place? If you look at any change agent, it takes time for change to occur and the CCSD reorganization bill just came to fruition and has only been in process for less than a year. We are being told again that we may have to face another change. Please take into consideration that yes, change is good, but please determine the direction that change should be taken. Please consider putting aside S.B. 430 as amended so you can determine what direction change should take.

SENATOR DENIS:

I have a whole page of notes from listening today. I am excited that enough people care to show up and give comments. That is important. In years past, we have talked about these types of issues, and it was hard to get people to come out. I received letters from five people who could not be here but who wanted their testimony submitted—Julio C. Lopez, Leo Murrieta, Merry Lenz, Marie McKoy and June Ingram ([Exhibit Q](#)). I also have submitted written testimony from Megan Rauch of the Guinn Center to add ([Exhibit R](#)).

The reason I brought this measure forward is because my original intent was to possibly put off doing the ASD because we already have too many things going on. However, I quickly realized there was not enough ability to do that and if we do not do anything, we have an ASD law with issues needing to be resolved. In the fall, I was talking to parents at several schools in my Senate District, including Tom Williams Elementary School and Mario C. & JoAnne Monaco

Middle School. That district is where I have lived most of my life, probably 50 years. I went to Tom Williams Elementary School, Ed Von Tobel Middle School and Rancho High School. I still live in that neighborhood. My kids go to those schools and I want to do what is best for all our kids.

I appreciate the passion and the comments from everyone today, and for me, the question I had to ask was if we cannot get rid of the ASD, what can we do to make it better? The CCSD participated in our discussions and we tried to incorporate as many of the "shalls" and "mays" in the amended bill.

Someone asked why the focus was only on the 1-Star and 2-Star schools. We are trying to focus on the lowest-achieving schools to move the needle in Nevada. If we had unlimited resources, we could do everything for every child. We do not have that, though, so focusing on the kids who are struggling the most is important. I think we have done that during this Legislative Session. The original hearing on this bill was two months ago and we had a similar amendment at that time. In the meantime, we have worked on trying to make this legislation even better.

In the original version, we did not have educator input, but we did with this version, especially with the SOTs. We want input from the full community, not only the parents, but from everyone. With this bill, the districts still have the ability to do what they want to do. As long as they are showing results, they can continue. If not, that is where the challenge is. Some of the schools took that opportunity by creating a compact with the NDE.

Keep in mind that this will not go into effect this coming school year. It would be for the following school year, so there would be a year to figure out all the regulations and put in place the different pieces. When we come back again in two years, we will have the ability to look and see what needs correcting. It does change the current process for the ASD. We saw what happened with that. I was at many schools that felt as though it was being shoved down their throats without them having a say. I wanted to ensure that parents and others had choices, so this changes that and makes it better.

I do want to relook at the issue on stifling the ability to communicate. I know where it says not to use resource for that, but it does not prohibit them on their own time from doing that. There is that concern which was just brought up about what a teacher should do if a parent asks a question. Can they answer

the question without it being considered using a resource? I appreciate everyone's patience in coming out and I know we are limited in getting things moving quickly as we finish up the Legislative Session.

One of the issues in the fall was that not everyone understood what the process was to get put on the list. We tried to address that with this bill by looking at what kinds of things would determine if a school is on the list. Schools still have the ability to create a compact with NDE and be taken out of this whole process. They have to agree to become a 3-Star school in 3 years. I hope we can identify the issues with this Legislation. I know it may not be perfect, but it is a good start and it is better than the alternative we had last fall to try to help some of these schools that are really failing. If we focus on the 1-Star and 2-Star schools, that is where we will see the biggest gains for making education better in Nevada. If we can help our lowest-achieving kids, it will make our future brighter.

SENATOR SPEARMAN:

Earlier, it was said that the A+ schools would get all the funding in order to implement the strategy for turning the schools around. Did I hear that correctly?

SENATOR DENIS:

Yes, they would be able to make 100 percent of the decisions at their school, including the budget.

SENATOR SPEARMAN:

My concern is, how would S.B. 506 influence the school's budget? If parents were taking their kids out of school, would this have an impact?

SENATE BILL 506: Revises provisions relating to education savings accounts and education funding. (BDR 34-1101)

SENATOR DENIS:

I am not sure. It would depend on how many students would leave. There are fixed costs that do not change at a school. Also, these ASD or A+ schools would qualify for other monies through the funding formula, but I do not know exactly how S.B. 506 would impact the schools.

SENATOR SPEARMAN:

I would hate for them to have a plan in place and then because of unintended consequences, the school could lose some of their funding. Thank you for your diligence on this issue. It is good to see the number of people who came here tonight. Reasonable minds can agree or disagree, but I want to thank everyone for sticking it out to listen and to speak. This is important, and it shows that if there was any doubt that parents and teachers and administrators are concerned, I think two nights in a row of late meetings with so many people attending says a lot.

SENATOR DENIS:

I agree, thank you to everyone.

VICE CHAIR WOODHOUSE:

I will now close the hearing on S.B. 430 and Proposed Amendment 5084.

CHAIR DENIS:

I will now open public comment.

Ms. BOWEN:

Thank you for all your hard work.

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CHAIR DENIS:

Seeing no one else wanting to make public comment, I will now adjourn the meeting of the Senate Committee on Education at 9:36 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	15		Attendance Roster
A.B. 362	C	10	Assemblywoman Jill Tolles	Presentation Pertaining to the Protection of Children
A.B. 362	D	4	Terri L. Miller / S.E.S.A.M.E.	Written Testimony
A.B. 362	E	17	Assemblywoman Jill Tolles	Proposed Amendment 5055
A.B. 127	F	11	Assemblywoman Teresa Benitez-Thompson	Presentation, School Safety Bill
A.B. 127	G	1	Assemblywoman Teresa Benitez-Thompson	Proposed Amendment
A.B. 7	H	4	Megan Rauch / Guinn Center for Policy Priorities	Written Testimony
S.B. 430	I	26	Senator Moises Denis	Proposed Amendment 5084
S.B. 430	J	24	Nancy Brune / Guinn Center for Policy Priorities	Policy Brief
S.B. 430	K	1	Brett Barley / State Department of Education	Nevada's Kids First Approach to School Improvement
S.B. 430	L	4	Maria Bivins, Gabby Ardon, Dalia Jimenez and Charles Williams	Letters of Support
S.B. 430	M	2	David Gomez / Nevada Peace Alliance	Written Testimony
S.B. 430	N	2	Justin Brecht / Nevada Rise Academy	Written Testimony
S.B. 430	O	1	Lindsey Dalley	Written Testimony
S.B. 430	P	1	Anna Slighting / HOPE for Nevada	Written Testimony
S.B. 430	Q	6	Julio C. Lopez, Leo Murrieta, Merry Lenz, Marie McKoy and June Ingram	Written Testimony

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S.B. 430	R	2	Megan Rauch / Guinn Center for Policy Priorities	Written Testimony
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