

**MINUTES OF THE  
SENATE COMMITTEE ON EDUCATION**

**Seventy-ninth Session  
February 16, 2017**

The Senate Committee on Education was called to order by Chair Moises Denis at 3:33 p.m. on Thursday, February 16, 2017, in Room 2134 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to Room 4412E 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:**

Senator Aaron D. Ford, Senatorial District No. 11

**STAFF MEMBERS PRESENT:**

Michael Stewart, Policy Analyst  
Asher Killian, Counsel  
Linda Hiller, Committee Secretary

**OTHERS PRESENT:**

Chris Daly, Nevada State Education Association  
Mary Pierczynski, Nevada Association of School Superintendents; Nevada  
Association of School Administrators  
Anna Slighing, HOPE  
Ed Gonzalez, Clark County Education Association  
Craig M. Stevens, Clark County School District

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Deanna Wright, President, Clark County School District Board of School Trustees  
Lynn Chapman, Nevada Families for Freedom  
David W. Carter  
Janine Hansen, Eagle Forum  
Bonnie McDaniel  
John Eppolito, Protect Nevada's Children  
Don Gallimore, Sr., Protect Nevada's Children; Vice President, NAACP  
Pat Lynch, Protect Nevada's Children; NAACP  
Chad W. Buckendahl, Ph.D., ACS Ventures, LLC  
Gwen Marchand, Ph.D., Director, Center for Research, Evaluation and  
Assessment, University of Nevada, Las Vegas  
Angie Sullivan

CHAIR DENIS:

I will open today's meeting of the Senate Committee on Education with Senate Bill (S.B.) 119.

**SENATE BILL 119**: Provides immunity from civil liability to certain volunteers who serve on an organizational team established by the principal of a public school as part of the reorganization of the school district. (BDR 34-322)

SENATOR AARON D. FORD (Senatorial District No. 11):

This bill is very short. There is a mock-up of Proposed Amendment 3013 to the original bill that I wish to speak to today ([Exhibit C](#)). In 2015, we passed A.B. No. 394 of the 78th Session, creating the Advisory Committee to Develop a Plan to Reorganize the Clark County School District (CCSD). That Committee, along with the associated Technical Advisory Committee to Develop a Plan to Reorganize the Clark County School District, met during the 2015-2016 Interim.

I sat on that Committee, and as part of our duties, we were required to come up with a reorganization plan which was submitted to the State Board of Education, the body of which was to implement regulations carrying out the directives of A.B. No. 394 of the 78th Session.

That Committee developed the idea of School Organizational Teams (SOT) to assist principals in reorganization efforts and help make decisions for the schools. Those SOTs were to be comprised of volunteers that include teachers, staff, parents and community members. During one discussion, someone asked

what would happen if members of a SOT were sued. No immunity was discussed at the time of the bill's passage. We were advised by counsel that there would be liability that could indeed inure to SOT members or to the SOT itself. We determined that was not the intent of the bill, because we did not want to discourage parents from getting involved. In fact, we very much wanted parents to be involved and did not want the threat of a lawsuit or being held liable to be a deterrent to parents. At that time, I committed to bring forth legislation that would provide immunity retroactively back to the date a volunteer first began serving on a SOT.

The mock-up amendment, [Exhibit C](#), is to ensure we are limiting the volunteers' immunity from liability only to issues directly related to the SOT. For example, the original language could have been interpreted that someone driving a car and hitting somebody doing something for the SOT could be immune from liability for that accident. Obviously, that was not the intent of the Committee at the time. The amendment literally looks at the provisions determining what the responsibilities are for the SOT and its members. I have delineated those expressly.

There is a limitation here, and I want to be frank about that. In the event the regulations change or add a new requirement or responsibility to the SOT, that new requirement will not be immune under this statute because it is not delineated. We have to be cognizant of that in view of the fact that regulations change all the time. I want to place that limitation on the record. The intent of the Advisory Committee was to immunize people from what they were responsible for doing for the SOT.

Section 1 of the bill says that,

If the principal of a public school establishes an organizational team as part of the reorganization of the school district in which the public school is located to assist in the development of a plan of operation for the public school or to provide other assistance and advice relating to the school, except as otherwise provided in subsection 2, the organizational team and its volunteer members are immune from liability for civil damages as a result of an act or omission in performing the following duties ... ."

I have then listed eight duties that were taken right out of the *Nevada Administrative Code* (NAC).

There is a second provision in section 1, subsection 2 to reiterate that Proposed Amendment 3013, [Exhibit C](#), does not restrict the liability of the public school or a school district for an act or omission of the SOT or its volunteer members in performing duties described in section 1, subsection 1. So if the SOT does something wrong, or if a member on that team makes a decision the public disagrees with, the SOT or members therein cannot be sued, but the school district can still be sued. The district remains the entity liable for lawsuits and has to defend them.

SENATOR HARRIS:

I was on the Advisory Committee too, and I support this bill. We need to provide that immunity for those parents who are willing to volunteer their time. I wonder if there is a reason why we cannot add a subsection that says, "or other assistance and advice, as may be designated by regulation."

SENATOR FORD:

I thought of that, and frankly, I think it remains too vague because we really have no clue what might come within the purview of the SOT. The District may decide that the SOT is responsible for carrying kids back and forth to an event. Under that circumstance, we are back in the situation I talked about. That is an extreme example, but the point is, we have no clue how things may progress going forward, relative to the duties a SOT may be responsible for, so I opted not to include that language.

SENATOR HARRIS:

I appreciate your caution. I am just seeing if there is a way to be a little more flexible so our parent volunteers have the protection they need.

SENATOR FORD:

We went back and forth with the Legal Division, and I am an attorney as well so I know language must be precise. The only way we could do that was to be as precise as we have been.

SENATOR GUSTAVSON:

I like the bill. It is something we need to do to protect those volunteers because we need to encourage all the people we can to volunteer. My only question is

on section 2 where it says, "The provisions of this act apply to any act or omission that occurs before, on or after the effective date of this act." How do we get around the ex post facto law where you cannot make laws going backwards?

SENATOR FORD:

I have a couple responses to that, one of which is that I will plead ignorance but try to offer some insight anyway. For example, this is the form by which we, as Legislators, are able to apply bills retroactively to shield from liability. My understanding of ex post facto is that it is used when you want to apply a criminal statute retroactively to bring someone into the realm of that particular provision. That is not what this bill is doing. It is the opposite. It is being applied retroactively to shield someone from liability.

SENATOR GUSTAVSON:

I know we have done this in the past, but it has been a while and I could not remember what the answer was. Maybe the Committee's Counsel could clarify it for me.

ASHER KILLIAN (Counsel):

That is generally correct. The ex post facto clause applies to criminal laws, not civil laws. Since this would be an exemption from civil liability, the ex post facto clause would not apply. We can generally make civil legislation retroactive, but the intention to do so has to be clear from the language of the bill. The language used in section 2 of S.B. 119 is the language we typically use when we want to express the clear intent that legislation would have a retroactive effect.

CHAIR DENIS:

I was on the 2015-2016 Interim Advisory Committee to Develop a Plan to Reorganize the CCSD, too, and one of my concerns was that parents were not protected. I appreciate the retroactivity since most SOTs have already been meeting.

CHRIS DALY (Nevada State Education Association):

The Nevada State Education Association represents 40,000 teachers and education support professionals in Nevada. We work to ensure that every student has access to a quality public education, and we believe this requires partnerships between all stakeholders who support the betterment of our schools. Our members in Clark County, both education support professionals

and teachers, have been working alongside administrators, parents, students and community members to build School Organizational Teams. We appreciate that giving real school on-site decision making to those most closely involved with students on school issues like school budgeting and programming will empower school communities to improve school climate and culture and deliver a better overall education to students. Our barriers to participation threaten the success of these SOTs and need to be mitigated. We support S.B. 119 because volunteers in all SOTs should have the same safeguards from civil liability to encourage participation in our schools. I have submitted a letter of support ([Exhibit D](#)).

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

We support this bill and the protection it offers those who are willing to step up and come to the aid of the reorganization of CCSD.

ANNA SLIGHTING (HOPE):

I represent HOPE, for Honoring Our Public Education, a group that includes nearly 1,000 families and supporters of public education in southern Nevada. Many of our members hold positions on SOT groups and we appreciate Senator Ford having this conversation early on so we could assure parents that there would be legislation coming to protect them. It is an extra layer of protection for those who are willing to serve our schools. We support S.B. 119.

ED GONZALEZ (Clark County Education Association)

The Clark County Education Association supports this bill. We want to thank Senator Ford for bringing it forward and to Senators Denis and Harris for sitting on the Interim reorganization committees. We were involved in the process, sitting through the 30-plus meetings, the 8 town halls and the 6 community forums. What we have seen is positive change in Clark County, where the school district is the fifth largest in the nation. It is always tough to change a culture, but we have seen some change through empowerment.

We have more than 1,000 parents involved in SOTs. More than 10,000 teachers voted for 1,100 candidates and around 850 people are serving right now on those school teams. This legislation is definitely needed because if parents do not have the same protections that district employees have, who would want to participate?

CRAIG M. STEVENS (Clark County School District):

I do have some good news to share from CCSD. In 2011, our graduation rate was at 59 percent. This year, we have a graduation rate of 74.88 percent. While this is not exactly where we want to be—at 85 percent by 2019—we are well on our way, and we are proud of our students, teachers, administrators and everyone who has helped with this improvement.

DEANNA WRIGHT (President, Clark County School District Board of School Trustees):

The CCSD Board of Trustees supports S.B. 119 so our volunteers can freely express their ideas and consider recommendations without fear of personal civil liability. I have submitted my written testimony ([Exhibit E](#)).

CHAIR DENIS:

I will now close the hearing on S.B. 119 and open S.B. 86.

**SENATE BILL 86**: Requires the provision of instruction in cursive handwriting to pupils enrolled in elementary school. (BDR 34-200)

SENATOR DON GUSTAVSON (Senatorial District No. 14):

Senate Bill 86 would restore cursive writing as a required component in Nevada's elementary school curriculum. I bring this bill to you because cursive writing brings forth benefits to the student's learning process that, once learned, is never unlearned. Penmanship remains with the student and becomes an instrument that is used to shape expressiveness.

Some states continue to offer cursive writing as required coursework. As of the 2015-2016 school year, Arkansas, California, Georgia, Kansas, North Carolina and Tennessee have returned to a curriculum that includes cursive writing. I believe Nevada should do the same.

This requirement was eliminated in Nevada several years ago. Today, it is only taught voluntarily. This bill would apply to the curriculum of young students who are in the early developmental stages of establishing communication skills. As written, S.B. 86 would expect a pupil to perform legible cursive handwriting by the completion of the third grade. This is an age-appropriate curriculum that has numerous benefits.

Cursive writing engages the brain in ways that improve developmental skills. The ability to create words by hand rather than typing them on a keyboard enhances the focus of young children, improves retention, reinforces memory and develops motor coordination.

Cursive handwriting has cognitive and neurological benefits. As the finer motor skills of cursive writing begin to develop within these students, they will benefit later in life whenever a task is involved that requires fine motor dexterity and synchronization.

I understand there are valid concerns about implementing additional curricula to the classroom, but I would suggest that cursive handwriting could be blended into the art curriculum such as it was done in one Ohio school district. The acquired skill then becomes a useful aid that quickens a student's ability to perform other learning tasks, like taking notes or writing an essay at a faster pace. Cursive instruction is an in-class activity that does not require a computer, and the learned skill becomes a useful tool that children can apply in any setting.

I celebrate the luxury of being able to communicate with modern day electronics, but if the student cannot perform cursive, the student will more than likely be unable to read cursive.

Senator Pam Roach from Washington state sponsored a similar bill stating: "Part of being an American is being able to read cursive writing. If children are not taught cursive, they can't read historic documents written in cursive."

Failure to teach cursive writing would disconnect students from the past because they cannot read historical documents. We need to pass on the benefits of cursive writing to future generations the same as we pass on our languages. Additionally, most legal or formal documents require a signature and by signing in cursive, you have a signature that is unique to you.

LYNN CHAPMAN (Nevada Families for Freedom):

We support this bill. As a homeschool mom, I taught my daughter all through high school. I would teach her different types of skills, and cursive writing is a skill that all children should have the opportunity to learn. A researcher and professor of educational psychology at the University of Washington has reported that brain scans during handwriting shows activation of massive



regions of the brain involved in thinking, language and working memory. The hand-eye requirements are different for every letter in the alphabet. In handwriting, the movements are continuously variable, which is more mentally demanding than making single strokes.

DAVID W. CARTER:

I support S.B. 86 and have submitted my written testimony ([Exhibit F](#)).

JANINE HANSEN (Eagle Forum):

I support this bill. A friend recently called me to tell me her grandson cannot even sign his name because they do not teach cursive in school, something she was not aware of. I have 14 grandchildren, and I realized they would not be able to read my birthday cards if they cannot read and write cursive. Generations will suffer because we cannot communicate with our grandchildren. Although most of us use keyboarding today, handwriting is still an important skill to learn since it helps with memory, focus, prediction, attention, sequencing, estimation, patience and creativity. The benefits of handwriting also help alleviate pressures in the classroom by relaxing the brain to reduce stress levels. Research shows that new pathways in the brain develop as children use their hands. Using cursive writing aids cognitive development, causing students to write more words faster and express more ideas when writing essays by hand versus using the keyboard. The regions of the brain activated during reading were activated during handwriting, but not when typing.

BONNIE MCDANIEL:

I support S.B. 86. My nephew was in a private school in Idaho and moved in with me at the age of 16. I enrolled him into Bonanza High School. He could not write cursive nor could he understand what the teachers were writing on the board. He is now a lawyer and cannot write his name in cursive. He had to print his name on the form when he registered to vote. Kids need to learn cursive.

JOHN EPPOLITO (Protect Nevada's Children):

I heard a comedian tell how she learned her grandkids were not being taught cursive in school anymore. She said she was going to tell them that before she dies, she is going to write on a piece of paper the instructions in cursive on how they can get their inheritance, and they would have thirty seconds to read it.

I have submitted an article from *Psychology Today* by William R. Klemm titled "Biological and Psychological Benefits of Learning Cursive."

DON GALLIMORE, SR. (Protect Nevada's Children; Vice President, NAACP):

I cannot believe we are talking about this because we have been taking away everything else from the kids and their schooling for years now. In 2009, I saw our then-Governor slash \$300 million from our school budget and then 3 weeks later, sitting in the same chair, I saw him slash \$400 million more. We are on make-up mode right now, and the last thing we need to do is put our children even farther behind, taking away their right to communicate in the manner in which we are accustomed. We have been writing in cursive ever since the Pilgrims jumped ship. Taking it away would be an onerous error. I implore everyone to keep cursive as a language. It is good for brain stimulation. If we continue to take away their ability to sign their names, to read the constitution and any other writings, we are doing a grave disservice to our children.

PAT LYNCH (Protect Nevada's Children; NAACP):

Communication and education are really important to me. I support this bill wholeheartedly and applaud everyone who brought such good research. Cursive writing is a skill set we need. I urge you to support this great bill.

MR. STEVENS:

The CCSD is neutral on this bill. It is correct that cursive handwriting is not part of the Nevada Academic Content Standards and has not been since 2010. Schools still have the option to provide cursive writing instruction, but adding it to the classroom standards would require the creation of professional development materials and additional classroom tools. The time needed to teach the current content standards utilizes pretty much every minute of the school day for our students and teachers. We want you to consider how crunched the school day is now as you think about the impact of adding to the content standards and curriculum.

CHAIR DENIS:

How many CCSD schools teach cursive now?

MR. STEVENS:

I can get that information for you.

MS. PIERCZYNSKI:

Our concern is also the classroom time constraints.

CHAIR DENIS:

Part of this is a money issue because you would need materials, but what I am hearing is that it is also a time issue. Would something in the school day need to be eliminated, or would we just need a longer school day?

MS. PIERCZYNSKI:

Something would have to be eliminated or we would have to increase the time to a longer school year or longer school day. I recently talked to one of our directors in Carson City who is the head of educational services, and that was exactly her reasoning. She said school days are jam-packed right now with the emphasis on computer skills. All of our testing now is done on the computer, so you cannot just ignore the time our students spend in computer labs. We are not happy with our math scores, so they need to spend more time on math. Now science is coming to the forefront again and also our Science, Technology, Engineering and Math, commonly known as STEM, curriculum is growing. All of those things have added to the school day for teachers in the elementary classrooms. The school board also wants kids to get out and be more physically active, so the 15 minutes of recess went back into the curriculum and is no longer a teacher option.

SENATOR GUSTAVSON:

We understand some schools and teachers are teaching cursive anyway. What curriculum are they using?

MS. PIERCZYNSKI:

Some are incorporating it in journaling that they do in the Read by Grade 3 program. There are also computer applications for learning cursive.

MR. STEVENS:

Teachers can take the responsibility to teach it when it is not part of the content standards to do so. However, it is a much more formalized program when it is in the content standards. Just finding something off the Internet is not something that is encouraged or that we can do. When it comes to creating a new standard, a group has to come together and it has to be discussed how to teach it. It is not that simple.

SENATOR GUSTAVSON:

Almost every contract is signed in cursive writing, giving you a unique signature. A signature in block letters is not as distinctive.

CHAIR DENIS:

A lot of signatures are done electronically now.

SENATOR GUSTAVSON:

But you still create that unique signature in cursive writing.

CHAIR DENIS:

I will close the hearing on S.B. 86 and open a presentation on the preliminary evaluation of the education programs that were implemented since the 2015 Legislative Session.

CHAD W. BUCKENDAHL, PH.D. (ACS Ventures, LLC):

This report is a summary of what has been going on with these educational programs in the last two years. Our charge in compiling this report was to provide a recommendation as to whether the evidence supported continued funding of the programs. The executive summary and description of methodology is on page 1 of the report, the "Nevada External Outcomes Evaluation" ([Exhibit G](#)). There are three things one looks at when evaluating a program or an organization: people, process and products. In some cases, programs have not been implemented for enough time to fully evaluate effectiveness, but the people and processes can be looked at.

On page 2 of [Exhibit G](#), there is a high-level overview of our recommendations for each program. Many of the indicators of success for these programs were similar in terms of things like school achievement, improving school climate, and professional development for teachers and administrators. As a result, one of our recommendations is that the Nevada Department of Education (NDE) consider additional opportunities for identifying and implementing common measures that would be largely Statewide.

Student achievement is one of the key measurements for many of these programs, and the State can use data from 2016 as a baseline. In 2015, there was a challenge in the administration of the Smarter Balanced Assessment Consortium across the State. As a result, we do not have good data from that year, so the first baseline year to start looking at changes came in 2016, with the second data point coming in the spring of 2017. Many indicators can be through interim assessment or other things that are not intended to add layers of measurement to the State but to use common metrics to identify these indicators. Some of the observations are disparate in how data was collected or

documented within individual school districts. That makes it difficult to extrapolate to Statewide recommendations.

Across the programs, we also looked for opportunities for efficiency with respect to some of the processes, tools and forms used to participate in the program. Our recommendations are that Nevada Department of Education (NDE) continue its effort to develop and implement standardized processes and online tools for program participation. There are grants available for some of the programs, each with different forms and processes for implementation. More common templates for the programs can inspire more participation from schools and districts. That would also create an efficiency at the NDE by eliminating the confusion of many different forms and processes being applied to each program. This would also simplify staff training and create more efficiency, both locally and Statewide. Future programs could also be worked into the universal system.

SENATOR SPEARMAN:

On page 3 of [Exhibit G](#), it references continuing to have social workers in schools. What is the cost factor for that in terms of return on investment?

MR. BUCKENDAHL:

The evaluation we looked at for that program was particularly around the design and implementation of the program and the intent. It was not a cost-benefit analysis. The social work program is very early in its implementation. Some schools do not have social workers in place at this time, so it is premature for us to draw strong conclusions at this point.

GWEN MARCHAND, PH.D. (Director, Center for Research, Evaluation and Assessment, University of Nevada, Las Vegas):

We collected stakeholder perceptions through focus groups, surveys, implementation records from different districts and outcome data when available. We found that the Zoom School program is performing as intended and is consistent with the goals of the program. The Zoom School program has been in place longer than some of the other programs so we have a better sense of its effect. For example, there are appropriate levels of professional development taking place at Zoom Schools, yet we were unable to independently verify if that implementation in the classroom is occurring as consistent with the professional development due to the scope of the evaluation.

One concern we had is that there are specific needs related to English Language Learners (ELL). It is important to understand whether those activities are occurring in the classroom. Related to the stakeholder perceptions of the program, we found that educators perceived that the Zoom School programs had a positive effect on the curricular and instructional practices. There were frustrations in terms of time, increased paperwork and the addition of local assessments implemented at some sites. The educators felt that hiring more staff and increasing professional development helped relieve some of the stress associated with the implementation of a new program.

We used data from WIDA assessments that analyze language learning. From 2014 through 2016, the data was consistent at the elementary level only and it showed a positive trend with Zoom Schools catching up to students with a lower proportion of ELL students at their schools. We are seeing small gains. One concern from the evaluations, also a concern for Victory Schools, is that there are high transiency rates at these schools. When students move from school to school during a school year, educators often have little information to go on in terms of assessing where students are with their language learning ability. This is due to lack of common interim assessments on these transient students as they change schools.

Our recommendation for Zoom Schools is to continue funding the program with the continued need. We recommend there be observations conducted to determine if the professional development is being transferred to the classroom in an appropriate way for ELL students. We recommend the State consider implementing common interim assessments for students in Zoom School programs.

SENATOR HAMMOND:

Can you elaborate on what you mean by interim assessments? Is that by establishing a baseline at the beginning of the school year? I thought we already had that at Zoom Schools.

MS. MARCHAND:

Many schools will use formative assessments or interim assessments, where they will take measurements of students throughout the school year. What we do not necessarily have are common interim assessments at schools across the State because different schools and districts will have the discretion to

implement based on what a vendor or curriculum might provide, so that data is not necessarily aligned.

CHAIR DENIS:

Since the elementary version of the program has been there longer, and the middle school and high school programs are rarer, there is not as much data in the higher grade schools. Is it then hard to get a feel for how it is going in those schools?

MS. MARCHAND:

Yes. We can find localized evidence about how things are working. In terms of implementation, in first grade through eighth grade, we found the reading centers were most commonly used to assess students, but as those students moved into middle school and high school, there are different needs. Summer sessions might be useful for students at that level. We do not have much evidence of consistent outcomes.

CHAIR DENIS:

Did you look at Zoom Schools in both the urban districts and in the rural districts?

MS. MARCHAND:

We primarily looked at CCSD and Washoe County School District, but we did conduct interviews and surveys with members in more rural areas for the stakeholder perceptions across the State. We do not necessarily have some of the other outcome data.

The Victory School program is reaching its intended populations of students in high poverty areas. It is being implemented as anticipated. One of the key findings is that teacher transiency, which is defined as the number of full-time teachers that leave a campus at the end of the year, does not include substitutes and long-term substitutes, just full-time teachers. The transiency rates across Victory Schools have dropped from 32 percent in the 2014-2015 school year to 22 percent in the 2015-2016 school year. This is a fairly large drop in teacher transiency. It suggests that the incentives provided, including the degree of professional development and the freedom to target their interventions, was a motivating factor in helping teachers remain at a school. This is important because students are then able to form relationships with

teachers, and research shows that consistency in teachers is linked to achievement and adjustment in school for students.

A content analysis of the 35 Victory School plans indicate that teacher professional development and support is most frequently identified as the topic in the plans. That is followed by providing services to support social, psychological and physical health of students, and additional instructional opportunities. However, there is wide variation in the plans, which is by design.

More than 90 percent of the stakeholders surveyed said there were changes happening in the classroom with respect to curriculum and instruction that were contributing to improvements in student learning motivation and behavior. The survey also revealed that people thought there were barriers and a limited ability to hire interventionists related to the funding that is time-bound. It is not clear how the Victory School programming was aligned with other interventions, such as things related to Title I funding, which may be happening at schools.

We recommend continued funding for the Victory School program, as noted on page 3, [Exhibit G](#), as well as the incorporation of common assessments and evaluation metrics into the regulations. This is partially because each school currently establishes its own metrics for evaluating the effectiveness of the initiative. That can lead to difficulties of understanding the overall impact. We also recommend some oversight and professional development activities to reflect base practices.

CHAIR DENIS:

Did you look at teacher transiency in Zoom Schools?

MR. BUCKENDAHL:

No, each of the programs had a list of designated indicators. Because we were focusing on higher poverty in Victory Schools, teacher retention was already considered a big challenge for those schools.

SENATOR SPEARMAN:

You said the change in teachers was particularly acute in affecting the learning ability of students in Zoom Schools. Did you see a correlation or trend in other schools with respect to teacher transiency?



MS. MARCHAND:  
We did not compare that.

CHAIR DENIS:  
During your discussion on Zoom Schools, you mentioned the transiency with students, which are similar to Victory Schools.

MS. MARCHAND:  
Yes, we do see more student transiency in schools with higher needs.

CHAIR DENIS:  
One thing I noticed with Zoom Schools is that since they are all doing the same thing, if students move from one Zoom School to another one, they are able to track the child. With Victory Schools, it is probably not as easy, since they are doing different things.

MR. BUCKENDAHL:  
Yes, the schools are different. Zoom Schools are more structured than Victory Schools, which are more customized. With respect to the evaluation, design and funding, we had to treat those schools the same at the State level. Realistically, each Victory School could potentially be a unit of analysis and evaluation. The goal of the legislation was to incentivize innovation or a potential for local customization. The evaluation design could have been more sensitive. We were just limited by scope.

SENATOR SPEARMAN:  
I was reading your recommendation for the Victory Schools on page 3, [Exhibit G](#), about teacher transiency and wondering if there is any correlation between focusing on one of the themes you have in terms of teacher morale and support, if that theme was running throughout all the different areas you examined. Was this the quantitative methodology you used?

MS. MARCHAND:  
Yes, we did see a consistent drop in the transiency across the Victory School population. Those numbers were provided to us by the school districts. In terms of the methodology, this may be related to some of the flexibility that teachers find appealing. That came from the focus groups.

The Social Workers in Schools program on page 3, [Exhibit G](#), is a program that had the least amount of implementation, partially due to the need to create a climate survey that was provided at the State level. The allocation of positions was related to need, which was identified partially based on those climate survey responses. The first climate survey was in December 2015, so the initial grant period started in early 2016. By November of that year, 92 percent of the awarded positions were filled. The final grant period was expected to utilize nearly all the allocated funds for the positions. The program showed evidence of implementing a range of practices, including outreach for families and schools, support for students in the form of book studies to help with specific challenges, such as social anxiety, stress, and group and individual counseling. There were informal practices that social workers were engaged in aimed at creating a culture of openness and space for educators.

Social workers were instrumental in filling a critical need at the schools. School counselors had previously been providing social and emotional support related to bullying and suicide prevention. Teachers had also been providing students with services. The addition of a social worker freed other employees to focus on their own work. School counselors, for example, could focus more on academic development and career counseling.

In climate surveys, students had a moderate level of perceived emotional security in schools, trusting others at their school from fear of humiliation and other negative behaviors. There were some positive trends, where perceived emotional security was on the rise for students. Some schools and districts treated social workers as contract employees, whereas others treated them as district employees. This created some concerns regarding supervision. There were hiring issues in rural areas, such as making sure someone was appropriately being supervised for licensure purposes. The year-to-year funding was a concern for everyone because the uncertainty undermined the creation of a permanent network of communication between schools, communities and families.

We recommend continued funding for social workers in schools. An external team or the Safe and Respectful Learning Environment Office should develop a set of best practices since this is so new for many schools. We also recommend process improvements related to mentorship programs for less experienced social workers in schools.

MR. BUCKENDAHL:

The Read by Grade 3 program is another program that, at a summative level, we recommend for continued funding. It is fairly early in its implementation, so some of the legislation will not be fully implemented for a couple of years. The program is demonstrating that there is a lot of good infrastructure in place. The fact that the legislation required development of local literacy plans and designation of learning strategists in every building that include training activities for those individuals to help implement reading within the schools is something we can see as preliminary outcomes of what Read by Grade 3 is accomplishing.

Additionally, there is a competitive grant program as part of this program, and we have found the application process to be well thought out. We think it is a good example and potential model of the across-program recommendations we made for the Zoom Schools and Victory Schools.

Nevada has an advantage in evaluating this program. The legislation we passed is similar to legislation implemented in other states, including Mississippi and Florida, for example. Because those states are ahead of us in implementation, we can look at the outcomes in the other states to see what might happen here. Florida has had a similar program for years, and there have been questions regarding the good cause exemptions that are part of the legislation that have actually gotten to the point of litigation. Nevada should continue to look at this issue.

The Nevada Ready 21 program on page 3, [Exhibit G](#), has the goal of getting technology into the hands of students. There are very few professional endeavors nowadays that do not involve some level of digital literacy. One unique aspect of this program is that, oftentimes, it is not the children who have a challenge with technology; it is the adults. A component of this program is that there is professional development for teachers to help them understand how to integrate technology into their classrooms through instruction and assessment. It is not just taking what you might have printed out on a worksheet and putting it into a Word document, but to leverage the technology to be better in your classroom.

Another feature of Nevada Ready 21 is that there is a strong internal evaluation component rather than depending on external evaluations. This has been implemented in other states.

The last program we recommend for continued funding is the Great Teaching and Leading Fund on page 3, [Exhibit G](#). As you have heard so far, professional development is a big component of all these programs. If you think about the investment you make in these programs, it is sequential in terms of how the implementation occurs before you can start to see outcomes. After identifying the concept, the educators often need in-service training to implement the program in the classroom. After that professional development, the program gets implemented in the classroom and is then hopefully seen in students' performance.

The Great Teaching and Leading Fund specifically involves professional development and is a competitive grant program for teachers and administrators to help identify innovative practices. The commitment is incredible, and the assessment literacy opportunities are valuable. We do feel there could be some additional continued monitoring of how the grants are being implemented along with how the grants are applied and evaluated internally.

The seventh program we looked at was the Underperforming Schools Turnaround program. We identified this as one we recommend continued funding with monitoring. We do not want there to be concern about the "with monitoring" component. We added it because this program is not solely dependent on decisions in Nevada. It is part of the Every Student Succeeds Act of 2015 (ESSA), which is the current version of the Elementary and Secondary Education Act at the federal level for how to work with schools identified as priority under the federal legislation.

We hope this program, as currently designed and implemented, is potentially accepted as a way to respond to the priority school initiative under ESSA federally. If that aligns, the program is unique in how it is being implemented because some of the key themes identified for underperforming schools, including leadership, curriculum and instruction, school climate and safety, may be unique to the school. This is another of those programs where looking at the outcomes in the aggregate may mask some of the success for some schools or improvements needed in others because each is implemented in a slightly different way.

CHAIR DENIS:

Is there a time period where you are able to say you have good data?

MR. BUCKENDAHL:

It depends on what you want to do with the data. Looking at potential change, we often talk about a minimum of three data points up to five data points. If you think of three to five years of data where you can start to see potential trends, you should be pretty comfortable after five years about whether the program is reaching its intended audience and is being effective. You do not want to do this indefinitely. I grew up in Nebraska where Warren Buffett is kind of a state hero. He talks about when he invests in or buys a company, it is forever. I would not say that any program like this should be forever, but you should be willing to critically evaluate it, as you have done through this process, and start looking at it once you have three data points.

In terms of student achievement, your second data point will be available after this spring, and the third data point will come in the spring of 2018. After five years, I would be more comfortable in making summative recommendations. We focus predominantly on people, process and capacity for success through this evaluation, but we encourage continued accountability. We are not saying you should stop monitoring but that the programs appear to be in place and doing what the legislation intended.

MS. MARCHAND:

In evaluations, we typically want to see patterns emerge, so depending on the amount of change at each school or program, it may take longer than that three-year to five-year period for change to occur. We are looking at longitudinal types of effects we would hope to see.

CHAIR DENIS:

I will now open public comment.

ANGIE SULLIVAN:

I am from Stanford Elementary School in Las Vegas. I have concerns about the Read by Grade 3 program from my second grade classroom. My understanding was that \$17 million in grant money was supposed to cover 29,000 third graders in Las Vegas, which would include all the years prior to third grade. That money allowed us to hire a specialist to basically boss us around and tell us to make our kids read. I do not know how anyone could see that as being effective. Maybe that is what was supposed to be done up to this point.

My main concern was when he mentioned that the grant funding was fine. I do not think any Las Vegas representative should think that granting process was okay. The competitive grants allowed for money to be distributed, but unfortunately, it did not come to CCSD.

The reason I came here is because I wanted to talk about the importance of weighted funding and about getting the money to the kids who need it the most, making sure that our ELL students, our special education students and kids in poverty have the money they need. It is time for us to advocate for our kids, especially the southern caucus, making sure that when we put legislation in place, we are doing some significant advocacy for the kids in our neighborhoods. If you have a great idea and the money does not work out, it just becomes a burden on the teachers in the classroom who pull from their own pockets to try and make those programs work. The job then gets half done.

I would never say that Florida has an excellent Read by Grade 3 program because it has been full of lawsuits. Massachusetts had an excellent Read by Grade 3 program that had significant early learning correlation. I have talked to several Senators with my concerns about the granting of Read by Grade 3, and I have also talked about the punitive nature of retaining 8-year-olds when they have not had the remediation. I ask that you do what is best for our kids.

ED GONZALEZ (Clark County Education Association):

I wanted to highlight some issues with the SOTs in the CCSD. For example, the Gibbons Elementary School SOT in Summerlin is meeting now to discuss their enrollment projections, school performance plan and strategic budget. I have been to some SOT meetings, one at Robert Taylor Elementary School. It surprised me how engaged the SOT members were. They talked about Victory Schools and Zoom Schools and said they feel like they are in that crack where they are not getting service. In the proposed plan to reorganize the CCSD, there is movement to the weighted funding formula.

I visited Robert Taylor Elementary, barely a 3-star school, that is 82 percent Free and Reduced Lunch, so it does not fall into two categories necessary to qualify for a Victory School. Even though its zip code is the same as Foothill High School and Brown Junior High School, where the average income is more than \$50,000, students at Robert Taylor Elementary come from homes with significantly lower incomes. The school also has some behavioral issues and

needs support with social-needs and emotional-needs students. Through all of these challenges, I saw that the SOT at Taylor Elementary was so engaged, working with census charts and talking about how many students were in the poverty level.

This is just one instance where the SOT members realize that if there is a way they can engage with the Legislature, they can help solve some of these issues. That is one benefit from the SOTs that probably was not discussed much during the CCSD reorganizational meetings.

CHAIR DENIS:

I appreciate the comments from you and from Ms. Sullivan on the funding formula because that is one of my concerns. We have schools working hard to reach the 3-star level, and they are not getting those extra resources.

MR. GONZALEZ:

Not only that, but if you manage to get to a 3-star status and you lose funding because of that rating, you should not be punished for succeeding.

CHAIR DENIS:

Pursuant to Joint Standing Rule No. 14, a majority of the members of this Committee must vote to submit legislation on behalf of the Committee for drafting by the Legal Division. We have six bill draft requests (BDRs) for submission to legal from the Senate Committee on Education. These BDRs relate to various aspects of education and the matters under the jurisdiction of our Committee. Your vote to request the drafting of these BDRs is in no way an indication of support.

SENATOR SEGERBLOM MOVED TO APPROVE THE DRAFTING OF SIX BILL DRAFT REQUESTS.

SENATOR WOODHOUSE SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR DENIS:

Seeing no more people wanting to make public comment, I will adjourn the meeting of the Senate Committee on Education at 5:16 p.m.

RESPECTFULLY SUBMITTED:

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Linda Hiller,  
Committee Secretary

APPROVED BY:

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Senator Moises Denis, Chair

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



EXHIBIT SUMMARY				
Bill	Exhibit / # of pages		Witness / Entity	Description
	A	1		Agenda
	B	6		Attendance Roster
S.B. 119	C	2	Senator Ford	Mock-Up of Proposed Amendment 3013
S.B. 119	D	1	Chris Daly / Nevada State Education Association	Letter of support
S.B. 119	E	1	Deanna Wright / Clark County School District Board of School Trustees	Written Testimony in support of <u>S.B. 119</u>
S.B. 86	F	1	David Carter	Written Testimony in support of <u>S.B. 86</u>
	G	6	Chad Buckendahl / ACS Ventures, LLC	Nevada External Outcomes Evaluation