

**MINUTES OF THE
SENATE COMMITTEE ON EDUCATION**

**Seventy-ninth Session
February 23, 2017**

The Senate Committee on Education was called to order by Chair Moises Denis at 4:00 p.m. on Thursday, February 23, 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:

Senator Julia Ratti, Senatorial District No. 13
Senator Ben Kieckhefer, Senatorial District No. 16

STAFF MEMBERS PRESENT:

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

OTHERS PRESENT:

Cathy Olmo, Director of Communications, Donor Network West
Deanna Santana, Sierra Donor Services
Nancy Ponte, Donor Network West
Amy Camacho, Donor Network West
Hillary Schieve, Mayor, City of Reno

Senate Committee on Education
February 23, 2017
Page 2

Jessica Ferrato
Mendy Elliot
Dan Palmer
Brad Keating, Clark County School District
Tracy Copeland, Sierra Nevada Donor Awareness
Mary Pierczynski, Nevada Association of School Superintendents; Nevada Association of School Administrators
Ed Gonzalez, Clark County Education Association
Jared Busker, Children's Advocacy Alliance
Stephen Augspurger, Executive Director, Clark County Association of School Administrators and Professional-Technical Employees
Patti Jesinoski
Patrick Gavin, Executive Director, State Public Charter School Authority
Brett Barley, Deputy Superintendent for Student Achievement, Department of Education
Craig M. Stevens, Clark County School District
John Vellardita, Executive Director, Clark County Education Association
Loretta Harper
Michael Flores, College of Southern Nevada, Las Vegas
Brigid Duffy, Chief Deputy District Attorney, Juvenile Division, Office of the District Attorney, Clark County
Lorne Malkiewich, K-12, Inc.
Antonio Rael, Associate Superintendent, Clark County School District
Lisa Malabago, Manager, Counseling Services, Nevada Connections Academy
Kyle Konold, Executive Director, The Delta Academy
Debora Schultz, Nevada Connections Academy
Joe Thomas, Principal, Nevada Connections Academy
Kimberly King
Laura Granier, Nevada Connections Academy
Naomi Benjelloun
Jesse Berry
Jamie Smith, Community Outreach Coordinator, Nevada Connections Academy
Chris Daly, Nevada State Education Association
Holly Esposito, Library Services Coordinator, Washoe County School District
Yolanda Lowry
Robin Carpenter
Jayasree Ravi
Susan Slykerman, President, Clark County School Librarians Association
Robin McNabb

Nancy Hursin
Anna Slighting, HOPE, Honoring Our Public Education

CHAIR DENIS:

I will open the meeting of the Senate Committee on Education with a hearing on Senate Bill (S.B.) 112.

SENATE BILL 112: Requires a course of study in health provided to pupils in certain grade levels in public schools to include certain information on organ and tissue donation. (BDR 34-516)

SENATOR JULIA RATTI (Senatorial District No. 13):

We are here on a very important issue today—to save and heal lives. In the U.S., more than 120,000 people await a life-saving organ transplant. In Nevada, we have more than 600 people on the waiting list. The shortage of available organs sadly results in the death of 22 people per day while they are waiting. As easy as it is to register as a donor at the Department of Motor Vehicles (DMV) or online, only 40 percent of adults in Nevada have done so.

This bill proposes to create a simple “course of study” for high school students to inform them about organ donation. This does not mean multiple sessions over long periods of time. It is a one-time course of study to ensure our students have the information they need about organ donation before they have to register for their driver’s license, which is when they will be asked if they want to be an organ donor. We want it to be an informed consent for our young people.

CATHY OLMO (Director of Communications, Donor Network West):

We support S.B. 112. I have submitted my written testimony ([Exhibit C](#)).

DEANNA SANTANA (Sierra Donor Services):

I support this bill. My connection to organ donation is strong. Truthfully, I would not be here testifying if it were not for an education program similar to this. My own son was a registered donor when he died at the age of 17, so I knew exactly what his wishes were. He learned about organ donation through an education program similar to the one proposed in S.B. 112.

Before joining the Sierra Donor Services staff, I worked in early childhood education and in special education compliance. I understand firsthand that

legislation like this can impact schools, districts and teachers by demanding more work to an already tasked system. Sierra Donor Services and Donor Network West acknowledge this valid concern and preemptively are prepared to reduce fiscal and time impacts on the schools, districts and teachers. There is already a DVD, "Your Decision to Donate," customized for use in Nevada classrooms that would meet the minimum requirements we are asking for.

Additionally, both organizations are committed to collaborating to develop a Nevada-specific educator's resource guide carefully aligned with the Nevada Academic Content Standards, which would be similar to the sample guide in your packet ([Exhibit D](#)). We urge you to support this bill because all Nevada students deserve to understand the question they will face at the DMV. More importantly, this will transform the lives of more Nevadans.

SENATOR BEN KIECKHEFER (Senatorial District No. 16):

This is an opportunity for me to continue to work on something I have been focused on since I joined this legislative body. This is the third bill I have been a primary sponsor of that is trying to increase the number of people registered as organ donors. In 2011, I partnered with Senator Allison Copeny on a bill to encourage people to become donors, and last year I sponsored legislation to allow people to change their minds if they had initially selected no for being an organ donor on their driver's license. Both those bills are now law, and I am proud we were able to make those gains.

Of the three bills, I think S.B. 112 has the most opportunity to increase the number of donors in our State and save the most lives. I am not a big fan of mandates on our school curriculum, but this is a very modest request for a very significant potential outcome that can be easily accommodated into the health care curriculum in our schools. The benefits for those whose lives will be saved cannot be measured against that.

SENATOR SEGERBLOM:

Is it currently an opt-in instead of an opt-out?

SENATOR KIECKHEFER:

Yes, that is correct.

SENATOR SEGERBLOM:

Have we looked at doing an opt-out?

SENATOR KIECKHEFER:

It has been suggested. In the discussions I have had, I have found resistance to that idea.

SENATOR SEGERBLOM:

I think we should look at an opt-out. I would be happy to help with that.

SENATOR RATTI:

We appreciate that suggestion, and we will absolutely pursue that. At this point, we think informed consent will increase the numbers. One step forward, and then we will keep having the conversation.

SENATOR HAMMOND:

My hesitation with mandates is that we put more on teachers. How do they deliver the content? It sounds more like you are putting together a video and maybe some other curriculum material and you are packaging it to hand to the teacher, so there will be one or two days of material that will already fit into the content standards. I am glad to hear this is a short study. Can you speak to how it is being packaged to teachers? Also, have you talked to teachers and have they given you feedback?

SENATOR RATTI:

That is the intent. At minimum, there is a 10-minute DVD that gives students everything they need to make an informed consent. If that is all the space a teacher has in his or her day, then that is how the standard can be met in the law. Additionally, we have found that many teachers have more of an interest in the subject, so they are interested in developing a more robust curriculum. In that case, there is a toolkit similar to the one used in California in your handout, [Exhibit D](#). That gives teachers wanting to develop their own curriculum or approach a few more tools to be able to do that. Also, if there is a particular interest, we have a speaker's bureau to tap into.

SENATOR HAMMOND:

Have you had any conversations with teachers who deliver health curriculum?

SENATOR RATTI:

Yes, we have talked to a couple health teachers, and they were very excited. They said this topic matches up with what they are already doing.

SENATOR HAMMOND:

For me to get there, I have to know more about where teachers are coming from. Because as time goes by, there is more demand on teachers and the schools, and they are often being asked to do something else. I am always respectful of their time because they are already taxed and stressed. But if you have buy-in by the teachers, especially because they are always looking for curriculum, it would be a good thing.

SENATOR RATTI:

I, too, have some skepticism about mandates and think we ask an awful lot of our teachers. We need to make sure we step back and look at the curriculum holistically. In this case, this addition is so concise it already fits well into the standards. The timing is perfect for really being able to change some lives and to actually save some lives. To me, the reward is good for saving lives, and it is also a great educational component for our kids.

CHAIR DENIS:

If kids do not want driver's licenses, does the material talk about how they can sign up to be donors?

SENATOR RATTI:

Yes.

NANCY PONTE (Donor Network West):

I support S.B. 112 and hope you will support it as well. My daughter Haylee was an organ and tissue donor. She had suffered mild to moderate asthma her whole life, and on January 27, 2015, when she was a sophomore at the University of Nevada, Reno, she had a major asthma attack that she did not survive. The donation of her organs and tissue saved and healed lives. She is a hero to people she never met. I have submitted my written testimony ([Exhibit E](#)).

AMY CAMACHO (Donor Network West):

I am a recipient of kidney and pancreas transplants. I am here to urge your support for S.B. 112. I am a fifth grade teacher, and I am grateful to be here because of a generous and compassionate donor. I have submitted my written testimony ([Exhibit F](#)).

SENATOR HAMMOND:

What I like about this bill so far is that the sponsors are really trying to show us how the teachers can use the material because we are always thinking, "How do I teach this to my students?" I feel like I am one of the gatekeepers since I am a teacher, so I feel like I have to worry about that because teachers are asked to do a lot. So if I am asking questions, it is not because I do not think what you all went through is not hard. I have lost a child, and I know it is really difficult, but when we talk about this, it is mostly policy that I am asking about.

HILLARY SCHIEVE (Mayor, City of Reno):

Senate Bill 112 is something I am incredibly passionate about because organ and tissue donations saved my life. I was training to be an Olympic figure skater and unfortunately I was struck with kidney failure due to strep throat. I underwent dialysis and was eventually told I needed a kidney transplant. I was fortunate that my younger sister Amanda donated her kidney to me to save my life. My life completely changed overnight from this, and I am always reminded to have an attitude of gratitude. Many people complain about being in traffic, but I am happy to be in traffic.

Nicolas Green was an 11-year-old boy from California who was in Italy with his family on vacation. On that trip, their car was struck by sniper fire during a highway robbery, killing Nicolas. His family donated seven of his organs, which went to Italians waiting for transplants. Nicolas saved those seven lives. Organ donations in Italy have now tripled since he was killed, resulting in thousands of people being saved through organ donation. This is known as the "Nicolas Effect."

This bill, S.B. 112, could be known as the "Nevada Effect." I met Nicolas' father and he said he would have donated Nicolas' freckles if he could have. It was that day I remember thinking to myself that we must talk about organ and tissue donation as much as possible. We also must not wait because when families are faced with this question, it is usually when they are grieving. This bill is important, because when you are grieving is not the time to have this conversation. We must do whatever we can to change outcomes for those who wait for lifesaving organs. We can save and change lives with this bill.

I have a short video to show that illustrates the emotional journey that accompanies organ donation. That video went viral on the Internet. There are a lot of organ recipients and one of the journalists who covers this Legislature,

Jon Ralston, also had a life-saving kidney transplant. You would be surprised how many people you know have had their lives saved by organ transplants.

JESSICA FERRATO:

I am a kidney recipient. I grew up with a sister who has a very rare blood disorder. I also have the same disease, but mine was diagnosed much later in life. My sister was diagnosed when I was 10 years old, so the majority of my life I grew up with a sister who was terminally ill. She has been on dialysis for 23 years and has had two kidney transplants. That is how I met Mayor Schieve; we were the two kidney families in town. I grew up knowing about kidney failure, about organs and the process and the lab results. When I got to high school, my sister needed a kidney transplant. I was talking about it to my friends at the time, and none of them knew anything about it.

A lot of kids are uninformed about the subject, and then at age 16 they are presented with the question at the DMV. Most families would not talk about these things unless they faced a situation. Ten years later, I ended up in kidney failure with the same disease my sister has. I received my kidney transplant three years ago and I can attest to the life-changing effect.

There are 8,000 people who die every year waiting for transplants. My sister has been on a list for more than two decades. She is such a complicated match that she will most likely die waiting. This is a critical issue. We need to make sure our students are informed. I understand the burden on teachers because I work in public education policy. If we can collaborate with the parties and provide the right information, this bill could provide something quick and easy that will ensure our students are prepared when they get to the DMV.

MENDY ELLIOT:

On November 22, 1968, my life changed when my father became the eighth heart transplant recipient at Stanford Medical Center; the eighty-sixth heart transplant in the world. My dad was a World War II hero and he is certainly my hero. He also became a hero to many people in this room today because he sacrificed his life so others could live.

As we move forward with this bill today, we are trying to codify the fact that we just want teachers to make students aware. I am an organ donor, and I think this is an opportunity for Nevada to be a pacesetter. I understand the burdens

on education. I think the fact that the nonprofit organizations are willing to provide the material makes it much easier to vote yes. I support this bill.

DAN PALMER:

I was a statistic for many years. After living 35 years in Nevada, I flatlined, then my life was saved at Carson-Tahoe Hospital. With no liver transplant center in Nevada, I had to move to California, where after two years they told me my best hope to get a transplant was to get liver cancer, because the list of people waiting was so long.

One out of three people die while waiting for a transplant. I lived with that for six years. I ended up moving to Florida, spending three years there before I got the call four different times. The fourth time I was called, I received the liver transplant. Since then I have received treatment, the third time for hepatitis C, and I am cured of that. I have become the poster child of good outcomes.

During the last six years, I have been volunteering for Donate Life America. I have spoken in high schools, teaching the curriculum in the submitted package [Exhibit D](#). When I teach, I start by asking the students if they are organ donors or if they are going to sign up to be one. At first, one or two will say yes. By the time I am done, the majority of them will become organ donors because they have become educated. I support S.B. 112. Life is good.

BRAD KEATING (Clark County School District):

The Clark County School District (CCSD) supports this bill because it allows our students to learn about organ donation and how to become a donor if they choose. Providing details on how to register as an organ donor has the potential to increase the number of available organ donors and save lives. It also may help students understand the societal and individual benefits of organ donation as well as the significance of such a decision. We feel the curriculum content would align well to existing health course curriculum and could be assimilated fairly easily.

TRACY COPELAND (Sierra Nevada Donor Awareness):

Sierra Nevada Donor Awareness is a volunteer nonprofit in northern Nevada to raise awareness for the tremendous need of organ and tissue donation and to honor donors and donor families. We do a walk at the Sparks Marina in September to help raise awareness. This is our tenth year.

I am a liver transplant recipient, receiving the gift of life on March 12, 1998. I had the opportunity to meet my donor family one year after my transplant. I was hospitalized with liver failure for unknown reasons. My liver was dying and I was on the waiting list for two days. I had put the little pink heart signifying being an organ donor on my driver's license because it seemed like the right thing to do, but I was not educated in organ and tissue donation.

My education came entirely after my transplant. As a result of meeting my donor family, I also learned that my donor had not told his family about his decision to be an organ donor, so they were faced with making the decision. It would have been easier for his family had they known more beforehand. I support this bill because it is a wonderful opportunity to give our students the tools to make an educated decision.

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

Thank you for your concern about adding more to the curriculum in our schools. We appreciate that concern for the teachers, but this is an important piece of legislation and it looks as though it is going to be a workable piece for our teachers in our classrooms. We support S.B. 112.

ED GONZALEZ (Clark County Education Association):

We support this bill. We believe this is a noble cause and in Clark County, we want to increase the minority donations, especially from African Americans and the Latino population. I did not become an organ donor until my late 20s because I did not know much about it.

JARED BUSKER (Children's Advocacy Alliance):

We support S.B. 112.

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

We agree with everything that has been said today, especially the poignant stories about personal experiences. We support this bill.

SENATOR SPEARMAN:

There was an independent study done on the effects of teaching organ donation in schools, and the conclusion was that the pilot study provided encouraging

evidence that the classroom health education program affected knowledge about organ donation.

It also reported that the opinions of organ donation were responsive to increased knowledge, which was shown to be significant among black and brown students.

PATTI JESINOSKI:

Senator Kieckhefer said this bill was to increase organ donors, but I see on the bill it is also discussing cardiopulmonary resuscitation (CPR). I would like to stress the importance of that part of the bill as well. Having a student be able to administer CPR to a living person is important teaching.

CHAIR DENIS:

That is not part of the proposed bill. It just happens to be part of the statute. What you were reading is already in the law.

Ms. JESINOSKI:

Okay, then I am looking at questioning an addition to the bill for certification.

CHAIR DENIS:

We appreciate the comments. I will now close S.B. 112 and open the hearing on S.B. 132.

SENATE BILL 132: Revises provisions relating to public high schools.
(BDR 34-47)

SENATOR BECKY HARRIS (Senatorial District No. 9):

This bill has taken two years to get to this point. I brought a similar bill at the last Legislative Session and as we got into the budgetary concerns, it died in the Senate Committee on Finance.

Senate Bill 132 is a much better bill. It ensures that high school students have access to valuable graduation planning tools. It also ensures that students, their families and their schools are actively engaged in seeing those plans to a successful conclusion. The end goal of this bill is for as many Nevada students as possible to graduate from high school with a high school diploma. We have a responsibility to our students and children to open doors and help them fulfill

their potential, providing them with possibilities rather than shutting doors that will impact them for the rest of their lives.

According to a recent presentation given to this Committee by Community in Schools (CIS), it was said that a student who graduates from high school will very likely contribute to society an estimated value of \$1.5 million during his or her adult lifetime, while a child who does not graduate is very likely to consume from society the same amount of money in needed support services from the criminal justice system, welfare, substance abuse costs and additional health care needs. When we have this conversation about the costs of this bill, I argue that we cannot afford not to have it.

This bill expands upon existing individual academic plans by making them more specific while creating individual graduation plans to help certain at-risk high school students get back on track toward education. This is particularly important with our transient population in urban Nevada, where many kids have difficulty attending school on a regular basis. This bill allows them to have a little bit of extra time when unexpected life circumstances come their way.

Existing statute provides for the development of a four-year academic plan for high school students. I have information available based on the Freshman On-Track program at Chicago Public Schools and how the district was able to improve its high school graduation rate. Senate Bill 132 ensures that those plans are developed at the beginning of a student's ninth grade year. In Nevada, after students have their ninth grade academic plan developed, it is updated annually by the students, their parents or guardians and their school counselors. The bill also ensures that families know what score is needed on the ACT exam to get into college, what diploma options are available, what the related requirements are, what advanced courses are available and how to apply for federal financial aid.

In addition to being a valuable tool for all high school students, S.B. 132 also addresses the needs of students who have fallen behind but still wish to graduate. The State Department of Education (NDE) has indicated a willingness to implement a Statewide policy so there would not be different cut scores for ACT based on which district a student resides in. So instead of school boards and the charter schools authority, it would be the NDE that would adopt a policy to allow but not require the use of individual graduation plans for students who are not likely to graduate on time, who scored poorly on the

college-readiness and career-readiness assessment, or who meet other conditions established by the State Superintendent.

An individual graduation plan allows a student to remain enrolled in high school to complete diploma requirements. We are going to make a change here. Instead of giving the student 18 months to complete the work, we decided that three semesters would make more sense. This way, we have a really discreet point in time at which we know students would be eligible or no longer eligible for additional school after their scheduled graduation date. It provides a road map to a diploma and outlines the courses, semester credits, GPA, and other benchmarks necessary for success. However, no student will be entitled to a plan, and a plan may be withdrawn by the school district at any time if the student is not making adequate progress.

To incentivize schools to utilize individual graduation plans, S.B. 132 ensures the plans are not detrimental to the school's graduation rate. However, a plan resulting in a successful outcome will improve the school's graduation rate. For example, if you have students who have fallen behind and qualify for an individualized graduation plan, they will not be counted in the high school's graduation rate for their original cohort. At the end of their three semesters, their graduation or failure to graduate will be attributed to their school. This way, we are capturing the success or failure of that student, but not immediately at their original graduation deadline, and we are not unnecessarily penalizing schools for being willing to help shepherd our students through additional education.

The bill also provides for students who may be credit-sufficient and still perform poorly on their college-and-career-readiness exam by giving them the opportunity to continue gaining proficiency during their senior year instead of taking a reduced schedule. This way, we will begin remediating students before they enter any postsecondary education institutions.

As we work to continue improving graduation outcomes for Nevada's students, S.B. 132 provides a platform for schools and families to collaborate in pursuing a plan for success. For students who fall behind, perhaps because of circumstances beyond their control, an alternative plan can be developed that gives them a little more time to pursue their goals. If a student truly wants to graduate and is willing to put in the needed extra work, I believe public policy should accommodate that motivation.

We do have some friendly amendments to this bill. We also need to have a frank conversation on the issue that has been the news lately regarding the practice of dumping children into a variety of alternative education frameworks to improve graduation rates.

SENATOR GUSTAVSON:

I agree we need to get our students to graduate, but there was a similar bill last Session that did not go through because of the cost. I can see an extremely high cost in this. How many students would this affect?

SENATOR HARRIS:

The school districts can speak more clearly to that, but from that information I mentioned earlier from CIS, if we do not do this, there is probably going to be a societal price tag of \$1.5 million for every student we fail to educate at \$5,700 per kid per year. The benefits, in addition to the life-changing possibilities students can have with a high school diploma, speak for themselves.

SENATOR GUSTAVSON:

I understand, but if you take that amount of students times the Distributive School Account per student and multiply that out for up to one to two more years of educating that same student, that is putting a heavy burden on our school districts. If we can get the money, that is one thing. I agree we need to educate the students and get them to graduate, but I think maybe we had better backtrack to see if we could get these students educated before they get to that point so we do not have to do this.

SENATOR HARRIS:

That would be my hope, and in a perfect world, we would not need this legislation. But we do not live in a perfect world and we have a lot of kids who really struggle. As far as the financial costs, perhaps it will help you to know that for those kids who do not do well on the career-and-college-readiness test, we are already paying for them to attend a full year of their senior year, so there will not be a cost increase for the remediation of those kids. What several of them are able to do is to take a reduced class load their senior year, which would help them to get a better education before they leave high school, and that is already being paid for.

SENATOR HAMMOND:

Are you saying that whether or not a senior wants to take it easy and take two, four or five classes, that school or the district is getting paid for that student to be there all day anyway?

SENATOR HARRIS:

Yes, that is my understanding.

SENATOR WOODHOUSE:

I know how hard you worked on this last Session and during the 2015-2016 Interim. I think this is workable. I looked to see if there is a fiscal note, and there is not. The change from 18 months to 3 semesters is good idea. We have been trying to help students at the end of their senior years to not be termed dropouts, but to have another alternative to get their high school diploma, this is a move in the right direction.

CHAIR DENIS:

This is also an economic opportunity for our State, because if these students get educated, perhaps they will want to go on to higher education. Even as high school graduates, they will be better workers for Nevada.

SENATOR SPEARMAN:

Most of the time when we talk about students needing additional time, society usually views them as problem students. What I see in this legislation is the acknowledgement that there are different learning styles. Some students, with different levels of understanding due to dyslexia, trauma or bullying, for example, can have their learning slowed, even if they excelled in earlier grades. Can you speak to the aspect of whether we are talking about students who cause trouble, or is this bill geared to acknowledge the fact that we have students with different learning abilities?

SENATOR HARRIS:

I agree. We have an arbitrary system that says every child, regardless of circumstances, should be able to graduate in four years. Yet, we are finding that may not be the case because of homelessness or transiency because families have to move for economic reasons or trauma and difficulties with learning styles. This is an opportunity to celebrate every student and help everyone be successful.

CHAIR DENIS:

Have other states done this?

SENATOR HARRIS:

We would be one of the first to adopt this at a Statewide level. Vermont has an individualized graduation plan for each of its students, but we would be one of the first states to adopt a policy that would promote additional learning time to help students be successful.

CHAIR DENIS:

I believe we have Patrick Gavin on the phone who wishes to testify.

PATRICK GAVIN (Executive Director, State Public Charter School Authority):

Thank you for allowing me to testify remotely. In the 2013-2014 school year, the 4-year adjusted cohort graduation rate for the State Public Charter School Authority compared to the fifth-year graduation rate for that same cohort increased by 1.48 percent, making it the third lowest improvement in the State. This December, the Department reported for 2015-2016, the 4-year adjusted cohort graduation rate for the Authority was just 58.55 percent, which is a slight improvement.

It is important to note that there are many State-sponsored schools which rank among the State's best in terms of their graduation rates, including schools that qualify for Title I and schools with majority nonwhite student populations. These schools are demonstrating every day that demographics do not determine destiny. There are just a handful of schools contributing to the Authority's low graduation rate. Our three lowest-performing schools share one common trait, which is that they have historically operated as online, distance education and computer-based programs. In most cases, these schools have consistently failed to graduate more than two-thirds and, in some cases, less than one-third of students in each year of the past six years. These schools collectively have been among the lowest performing in the State.

In light of these disappointing results and the powers of this body, based on a bill supported by this Committee last Session, the Authority has taken decisive accountability action in all three cases in the past 12 months. Both for the sake of brevity and in light of ongoing litigation, I will not go into detail on these matters. We took these actions not because it will improve our results on a scorecard. Rather, it is due to the severe impact such chronic and persistent

underperformance has had on hundreds, if not thousands of vulnerable students over the past decade. If Nevada is to become the Nation's fastest improving state, as articulated by our State Superintendent, and if we are to achieve the Governor's goal of a graduation rate that exceeds the national average by 2020 and the Authority's strategic goal of 60,000 4-Star and 5-Star seats that reflect the demographics of their communities, we can and we must do better.

Just as we have required any underperforming charter school striving to remain open make dramatic organizational and programmatic changes and commit to clear and unambiguous performance targets, S.B. 132 provides for clear and unambiguous accountability targets. For that reason, the Authority strongly supports Senator Harris's efforts in this area and the intent behind this bill. We offer a conceptual amendment ([Exhibit G](#)) to clarify the applicability of these provisions to all charter schools that operate high school programs and to ensure that any individualized graduation plan reflects the hard won experience of our State and the Authority.

As noted previously, many of our State's online, distance education programs and predominantly computer-based instruction programs are currently among our State's lowest performing schools. They struggle with meeting the needs of many students who are significantly overage and under-credit. For that reason, we strongly suggest the opportunity to offer such programs in primarily online or in computer-based environments be earned by the school and the student. For such schools, we recommend that the number of online or computer-based courses be limited to no more than 25 percent in the first semester of such a program, no more than 50 percent in the second semester of such a program and no more than 75 percent in the third semester of such a program.

We also recommend that in the event a student is not initially successful in such online or computer-based instruction, the school must offer a specific set of face-to-face interventions to support the student's academic and emotional needs to ensure that he or she graduates and our State meets our shared improvement goals.

CHAIR DENIS:

We got your amendment, and one of the things we are looking at is that charter schools also do kindergarten through eighth grade.

MR. GAVIN:

I think we need to make our language very consistent. In *Nevada Revised Statutes* (NRS) 388A, a charter school is defined as a school that offers instruction in any grade from kindergarten to Grade 12. I think it needs to be clear that it can operate in a high school, a middle school and an elementary school, because otherwise people might argue that they are not just a high school, so this does not apply to us. It is just a matter of consistency across the statutes.

CHAIR DENIS:

We will take that into consideration.

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

We support this bill and think it is an improvement on the existing academic plans in the State. It is consistent with our work to make every student in Nevada college-ready and career-ready. The new Nevada economy demands new skills, and you will see the demands of the new economy articulated in our State strategic plan that the State Board of Education (SBE) recently adopted. We intend to submit our State's Every Student Succeeds Act draft plan to the U.S. Department of Education on April 3. We are receiving recognition across the Country for existing efforts in preparing students for college and careers as evidenced by our New Skills for Youth grant award in February. There are still some conversations that need to be had about this bill, and we look forward to following up with all the stakeholders, especially in regard to State versus federal graduation rate requirements. Our reading of S.B. 132 is that it articulates that State requirements would still be compliant with federal requirements.

CRAIG M. STEVENS (Clark County School District):

We support this bill. We currently create graduation plans for all students, starting in ninth grade. We acknowledge that additional face time with counselors may cost more money, but this is important when it comes to educating students. Superintendent Pat Skorkowsky of CCSD has consistently said that a student's senior year should be about acceleration or remediation, not hibernation. We believe this bill does exactly that.

We have a friendly amendment ([Exhibit H](#)). In section 1, it changes the maximum amount of six units of credits per semester, which is if a student does

not score to a certain bar on the ACT. We believe that our seniors should take the maximum amount of credits if they need remediation, and this amendment allows them to do that. It does not prescribe the exact amount of credits they need, it says the maximum amount, or what is in their graduation plan, so there is flexibility.

Section 2 says that to the extent it is practicable, we want to be able to work with the student if the parent is unavailable.

CHAIR DENIS:

What is the definition of "maximum allowable amount" in section 1 of the amendment, [Exhibit H](#)?

MR. STEVENS:

I believe it is six classes. We go more on classes instead of credits. Currently, seniors only have to take four classes, so this extends it to six classes.

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

At the Clark County Education Association, we represent 18,000 licensed professionals in the fifth largest school district in the U.S. We support this bill and think it is long overdue. To Senator Gustavson's point, I think the lack of investment in this policy is going to cost society and these kids. For example, CCSD has a graduation rate of about 75 percent, meaning that close to 6,000 kids will not graduate this year. The world has changed and to get an education today, it is not necessarily the four-year track for every student. The classroom is different now, the challenges kids have are different, so for us to develop policy that tries to capture these kids and give them an opportunity to graduate and pursue the American dream is phenomenal. For that reason, we support S.B. 132. If there is a way to track the success of this program, it would be very helpful to determine what other improvements could be made.

LORETTA HARPER:

I am a high school counselor at Desert Pines High School (DPHS). I like this idea. As counselors, we update those academic plans at least twice a year. I am concerned about increasing our graduation rate, but we have a lot of newcomers who come in as eleventh graders. Will those students who do not speak English be given some extra months to graduate? We have a lot of refugees coming in now who have no credits. Are they going to be given the extra time to graduate?

SENATOR HARRIS:

That is a good question. I think we should have a phone call after the hearing to talk about what those circumstances are and what resources might be needed to provide those students with an opportunity.

MICHAEL FLORES (College of Southern Nevada, Las Vegas):

Of our incoming students last year, 70 percent of them needed remediation in math and 40 percent needed remediation in English. We know this legislation will definitely help address this issue. We work closely with CCSD, and we support this bill.

BRIGID DUFFY (Chief Deputy District Attorney, Juvenile Division, Office of the District Attorney, Clark County):

The Clark County Department of Family Services supports this bill. In 2016, of the 2,110 children exiting our foster care system, 153 of those children exited with a plan of emancipation because they aged out of foster care. For those children we were unable to find a permanent home for, through unification, adoption or guardianship, the child welfare agency then stood in place of the parent and stood responsible for, among other things, the child's education success. Our kids, particularly those in foster care, are those who have suffered transiency, economic issues, trauma and neglect, so this bill will definitely benefit the children we serve in the welfare system in Clark County.

To support that child, the child welfare agency will need to be a part of the creation and review of that academic plan. We do have a friendly amendment from the Clark County Office of Risk Management ([Exhibit I](#)) that will amend section 2, subsections 2, 3, 5 and 6 to add the words "legal custodian," as defined in NRS 432B.060 after "parent or guardian," because the child welfare agency is neither parent nor guardian to those children. We would like the bill amended to mandate the school district include the child welfare agency in the conversation, and then we would fully support it.

SENATOR HARRIS:

I apologize. There are so many moving parts to this, and I absolutely view your amendment as friendly.

CHAIR DENIS:

There is some inconsistency with Title 34 in *Nevada Revised Statutes*, so I would like to get our legal counsel to speak on the record about this to make sure we are all clear.

ASHER KILLIAN (Counsel):

There is an interesting situation with respect to the use of the terminology, "parent or legal guardian," in Title 34. We do not define the term, "legal guardian" here, although guardian is defined within the context of juvenile justice proceedings to have a certain meaning that excludes State agencies, and "custodian" is defined in chapter 432B of NRS, which is not an education chapter, to have a particular meaning that includes those agencies, but excludes a guardian appointed pursuant to a different provision of law.

Within Title 34, the term we use throughout is simply "guardian." We generally do not use the term "custodian" at all. We also don't define "guardian" for the purpose of the title, so generally, it's been interpreted to include this concept of the custodian pursuant to NRS 432B as well.

If we were wanting to amend this bill to include the concept of a custodian under 432B as something separate from a legal guardian, that would require a broader change to the title to clarify that the guardian for the purpose of all education law includes custodian. Otherwise we risk, by just including it in this section and nowhere else, we risk excluding custodians everywhere else that a guardian is referred to in Title 34.

CHAIR DENIS:

Are you saying that the way we currently do it would still allow for what is being asked for?

MR. KILLIAN:

That is the way we currently construe this language within this title. We could amend it to make it more clear that a custodian would be included, but that would require a global definition for the

entire title to ensure we are not accidentally excluding custodians in other places.

Ms. PIERCZYNSKI:

We support this bill and the proposed amendments.

Ms. FERRATO:

On behalf of the Nevada Association of School Boards, we support this bill, especially with these important amendments.

LORNE MALKIEWICH (K-12, Inc.):

We support this legislation. In the language of the legislation, charters often accept students who are deficient in credits and not likely to graduate according to schedule. Graduation rate is also a high-stakes issue for charter schools. Individual graduation plans offer pupils in all public schools, not just charter schools, the opportunity to get degrees. There is language in the bill about reports of accountability for the school district or charter schools. We spoke with Senator Harris and we believe her intent is that this also applies to the language in NRS 388A concerning charter schools and graduation rates. She explained that while a student was on an individual graduation plan, as long as he or she complied with it, the rate would be measured in that manner. With that clarification, we fully support this bill.

ANTONIO RAEI (Associate Superintendent, Clark County School District):

We support S.B. 132 and thank Senator Harris for meeting with high school principals, including myself, to discuss the implications of this bill. I was the principal of Mohave High School (MHS), which was a Turnaround School in 2011 when I joined the team there. We serve a student population that is 80 percent in poverty, and at any given time, there are around 150 homeless students. With a 50 percent transiency rate, MHS, located in North Las Vegas, is often a location that attracts people moving to Las Vegas.

We have many students with roadblocks in their pathway to education. For example, Atiana, who gave me permission to use her first name, joined the Mohave family in 2014, the fall of her senior year. She had been out of school for 18 months and moved to Las Vegas with her boyfriend's mother, having previously lived on the streets of Philadelphia. Atiana had zero credits, so it was impossible for her to finish high school and graduate that year. Forgive my language, but as the Mohave community, we loved on her. In her spare time,

my wife partnered with me in working with our team moms, mentoring them in their support of Atiana and others.

This issue is not a question of accountability within schools; it is creating a pathway for structures to assure that students like Atiana have a pathway to success. By the end of her senior year, we were able to get back about eight of her credits, but it was nowhere close to the number she needed to graduate. Most would agree that a student out of school for 18 months prior to her senior year would not be ready to graduate in that amount of time anyway. She needed more time. We continued to support her, but the structure was not in place for her to achieve what this bill would create.

We had another student, Elvin, who graduated with the Class of 2015, but he actually finished his schooling in December the following year. He had roadblocks that included a learning disability and a very difficult family situation, but he worked hard to finish his credits. At that time, proficiency was required, but he did not pass the writing proficiency. He needed more time. We continued to tutor him at the Mohave campus and even had teachers meet with him at Starbucks prior to the proficiency assessments to make sure he was ready. He passed the test the following December and got his diploma. However, in the MHS statistics, he is counted as a dropout, which will never change. This bill validates the good work that schools like Mohave are doing across Nevada.

LISA MALABAGO (Manager, Counseling Services, Nevada Connections Academy): Nevada Connections Academy (NCA) is currently under the gun for closure because of our low graduation rate based on the four-year cohort rate. Our 2016 graduation cohort was 49 percent credit-deficient students who came to us after they had already started high school. As a school, we implement graduation recovery plans, so we are already doing what this bill is proposing and we are seeing success as a result. We are being told that four out of ten of our kids graduate, which is what bothers me the most as the manager of counseling.

Many of our students have difficult health or home life issues that lead to them being off cohort. We cannot continue to not count those students who overcome those great difficulties and earn their diplomas at NCA. We have to stop saying that kids who graduate late are nongraduates. We have to stop punishing schools that take kids with no hope of graduating on cohort and are literally being pushed out of their local schools. We have proven practices in

place that work to get kids graduated, but because some of those students graduate after their four-year cohort, they are not counted as graduates. Instead, they are counted as dropouts, even though they are still enrolled in school, working through their individual graduation recovery plans. Our kids are finishing in the time frame that works for them as individuals, earning their high school diplomas and entering college, trade schools, joining the military and the workforce after graduation.

We have to change the mindset of those who would close schools for serving students who the system says do not count and for those who want to hold us accountable for credit deficiencies that happened at the local school. Today, I enrolled a student who completed three-and-a-half years at his local school. He will not graduate in June, but his new target with us is January 2018. The school that failed him will face no repercussions, and we will have him added as a dropout, not because he is dropping out, but because he was pushed on us and we accepted him with open arms and put together a plan to get him his high school diploma.

The proposed legislation allowing for individual graduation plans and providing an extra three semesters for these students to graduate and granting credit for the schools who see them through to graduation will allow each of our students to be counted as graduates and removes one of the biggest barriers of the current cohort graduation rate system. We support this bill.

KYLE KONOLD (Executive Director, The Delta Academy):

In 2016, The Delta Academy had 139 graduates in our cohort; 87 came to us their senior year. The majority had credit deficiencies and no chance of graduating that year. The majority of those students were in the same school for the first three years of high school, coming to us in April of their senior year. This meant they were classified as successful transfers from their previous schools and dropouts at Delta.

One comment on Mr. Gavin's proposed amendment is that the reasons many kids find themselves in need of additional time to graduate are the same reasons they chose an online program—many need to work to support their families, and some students need to take care of their own children, so they do not have time to spend five days a week, six hours a day in classrooms. We need to work with these students who need the flexibility of an online program.

MR. AUGSPURGER:

We strongly support this bill. It is a great bill for schools and for kids who need more than four years to get the work done. It is an investment in them.

DEBORA SCHULTZ (Nevada Connections Academy)

I support S.B. 132. For many reasons, students get behind in earning credits for high school graduation—severe illness, family illnesses or death, the loss of a home, an abusive situation, emotional stress at home, bullying, or even being unable to attend school because they need to work full-time jobs to support their families. Should these students just be pushed aside and left with no help to earn those credits back, leading them to become dropouts?

This bill will allow students who have gotten behind to be put on a plan that will help them to succeed and graduate from high school. My school, Nevada Connections Academy (NCA), is a virtual charter school that provides students with accredited coursework that can be completed at home at a time of convenience for them while giving them the support of caring teachers who have the students' best interests at heart. Students who are working to help support their families can still do schoolwork in the evenings. We should not penalize students doing their best to provide for their families by not giving them an option to be successful themselves.

Many of the high school students that come to NCA have not been successful in their traditional schools for one reason or another. We take all students in and try our best to help them to graduate on time. However, some students come to us in their junior or senior year with only a few credits and no hope to graduate on time. We still take these students into our school, even though it counts against us when they do not graduate on time. We try to help them earn credits by getting them reengaged in school and working toward graduation, even if it is a year or more later than when they should have graduated.

By adopting this bill, we will be sending a clear message to students that we are here to help them succeed, not just casting them out because they are not graduating in the time that was allotted from the beginning. I urge you to adopt this bill to support not only our students, but the future representatives of our Country who will eventually be taking care of us when we are old and gray. This will send a message to students who feel that there is no hope for them to graduate that we care and we will not let them fail.

JOE THOMAS (Principal, Nevada Connections Academy):

Nevada Connections Academy serves a large population of credit-deficient students. During our 2016 cohort year, 49 percent of students who enrolled with us were credit-deficient. We are proud to say we have been effectively reengaging these students and are seeing great success with them. Unfortunately, the State Public Charter School Authority is looking at closing us based on the four-year cohort graduation rate. This would punish us for accepting and reengaging these students. It would also eliminate school choice for the students we serve, which includes more than 3,200 students.

This single data point—the 4-year cohort graduation rate—threatens to eliminate school choice for more than 3,000 K-12 students in Nevada, even though our authorizer has no concerns at all with our kindergarten through eighth grades and has only identified this single 4-year cohort graduation rate as a concern with our high school.

This bill addresses some of the graduation rate issues our school and many schools around the State are facing. Because of how high schools are rated and how graduation data is tracked, schools are pressured to reduce the number of credit-deficient students within their schools. Because of this, what we are hearing from students and families is that district schools are counseling credit-deficient students to enroll in programs like Nevada Connections Academy, apparently to get them off their books so it does not negatively impact their graduation rates. We are proud of NCA's success in serving these students, but we ask that we not be threatened with closure as a result of us accepting and serving these students.

Nevada Connections Academy takes great pride in welcoming struggling students and working with them to get them to reengage and graduate. We are also very proud of our students who graduate on time, or in many cases, even early. During the 2015-2016 school year, of the students who started freshmen year and ended their senior year with NCA, our graduation was 87.5 percent.

Since Nevada law states that students are allowed to attend their public school until the age of 21 unless they are in special education, which gives them until the age of 22, S.B. 132 incentivizes districts to work with these students to get them to graduate outside of their 4-year cohort year rather than counseling them to move to another program simply to get them off their graduation data.

I would like to read a counseling policy titled "Credit Policy Change" on the Website of a large high school in Nevada, one from which we received many credit deficient students from during the 2015-2016 school year:

We have changed our credit policy. Beginning with the class of 2012, students will no longer be able to make up failed credit at the school. If your student loses credit in a class due to failing the semester, he/she will be expected to make up that credit at an alternative location. Students who do not make up their credit will not graduate. The counseling office has information about credit retrieval programs such as summer school and independent study. If students are in danger of failing a class for the semester, it is highly recommended that they take advantage of after-school tutoring. If you have any questions, please call the counseling office.

This clearly shows the policy changes that have occurred in order to elevate graduation data. Oftentimes these policies are hurtful for students who are trying to graduate but may be behind and struggling for various reasons. I believe that S.B. 132 will help fix these issues and create a more positive learning environment for our at-risk students.

KIMBERLY KING;

I am here with my kids, Lindsay and Lacey and both students at NCA, which is being threatened with closure. My children have been in this school since kindergarten and now they are in fourth grade and seventh grade. I am terrified that their future is about to be ripped from them because of the way graduation rates are being calculated. We live in Pahrump, and this is our only charter school choice. I speak for many families in rural areas that this is a better choice for us—it is academically challenging, we get to work one-on-one with the teachers and spend more time together as a family. I would hate to see it torn from us because of this one issue. These schools are a last stop for some students. If it goes away, where will they go? They will drop out. Please give them that extra time. I support this bill.

LAURA GRANIER (Nevada Connections Academy):

There was a recent article in *USA Today* titled "Hidden Dropouts: How Schools Make Low Achievers Disappear." The point of that article is that across our Country, students are being shoved out of high school because of the focus on

this four-year cohort graduation rate. We support this bill because it tells our students they are more than numbers.

There is a State agency in Nevada that is treating students just like numbers. It is happening in Nevada, and NCA has a growing enrollment of students who are being pushed out of their local zoned schools because they are credit-deficient. The school where the student falls behind is not held accountable. Instead, they come to an online high school three years behind after having the public pay for three years of their education at another school. Instead, NCA is held accountable for the performance of their prior school. This bill addresses that issue.

Not only are these students being treated as numbers, under this four-year cohort graduation rate, it is making that number meaningless. If you do not consider holding the proper schools accountable for student performance and as the location which the students became credit-deficient, you have an artificially inflated graduation rate. This jeopardizes NCA, a K-12 school that serves 3,200 students in Nevada. That is because, although S.B. No. 509 of the 78th Session provided discretion for the State Public Charter School Authority to consider closing a high school with a graduation rate of less than 60 percent, it is currently being applied by the staff of the Authority as a mandatory closure, even in the face of irrefutable evidence that NCA's graduation rate is low because it has accepted and is serving these credit-deficient students. We have been told by the director of the Authority that all of that information is irrelevant and that the only thing that matters is that single data point—a four-year cohort graduation rate.

I have provided minutes from the May 27, 2015, meeting of the Assembly Committee on Education where this issue was raised ([Exhibit J](#)). I also ask that the April 27, 2016, minutes of the Nevada Legislative Committee on Education be included ([Exhibit K](#)). That meeting included a presentation by Jeanne Allen from the Center for Education Reform, who spoke to this issue.

We have serious concern with Director Gavin's amendment, [Exhibit G](#), because it appears to simply take online schools out of this bill, so online schools that are effectively serving these students that may be on their last stop would be deprived, and those students would be deprived of the benefit being offered under this bill.

SENATOR HAMMOND:

I did read the *USA Today* article. This bill addresses one part of the issue in the article—the cohort graduation and the trend of schools wanting to get failing students off their records to make their graduation rates look better. The other part of the article was what was happening when those students were being transferred over to the online charter schools. That is where the amendments are trying to focus. What are those schools doing with those students once they get them? The article did not look very favorably on the charter schools, either, because they were wondering what was going on. I have to go through the amendments carefully, but I think that is what Director Gavin was trying to address, which is what happens during the fifth year in the charter school. Personally, I would like to ensure that we are making charter schools accountable.

MS. GRANIER:

We absolutely agree with that and we are not hiding from accountability. Where those students go, they must be served adequately. This school, NCA, has been totally transparent and has prepared a graduation reimprovement plan and can demonstrate the success. When you look at Mr. Gavin's amendment, make sure it is not just arbitrarily carving out online schools and instead focusing on where the students are transferred to and if they are effectively being served.

NAOMI BENJELLOUN:

I am a Henderson resident and proud mom of six kids, three who have successfully graduated from NCA and three who are currently enrolled and on track to graduate on time or earlier. Teachers and administrators at NCA took extra effort to personalize the learning experience for our students. We have many accelerated, talented students who graduate early. We also have students who have struggled at their previous schools and are looking for an opportunity to graduate.

Unfortunately, these children count against the graduation rate, damaging performance for the school and slowing growth. I support this bill and hope it fixes this contradictory mistake and fast.

JESSE BERRY:

I am in eleventh grade in NCA and was taken out of brick-and-mortar schools for heavy bullying. I enrolled in this school, am now excelling and will graduate next year. I would not be able to do this with any other school; however, NCA

is being threatened with closure because of graduation rates. That is not fair, because many students at NCA are there as a last resort. Some come to NCA because they are pushed out of their home schools because they are behind in credits. But many kids come to this school for reasons like mine—we were not being protected and we were not learning because the classrooms were overcrowded and teachers did not have time to deal with students who needed extra attention. This bill will keep my school open so I can graduate next year and, like my fellow students, I want to graduate.

JAMIE SMITH (Community Outreach Coordinator, Nevada Connections Academy): I support this bill and think it goes a long way to reach out to students who fall through the cracks. I did not walk with my high school class in 1988, but I was lucky enough to get a diploma from an alternative program in southern California. Because of that, I was able to join the military, serve in the first Gulf War and eventually earn my master's degree.

After I returned from the military, I realized I needed to reach out to students similar to me, those who had fallen through the cracks and not had the opportunity to graduate within the four-year time span traditionally given to high school students. This bill reaches out to those students who too often are labeled as failures, dropouts or problem students. We need to focus on these students and focus on what they need to become successful, graduate with a diploma and contribute to the State.

CHRIS DALY (Nevada State Education Association):

We are caught in-between on this bill. We support it if amended, specifically with more resources. We strongly support the intent of the bill to help students behind on graduation. I have submitted our letter of support if the bill is amended to include the resources ([Exhibit L](#)). We see this as a social justice bill and like most social justice items, there are societal impacts where the argument that the cost of not doing anything is too great.

Unfortunately, the reality of that argument is that it does not necessarily get resources into school districts to successfully implement this type of program. There is likely a price tag to doing this right, but it is not a reason to oppose this bill. However, it is a reason to redouble our efforts and take a look at the fact that even in this decent budget year, we have final per pupil increase on average of just \$150 per student that we need to raise.

CHAIR DENIS:

I will now close S.B. 132 and open the hearing on S.B. 143.

SENATE BILL 143: Requires each public school in a school district to establish and maintain a school library. (BDR 34-59)

SENATOR HARRIS:

I bring this bill to you because research consistently shows that when children have access to good libraries with plenty of good books and adequate staffing, they read more and do better on tests. For children in poverty, libraries are often their only available source of reading material. Having a collection of books is not enough to make a good library.

A 2012 report on Pennsylvania's school libraries found the most important element in a strong library program is a full-time, certified librarian with support staff. School librarians and teachers form an instructional team when they combine their knowledge of teaching strategies, resources and technology to meet the specific needs of each student.

A 2009 study of Idaho's school libraries found teachers were three times more likely to rate their literacy teaching as excellent when they collaborated with librarians. A 2000 study in Pennsylvania found student test scores were higher when librarians worked cooperatively with classroom teachers, independently taught information literacy and provided in-service training to teachers.

One may believe the emergence of digital technologies makes libraries redundant or maybe less necessary. However, school librarians offer students valuable expertise in digital literacy that classroom teachers are not likely to possess. In many ways, the Internet is an extension of the school library, but it has both useful and useless information. School librarians can help students discern the difference with well-developed instructional strategies based on critical thinking and analysis.

Senate Bill 143 is very simple. It ensures that all our students have access to school libraries by requiring each school in a school district to establish and maintain a library that has a licensed librarian and provides library services to the students and staff of the school. The bill also requires the SBE to adopt regulations prescribing the minimum requirements for a school library. I spent time collaborating with stakeholders on this bill, so there will be suggestions on

how to improve this language and ensure that we are not disproportionately penalizing small schools in rural areas and some of the digital schools without brick-and-mortar locations to house a library.

In Clark County, there are 11 high schools, 22 middle schools and 5 elementary schools with no librarians. As a parent who sent her children to public schools in Clark County, I cannot emphasize enough the value of the school librarians and how they influenced my children's lives. We are passionate about literacy in my household, and it was the school librarian who helped my daughter find the Jenny B. Jones series that she loves. One of my favorite memories of her is when she was reading and laughing because she was so tickled by what was in that book. I would like every child to have an opportunity to find some kind of reading material they are passionate about so they can enrich their lives.

CHAIR DENIS:

Are there requirements for the librarian, besides being a licensed teacher?

SENATOR HARRIS:

No, the SBE would prescribe regulations regarding what needs to be in the library. I have received about 35 letters of support from librarians across in the State in support of this bill.

SENATOR GUSTAVSON:

You mentioned the schools in Clark County without libraries. Did these schools originally have libraries?

SENATOR HARRIS:

I am hearing anecdotally that when schools have to make decisions about budget cuts, they are foregoing hiring librarians in favor of other positions. I can get you a more clear answer. I am being led to believe that, at one time, librarians were in those schools.

SENATOR GUSTAVSON:

I support what you are trying to do, and I agree there should be a library in every school. I cannot see having a school without a library. I kind of assumed it was budget restrictions preventing them from being there now, but I wondered if there was already room for the library at those schools now, or did they take that space and use it for classrooms?

SENATOR HARRIS:

I have been told anecdotally that one of the schools my children attended lost its librarian. I know they had a librarian there because when I went to review the sex education policies, I was taken to the library and it was the librarian who provided the materials for me to review.

SENATOR SPEARMAN:

This is proof positive that we are not doing enough to support public education. The fact that we have public schools without libraries as a result of some necessary budget cuts and that they have not been put back should be a clarion call to us.

CHAIR DENIS:

That is the frustration at the Legislature. We know there are wonderful things we need to do and sometimes we do not have the money to do it. We have to figure that out someday if we really want to improve education.

HOLLY ESPOSITO (Library Services Coordinator, Washoe County School District):

I want to read a piece from Amy Hybarger, the librarian at Shaw Middle School. She says:

Libraries have changed—when you walk into my school library you hear and see the change. Upon entering you'll hear the buzz of electronics in the student makerspace. You will hear the cheering of students who finally beat the game they had been working on every lunch period for a month. You'll see kids walking around with earbuds listening to the newest audiobook release. You're likely to be run into by a student on a VR field trip. You'll see kids clicking away at the computers and running back and forth to the printer trying to get their homework done. You'll see kids enjoying the safe space that is created for them to use for whatever their needs are. Yes, school libraries teach future citizens to think critically, how to analyze information for accuracy while being ethical. They promote reading, teach digital citizenship and encourage twenty-first century skills while fostering curriculum connections. But the most important thing about school libraries is that they foster creativity, collaboration, and inquiry by being the heart of a school.

For me, libraries are so important and basic to educational equity that the inclusion of a library should definitely be part of every school. Documented research supports that the presence of a trained librarian can make a substantial difference in student outcomes.

We must teach kids to function in their world of encompassing information, where they need to become digital citizens and information literate to be able to process all the information coming at them all the time.

MR. VELLARDITA:

We support this bill. To Senator Gustavson's question, one of the first positions that was on the chopping block when there were layoff notices given in 2012 were the librarian positions in these schools. The library is an integral piece in the continuum of education. It is part of the delivery system. Furthermore, for most kids, particularly in an urban core school district like CCSD, the only source of resources is the library.

One of the things to consider is that school budgets are being developed now. In Clark County, we are dealing with the reorganization of the CCSD that includes site organization teams (SOT) that have been in the process of looking at the funding they have and the type of positions they want to apply to their growth plans for student outcomes, so those decisions are being made as we speak. The second thing to consider is that although this is a significant policy decision that should be adopted, there should not necessarily be a cookie-cutter approach. There may be circumstances under which a building cannot meet the strict prescription of this legislation, and in that context, we need flexibility.

MS. HARPER:

I support this bill. Every school should have a library. Students use our libraries daily to research papers and to study. Many students use our library before school, coming in at 6:30 a.m. to check out books. Some go during lunch and some stay after school. During the last school year, more than 15,000 books were checked out at Desert Pines High School, and that was with a part-time librarian. Many students use the computers in our library on a daily basis because they do not have computers at home, so the library is where they do their research. Many students use the library to print their research papers because they do not have a printer at home. Our school district, CCSD, has a large population of high-risk students who come from non-English speaking

families and who need to have access to technology. School libraries give those students this access.

At DPHS, we had a program called Reading Rewards for Students. For every three books a student read, he or she got one raffle ticket. The winner received a laptop computer that was donated by the community. This has been ongoing for eight years at DPHS. We are counting on you because this bill is important. Many parents work two jobs and cannot afford to take their kids to a library somewhere else.

YOLANDA LOWRY:

I am the librarian at K.O. Knudson Middle School here in Clark County speaking as an individual. I am blessed to have been a librarian for almost 20 years, both in public and school libraries. I am not just the librarian; I am a teacher, a community resource to parents, staff members and businesses. I am the connector between my children, the businesses in our community and our staff. Every school should have a licensed librarian because we bridge that divide. We are the people to make sure our parents know what goes on in the community. We do everything. Every child should have the right to have one of us because it is not just a privilege for them, it is a blessing for us.

ROBIN CARPENTER:

I am a certified librarian and teacher at Johnston Middle School in CCSD and I support S.B. 143. There are many reasons why the passage of this bill is a necessity, not a luxury. I have submitted my written testimony ([Exhibit M](#)).

JAYASREE RAVI:

I am a culinary arts teacher at Liberty High School in CCSD. A school library is a model for teaching, learning, literacy and reading. A school library is connected to the community and also to the public libraries. It is a great source for student achievement, whether it is through media, digital, paperwork, student's work, etc., for those who cannot afford a computer. If I am asking my students to create a portfolio and they cannot afford a computer or printer at home, I send them to the school library and they print their materials there. It is important to students of all ages to have libraries in their schools because these are the places where they start their college readiness and are great resources for students, families and the community. I support this bill.

SUSAN SLYKERMAN (President, Clark County School Librarians Association):
I am a librarian at Liberty High School and I support S.B. 143. I have submitted my written testimony ([Exhibit N](#)).

ROBIN MCNABB:

I am the librarian at Silverado High School. A librarian is a teacher of both students and teachers. We teach them in the library media center, in the computer labs and in the classrooms. We teach them how to be information literate. We are collaborators. We plan with teachers to instruct and evaluate student learning. We collaborate with administrators to implement building school-wide initiatives and improvement plans. We are resource locators; we find answers to questions. Google can provide you with 100,000 answers, but the librarian can bring you back the right one. We are communicators with each other, administrators, students, teachers, parents and community members. We are leaders in our schools. We are active on committees. We are respected for our thoughts and ideas. We are professional development providers and innovators. We have global perspectives.

One of my favorite roles in my school is that I see the school as a whole. Library media specialists are never working alone. We are part of a team that includes teachers, students and administrators. We all work together. My son came from a school with no librarian. He was lacking in many areas because of this. He is now a ninth grade student at Silverado, where I am the librarian. His friends are amazed at how special it is to have a library and a librarian at their school. I support this bill.

NANCY HURSIN:

I am not a librarian. I am the middle school English and reading teacher at Sandy Valley School. We are a K-12 school and last year, our librarian position was cut. This year, they asked me to teach first- through fourth-grade library and manage the library. I am the only one managing our library. This means that students in kindergarten and students in fifth grade through twelfth grade have no access to our library unless they make a special appointment during my planning period. As a result, the majority of students in our school cannot use our library.

This year, I have visited kindergarten, science and the government classrooms teaching students how to use databases. When I got into our library, with a master's degree in literacy, I was not prepared to teach the library curriculum. It

is not the same thing. I was so underprepared that I started seeking a certification in library so I could do this job.

If we do not have librarians in our libraries, our students are not receiving the services we have promised them. We really need this. Our students need access to these rooms. Those books are essential. In our rural community, many of our students have no access to books if not from our school library, and their Internet access is limited. All schools of all sizes need librarians. I support this bill.

CHAIR DENIS:

Thank you to all the teachers who have been at school all day and who took the time to come to this legislative meeting to share your expertise and caring with us.

SENATOR HAMMOND:

I have had many people contact my office about this bill, especially Rob Jones, a CCSD coordinator, who has been lobbying me on this bill while playing basketball, a place I never get lobbied.

MS. PIERCZYNSKI:

We are not against libraries or librarians, but some aspects of this bill will be difficult to carry out. To get certified librarians in every library will be difficult. Duckwater, for instance, is a 1-room school with 17 students. The way this bill is written, it would have to have a certified librarian.

We will work hard to come up with some flexibility, including digital learning in some of our remote areas because we want all our students to have the same opportunities. We are opposed right now the way the bill is written, but we will work hard to make it be better.

MR. KEATING:

We do not have issues with librarians or libraries. We think they are a fantastic asset to us and we appreciate all the efforts they make every day. The reason CCSD is opposed to S.B. 143 is because we believe this bill should be a local bill, not Statewide.

As the plan for the CCSD reorganization was developed, we heard from many stakeholders about the need for increased flexibility in school-based decisions.

Much of a school's budget is tied to salaries, and we believe it is important to be flexible with the remainder of dollars to provide for the individual needs of each school. Each school has a SOT that reviews school budgets and can make recommendations on resource allocations for the implementation of the school improvement plan.

We believe reading is essential for a student's success. The librarian position, the way it has been created, is a flexible position in each school's budget that allows the school to maintain the literacy program in the way it deems fit. Some schools hire a certified library media specialist, others employ library aides, some utilize teachers during their prep periods and pay them accordingly, and others look for unique ways to staff their libraries. We also have difficulties with our online school here in Clark County as well as all our alternative schools that may not have libraries. We would love to support this bill, but we believe this should be a local decision, especially in view of the CCSD reorganization we are dealing with.

MR. DALY:

We represent 40,000 educators across the State, including librarians and library aides. We are in a similar position and would support this bill if amended to address resources. I have submitted my letter ([Exhibit O](#)).

ANNA SLIGHTING (HOPE, Honoring Our Public Education):

Honoring Our Public Education is neutral on this bill because we have mandated to give our SOTs site-based decision-making power, and this bill would usurp that. I have submitted my written testimony ([Exhibit P](#)). Communities will find a way to do this, not decisions from the top.

SENATOR HARRIS:

I have some testimony from Senator Cancellia in support of this bill ([Exhibit Q](#)).

CHAIR DENIS:

I will close the hearing on S.B. 143 and open public comment.

MR. STEVENS:

It is not the CCSD's policy, regulation nor position to counsel students who may not graduate out to different schools, nor is this practice encouraged. Because of more social workers and other things provided by the Legislature, we have

reduced our expulsions by over half. We reduced our suspensions from 22,000 to 14,000, and this has resulted in the closing of five of our alternative schools.

We are encouraging students to stay at their home schools. This is why we are closing down those alternative schools. Perhaps there is some confusion with NRS 388.205 which requires school districts to tell students at their four-year plan of all their options, including charter schools. That may be where the confusion lies.

MS. HARPER:

We are getting ready to address our academic plans at Desert Pines High School starting March 1. We will be meeting one-on-one with students, and parents can also review the plans. Our kids sign off on their academic plans and then take a copy home to their parents; it is also available on the DPHS Infinite Campus. We do have plans for our kids who are credit-deficient. We want to make sure we increase our graduation rate and that we have a plan for every student who is credit-deficient.

Remainder of page intentionally left blank. Signature page to follow.

Senate Committee on Education
February 23, 2017
Page 40

CHAIR DENIS:

Seeing no more people wanting to make public comment, I will adjourn the meeting of the Senate Committee on Education at 6:43 p.m.

RESPECTFULLY SUBMITTED:

Linda Hiller,
Committee Secretary

APPROVED BY:

Senator Moises Denis, Chair

DATE: _____

EXHIBIT SUMMARY				
Bill	Exhibit / # of pages		Witness / Entity	Description
	A	1		Agenda
	B	14		Attendance Roster
S.B. 112	C	1	Cathy Olmo / Donor Network West	Written Testimony in Support
S.B. 112	D	73	Deanna Santana/ Sierra Donor Services	Donor Network West Packet
S.B. 112	E	1	Nancy Ponte	Written Testimony in Support
S.B. 112	F	1	Amy Camacho	Written Testimony in Support
S.B. 132	G	1	Patrick Gavin / State Public Charter School Authority	Conceptual Amendment
S.B. 132	H	1	Craig Stevens / CCSD	Proposed Amendment
S.B. 132	I	3	Les Lee Shell / Clark County	Proposed Amendment
S.B. 132	J	6	Laura Granier / NCA	Minutes from the Assembly Committee on Education, May 27, 2015
S.B. 132	K	12	Laura Granier / NCA	Minutes from the Nevada Legislature Legislative Committee on Education, April 27, 2016
S.B. 132	L	1	Chris Daly / NSEA	Letter of Support
S.B. 143	M	2	Robin Carpenter	Written Testimony
S.B. 143	N	10	Susan Slykerman / Clark County School Librarians Association	Written Testimony
S.B. 143	O	1	Chris Daly / NSEA	Submitted Letter
S.B. 143	P	1	Anna Slighting / HOPE	Written Testimony
S.B. 143	Q	1	Senator Yvanna D. Cancela,	Written Testimony