

**MINUTES OF THE
SENATE COMMITTEE ON EDUCATION**

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

The Senate Committee on Education was called to order by Chair Moises Denis at 4:22 p.m. on Tuesday, April 4, 2017, in Room 2134 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to Room 4412 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

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

GUEST LEGISLATORS PRESENT:

Senator Ben Kieckhefer, Senatorial District No. 16
Michael Roberson, Senatorial District No. 20

STAFF MEMBERS PRESENT:

Todd Butterworth, Policy Analyst
Asher Killian, Counsel
Shelley Kyle, Committee Secretary

OTHERS PRESENT:

Nicole Rourke, Associate Superintendent, Community and Government Relations, Clark County School District
Crystal Abba, Vice Chancellor, Academic and Student Affairs, Nevada System of Higher Education
Karin Hilgersen, President, Truckee Meadows Community College
Michael Richards, President, College of Southern Nevada
Jill Robinson, Student Body President, Associated Students, College of Southern Nevada

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James Campos, Senior Advisor, Economic Development and Business Outreach,
Nevada State College
Paul Moradkhan, Vice President, Government Affairs, Las Vegas Metro Chamber
of Commerce
Kyle Dalpe, Interim Dean of Technical Sciences, Truckee Meadows
Community College
Antonio Gonzalez
Sharon Wurm, Director of Financial Aid and Student Success, Truckee Meadows
Community College
Anne Hansen, Special Assistant, External Affairs, Western Nevada College
Nancy Brune, Director, Kenny Guinn Center for Policy Priorities
K.C. Brekken, Executive Director, Public and Government Affairs, College
of Southern Nevada
Magdalena Martinez, Assistant Professor, Director of Education Programs, Lincy
Institute, University of Nevada, Las Vegas
Peter Guzman, Latin Chamber of Commerce
Terri Janison, Vice President, Community and Government Relations, United
Way of Southern Nevada
Randy Robison, Director, State Legislative Affairs, CenturyLink
Deanna Wright, President, Board of Trustees Clark County School District
Kelly Crompton, Government Affairs Office, City of Las Vegas
Rene Cantu, Executive Director, Jobs for America's Graduates in Nevada
Jennifer Rubio
Elizabeth Zuniga, Secretary, Associated Students, College of Southern Nevada
Mike Cathcart, City of Henderson
Reaiah Lincoln, JAG Student Legacy High School
Cindi Rivera, Associate Executive Director, Futuro Academy Public Charter
School
Hyun Seb Shin, Treasurer, Associated Students, College of Southern Nevada
Constance Brooks, Vice Chancellor, Government and Community Affairs,
Nevada System of Higher Education
Brian Akins, Director, Student Life and Leadership Development, College of
Southern Nevada
Daniel Little, Vice President, Associated Students, College of Southern Nevada
Jamiroquai Tucker, JAG Student Legacy High School
Ken Evans, President, Urban Chamber of Commerce
Angie Sullivan
Patrick Gavin, Executive Director, State Public Charter School Authority
Melissa Mackedon, Oasis Academy

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Ed Gonzalez, Clark County Education Association
Roger Rahming, Deputy Superintendent, Business and Support Systems,
Nevada Department of Education
Dennis Perea, Deputy Director, Department of Employment, Training and
Rehabilitation
Manny Lamarre, Executive Director, Governor's Office of Workforce Innovation
for a New Nevada
Brett Barley, Deputy Superintendent, Student Achievement, Department
of Education
Linda Heiss, Director, Institutional Research and Data Partnerships, Nevada
System of Higher Education
John Eppolito, President, Protect Nevada Children
Virginia Starrett, Protect Nevada Children
Charles Teachout
Jim Falk
Janine Hansen, Nevada Families for Freedom
Juanita Clark, Charleston Neighborhood Preservation
Lindsay Anderson, Director, Government Affairs, Washoe County School District
Brad Keating, Clark County School District

CHAIR DENIS:
We will begin with the work session.

TODD BUTTERWORTH (Policy Analyst):
We have five bills in our work session; however, Senate Bill (S.B.) 213 will be
held for our next work session.

SENATE BILL 213: Revises provisions relating to education. (BDR 34-583)

We begin with S.B. 20.

SENATE BILL 20: Revises provisions relating to educational personnel. (BDR 34-
342)

Senate Bill 20 removes the requirement that licensure exams for teachers and
other educational personnel include the Nevada school laws and the
Constitutions of the United States and the State of Nevada.

After a lot of discussion between a number of stakeholders, the sponsor has proposed a conceptual amendment that largely retains the current requirements and helps to meet them in a novel approach. I will read the summary of the bill from the work session document ([Exhibit C](#)).

CHAIR DENIS:

Will a representative of the Clark County School District (CCSD) come forward so we can get some things on the record? Will the CCSD develop the content of this new test to be used by any of the Nevada school districts that want to use it? I understand there will be no cost associated with using the test?

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

Yes. The CCSD has offered to develop the content and go through the process to get the test approved by the Commission on Professional Standards in Education. We would then share the test with other school districts in the State. We have done this with many things. The CCSD has had discussions on curriculum engine and other pieces, and we feel it is important for us to offer this training. It is our intent to develop an online module that can be delivered either through Moodle, which is a free classroom environment, or the Canvas Learning Management System which many districts have through the Nevada Ready 21 program. With either of these two platforms, the districts would be able to access the test.

CHAIR DENIS:

Will the content be portable so you can send the test to someone? Will you be hosting all of this on a Website or a server?

Ms. ROURKE:

Yes.

CHAIR DENIS:

How long will it take to develop the test?

Ms. ROURKE:

We think it will take approximately nine months. We will then take it to the Commission, and it will take some additional time for the review and approval.

CHAIR DENIS:

What is the estimated time for a teacher to complete the course work for the test and complete the test?

MS. ROURKE:

We see it as a demonstration of proficiency as they move through a series of units which may take two to three hours for a course.

CHAIR DENIS:

Will a teacher study the unit and then test for that unit? Is everything done after they have taken the test?

MS. ROURKE:

Yes. They do not have to sit for a separate exam.

CHAIR DENIS:

Who will give input for the content of the course work test, and how will you receive the input? Where are you getting the information?

MS. ROURKE:

The CCSD will look to our staff who perform the teacher orientation through the CCSD Human Resources Department and the CCSD Legal Department.

CHAIR DENIS:

Will it then be forwarded to the Commission on Professional Standards for review and approval?

MS. ROURKE:

Yes.

CHAIR DENIS:

How will it be verified that the teacher has completed the test?

MS. ROURKE:

Verification will be the responsibility of each school district. Currently, the school districts verify training. There are mechanisms within Moodle and Canvas for tracking, and districts will be able to verify the teachers' progress. We have a professional development system for this, as well.

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CHAIR DENIS:

Will this be a free service that can be accessed on either Moodle or Canvas?

Ms. ROURKE:

The module will work with either platform, Moodle or Canvas.

CHAIR DENIS:

If a teacher has accepted a job in our State, will they be able to take the test remotely before they arrive in Nevada?

Ms. ROURKE:

Yes. They would work with the school's human resources department and have an identification number assigned. They would be able to access the test online from anywhere.

SENATOR HAMMOND:

Is the reason for us to require Nevada School Law or some components of that because it was important? Will the educator have access to these courses on Moodle at any time they might need the information? Can they refer to the information later?

It is important to me as an educator that teachers have access to the information any time they might need it.

Ms. ROURKE:

I talked with Senator Harris about a guide that could be developed for the course. A guide would give the educator a resource. I will definitely look into continual access.

SENATOR HAMMOND:

The guide may be all an educator would need. One would need something to refer to, even a guide on Moodle. This would be important.

SENATOR HARRIS:

In an earlier conversation, we discussed having it deliverable in an electronic format that could be part of the existing library CCSD already offers. I would like it to be in a format the teacher could download and save. They would then be able to access the information at a later date.

Whatever the content of the question or concern a teacher might have, they would be able to immediately refer to what the State School Law would be on the question and or concern. They would then know they were acting appropriately.

SENATOR HAMMOND:

Senator Harris and I are on the same page. Teacher access to this knowledge is the most vital part to this bill. It will mitigate a lot of problems in the future.

CHAIR DENIS:

I would think the Department of Education (NDE) has availability of laws on its Website that relate to teachers.

Ms. ROURKE:

We will check.

SENATOR GUSTAVSON:

I appreciate the amendments for returning things to the bill that had been proposed to be taken out. Why did you not return knowing about the United States Constitution, which I feel is the most important document to be aware of and know? I do not want to get away from that.

Ms. ROURKE:

The U.S. Constitution is generally covered in all undergraduate degrees regardless of the state in which the degree was earned.

CHAIR DENIS:

Nevada School Law and Nevada State Constitution would only be taught in our State institutions. We wanted to develop the ability for teachers from other states to have the information specific to Nevada School Law and the State Constitution on the test.

SENATOR GUSTAVSON:

I understand. I have a lot of concern about not requiring the United States Constitution. I would like it back in the bill.

CHAIR DENIS:

In the discussion, did we say there would be a check mark or something on the licensure where it would be noted the applicant has had course work on the United States Constitution?

Ms. ROURKE:

It is my understanding, when the CCSD reviews for licensure, the undergraduate work is reviewed to determine whether an applicant has noted he or she has had the U.S. Constitution in his or her undergraduate work. If there has been no course work on this, that would require us to leave the U.S. Constitution in the bill.

SENATOR SPEARMAN:

As we move toward things like this, we need to keep in mind that when teachers go above and beyond to do course work, we need to be thinking about additional compensation for them. This is important and a concern of mine.

Many teachers are already working more than 40 or 50 hours a week. I have nothing against this bill. We are always asking teachers to do more and learn more. At the same time, we quibble over nickels and dimes in regards to additional salary compensation.

Ms. ROURKE:

Senator Spearman, I understand you believe this is a good bill. We are saving the educators on the requirement to take the test and/or a related course. By considering this as training, we are moving in that direction.

SENATOR SPEARMAN:

We seem to talk about teachers' salaries in the abstract. We do not include the things we are requiring them to do. It is not an out-of-pocket expense that I am talking about. We need to make sure we are paying teachers as the professionals they are. My argument may be extraneous to this bill; however, I want to make sure we keep this thought in the forefront.

CHAIR DENIS:

This does not directly relate, but you make a good point. We need to pay our teachers what they are worth and value what they do. I do appreciate this saves them time and money. It is more convenient than sitting in a classroom taking the test.

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SENATOR WOODHOUSE MOVED TO AMEND AND DO PASS AS
AMENDED S.B. 20.

SENATOR HAMMOND SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR GUSTAVSON VOTED NO.)

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CHAIR DENIS:
I will open the work session on S.B. 301.

[SENATE BILL 301](#): Revises provisions relating to education. (BDR 34-550)

MR. BUTTERWORTH:
I will read the summary of the bill from the work session document which includes a conceptual amendment to the bill ([Exhibit D](#)).

CHAIR DENIS:
Is there discussion?

SENATOR WOODHOUSE:
I want to reaffirm for the record that with the amendment retaining the current composition of the State Board of Education (SBE), it means retaining the part in the original bill that states the teacher who is appointed to the SBE would be a teacher of career and technical education. Instead, it is still open. I want that on the record.

CHAIR DENIS:
The SBE has the ability to create a subcommittee. The Board could then select teachers experienced in career and technical education for the subcommittee.

SENATOR SPEARMAN:
This may be semantics. In another Committee, we are changing the word "disabilities" to "differently abled" just in the connotation of the word disabilities.

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CHAIR DENIS:

I want you to remember we are abolishing the State Board for Career and Technical Education.

SENATOR SPEARMAN:

Okay. We can begin to think about the language. We can begin thinking about the word disabilities from the standpoint of differently abled. Students have abilities and different learning styles. There is something about the word disabilities that is pejorative.

CHAIR DENIS:

Is there further discussion?

SENATOR WOODHOUSE MOVED TO AMEND AND DO PASS
S.B. 301.

SENATOR SPEARMAN SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR DENIS:

I will open the work session on S.B. 313.

SENATE BILL 313: Revises provisions relating to local public libraries. (BDR 33-804)

MR. BUTTERWORTH:

I will read the summary of the bill from the work session document ([Exhibit E](#)).

CHAIR DENIS:

Are there questions?

SENATOR WOODHOUSE MOVED TO DO PASS S.B. 313.

SENATOR SPEARMAN SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR GUSTAVSON VOTED NO.)

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I will open the work session on S.B. 496.

SENATE BILL 496: Revises provisions governing the issuance of revenue bonds and other securities by the Nevada System of Higher Education. (BDR S-1083)

MR. BUTTERWORTH:

I will read the summary of the bill from the work session document ([Exhibit F](#)).

CHAIR DENIS:

Are there questions?

SENATOR WOODHOUSE MOVED TO REREFER S.B. 496 TO THE SENATE COMMITTEE ON FINANCE.

SENATOR SPEARMAN SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR DENIS:

I will open the hearing on S.B. 310.

SENATE BILL 310: Revises provisions governing the credit-hour requirement for eligibility under the Silver State Opportunity Grant Program. (BDR 34-878)

SENATOR BEN KIECKHEFER (Senatorial District No. 16):

I am representing Senatorial District No. 16 and am here to present S.B. 310 for your consideration. This bill is to clean up the Silver State Opportunity Grant (SSOG) Program of S. B. No. 227 of the 78th Session. Senate Bill 310 was developed from lessons learned since the original bill's inception. The bill will make the SSOG program more effective and efficient for students. There are two primary changes to the Program.

The first change is in section 1, subsection 5, which allows for a waiver of the 15 credit hours per semester requirement when a student is in his or her final semester for his or her program of study. A student should not be required to take more credits than is necessary for his or her degree in order to maintain eligibility for the SSOG program.

Section 1, subsection 6, allows a student to utilize credits received from enrolling in a university for his or her credit requirement if he or she is unable to take a course required for his or her degree or certificate at a community college or a State college due to the lack of availability.

Section 2, subsection 2 states that money from the SSOG program can only be used for fees and tuitions at community colleges or the State college.

The SSOG program has worked incredibly well and has provided an opportunity for students to access community colleges for the first time. This will help students to graduate which is why S.B. No. 227 of the 78th Session was created.

CRYSTAL ABBA (Vice Chancellor, Academic and Student Affairs, Nevada System of Higher Education):

I will highlight some of the outcomes from the year one results for The Silver State Opportunity Grant Program ([Exhibit G](#)). I will give you a quick history of the need for the program, Year 1 and Year 2 outcomes and the number of students served.

The Program was created to assist the State in meeting its aggressive goals for Complete College America. Under Complete College America we have a goal of 60 percent of young Nevadans having a degree or credential of value by 2020. That goal has been extended to 2025 by Governor Brian Sandoval.

The participation rate for low-income students attending a two-year institution in Nevada we shared with you in 2015 was 6.4 percent. Currently, the national average for this group of students is 15 percent. Part of the goal of the SSOG program is to increase the participation rate of the low-income students. The SSOG program was designed as a targeted, need-based financial aid program.

The SSOG program is based on a shared responsibility model after a program that existed in the state of Oregon, and through that shared responsibility model

you are looking at the total cost of attendance. This is shown in Table 1, on page 5 of [Exhibit G](#). A key to this Program is the students are not eligible unless they are deemed college-ready.

We have developed an equation engine that identifies students. The students must fill out the Free Application for Federal Student Aid (FAFSA) form in order to be eligible.

The outcomes of Year 1 and Year 2 are shown on pages 7 through 11 of [Exhibit G](#). We are in the middle of Year 2. On pages 11 through 13 are a few student perspectives, and you can read some of the students' stories and the impact the SSOG Program has made on their college educations to achieve their goals.

KARIN HILGERSON (President, Truckee Meadows Community College):

The SSOG is a terrific program and Ms. Abba did a marvelous presentation on the positive outcomes. Even terrific programs have trouble spots, and it is good we are working through those trouble spots.

In the Governor's proposed budget, there is an expansion of SSOG funding. At Truckee Meadows Community College (TMCC), we had more students who could have benefitted from the program, but the funds ran out.

MICHAEL RICHARDS (President, College of Southern Nevada):

We are also enthusiastic about the SSOG program and about these changes that are proposed. The changes are a blessing to our students. We support this bill.

JILL ROBINSON (President, Associated Students, College of Southern Nevada):

I support this bill and the flexibility in S.B. 310. If it was not for the Pell Grant and the SSOG, I would not be able to succeed at college.

JAMES CAMPOS (Senior Advisor, Economic Development and Business Outreach,
Nevada State College):

I am representing Nevada State College. We support this bill.

PAUL MORADKHAN (Vice President, Government Affairs, Las Vegas Metro
Chamber of Commerce):

I represent Las Vegas Metro Chamber of Commerce, and we appreciate the flexibility in sections 5 and 6. We support this bill.

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

I will echo the words of our president in support of this bill to the benefit of our students.

ANTONIO GONZALEZ:

I am Antonio Gonzalez and a student advocate at TMCC. I am here to support S.B. 310. In the next year, I will have only a few classes left for my degree. A lot of students like me will benefit from these changes.

SHARON WURM (Director of Financial Aid and Student Success, Truckee Meadows Community College):

We have been implementing this program for the last two years at TMCC and had a number of students, who in their last semester, were not able to get the SSOG because of the 15 credits requirement. Both changes will help our students.

ANNE HANSEN (Special Assistant, External Affairs, Western Nevada College):

The SSOG is making a difference for students at Western Nevada College (WNC). The changes being made are applicable and positive.

CHAIR DENIS:

Is there opposition to S.B. 310? Seeing no one, is there anyone wishing to speak in neutral? Senator Kieckhefer, we will hear your closing comments.

SENATOR KIECKHEFER:

These are the slow and methodical changes we need to be making to programs after we create them. This is a new program, and I do not like to react too quickly to issues as we start new programs. These are specific and concrete issues that have confronted students and are the type of changes we should be making at this time. I appreciate your consideration.

CHAIR DENIS:

I will close the hearing on S.B. 310 and turn the meeting over to Vice Chair Joyce Woodhouse.

VICE CHAIR WOODHOUSE:

I will open the hearing on S.B. 391.

SENATE BILL 391: Provides for awards of scholarships by community colleges in the Nevada System of Higher Education. (BDR 34-815)

SENATOR MOISES DENIS (Senatorial District No. 2):

I am representing Senatorial District No. 2 in Las Vegas. I am proud to introduce a bill to create a Nevada Promise Scholarship, S.B. 391.

This is a last-dollar scholarship, meaning the scholarship would be available for all recent high school graduates and would pay for all mandatory tuition/fees to attend a State community college, minus any State and/or federal financial aid they receive. It requires a student to complete his or her financial aid application. The scholarship pays for tuition/fees to attend a community college not covered through State or federal financial aid.

The scholarship requires high school seniors to apply for the program by November of their senior year in order to be eligible to attend community college in the following fall semester. The scholarship requires a student to meet with a mentor, attend college meetings, apply for financial aid and complete eight hours of community service.

Once in college, a student has to continuously enroll in at least 12 credits a semester, meet with his or her mentor, apply for financial aid and complete eight hours of community service each semester in order to retain the scholarship for up to six consecutive semesters.

Why do we need this bill? This is a workforce development tool as much as an education policy initiative to create a college-going culture in Nevada and help remove barriers that prevent many students from entering postsecondary education.

Far fewer Nevada high school graduates enter college when compared to the national average. The disparity becomes worse when we discuss economically disadvantaged students. Nevada trails the national postsecondary attainment rate of 37 percent for working age adults who have achieved some level of postsecondary attainment.

We also trail the Nation when it comes to federal financial aid applications. Less than a quarter of our high school students, who are not in magnet schools or

academies, are completing the FAFSA. Only 11 high schools in Clark County have a FAFSA completion rate of more than 60 percent.

This means we are leaving millions in federal money on the table that could be used to help students pay for a postsecondary education or workforce training. A 2014-2015 study identified \$19 million in federal Pell Grants which eligible Nevadans could have received to help pay for their education, had they only applied.

This affects the education and skill levels of our workforce and our capacity to attract new businesses and grow our own.

Middle-skill jobs, which require education beyond high school but not a four-year degree, make up the largest part of America's and Nevada's labor market. By 2024, 48 percent or nearly half of Nevada job openings will be middle-skill jobs.

This is why the creation of a Nevada Promise Scholarship this Session is critical to create the college-going culture we need in order to attain the skilled workforce necessary to make the New Nevada a reality.

We have the Governor Guinn Millennium Scholarship, a merit scholarship that pays \$40 per credit hour at community colleges to eligible Nevada high school graduates who have the grades to obtain and keep the scholarship.

We have the SSOG, a needs-based aid award for our lowest-income students, who do not need any remedial courses and can handle 15 credits each semester at a State community college.

These are excellent tools, but they are not enough. We need a systematic approach to fix our leaking pipeline and create a college-going culture. This Promise Scholarship would serve as that intervention to motivate and compel the majority of our high school students. This scholarship would help those who did not obtain a 3.25 grade point average (GPA), are not college ready, cannot take on 15 credit hours a semester or have the minimal expected family income to go beyond high school and obtain a foundation of education and training.

By meeting the program requirements, those students who do not receive a full Pell Grant, SSOG or a Millennium Scholarship could be eligible for the Promise Scholarship as a backup plan. With a mentor provided by the college and a

chance to engage through community service, these young men and women could obtain meaningful careers and increase their chances for success.

Expected outcomes include: increased college placement; increased college success and retention; increased graduation and transfer rates for community colleges; increased community service; and increased federal financial aid dollars coming into our State. With partnerships with our chambers and economic development experts, we would see an increase of job placement.

Krissy DeAlejandro, Executive Director of Tennessee Achieves was to join us by telephone. She had been holding for two hours but could no longer continue to hold. Tennessee began the first statewide Promise program in 2014. We do have information from Tennessee and have worked with them on the program implemented in their state.

Since 2014, 190 place-based last-dollar scholarships have begun in states, districts, cities and community colleges across the Country. Tennessee has had great success with this program, and our bill is based on theirs.

Dema Guinn, widow of our late Governor Kenny Guinn, read about the Promise Scholarship. She called my office because of her excitement to see a program to help more kids get involved in college. Her comment was, "This is an amazing program. I support any program that supports Nevada students. Many students cannot make it on their own. This program helps to fill that gap."

There are others here today to give additional information on this program.

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

The Guinn Center for Policy Priorities last week released a report looking at how to strengthen high school pathways both for career and college. We began looking at different strategies for increasing the number of kids that stay in school and also go on to a two- or four-year institution.

Nevada is ranked forty-fourth nationally for the rate at which high school graduates enter college immediately after graduation. Compared to other states with similar populations, our college-going rate is significantly lower. By 2020, roughly 60 percent of jobs in Nevada will be middle-skilled jobs meaning the jobs require a high school degree and some sort of postsecondary degree or certificate, but less than a four-year degree.

The Guinn Center has been looking at the impact of other Promise programs in other states, and I want to run through some of the states and their achievements or impacts thus far.

The Promise program around the Country was initiated for a college affordability strategy or intervention. It has had both the effect of reducing the amount of loans that college students have had to take out, as well as increasing the college-going rate.

Tennessee has had a 17 percent decrease in students having to take out student loans; it has had an increase in their college re-enrollment rate; and it has had the college-going rate increase by 13 percent. These are strong impacts thus far.

The state of Oregon has a Promise program, and its re-enrollment rate is 82 percent. We believe this type of program could motivate Nevada kids to re-enroll when they finish their first year of postsecondary education.

The state of Michigan has seen an increase in GPA for its Promise students and an increase in high school graduates going on to college following high school graduation. The high school graduation rate and college-going rate has increased. These are the results we have seen in Promise programs.

The Guinn Center has projected the cost of the program for the first two years would be \$1.5 million across all of the community college programs. Because of this program, we expect there would be a 25 percent increase in kids going on to college following high school graduation.

We recommend a friendly amendment that would set aside money for counselors for the Promise program. The National Academic Advising Association recommends there be an advisor or counselor for every 375 students. Currently at CSN, for example, there is one counselor for every 1,300 students.

The success of the Promise program is in the advising component. It is a critical piece for this program to be successful and for other programs around the Country that have achieved considerable success.

K.C. BREKKEN (Executive Director, Public and Government Affairs, College of Southern Nevada):

I became involved with Promise programs when President Richards tasked me with researching them two years ago. I know Krissy DeAlejandro's story well. The Tennessee Promise programs began in Knoxville through a nonprofit when Bill Haslam was mayor. The nonprofit fund raised to send low income students to community college did not have good outcomes. Students were not graduating and completing at the rate the nonprofit was expecting. A mentor component was added and the needle began to move.

Mr. Haslam became the Governor of Tennessee, and because of his love for the Promise program, he launched the Program statewide. This year, Tennessee has expanded the program beyond the high school graduate to any first-time student. The state has had some wonderful successes.

Before the new Tennessee Promise students ever stepped foot on the college campus in 2014, they had already contributed 200,000 hours of community service statewide, and at this point they have reached one million hours of community service. There has been a lot of civic engagement because of this. Mentoring has become a huge initiative throughout the state. It is getting people involved in young people's lives and helping them get through the process.

Tennessee had a lot of indicators similar to Nevada at the time they implemented the Promise program. About 30 percent of the population had some kind of college degree, but also, there was a large number of first generation college students who did not understand how to navigate the process. The mentor component has been helpful in serving as pseudo advisors. These are highly trained individuals who help the student not only navigate the Promise Scholarship requirements but also navigate college, which is an unfamiliar landscape for many. For the last three years, Tennessee has been the first state in the Nation in terms of year over year increases in FAFSA applications.

MAGDALENA MARTINEZ (Assistant Professor, Director of Education Programs, Lincy Institute, University of Nevada, Las Vegas):

I research and teach on issues related to education policy and postsecondary access, and I am director of education programs of the Lincy Institute at the University of Nevada, Las Vegas (UNLV). I will read from my written testimony ([Exhibit H](#)).

SENATOR DENIS:

I would like Ms. Brekken to go over the recommended amendments. Each of you have been given copies.

MS. BREKKEN:

We had the opportunity to work with TMCC and our financial aid staff members at the various institutions in our State that are affected. We have come up with several recommendations. I have submitted our recommended amendments ([Exhibit I](#)). These are technical amendments, and I will summarize the amendments, as [Exhibit I](#) goes into great detail.

We are hoping we can make the Promise Scholarship application process an annual one, similar to Tennessee, as opposed to a by-semester application which is currently in the bill.

We recommend streamlining the dates to make it easier for students to remember. There would be four deadline dates during the year by which students would need to complete tasks.

We recommend to eliminate the term “fingerprints” in the background checks required for mentors. We would like to use a similar system to the one the CCSD uses for background checks for its mentors.

VICE CHAIR WOODHOUSE:
Are there questions?

SENATOR HARRIS:

How did you arrive at eight hours of community service? In the amendment the community service hours for high school seniors is eight hours and sixteen hours for college scholarship recipients. Are these hours based on the Tennessee model?

MS. BREKKEN:

It is based from the Tennessee model. The community college student performs eight hours in his or her first semester and eight hours in his or her second semester.

SENATOR HARRIS:

What is determined as community service and what is not? How is community service handled?

MS. BREKKEN:

The student would submit information about the organization where he or she has performed community service. There are stipulations that would prevent a student from proselytizing as part of his or her community service, doing community service with a family member or for some kind of a payment.

Tennessee has a list of approved organizations with contact information for each organization. The student uploads his or her hours with the organization online. It is done through one system.

SENATOR HARRIS:

Will Nevada adopt a similar procedure?

SENATOR DENIS:

We have not gotten that far in our details. I think we would want to have a list for students to select from.

SENATOR HARRIS:

I agree, especially if we are wanting to reduce barriers for students to overcome. A list would provide them with a variety of opportunities that could pique interests they had not possibly considered. With an approved list, the students would have the assurance of which organizations the college would accept for community service.

SENATOR DENIS:

I agree.

SENATOR HAMMOND:

Has Tennessee achieved success in retaining those first- or second-year students because of the program? If so, what is the rate? Is this another thing we are tackling with this program?

MS. BREKKEN:

The majority of the Promise programs are relatively new. There is no data to support the Program except for one city, which is Kalamazoo, Michigan.

Tennessee has seen higher retention rates of its initial class members, and Dr. Brune has some data on that.

MS. BRUNE:

In a couple of states, you actually see an increase in the persistence rate. A kid enrolls in the first year and will continue the second year.

SENATOR HAMMOND:

This is what I want to tackle. I see this with a lot of kids leaving our high school campuses; they do not understand how to navigate the college or university system. Many kids do not get the assistance or mentoring they need. I want to make sure those factors are there for the kids.

SENATOR DENIS:

The benefit is that the student will receive a mentor in his or her senior year of high school who will mentor the student in his or her first year of college. This is a critical piece of the Program—that the students have someone there to help them achieve success. The mentor piece of the program appealed to me.

SENATOR HAMMOND:

How do you envision the mentoring program? Is it one mentor to one student or a mentor with a caseload? How are we deciding who these mentors are?

MS. BREKKEN:

The bill has a requirement of no more than one mentor per ten students. This is a ratio we took from the Tennessee legislation. This could work through a variety of methods.

The CCSD has a mentoring program it uses with at-risk students. We have been in conversations with the District. We would like to work with the schools and with our community partners to create a mentoring pipeline.

VICE CHAIR WOODHOUSE:

I will ask for support testimony.

PETER GUZMAN (Latin Chamber of Commerce):

I commend Senator Denis for bringing this bill forward. Last weekend we had a roundtable discussion with Senator Denis to bring people together who might have been on the fence regarding this bill.

As president of the Latin Chamber of Commerce, I see this as an economic development driver. To continue the momentum we have with bringing industries to our State, there is no doubt Nevada needs an educated and trained workforce. Ideas like this will help us to move into the future. I wholeheartedly support S.B. 391.

In regards to the mentorship program, I would encourage that you work with the Chambers to get real-life mentors—people who have been there, done it and continue to do it—those who have gone through experiences that a young person has not experienced. It is a courageous bill.

Terri Janison (Vice President, Community and Government Relations, United Way of Southern Nevada):

I am representing the United Way of Southern Nevada, and we are in support of S.B. 391 for several reasons. I will read my letter of support ([Exhibit J](#)).

We have found, in our work, that financial support is one of the reasons many are unable to complete their degrees. We love the mentoring component of the bill. We have programs with the CCSD and with our high school students. You can utilize United Way of Southern Nevada as another pipeline for finding mentors.

There are opportunities in southern Nevada, and United Way is willing to help coordinate the effort you have talked about. We want to make this possible for students who want to, and are going to, complete their degree. We want to give back to the community.

MS. ROBINSON:

On behalf of the Associated Students from CSN who are unable to attend this meeting today, I am in support of S.B. 391. As a non-traditional student, I fully understand the mindset of today's high school student when he or she is under the assumption that college is simply not an attainable goal.

During my time at Durango High School in Las Vegas, I was not given any mentorship or guidance in the steps to take when choosing a college. These ideas were not part of any curricula. In 1998, I was in an English class with five students, sitting on the floor sharing a book. We had a substitute teacher for an entire year.

In 2001 and with no high school diploma, I attempted to enter the Community College of Southern Nevada and failed miserably because I did not know the way.

Today, as Student Body President of the Associated Students of College of Southern Nevada, I speak for all the students who have been or are at risk of falling through the cracks in the CCSD system. The Promise Scholarship, S.B. 391, has the capability to transform our CCSD system into one which mentors our students for success before they ever reach the higher education institutions.

By being prepared before ever entering, these individuals will be more prepared to add to our learning institutions and to add to our growing and thriving community. Those students who are part of the community service component will learn and understand the joy of giving.

RANDY ROBISON (Director, State Legislative Affairs, CenturyLink):

I offer support for S.B. 391 from three different perspectives. As a representative for CenturyLink and as an employer, the group of employees that are the lifeblood of our business are the technicians that go out and interface with our customers. They are crucial for us to have a successful business. With the changes in technology in this industry, these employees are in that middle-skilled space. This bill helps future employees gain the needed skills for their pursuits.

Secondly, the mentor perspective has been mentioned. CenturyLink has a volunteer team that does an extensive amount of mentoring in the K-12 space and would jump at the chance to transition that mentoring program to see those kids move on to college.

I am a member of the CSN Institutional Advisory Council. We are all for whatever we can do to help our students succeed. When I think of this as a last-dollar program, I recall my own college experience wondering where money would come from to complete a last semester. A program like this would be immensely helpful.

Finally, regarding the community service aspect, I am also a member of the Governor's Commission on Service and Volunteerism. We know those who volunteer in their communities are happier and more successful, whether

professionally or academically. The community volunteerism aspect has a wide range of benefits. For these reasons, I support S.B. 391.

DEANNA WRIGHT (President, Board of Trustees, Clark County School District):
The CCSD supports S.B. 391. One of the largest barriers for students to enter college is the cost. Students and families from all walks of life feel this pressure. The CCSD feels the scholarship will be especially effective for students who attend our at-risk schools. The Nevada Promise Scholarship will be a significant tool for many students to overcome the barrier of cost and provide a path to postsecondary education. The CCSD believes the creation of the Nevada Promise Scholarship will have a positive impact, and encourage more students to graduate from high school and continue their education.

The CCSD looks forward to working with CSN to provide additional mentoring opportunities for students. It is a critical part to make the students successful.

KELLY CROMPTON (Government Affairs Office, City of Las Vegas):
I am representing the City of Las Vegas. For over a decade, the City of Las Vegas has had a program called Batteries Included, which helps provide career, college readiness and leadership development to many high school teens in the City. This program is in conjunction with the CSN.

Senate Bill 391 will help guide those students who are getting the readiness portion of their high school education and will actually help college affordability for those students who would love to have the opportunity to go to college. We support the bill.

RENE CANTU (Executive Director, Jobs for America's Graduates in Nevada):
I am representing Jobs for America's Graduates in Nevada (JAG). We support S.B. 391 and the concept of providing more accessibility and affordability for our youth. Because our JAG youth have made turn-arounds later in their high school careers, they may not be eligible for other scholarships offered to soon-to-be high school graduates in our State.

In today's world, we strongly believe the path from school to career requires a certificate, an associate's degree or some form of postsecondary education. The JAG program is focused on getting students from school to career.

Jobs for America's Graduates Nevada is partnering with WNC, TMCC, Great Basin College (GBC) and CSN to make sure all of our high school seniors apply for community college as part of their path to a career. The colleges and various partnerships host JAG Experience Day on the college campuses. The Promise Scholarship will help our JAG kids. We have three JAG students who will speak to you today.

JENNIFER RUBIO:

I am 17-year-old Jennifer Rubio from Moapa Valley High School. I have a GPA of 4.1 and am in the top 15 percent of my school. My plans are to attend Dixie State University (DSU) in St. George, Utah, and major in pre-medicine.

I support S.B. 391. My family immigrated for a better education for their five children. Five children to educate in the family creates a financial need. This year my brother and I will be graduating from high school. As first-generation students, this is a big deal in my family.

The two of us will need to apply for a lot of scholarships which we will not qualify for. I will receive financial support from DSU that I cannot receive in Nevada. I applied at UNLV but am unable to enter because of my American College Testing (ACT) score. My ACT score was 20 and UNLV requires a score of 22.

The kids aspiring to go to college in my high school work a year after they graduate trying to save money so they can pay for college. Yet, that is not enough. They still do not go to school after that year.

Elizabeth Zuniga (Secretary, Associated Students, College of Southern Nevada):
I am CSN's student body secretary and am here to support S.B. 391. As a recent high school graduate and a first-generation college student, I understand the obstacles students face in attempting to pay for college. In my high school, going to college seemed like a dream to many. There was no one to guide us or give us the fundamental tools to be prepared for higher education.

This bill will give many students a chance to attend college, seek more opportunities, enrich their education in unthinkable ways, and not remain held behind this red line of disparity of being unable to get the education they were promised.

If I had had this opportunity in the beginning of my path to higher education, my life as a college student would be different. I have talked with students about this feeling, and they agree with me. Senate Bill 391 will widen the chance of expanding higher education to Nevada students and raise awareness of the importance of education.

Choosing to pass S.B. 391 will mean choosing to give an education to students like me and those with me here today.

MIKE CATHCART (City of Henderson):

I am representing the City of Henderson, and we support S.B. 391. Henderson is home to the CSN Henderson campus. We look forward to the opportunities this bill may provide for our residents and students across the State.

MR. RICHARDS:

As president of CSN, this bill is a game changer. I commend Senator Denis and the sponsors of this bill. This will be a major change for the State of Nevada and will allow us to include many kinds of wonderful people in the prospect of higher education. What a wonderful opportunity this will be for them.

What we are putting on the table is a program that is nationally in about 190 locations and in 40 states. It has proven to increase participation in higher education and reduce debt. These students would have skin in the game because of the community service. We would have skin in the game because we want them to succeed. We will provide the mentors, the counseling and the support the students need. For the State of Nevada, this is a huge booster shot to the workforce of this State.

The CSN is enthused about this program. We are so enthused that the fiscal note that is represented on the draft bill is one I am taking to our CSN Foundation. I will ask the Foundation if they can fund it, so we can pick up the upfront cost of launching this program in 2019. We support this bill.

SENATOR WOODHOUSE:

I appreciate what you are going to attempt to do. We will look forward to hearing more from you.

MS. HILGERSON:

I am representing TMCC and I, too, offer deep appreciation of Senator Denis and President Richards who have really taken the lead on this bill. It is a game changer. You have heard excellent testimony both from the standpoint of data and from genuine enthusiasm for this bill.

This is an innovative scholarship program because it incorporates mentoring and service. After teaching thousands of community college students, student success is not all about the highest GPA.

At the community college level, what I am most proud about in my career is that I have seen character transformations. Those transformations typically occur when students discover service. Service truly is a gift to the person completing the service. I wanted to emphasize that point. How service has been incorporated into this scholarship program is a true measure of student success.

REAIAH LINCOLN:

I am a member of the JAG program at Legacy High School in Las Vegas. I am in full support of S.B. 391 due to the fact that I do come from a low-income family. It would be a great bill to implement since a lot of students do not ever think about attending college because of cost. They do not think it will happen because their grades were not good or they waited until the last year to catch up on things. This is a great bill to implement.

CINDI RIVERA (Associate Executive Director, Futuro Academy Public Charter School):

I am representing Futuro Academy. As a former vocational counselor manager, one of the obstacles I found was the availability of funding and scholarships at the community college level for students who were college-ready and willing to learn makeable skills to join our workforce.

The executive director at Futuro Academy, Ignacio Prado, achieved his educational goals through the community college pipeline via scholarships like S.B. 391 Promise Scholarship. This bill will provide students the needed mentorship and scholarships in order for them to succeed in their education and in Nevada's workforce.

HYUN SEB SHIN (Treasurer, Associated Students, College of Southern Nevada):
I am Kevin Shin, the current treasurer of the Associated Students of the College of Southern Nevada. I am here to support S.B. 391. As a mentor for a local youth group at my church, I know it is necessary to have a good mentor and to have a good mentorship program for our young adults.

Unfortunately, many of our high school students lack the informational resources and guidance to make clear and concise decisions on how to approach and obtain postsecondary education. Senate Bill 391 will give the students the necessary mentorship experience, information towards postsecondary education and provide financial benefits for the students in need.

MR. A. GONZALEZ:

I am in full support of S.B. 391. I thank Senator Mo Denis for presenting this bill. Senate Bill 391 will provide a full opportunity for those individuals who come from humble backgrounds; the added mentorship program will help many students at WNC, TMCC, GBC and CSN to succeed.

CONSTANCE BROOKS (Vice Chancellor, Government and Community Affairs, Nevada System of Higher Education):

The challenge of affordability is paramount for the Board of Regents as well as for the entire system. We view this legislation as powerful and helpful for us in our attempt to remedy the affordability challenge for our most vulnerable students.

Programs like SSOG and this Promise program are a step in the right direction for the State of Nevada to help students along their pathways to success.

I want to read into the record a compelling statement from the State Higher Education Executive Officers Association in its December 2016 brief on Promise programs.

If these programs are successful, it may be due to eliminating the sticker shock many potential students and families face when they consider paying for college prior to applying for financial aid. These programs make the promise of free tuition up front so that affording postsecondary education seems possible.

MR. DALPE:

As Interim Dean of Technical Sciences at TMCC, I want to thank Senator Denis and my colleagues at CSN for bringing this bill forward and including TMCC. We support this bill as a way to maximize access. Community colleges offer access for those who might not otherwise be able to attend higher education.

At TMCC, 60 percent of our enrollment is in general education programs which includes mostly transfers. The Promise program will keep this pipeline going and support students as they pursue their first two years and then transfer on to complete a baccalaureate degree.

In our region, we are looking at staggering numbers of jobs that require more than a high school education, but less than a four-year degree. The Promise Program will support those who want to train to meet the emerging needs in our local region. We support this bill.

Brian AKINS (Director, Student Life and Leadership Development, College of Southern Nevada):

I support S.B. 391. I want to volunteer as one of the first mentors to help students in the southern Nevada community. This is a similar program I came through growing up in south central Los Angeles, California. I definitely see the value for the mentoring program, and I want to be a member of the mentoring program.

DANIEL LITTLE (Vice President, Associated Students, College of Southern Nevada):

I support S.B. 391 because as a child of a working class family, postsecondary opportunities, along with the system of higher education as a whole, were not a given. I and many others did not have the resources on a familial level to help and mentor us through the collegiate system. Senate Bill 391 gives high school students the access to mentorship to help them prepare for college so they have a more guaranteed path to higher education. By helping on the financial level, S.B. 391 will help graduate more students on a secondary and postsecondary level.

JAMIROQUAI TUCKER:

I am a JAG student from Legacy High School and I am in full support of S.B. 391 because it opens doors and opportunities for students like myself who feel that college is expensive and unattainable. Growing up with my brothers,

my mom would have to get us things and want us to do well in school. Until my junior year, I was succeeding academically, but I got to a point I did not want to go to college because I felt it might be too expensive for my mom. I did not want to be in debt for the rest of my life. I feel that S.B. 391 opens my eyes; it helps me and other students see that college may be possible. It really helps us out. I want to thank you.

Ms. A. HANSEN:

This bill will make a huge difference and close the loop on the things needed to help our State and our individuals get what they need. There is diversity in the bill; people will be able to find what they need.

KEN EVANS (President, Urban Chamber of Commerce):

I am representing the Urban Chamber of Commerce. I am here professionally to support S.B. 391 because it will open opportunities for students who would otherwise not have them. In the business community, I along with my colleague, Peter Guzman of the Latin Chamber of Commerce, am convinced this program will help develop the future workforce. In addition to developing our State's workforce, it may inspire some individuals to go on and become entrepreneurs and business owners; individuals who may not have otherwise consider those opportunities.

I grew up in California public schools and my life was similar to Jamiroquai Tucker's description of his life. My mother alone raised three boys and my father was never in the picture. Finances were always a consideration; however, she always stressed the importance of education. Personally, I know the value of having an individual talk to me about going to college while I was still in high school. In addition to that, I had a mentor/advisor that got me through my first two years of college. I had a mentor/advisor that kept me going in my third and fourth years of college and encouraged me to finish up my engineering degree.

The fact that this bill includes a mentoring component is very important and valuable. I am in support of S.B. 391, and I applaud the bill's mentoring component. Both the Urban Chamber and the Latin Chamber pledge and stand ready to get the support of the business community to provide mentors, internship opportunities and other resources for this program.

ANGIE SULLIVAN:

I am a member of a group called Dreamers Teach in Las Vegas. We are teachers in Las Vegas, Nevada. There are some successful teachers in the CCSD who are bilingual and are helping students.

Each fall, with an invitation from JAG, we give a presentation called "Dream About College, Nevada." We speak specifically to undocumented youth who often do not know they can go to college. There are certain forms these students need to complete and complete properly. Those include various applications including admittance applications, FAFSA forms, scholarships and others. Most students are not aware of the monies that may be available to them. This is critical information for all students to have help with.

I applaud what I hear in S.B. 391, especially, the mentoring component. Many young people do not know they have access to the opportunity of college.

I would encourage you to possibly begin earlier than the senior year in high school. It has been my experience, youth need to hear about college in their sophomore year of high school. In the JAG program, it begins in the sophomore year. Students need time to process everything that they need to do; college applications need to be sent to colleges in October of a student's senior year.

SENATOR WOODHOUSE:

Are there others to come forward in support of S.B. 391? Seeing no one, is there anyone in opposition of S.B. 391? Is there anyone who wishes to speak in the neutral position for S.B. 391? Senator Denis will give final comments.

SENATOR DENIS:

I appreciate those who have spoken in support of S.B. 391. We heard over and over about the importance of the mentorship component of this bill. Community service gives one an opportunity to think about something other than about oneself.

Our FAFSA applications would increase, and we no longer would be leaving money on the table that could help students in our State. There is the opportunity to change the culture in college-going kids in Nevada.

This will help kids to go on and finish their four-year degrees. Hopefully, this bill will help some of our kids remain in Nevada and attend college.

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VICE CHAIR WOODHOUSE:

We will close the hearing on S.B. 391, and I will turn the meeting over to Chair Denis.

CHAIR DENIS:

I will open the hearing on S.B. 459.

SENATE BILL 459: Revises provisions relating to the class-size reduction program. (BDR 34-330)

SENATOR SCOTT HAMMOND (Senatorial District No. 18):

I am representing Senatorial District No. 18 and presenting S.B. 459. During this past Interim, I served as a member of the Legislative Committee on Education (LCE). The LCE heard from Mr. Patrick Gavin, Executive Director, State Public Charter School Authority, who testified to what he believes is a contradiction in the NRS regarding eligibility for school funding.

Although, NRS 388A.159 states a charter school is entitled to receive its share of any federal, State or local money for which the school or its students would otherwise be eligible, NRS 388.700 exempts charter schools from class-size reduction funding (CSR). Mr. Gavin proposed the removal of this inequity by making charter schools eligible for CSR funding and subject to CSR requirements, if they so choose.

Class-size reduction is the single largest source of categorical funding for Nevada schools. Although most elementary charter schools in Nevada already comply with CSR requirements, these schools are ineligible to receive CSR funding. Therefore, there is significant financial inequity between district schools and public charter schools.

Senate Bill 459 removes the exemption from CSR statutes and makes charter schools subject to CSR requirements. We will discuss this during the bill. To avoid diluting CSR funding with the inclusion of charter schools, this bill also ensures school districts' budgets are held harmless. As a result, the bill will only become effective if a sufficient appropriation is made by this Session of the Legislature.

Charter schools are public schools just like those in our districts and should have

equal access to CSR funding. Mr. Gavin can provide the testimony. We can then answer any questions the Committee may have.

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

I am representing the State Public Charter School Authority. I will note that this provision related to fiscal equity for charters has been in statute since 1997. It goes back to the original charter school statute. This area of inequity is now over 20 years old. The intent of S.B. 459 is to address this inequity.

I will walk you through the provisions of the bill, and then Senator Hammond and I want to talk about some conceptual areas you will probably hear about in testimony in support, opposition or neutral of the bill.

Broadly, what this bill does is to provide that a charter school that is not sponsored by the local school district is now eligible for CSR funding and is required to conform with the CSR provisions relating to student-teacher ratios. Most of this bill makes conforming changes, essentially, adding in the words "charter school" throughout applicable areas of NRS 387 and NRS 388.

In section 1, subsection 2, the bill is adding that the Superintendent of Public Instruction has the authority to hold charter schools that are sponsored by the State Charter School Authority or other entities accountable if they do not meet the CSR provisions.

Section 2, subsection 1 has provisions relating to the audits with charter school compliance in this area.

Section 3, subsection 1, paragraphs (a) and (b) and section 3, subsection 2, paragraphs (a) and (b), relate to reporting requirements in this area.

Section 4, subsection 1, paragraph (b) and section 4, subsection 2 relate how this is calculated particularly within the provisions relating to licensed personnel. Also, section 4, subsection 4, paragraphs (a), (b) and (c) provide that the State Public Charter School Authority, although overseen by NDE, is the entity, not the SBE, that could provide the waiver. Section 4, subsections 5, 6, 7, 8, and 9 again relate to waivers and accountability for schools and their compliance with this particular area of law.

Section 5, subsection 1, relates to which bodies are to be consulted in determining the effectiveness of this particular intervention and which data is to be solicited from charter schools and from school districts.

Sections 6, 7, 8 are mostly conforming changes. Section 10 is an important provision: that this only becomes effective if there are, in fact, monies appropriated for this purpose.

CHAIR DENIS:
Are there questions?

MR. GAVIN:

I want to be clear from a conceptual perspective, our intent in raising this during the Interim was to note this is an inequity, but there may be some schools that are structurally unable to comply at this point. For example, a school that is getting excellent results, has a significantly higher ratio and even with this funding would be unable to get into compliance, should be in a position where it could opt out of this.

Effectively, what we would argue is this should be an opt-in provision so schools such as Oasis Academy could participate. Oasis has always complied with CSR requirements. Historically it has had a ratio of 20 to 1 or 21 to 1 at all grade levels but now finds itself with some fiscal challenges as base funding has remained relatively flat. The CSR is the single largest categorical in State funding other than Special Education, and the Oasis Academy and similarly situated schools should be in a position where they can opt-in, especially if they already comply or believe they can comply without breaking leases or other covenants they have just because of the way their business model has been set up.

CHAIR DENIS:
Under the existing system, do all charter schools receive this funding? Does it matter who their sponsor is?

MR. GAVIN:

No charter school is eligible for the CSR funding. It does not matter who the sponsor is. In the case of district schools, the districts have the ability, through a contract, to provide for negotiated additional amounts of the district's appropriation. I cannot speak to whether that happens or not. I can say with

regard to State Charter School Authority, there is a flat amount in the Distributive School Account workbook every quarter.

SENATOR HARRIS:

Do public schools get to choose whether to opt-in or opt-out of class-size reduction? Must public schools apply for a waiver? Is that correct?

MR. GAVIN:

That is correct.

SENATOR HARRIS:

Why would we allow charter schools to have the option to opt-in or opt-out?

SENATOR HAMMOND:

That is a great question. I have a bill dealing with that coming up. I believe this is something that should be optional. More choice should be given to districts, especially when we have reorganized the CCSD, one of the largest school district in the Nation.

This is something we should consider. Feedback I have been given from principals on-site, in some cases, say it is actually good to have a larger class size, depending on the teacher. The option ought to be given.

MR. GAVIN:

In charter schools, historically, the premise has been there is autonomy in exchange for increased results. Certainly, one of those areas is budgetary autonomy. In the event a charter school does not want to take the bargain to apply for the CSR funding because these are treated as categorical grants, that should be something a charter school does not have to do; especially, when the school has pre-existing obligations in terms of contracts, leases and other things that would make the school unable to comply with the new fiscal restraints that come under CSR funding.

I would also note that for many operators currently in the State, or others interested in coming to our State, the requirement to participate in class-size reduction would be a deal breaker. They would not come to Nevada because it is fundamentally antithetical to their models and to their results achieved in other states. They would rather spend the dollars they have on professional development for teachers versus reducing ratios.

SENATOR HARRIS:

I find that interesting. Most people assume, wrongly, that classes are small in charter schools.

In section 3, subsection 2, paragraphs (a) and (b), if a variance has been granted, the governing body of a charter school will have to post on the Internet information concerning average daily attendance and class size. Do we have a parallel provision for public schools?

MR. GAVIN:

I am not sure of that in regards to public schools. One of our district partners can answer if they know the answer.

SENATOR HARRIS:

To get class-size reduction dollars, is the buy-in to put a notice on the school Website that they are not complying with class-size reduction because of a variance?

MR. GAVIN:

There is a provision elsewhere in the bill that requires, in the event that a charter school wishes a variance, a request must be made to the State Charter School Authority. For traditional public schools, the request for a waiver goes to the SBE. This can be found in section 4, subsection 4, paragraph (c).

A traditional public school may request a variance, and that does happen.

SENATOR HARRIS:

I want to make clear that if a charter school does not want to participate in class-size reduction, the governing body of the charter school is required to post on their Website what their average daily attendance and class sizes are, as well as a statement that they have a variance for pupil/teacher ratios from the State Public Charter Authority. Is that correct?

MR. GAVIN:

Yes, that is correct. Currently, when a school district wishes to receive a variance, those variances are granted up to a certain level. I am not clear whether the district is required to share that information publicly. Hopefully, the districts can weigh in on this if the answer is known.

SENATOR HARRIS:

It would be helpful to me to have the answer to my question.

CHAIR DENIS:

I will take those in support of S.B. 459. Seeing no one, is there anyone who wishes to speak in opposition of S.B. 459?

MS. SULLIVAN:

My name is Angie Sullivan, and I am a teacher in a public school in the CCSD. I have multiple concerns about accountability at our public charter schools, especially, given that on the list of the lowest performing schools, half the schools are charter schools. There are remedies for low-performing public schools and not much remedy for low-performing charter schools.

I am concerned with the opt-in and opt-out idea, particularly in the student/teacher ratios in the online schools where it seems there are large, large numbers of students being serviced by one person. I am not certain how effective those are, given the very low graduation rates and low test scores for those charter schools.

I am concerned about throwing good money after bad. It appears the State Public Charter Authority is a little out of control. If you look on its Website, you see multiple bankruptcies, receiverships, lawsuits, and some involvement by the Attorney General's Office. We need to get some accountability in that system before they begin advocating for more money.

As a public school teacher, I often testify asking for money for public schools. It is concerning to me that we are so into choice that we would choose something that is subpar. Choice is not doing what it should do or what was promised it would do to be competition for public schools.

CHAIR DENIS:

Is there neutral testimony?

MELISSA MACKEDON (Principal, Oasis Academy, Fallon):

I sit on the Charter School Association of Nevada Board with Senator Hammond. I am testifying neutral because I want to reiterate what Mr. Gavin stated. This bill needs to be an opt-in program. There are many successful charter schools that do not subscribe to reduced class-size. The

beauty of a charter school is the autonomy to be successful in a variety of models.

Other schools such as ours have a class-size ratio of 20 to 1, but it is becoming increasingly difficult to maintain that ratio. The cost of education keeps rising, and the rate of income is not equitable.

We hope that you will consider this bill as an opt-in for charter schools that do subscribe to the idea that class-size reduction is a great model.

ED GONZALEZ (Clark County Education Association):

The Clark County Education Association (CCEA) is neutral on S.B. 459. We would like to highlight section 10, which is the appropriation the hold-harmless provision. I want to thank Senator Woodhouse for proposing this during the Interim Committee. We have concerns about the hold-harmless provision and the aspect that it does not take growth into consideration. In the Governor's recommended budget there is an additional \$4 million for growth in class-size reduction. Our fear is this does not truly hold harmless the school districts by having the same amount of funds as last time.

For example, based on the data from the Nevada Report Card during the 2015-2016 school year, about 6.3 percent of third-grade students are in the State charter schools. If that number is true across all grades, we are talking about a true hold-harmless provision with growth; we are talking about \$18 million to \$19 million to make sure the districts can get more money with the growth. That is CCEA's concern with the bill.

ROGER RAHMING (Deputy Superintendent, Business and Support Systems, Nevada Department of Education):

We are in the neutral position. We went through this bill working out some of the details of the cost. We believe there will be a fiscal note. We are working this out with the Governor's Finance Office (GFO).

As we walk through the bill, there are a couple nuances that are important for us to note. The student/teacher ratios that are in the bill are different than what the budget was built on and the Legislature-approved numbers from the 78th Session. The ratios are 21 to 1 for kindergarten; 17 to 1 for first and second grades; and 20 to 1 for third grade. In S.B. 459, it is 16 to 1 for kindergarten, first and second grades; 18 to 1 for third grade. Going through

that, we believe the fiscal note will be somewhere north of \$20 million. This is important information to bring to the table.

ASHER KILLIAN (Counsel):

The provisions in section 3, subsection 2, paragraphs (a) and (b), of the bill contain new language that would impose on charter schools the responsibility to post certain information on their Websites. That language mirrors the existing language of NRS 388.725 which imposes a similar requirement on public school districts informing about schools within the districts that receive variances for the class-size reduction.

CHAIR DENIS:

Mr. Rahming, you made the comment regarding a possible \$20 million fiscal note. If the school did follow the current class-size reductions statutes, would there still be a fiscal note?

MR. RAHMING:

That is correct.

CHAIR DENIS:

What would that fiscal note be?

MR. RAHMING:

I do not know. We will work out that detail. We were working with the GFO right before I arrived here today.

CHAIR DENIS:

If there are no further questions or concerns, I will close the hearing on S.B. 459. I will now open the hearing on S.B. 458.

SENATE BILL 458: Revises provisions relating to the development and operation of the statewide longitudinal data system. (BDR 34-331)

SENATOR MICHAEL ROBERSON (Senatorial District No. 20):

I am Michael Roberson representing Senatorial District No. 20, and I am here to present S.B. 458 on behalf of the Interim Legislative Committee on Education (LCE).

Among the many topics the LCE discussed were the duties of the P-20 Advisory Council. The Council was created in 2007 as a body to coordinate Nevada's education systems from early childhood through postsecondary with the workforce system. The work of the P-20W Advisory Council evolved over the years to become increasingly focused on the collection and use of longitudinal data across these systems and the related research. As a result, in July 2015, the Governor issued an executive order emphasizing this mission. Further, in a report issued in March 2016, the Council stated its core mission could be better managed by a committee organized specifically for this purpose.

The LCE received a recommendation from the Governor's Office and the P-20W Advisory Council calling to replace the Council with a new body that has a better-defined and limited mission specific to the coordination and management of the P-20 Advisory Council to Workforce Research Data System, also known as NPWR. In addition to being supported by the Governor's Office and the P-20W Advisory Council itself, the LCE unanimously supported this recommendation.

Here to present S.B. 458 is Dennis Perea, Deputy Director of the Department of Employment, Training and Rehabilitation, (DETR).

DENNIS PEREA (Deputy Director Department of Employment, Training and Rehabilitation):

I am Deputy Director of DETR and will provide a brief overview of what the Nevada P-20 to Workforce Research Data System (NPWR) is and how S.B. 458 fits into Governor Sandoval's overall workforce strategy. I will refer to my written testimony and proposed amendments ([Exhibit K](#)) and ([Exhibit L](#)).

I want to state for the record that NPWR does not store, track or collect individuals' data. It is purely a matching engine that matches data that currently exists and resides in other systems. It does not and cannot release personally identifiable information. It is purely a reporting tool.

MANNY LAMARRE (Executive Director, Governor's Office of Workforce Innovation for a New Nevada):

I am Executive Director of the Governor's Office of Workforce Innovation for a New Nevada (OWINN) and S.B. 458 is aligned with the Governor's Strategic Planning Framework. You have heard a number of people refer to workforce

development. There are two things that connect S.B. 458 to workforce development.

One of the goals in the Governor's Strategic Planning Framework is to increase the number of Nevadans with postsecondary credentials. This is relevant because now only 52 percent of Nevadans seek postsecondary education immediately after high school. We want that percentage to be 60 percent by 2025. The only way for us to move forward toward our goal is to have robust data.

We need to have robust data to look at outcomes of programs, correlations between different variables and more. The NPWR would provide this type of data.

We have a lot of robust data on K-12 and on economic development, but limited data on workforce development. I define workforce development as the intersection between education and economic development. With NPWR, we can look at employment patterns of individuals immediately after high school.

This data is not only helpful to policy makers and Legislators, but to the community and stakeholders. All of these groups can make informed decisions and determine which programs lead to positive outcomes in workforce development.

SENATOR GUSTAVSON:

Mr. Perea, you mentioned in section 4, subsection 1, about the data collection. You stated there would be no personal identifiable data released or dispersed. Is there any personal, identifiable information collected at this time, and if so, what would it be?

MR. PEREA:

This system is purely a matching engine. The data resides within the DETR system, the NSHE system and the K-12 system. All NPWR does is drag in information long enough to assign a unique identifier to those records, produce aggregated reports that do not have personally identifiable information associated with it, then purges and does not store the data further. It only brings in the data long enough to generate aggregated reports that do not release personally identifiable information.

CHAIR DENIS:

Are there other questions? We will now hear from those in support of S.B. 458.

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

I am Deputy Superintendent for Student Achievement at the NDE. There is not much to add to what the two gentlemen just shared. This work is important to our P-20W system to make sure we are setting up students for success as they transition into higher education and/or the workforce. We have been fortunate to work with OWINN, DETR and others as we work on our New Skills for Youth Grant. This grant will prepare Nevada students for college and career readiness.

A lot of the efforts within the strategic plan hinge on the availability of this data and the stewardship that OWINN will provide to many different governmental agencies to make informed decisions. For these reasons, we are encouraging this work and are happy to participate as it is being developed.

LINDA HEISS (Director, Institutional Research and Data Partnerships, Nevada System of Higher Education):

I am representing Nevada System of Higher Education and am the Director of Institutional Research and Data Partnerships. We are a partner in the P-20W Research Data System and strongly support this bill. The NPWR creates pathways and shows us the outcomes of those pathways. This allows individuals, policy makers, students and parents to make decisions about the pathways they wish to choose.

For example, we have looked at performance by diploma type. As the high school committees consider the diploma type, we have looked at variables that factor into the success of students who are in Science, Technology, Engineering and Mathematics (STEM) majors once they are in the university. We need more STEM majors, and we want to know what makes kids who want to go into STEM, successful.

There is a report generated from this system that shows the salaries for NSHE graduates at degree levels. For instance, within engineering technologies, kids receiving an associate's degree are making nearly as much as those with a bachelor's degree. For those students who might not be able to pursue a

bachelor's degree, an associate's degree may be within their reach. We have been able to do so much with the P-20W system.

I want to reiterate there is no personal data that anyone can access within this system. The personal data is purged. There is no way to see where someone may be employed or where someone is attending school. None of this information is available.

CHAIR DENIS:

Is there opposition to S.B. 458? Seeing none, is there anyone wishing to speak in the neutral position?

JOHN EPPOLITO (President, Protect Nevada Children):

I am a parent with four kids in public schools. I am a former teacher and president of Protect Nevada Children. We, in Protect Nevada Children, support the first sentence of S.B. 458 abolishing the P-20W Counsel. I have submitted my written testimony ([Exhibit M](#)).

VIRGINIA STARRETT (Protect Nevada Children):

I am Virginia Starrett and represent Protect Nevada Children. Previously, I taught college English at several colleges in California and at WNC. I am vitally involved in the educational system in our State.

It was a sad day when our State wanted to take on Common Core and also embraced the concept of using a statewide longitudinal data system. This would make it possible to share data, not immediately, but at some future time. I think the goal of those who wanted this system put in our State was to, in fact, have states share data on individual students at some point in time.

From my education-community reading, there seems to be a national movement, a giant movement, in fact, that is embracing big data as a vital part of fixing problems in the educational system. I find this movement very discouraging on two fronts.

The first is because of the degradation of student privacy in all its forms. It also degrades the emphasis on the role of the teacher as a professional in the classroom to deliver quality education. It substitutes big data for decision making that teachers normally make on a regular basis about their students, advice to their students and how to teach their students. It is dictating from afar

what should happen in a classroom. This is not good for the educational community overall.

Part of this bill seems to be aimed at receiving grant money, which I think was the original intent even in setting up the system. States love to suck money out of the federal government for programs the states want to employ because it improves their own economies, but this time it is at the expense of students and the classrooms. It was a mistake for us to have this system, and it is a mistake for us to interfere in educational pathways. I urge you to withdraw from the system altogether.

CHARLES TEACHOUT:

I am Charles Teachout, a retired WCSD teacher. I am concerned about the confidentiality of the student data. When I go to the hospital, I sign a consent for the release of my medical data to my doctors, which is part of the HIPAA legislation. I would suggest we are approaching the time when such legislation needs to be passed to protect our citizens against any kind of a misuse of personal data that is being accumulated. My sole concern about S.B. 458 is its potential; the potential of a database to be misused.

JIM FALK:

I am Jim Falk, a resident of Churchill County, and I am in opposition to S.B. 458. I have submitted my written testimony ([Exhibit N](#)).

JANINE HANSEN (Nevada Families for Freedom):

I am Janine Hansen, and I am representing Nevada Families for Freedom. I have served as the National Privacy Issues Chairman for the national Eagle Forum since 1999, and these issues of privacy for individuals has concerned us for a long time.

It is erroneous for us to hear today that this information does not have individually identifiable information because it does come in as individually identifiable information, and then at some point it is purged. However, all data is subject to hacking and abuse. We are concerned about that.

This is like a mini National Security Agency spying on all Americans, except we have approved it through the government schools for the most vulnerable of our students. It is absolutely Orwellian.

The public school districts have assembled a huge stockpile of information on our children in the name of better education. The data is vulnerable and contains not only names, addresses, grades, but specific personal details including religious affiliation, disciplinary status, household income, health records and more.

Once the data has left the school district's hands, there is no way to predict whose hands it may fall into. The Electronic Privacy Information Center stated students and families are losing control over sensitive information. Private companies are becoming repositories of student data, and data maintained by schools is far more extensive. I think the whole system is corrupt in tracking children and should be abolished. Parents have the right to know what information their school districts share with third parties.

If the federal government cannot protect the Defense Department and its databases, it is not probable the State of Nevada can protect this data from those who would like to abuse it.

JUANITA CLARK (Charleston Neighborhood Preservation):

I am Juanita Clark representing the Charleston Neighborhood Preservation, and we ask everyone to vote no on S.B. 458, especially our Governor who originally accepted it. I have submitted written testimony ([Exhibit O](#)).

Ms. SULLIVAN:

I am Angie Sullivan, and I want to talk about data from a teacher's standpoint. Twenty years ago I was in a union meeting and a data solution was presented to us as a way we could prove that funding was needed. Teachers allowed intrusion at almost every level in order to prove we needed money for English language learner kids, poor kids, special-needs kids, and others. At times, I wonder if data collecting did what we were promised it would do.

It seems data has become a weapon. A weapon to prove that teachers and kids are bad; a weapon to prove we need to destroy our public schools and go to a more competitive system. With that in mind, I worry about the amount of data. I know this is a longitudinal study, and it does not have identifiers.

In general, there are huge amounts of data being stored on kids. I am worried that this will be used as a weapon against kids and teachers. I am also worried about the kids in my community. As a social justice activist, I am concerned

about what I see in the system, the hacking I already see going on and how the data is being used against certain communities.

CHAIR DENIS:

Is there further testimony in opposition to S.B. 458? Is there testimony in the neutral position on S.B. 458? Seeing none, I will close the hearing on S.B. 458.

For those who have public comment, please come forward.

LINDSAY ANDERSON (Director, Government Affairs, Washoe County School District):

I am Lindsay Anderson representing the Washoe County School District (WCSD) with a good news minute.

The Procter Hug High School's Junior Reserve Officers' Training Corps (JROTC) Leadership Team has been invited to compete in the National Leadership Bowl Championship in Washington, D.C., in late June. This is the second consecutive year the team has received an invitation. Procter Hug High School is a Victory high school in the WCSD and one of 40 schools nationally that qualified to compete in the competition.

The competition creates tremendous opportunities for JROTC cadets by allowing them to demonstrate leadership and academic abilities. Each team receives an all-expenses-paid trip to the event. We are proud of our JROTC program at Hug High School.

BRAD KEATING (Clark County School District):

I am Brad Keating representing the CCSD. Principal Holly Ratliff and her team at C. T. Sewell Elementary School in Henderson have worked hard to turn the school around. The school was recognized as a 2017 America's Best Urban School by the National Center for Urban School Transformation. The school received a bronze-level recognition for the National Excellence in Urban Education award. This is the first school in our State to have been a finalist for an award and also to become a recipient. We are proud of Principal Ratliff and her team's dedicated work and accomplishment.

MS. STARRETT:

My biggest concern about the data collection that takes place in our State is the lack of stringent privacy rules. We do not have them. We tried to get them

passed in the 78th Session, and those concerns regarding privacy were removed from the bills prior to passing. I would hope some Legislator on this Committee would be concerned about the lack of good rules. There is very little protection from the federal level anymore. I hope our State will look out for our children, care enough about the data collection, and that a Legislator will try to get something done on the State level to protect our kids.

MR. EPPOLITO:

I am John Eppolito and would like to speak in reference to third party vendors. I have submitted public comment testimony ([Exhibit P](#)).

MR. FALK:

I am Jim Falk from Churchill County. This is something I told the School Board in Fallon at a regular meeting. You may be familiar with J.D. Salinger's novel *Catcher in the Rye*. I want to describe a scene in the book. Two 15-year-olds, Holden and his friend, Phoebe, are talking. Phoebe asks, "Holden, if you could do anything with your life, what would it be?" Holden answers, "I see myself in this huge field of rye with children playing all around. Running, jumping, wrestling and there is a precipice at the edge of the field. I am close to the precipice and my job is to watch that the children do not go over the edge."

I told the Fallon School Board, "I look upon you as catchers in the rye, but sometimes I do not think you are really up to the challenge." Today, I am asking you, the Senate Committee on Education, "Are up to the challenge regarding Nevada's children?"

MS. CLARK:

I am Juanita Clark for Charleston Neighborhood Preservation. I have been told that when we use computers, our eye movements are better identification than our fingerprints. That is being put with the data of our children. Thank you.

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CHAIR DENIS:

Is there further public comment? If there is no further business, I will adjourn the meeting at 7:25 p.m.

RESPECTFULLY SUBMITTED:

Shelley Kyle,
Committee Secretary

APPROVED BY:

Senator Moises Denis, Chair

DATE: _____

EXHIBIT SUMMARY				
Bill	Exhibit / # of pages		Witness / Entity	Description
	A	2		Agenda
	B	13		Attendance Roster
S.B. 20	C	3	Todd Butterworth	Work Session Document
S.B. 301	D	1	Todd Butterworth	Work Session Document
S.B. 313	E	1	Todd Butterworth	Work Session Document
S.B. 496	F	1	Todd Butterworth	Work Session Document
S.B. 310	G	30	Crystal Abba / Nevada System of Higher Education	Year One Results for the Silver State Opportunity Grant
S.B. 391	H	3	Magdalena Martinez / University of Nevada, Las Vegas	Written Testimony
S.B. 391	I	4	K.C. Brekken / College of Southern Nevada	Proposed Amendment
S.B. 391	J	1	Terri Janison / United Way of Southern Nevada	Written Testimony
S.B. 458	K	3	Dennis Perea / Department of Employment, Training and Rehabilitation	Written Testimony
S.B. 458	L	1	Dennis Perea / Department of Employment, Training and Rehabilitation	Proposed Amendments
S.B. 458	M	2	John Eppolito / Protect Nevada Children	Written Testimony
S.B. 458	N	1	Jim Falk	Letter of Opposition
S.B. 458	O	2	June Ingram / Charleston Neighborhood Preservation	Letter of Opposition
	P	4	John Eppolito / Protect Nevada Children	Written Testimony

