

**MINUTES OF THE  
SENATE COMMITTEE ON EDUCATION**

**Eightieth Session  
May 8, 2019**

The Senate Committee on Education was called to order by Chair Moises Denis at 1:30 p.m. on Wednesday, May 8, 2019, in Room 2134 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to Room 4412E of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

**COMMITTEE MEMBERS PRESENT:**

Senator Moises Denis, Chair  
Senator Joyce Woodhouse, Vice Chair  
Senator Dallas Harris  
Senator Marcia Washington  
Senator Scott Hammond  
Senator Ira Hansen  
Senator Keith F. Pickard

**GUEST LEGISLATORS PRESENT:**

Assemblywoman Alexis Hansen, Assembly District No. 32  
Assemblywoman Brittney Miller, Assembly District No. 5  
Assemblywoman Selena Torres, Assembly District No. 3

**STAFF MEMBERS PRESENT:**

Jen Sturm, Committee Policy Analyst  
Risa Lang, Committee Counsel  
Linda Hiller, Committee Secretary

**OTHERS PRESENT:**

Jason Trevino, Chief of Police, Washoe County School District  
Lindsay Anderson, Washoe County School District  
Dan Musgrove, Chair, Clark County Children's Mental Health Consortium  
Sarah Adler, Charter School Association of Nevada

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Sylvia Lazos, Law Professor, William S. Boyd School of Law, University of Nevada, Las Vegas; Nevada Immigrant Coalition  
Renee Fairless, Principal, Mater Academy of Nevada  
Chris Daly, Nevada State Education Association  
Jenny Hunt, Director, Mariposa Academy  
Lesley Pittman, American Federation for Children  
Felicia Ortiz, Member, State Board of Education  
Amy Gronna, Principal, Mater Academy Bonanza  
Sehany Garibay Zepeda  
Andrik Cano  
Sarah Ochoa  
Santiago Gomez  
Sol Avalos, English Language Coordinator, Mater Academy of Nevada  
Santos Torres, English Language Interventionist, Mater Academy of Nevada  
Karen Aguilar  
Diana Higareda  
Natalie Lopez  
Santiago Veve  
Santiago Gomez  
Natha C. Anderson, President, Washoe Education Association; Nevada State Education Association  
Tom Dunn, District Vice President, Professional Firefighters of Nevada  
Mike Ramirez, Las Vegas Police Protective Association; Nevada Law Enforcement Coalition  
John Piro  
Kendra Bertschy

CHAIR DENIS:

I will open the meeting of the Senate Committee on Education with a work session on three bills. We will not be hearing Assembly Bill (A.B.) 205 today.

**ASSEMBLY BILL 205 (1st Reprint)**: Makes various changes concerning pest management in public schools. (BDR 34-844)

I will open the work session hearing on A.B. 258.

**ASSEMBLY BILL 258 (1st Reprint)**: Makes changes relating to the provision of special education in public schools. (BDR 34-760)

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JEN STURM (Committee Policy Analyst):

This bill was presented in Committee by Assemblyman Thompson on April 29. There were no amendments or testimony in opposition to the bill. I have submitted the work session documents ([Exhibit C](#)).

SENATOR WOODHOUSE MOVED TO DO PASS A.B. 258.

SENATOR HAMMOND SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

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CHAIR DENIS:

I will open the work session hearing on A.B. 427.

**ASSEMBLY BILL 427 (1st Reprint)**: Revises provisions governing the tuition charges, registration and other fees assessed against certain students within the Nevada System of Higher Education. (BDR 34-894)

Ms. STURM:

This bill was presented in Committee by Assemblyman Flores on April 29. There is one amendment and there was no testimony in opposition to the bill. I have submitted the work session documents ([Exhibit D](#)).

CHAIR DENIS:

Does the amendment turn the program to a last-dollar grant?

Ms. STURM:

Yes.

SENATOR WOODHOUSE MOVED TO AMEND AND DO PASS AS AMENDED A.B. 427.

SENATOR HAMMOND SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

\* \* \* \* \*

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CHAIR DENIS:

I will open the work session hearing on A.B. 462.

**ASSEMBLY BILL 462 (1st Reprint)**: Revises provisions relating to charter schools. (BDR 34-1090)

MS. STURM:

This bill was presented in Committee by Assemblyman Thompson on April 29. There were amendments proposed by Assemblyman Thompson and no testimony in opposition to the bill. I have submitted the work session documents ([Exhibit E](#)).

CHAIR DENIS:

Senator Hammond had a concept we discussed at the last meeting that is now a proposed amendment.

SENATOR HAMMOND:

Yes, Assemblyman Thompson and I discussed it and he said he was willing to talk about it. All we are doing is changing section 3, subsection 4, lifting the words "shall collaborate with" so it would read, "The Authority, the Department and each board of trustees of a school district in this State shall collaborate in developing the plan pursuant to subsection 1".

CHAIR DENIS:

Your concept is that you want everyone to have some skin in the game for the plan. Is that correct?

SENATOR HAMMOND:

Yes, and making sure they come to the table.

CHAIR DENIS:

What if someone does not participate?

SENATOR HAMMOND:

The idea was that we make sure the Authority gets this done. In reality, there has to be compliance from the others. By putting them all under "shall collaborate", whatever penalty that might be levied against the Authority would be levied against the absent stakeholder from that group. We want everyone to show up. Assemblyman Thompson made a point when he said he did not think

there would be a problem. I agree, there should not be a problem, since all the stakeholders want to try and alleviate this issue.

SENATOR PICKARD:

If someone does not participate, can we say "shall make a good faith effort"? Admittedly, I made that suggestion to Assemblyman Thompson and he wanted it to be more concrete and more of a mandate. I agree with that. I wanted to make everyone aware that we explored that and he wanted it to be a strong mandate so that is why we suggested this language.

CHAIR DENIS:

Ms. Lang, does the amendment fit the discussion we just had? Does it require everyone to have skin in the game and also that there are equal repercussions for failing to participate?

RISA LANG (Committee Counsel):

Yes, I think the suggested language will work and give the message that all the stakeholders are supposed to collaborate on this issue.

CHAIR DENIS:

Any questions on the proposed amendments?

SENATOR PICKARD:

I am wondering if we can see a mock-up of the conceptual amendment before we vote. Is that not likely to happen with respect to the workload in the Legal Division right now? I do not want to vote "no" and reserve my right to change my vote on the Senate Floor, because I actually believe in this bill. But I would feel more comfortable if I saw the language because I am nervous about the breadth of the conceptual language. Can we delay the vote to get that mock-up?

CHAIR DENIS:

At this point, I do not know if I want to wait. We will get the bill back before it gets to the Senate Floor.

SENATOR PICKARD:

If we cannot get it quickly, I can always vote "yes" to get it out of Committee and consider it again on the Senate Floor. I just hate to make these debates on

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the Floor when it is more appropriate to do it in Committee where we have the people who have been looking at it the longest.

CHAIR DENIS:

I would prefer to do it today.

SENATOR PICKARD:

I have a question about the third bullet point on page 3 of [Exhibit E](#) that requires the State Public Charter School Authority to be constrained to geographic locations based on the school location. We discussed this during the hearing on April 29. We have public schools in the Clark County School District (CCSD) that share a boundary line and they are two separate elementary schools.

My concern is that the language should not make it more difficult for a charter to find the ideal location based on their economic realities. Charter schools do not get the capital funds that ordinary schools get. They are constrained to what they can raise because of the price of land, etc. Since that is one of the initial controlling features for a charter school, I want to make sure that charters can make a realistic evaluation of a site in light of the proximity to other schools and other factors.

That is why I am nervous about language. If the language makes it so the charters are not constrained by the whims of the district, I will be fine with it.

CHAIR DENIS:

The important thing is that they are communicating with each other so they can avoid that issue. In the hearing, we talked about the traffic situation.

SENATOR PICKARD:

I agree, but I want to ensure that the language gives the schools a de facto veto.

SENATOR WOODHOUSE:

I remember when Assemblyman Thompson presented this bill. He was passionate about it and he worked very hard on the amendments. I would like to see us move this bill forward with his amendments and see how it works. If we need to do something in the future, we can.

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CHAIR DENIS:

I think that is the intent. I just wanted to make sure we got all the outstanding questions on the record.

SENATOR WOODHOUSE MOVED TO AMEND AND DO PASS AS AMENDED A.B. 462.

SENATOR WASHINGTON SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

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CHAIR DENIS:

That is with both Assemblyman Thompson's amendments and Senator Hammond's amendments, correct?

SENATOR WOODHOUSE:

Yes.

CHAIR DENIS:

I will close the work session and open the bill hearing on A.B. 378.

**ASSEMBLY BILL 378 (2nd Reprint)**: Makes various changes relating to the transportation and admission of certain persons alleged to be a danger to themselves or others to certain facilities or hospitals. (BDR 34-711)

ASSEMBLYWOMAN ALEXIS HANSEN (Assembly District No. 32):

Before I begin my presentation on A.B. 378, I am honored to have been here to see you pass Assemblyman Thompson's bill just now. I sit on the Assembly Committee on Education and as a freshman legislator, Chair Thompson has been very thoughtful to those of us with concerns about the original language. He worked with us as well as with the stakeholders. He taught me a lesson in leadership and I greatly appreciate that example and his thoughtfulness.

Assembly Bill 378 has been a process. It pertains to the evaluation, observation and treatment of young people who may be a threat to themselves or others. Many stakeholders have been involved in this bill and I have learned a great deal

from people who care about the children in Nevada. Today, this bill has been worked and tweaked and I hope it satisfies all parties concerned.

Assembly Bill 378 is intended to create consistency among the school districts in handling cases in which a student needs to be immediately transported for a mental health evaluation. School districts within our State are treating students who need an immediate mental health evaluation in different ways. While some districts are using existing statute to transport students, other school police officers are facing resistance from facilities that do not want to provide the emergency mental health evaluation of a minor.

This bill creates consistency by making an important clarification. In the case of an application for emergency admission, a parent or legal guardian does not need to consent to the admission in order for the admission to take place.

To accommodate concerns raised when the Assembly considered this bill, two new sections were added. Section 2.2 requires a person other than a parent or guardian who applies for emergency admission of a minor to attempt to obtain that consent when practicable. Section 2.5 requires a mental health facility or hospital to notify a parent or guardian within 24 hours of the emergency admission of a minor.

This bill also requires the Department of Education (NDE) model plan for the management of a suicide or crisis to include a procedure for responding to a student deemed to be in need of a mental health evaluation. The procedure must include plans for utilizing mobile mental health crisis response units and transporting students for emergency admission. In crafting A.B. 378, I wanted to be extremely careful in protecting the rights of parents while providing the clarity needed to ensure that students who need immediate treatment are transported for evaluation, even in cases where the student's parent is unable or unwilling to provide consent for that evaluation.

Under existing law, an application for emergency admission of a person alleged to have a mental illness may be made by a spouse, adult child, legal guardian, a law enforcement officer or agent of the Department of Health and Human Services, a physician, physician's assistant, psychologist, marriage and family therapist, clinical professional counselor, social worker or a registered nurse. An application for emergency admission must include a certificate completed by a psychologist, physician or certain other behavioral healthcare providers stating



that the health professional has examined the person and concluded that he or she has a mental illness and because of the illness is likely to harm himself, herself or others. The process utilized to access this treatment is not undertaken lightly, and only certain highly qualified individuals are allowed to make the application for emergency admission. None of this is being changed in A.B. 378. I have submitted a friendly draft amendment ([Exhibit F](#)).

JASON TREVINO (Chief of Police, Washoe County School District):

This issue is very near and dear to my heart. I have been dealing with this for 13 years since I have been at the Washoe County School District (WCSD) and dealing with juveniles. Parental consent is our first and preferred option in these cases. We would always prefer to work with the parent and have them assist us in getting help for their child.

In the cases where we cannot get parental consent, that is where we reach a stumbling block. Oftentimes, when talking about school safety, the first thing that comes up is the physical security of a building; doors, locks, single points of entry, etc. Arguably, though, mental health is a critical factor in school safety. We have seen it across the Nation where the examination of instances of violence reveal that mental health was the crux of the problem with the perpetrator(s). Untreated, this can lead to horrific events down the road, which is what we are trying to prevent.

What is often overlooked is the fact that the parent may be the reason for the child being suicidal or homicidal in the first place. By not allowing us to have that child seen because the parent does not give us consent puts us in a bad spot where the parent is possibly trying to protect his or her own interest. I speak from experience on this. For years, I gave a horrible example that I wished would never come true. But it did.

We had a SafeVoice tip that came in of a possible school shooting that was to occur. On investigation, we were able to intervene and meet with the female student and a parent. We were able to keep that student out of school while the school was supposed to work with the parent. In the meantime, we had a frantic phone call from the mom that her daughter had tried to kill herself and was on the way to the hospital. It turned out she was homicidal because of her suicidal ideations and wanting to end her own life. In planning her suicide, she decided she would take some key people with her when she died. Ultimately, the root cause of all this was because she was being sexually molested by her

father. This is an example I have given for years to illustrate why we need this law in place to allow these children to be treated without the consent of a parent. I used it as a hypothetical and unfortunately, it came true.

I am currently dealing with a similar case where the parent is refusing to work with us to have their child seen. The majority of the time, parents do want to work with us, but it is these outlier cases where we have to make sure that a child is safe and protected from themselves, and that the other children are safe as well. What is hard to live with is when you look at these instances and then in hindsight someone says, "Yeah, we saw that coming; there were all these issues but nobody could do anything." I do not want to be in that position where I have to tell parents that I could not protect their child. That is where the heart of this bill and the clarification comes from. We want to have equal protection for all our children across the State.

Currently, if we have a school threat, we make contact with the student and parent. Usually, the child will be kept out of school at that point. We will then do everything we can to get consent from the parent to get their child treatment. There is nothing that requires us to do a transport to a treatment facility, but at WCSD we will do it and not charge the parent. That is, if the parent consents.

If the parent does not consent, we are hamstrung to the point where we are so concerned for the liability of WCSD and my police officers that we had our legal counsel come up with a release form for parents to sign saying they have been advised that their child or their minor has presented suicidal or homicidal ideations and they are refusing treatment.

SENATOR PICKARD:

Until I saw this bill, I did not realize how big a problem this is. I have seen the mental health issues with our youth over the past many years. I thought we were already doing this, because we already allow this on the medical side. This is critically important. In the presentation, you mentioned the professional signing a certificate of a "mental illness". I wonder if that could be better stated as a "mental health crisis" because in the first iteration of the bill and subsequently, we dealt with that distinction.

ASSEMBLYWOMAN HANSEN:

Yes, we are open to making that language switch. We talked about it. I want to clarify that the first process the school district will do if there is a suicidal student at a school is to try and deal with that issue with the school's support systems by using mobile crisis units when possible. This emergency admittance is a last resort; it is a safety net we have not had before.

SENATOR PICKARD:

I think that is an important distinction to make. Suicide does not necessarily mean mental illness. It means someone is facing a crisis. This is important because of the subsequent and severe issues that can arise from a mental illness diagnosis. I would also love to be included as a cosponsor of this bill.

ASSEMBLYWOMAN HANSEN:

I would be happy to add you.

SENATOR HANSEN:

Can you elaborate on why this needs to be Statewide? Apparently what Washoe County was doing is substantially different than Clark County. Is that true?

MR. TREVINO:

Yes. We have been dealing with this in Washoe County for several years. I happened to be at a meeting with the CCSD Chief of Police, James Ketsaa, a couple years ago where we were discussing our work in school district law enforcement. I mentioned to him how crazy it was that we could not do an emergency admittal on a juvenile. He looked at me and said, "What are you talking about? We do a couple of those every week."

It turns out that in Clark County they treat juveniles the same as adults because the law states, "any person" and does not distinguish age. For them, it is not their first choice to do it that way, but it is an option they have to ensure that students in crisis get the treatment they need. We could not get any traction on this issue for years here, but we did not know that CCSD was already doing it. The rest of the State is also not doing it, so that is why we want it Statewide. In Clark County, they have arguably headed off incidents by being able to get these juveniles the treatment they needed. We are thankful we have not found ourselves in a bad situation in Washoe County up to this point. That is what we are trying to prevent.

CHAIR DENIS:

I will take testimony in support of A.B. 378.

LINDSAY ANDERSON (Washoe County School District):

We support this bill and we are blessed to have Chief Trevino working for the WCSD. We trust him with so many things and this is an important piece of legislation.

DAN MUSGROVE (Chair, Clark County Children's Mental Health Consortium):

The Clark County Mental Health Consortium that I chair has not had a chance to vote on this bill as it was presented today. We had a great deal of discussion at our last two meetings on this issue. We have been dealing with this issue for a long time because of what we understand was a district attorney interpretation in Clark County, and Washoe County obviously interpreted it differently.

Assemblywoman Hansen has shown that she is willing to listen to a lot of frank talk about the disparate opinions on this bill. Kids have to be treated differently than adults because there are parents and guardians involved. One of the things this bill does is look at the situation and tries to address it differently than how we treat adults with Legal 2000 or L2K, as it is commonly known. That defines an emergency certification of a mentally ill individual for admission to a mental health facility.

My first discussion with Assemblywoman Hansen introduced her to mobile crisis, which is what we try to do first. The last thing we want to do is put a child in a hospital because it makes a mental health crisis that much more traumatic. The more we can do to mitigate that as the last resort, the better off we are. We need to put this in place and then watch it. We need to be treating kids consistently across the State, doing what is in their best interest. I hope this bill is a good first step. I am measured in my support, speaking for myself as someone who has worked in mental health since I have been in this building.

SARAH ADLER (Charter School Association of Nevada):

We appreciate all the work on this bill and the amendment to section 1, subsection 2, paragraph (e), which references reaching out to mobile crisis first. We took this to our Charter School Association of Nevada (CSAN) policy task force and indeed charter schools also have had the experience where they needed to be able to assist a child through transport when parents were not available. For this reason, CSAN supports A.B. 378.

ASSEMBLYWOMAN HANSEN:

The whole purpose of this bill is to protect children. It is a different day and age than when we were in school. Today's children face things we never had to face. Schools do not want to be in the business of mental health, but unfortunately we are dealing with many crises today.

CHAIR DENIS:

Seeing no testimony in opposition or neutral, I will close the hearing on A.B. 378 and open A.B. 219.

**ASSEMBLY BILL 219 (1st Reprint)**: Makes various changes relating to education. (BDR 34-673)

ASSEMBLYWOMAN SELENA TORRES (Assembly District No. 3):

This bill proposes several changes to English Language Learner (ELL) programs and instruction. I have submitted a statement of intent and purpose for A.B. 219 ([Exhibit G](#)).

I am a high school teacher. Many of our schools offer different ELL programs, which means that children in different schools can receive different ELL programs of instruction. I am passionate about ensuring that every ELL student has access to quality instruction.

Assembly Bill 219 came out of a contact I had with a young gentleman named Kevin who could not be here today. He was born in the U.S., raised in Mexico and then came back to the U.S. at the age of 16. Unfortunately, Kevin did not have access to the same quality of ELL instruction as other students have, nor did he have access to a newcomer program or to bilingual classes like other schools offer. There were many teachers who did not want to ensure that Kevin had the tools he needed to be successful. His story ends happily, however, as this fall he is slated to start school as an engineering student at the University of Nevada, Las Vegas on a full ride scholarship. If we ensure that students like Kevin have the education they deserve, they will be successful contributors to our community.

For those who do not know, ELL stands for English Language Learner. An ELL student is one whose native language is not English. As a teacher, I have had students in my class from Brazil, Congo and Europe. Not all ELL students speak a single language; they speak a variety of languages. There are different tiers of

ELL: newcomers; short-term, which are students who have been here for their first three years; and long-term, which are students who have been here up to five or seven years who are still acquiring language.

We are all constantly acquiring language and each student can have a different level of acquisition. As educators, how we instruct the students will be different based on where the students are in their language acquisition. We test where they are using the World-Class Instructional Design and Assessment (WIDA). It tests the student's literacy in English. It does not mean they are not literate in a different language; it just tests their literacy in English for reading, writing and speaking. Students who are ELL can thrive when given the appropriate supports. As a Legislature and as a State, we have the responsibility to ensure that our students have the supports they need to be successful learners.

SYLVIA LAZOS (Law Professor, William S. Boyd School of Law, University of Nevada, Las Vegas; Nevada Immigrant Coalition):

The Every Student Succeeds Act of 2015 (ESSA) replaced the No Child Left Behind Act of 2001 (NCLB). It is the improved version of NCLB with the same basic idea. Much of what we are presenting here is bipartisan at both the local and federal level. What ESSA is trying to do is close the achievement gaps. It states that every state must look at those demographic groups that are protected under law; ELL being one of those groups. The law also directs states to understand why these groups are lagging behind their peers in student achievement. It requires our ESSA plan, which in Nevada is one of the better state plans, to have an improvement action plan for closing the achievement gaps. Assembly Bill 219 fits in nicely, both with the ESSA plan and with our past policy that started in 2013 to close those gaps under our own State law. I have submitted written testimony ([Exhibit H](#)).

ASSEMBLYWOMAN TORRES:

Looking at page 4 of my presentation ([Exhibit I](#)), the proficiency gaps are in subjects including math and science that do not necessarily require knowledge of the English language. Those same gaps for ELL students are seen in the scores on the American College Testing (ACT) program. At the bottom of the chart on page 5 of [Exhibit I](#), the blue arrow highlights the ELL students who are 3.2 percent proficient compared to the CCSD baseline of 44.5 percent and the Asian student proficiency of 67.8 percent in 2018. The ELL students score the lowest of all the subgroups. This is not because ELL students do not have the possibility to achieve; it means that we are doing something wrong in Nevada.

The same proficiency gap for ELL students shows up in math as seen on page 6 of [Exhibit I](#), and in science, page 7. We need to ask ourselves how the Nevada Legislature can help our high school students. What can we do to ensure that our ELL students are able to achieve and be positively contributing members of our community?

One thing we can do is to collect data, page 12, [Exhibit I](#). School districts should be required to collect data for ELL student achievement on assessments and State tests. This data is needed for comparison and for how our ELL students are doing. We have this data already, but the Legislature is not receiving it. We need this data and districts need to post it online, not only to tell where we are failing our ELL students, but where we are doing well with them. That is part of [A.B. 219](#).

Schools that do not show significant growth with their WIDA results need a corrective action plan (CAP) as seen on page 13 of [Exhibit I](#). This would include a school identifying the issues, recognizing the low achievements in growth for language acquisition and developing a strategy for improvement. The bottom 30 percent of public schools in the State should be completing this CAP.

Schools should also provide notice to the families that their school is on a CAP and that they may receive a zone variance to attend a school not on a CAP. The zone variance would not include transportation so it would not cost the district additional money. Additionally, schools could only accept students on a zone variance if they had the space.

Finally, the Legislative Committee on Education would be notified about the number of schools on a CAP as well as the progress of those schools on their CAP. This would help the Legislature make legislative decisions that are evidence-based and driven in research. One of the most frustrating things to me as a freshman Legislator is that we have a hard time acquiring certain data for ELL students. We need the data collected as a State so we can create policy changes that make sense for our student populations.

We also need ELL testing accommodations that require the NDE to provide ELL students with ELL supports available for State testing. Our End of Course (EOC) exams, the Smarter Balanced Assessment Consortium (SBAC) and the ACT exam are the State required tests in kindergarten through twelfth grade (K-12). Those tests have ELL accommodations and ACT offers them, but we do not

provide them to our students. That is not just. We do not allow for our students to achieve because we do not provide them the support they need. These are supports that are already available through these testing assessment groups. I have submitted supplemental material that document what other states are doing ([Exhibit J](#)). Among the supports offered to ELL students taking these assessment tests are more time to take the test, a translation of the test, the use of a dictionary, etc. The important thing is that we must allow these students a chance.

The Teacher Education Assistance for College and Higher Education (TEACH) Grant is a federal grant given to individuals who will be new teachers in Nevada. These teachers should receive an endorsement ELL or special education. This is supported by the findings of the English Mastery Council of NDE. There will be an amendment to A.B. 219 regarding the TEACH Grant. Currently, those teachers would still be required to get a K-12 or early childhood education degree as well as the endorsement in ELL or special education. In the amendment, we would like to give permissive language to the board of trustees of a school district to identify and purchase an assessment of literacy for students who are ELL by the school district.

This way, school districts would have permissive language to purchase assessment tools that measure literacy and not language knowledge. As a teacher, I could measure whether or not a student is literate in their native language instead of giving them an assessment that tests their English. As an educator, it does not help me to know that a student does not know English; I want to know what the student does know. That will determine how I will instruct them.

RENEE FAIRLESS (Principal, Mater Academy of Nevada):

I am the Principal of Mater Academy, which is a State public charter school. Two years ago when my school data came in and I saw how terrible it was, I tried to figure out what variables I could or could not control as a new charter school principal. The first thing I did was to look for comparative data from surrounding schools to see how we compared to them. It turned out we were all in the same bucket. It did not look good at all.

I looked beyond our school to see what other states were doing to see what we are doing wrong in our State. The fastest growing demographic in Nevada is our Hispanic population and our ELL students. I figured there must be something we



could do differently. I discovered that 25 states provide accommodations in a student's native language, [Exhibit J](#), for tests and assessments. I also discovered that the SBAC provides accommodations to ELL students as a package when the test is purchased. I went in front of the State Board of Education (SBE) to get information. I remember Board member Felicia Ortiz said to me, "We have been waiting for you." I told her, "I am waiting for people who are smarter and more powerful than me." I was told it would take a legislative change to accomplish the change we want and here we are today, knowing that this is where we are in education.

I submitted a graph ([Exhibit K](#)) that shows some of the elementary school data for CCSD. The schools on the graph are from the east side of Las Vegas. They are all below the blue vertical line in the middle of the graph, which is the proficiency for Caucasian students at CCSD, a little over 40 percent. The gray vertical line on the graph is the proficiency rate for ELL students, a little over 20 percent, and most of the schools there are below that 20 percent.

Some schools, including Mater Academy and Ruben P. Diaz Elementary, are exceeding the growth for ELL students. We are above the State medium line, the green horizontal line. We are doing our job and growing these students in their language development, but they are not proficient. A third grader's English Language Arts skills are measured twice because you cannot measure growth for a third grader when it is the first time they are testing.

Some of the things we are doing seem counterproductive to ESSA, our federal law, which by definition aims for every student to succeed. As a principal, I am here to tell you that the fiscal responsibility of this should be zero. I have contacted Data Recognition Corporation (DRC) which oversees assessment tests and testing, asking over and over again the same questions. They have told me that the SBAC has what they call embedded assessments and 25 states already provide these accommodations to their schools. Yet, DRC, which is our vendor, has not provided them. If I was a contractor building a house and the contractor I hired could not build my house, I would probably be looking for a new contractor.

The bottom line is, these are accommodations that are there and will benefit our students. This is something we have to do. I keep hearing that we want to be the fastest improving state in education. How can we, when we are not even comparing ourselves to other states that are doing the same things for the same

population? Listen to our students and think about what it must be like to be on the east side of Las Vegas and to be told you are a failing school with failing students and a failing demographic over and over again, and you cannot speak the language.

Ms. LAZOS:

We have done a great job with the Zoom and Victory schools, getting it right in the kindergarten through fifth grade area. Because of funding, we have not been able to expand these school categories sequentially to get to the high school students. This bill, A.B. 219 deals with a big gap in our education policy that a freshman Assemblywoman, Selena Torres, has honed in on. A CAP and the WIDA growth percentile is the way NDE judges who is a good performer and who is not a good performer with Zoom schools. We are using a framework already developed by the experts at NDE to figure out who could do a little bit better.

Adding the CAP uses a tool that has been proven to work. When NDE enters into a CAP with a Zoom school for that year when they determined they are not performing as they should, every Zoom school improves because focus, planning, conversation and dialogue help the bottom performers get better. Our high school kids are lagging in the ACT scores. These gaps should not be this large. If we want to improve as a State, and give every child an opportunity as we say we do, and if all our policies say that, we need to address why these ELL gaps are so large, particularly in high school.

SENATOR HAMMOND:

As an educator, I have administered the WIDA test and given the SBAC test. Time and time again we hear that we are not as good as other countries; most of the time it is Finland. The reality is, the population in Finland mostly all speak the native language there; only about 4 percent speak a different language. In contrast, our U.S. population is around 34 percent non-native English speakers. When I would give the WIDA, I would notice there were some students who could not read or write in either English or their native language. The WIDA would not show that because it only tests in English, so we are not giving the proper services to the student or being able to inform the parents about what is needed for their student. Is there a different test besides the WIDA that we could give in the native language of a student?

ASSEMBLYWOMAN TORRES:

Yes, that is what the conceptual amendment will address. It would authorize the board of trustees from a school district to identify and purchase assessments of the literacy of students for being ELL. There are a variety of companies that provide those types of services. I want to leave it to the discretion of the school districts and NDE to approve those types of programming for purchase.

SENATOR HAMMOND:

There will be people asking why we are doing this in a person's language. Frankly, a lot of people blame educators and school districts for not educating kids. The reality is, we are educating, but you cannot prove it with our current system. If we really want to know what our population can and cannot achieve, we have to do something like this. Statistics will bear us out. You talked about getting more data. I think we would learn that students of Asian descent would do better than Caucasian children, who would do better than Latino children, who would do better than African American children, etc. I think we need to go further in the weeds because a lot of people do not know that kids of Asian descent do better in our schools in the U.S. than they do in some of the schools in their own country.

ASSEMBLYWOMAN TORRES:

Yes, that is why we need to be giving the SBAC, EOC and ACT tests to get accurate data. Additionally, we have to remember that the ACT is a college entrance exam and if a student does well on that, maybe he or she can get scholarships or have more opportunities for higher education. It is a way for us to open doors for our students.

We have been working on the amendment with the Legal Division and stakeholders. I will make sure it comes to the Committee at our earliest convenience.

CHAIR DENIS:

In your presentation, you spoke of the lowest 30 percent in connection to the CAP. Can you define what you are referring to there?

ASSEMBLYWOMAN TORRES:

Section 1.2, subsection 1 of A.B. 219 states, "statewide system of accountability for public schools, was rated in the lowest 30 percent of public

schools in this State in the achievement of pupils who are English learners". It is very specific and that language is concise and clear for the NDE.

CHAIR DENIS:

I want to make sure I am clear on this. What is it that you are rating in the 30 percent?

Ms. LAZOS:

This is the same metric that is used for Zoom schools. If one school is doing great and another one is doing poorly and the 50th percentile is right in the middle, the NDE is saying that only the schools doing poorly, below the 50th percentile, will need some kind of improvement plan. The 50th percentile is the middle of where all the schools in the district are in terms of their growth in the ELL achievement area.

CHAIR DENIS:

Are they using the WIDA scores for that?

ASSEMBLYWOMAN TORRES:

Yes.

CHAIR DENIS:

So it is 30 percent of the kids who are scoring lowest on the WIDA. Is that correct?

ASSEMBLYWOMAN TORRES:

Yes. Out of 100 schools testing the WIDA, the schools in the bottom 30 percent of growth are what we are talking about.

CHAIR DENIS:

I assumed that, but it did not say that so I wanted to clarify for the record. I will take testimony in support of A.B. 219.

CHRIS DALY (Nevada State Education Association):

We supported A.B. 219 in the Assembly Committee on Education and we continue to support it as the bill provides accommodations necessary to address achievement gaps for ELL students.

JENNY HUNT (Director, Mariposa Academy):

I support A.B. 219 and thank Assemblywoman Torres for her advocacy. At Mariposa Academy in Reno, we support 200 learners and 80 percent are ELL students. The federal bill, ESSA, set forth expectations for students to access accommodations as identified by data specific to WIDA for testing. This federal guidance should not be negotiable for our learners. If we want to be the fastest improving state, we need data sources that authentically tell the stories of our learners. Meeting the needs of all learners in our State mandates supports, accommodations and diversity that meet their needs. We provide supports for other learners in our State in compliance with the Individuals with Disabilities Education Act and even colleges provide these supports for learners. We owe it to our students to give them an opportunity to truly demonstrate their content knowledge.

LESLEY PITTMAN (American Federation for Children):

We support A.B. 219, specifically sections 1.2 and 1.3 which allow high school ELL students to seek our alternate public schools if their current school is determined inadequate for their learning needs. This bill provides ELL students and their parents that important option if their current school is underperforming.

Ms. ADLER:

We support A.B. 219. By using the tools, accommodations and supports that are built into the SBAC, we can help kids understand that they are succeeding and they can do better. School climate is important in overall achievement and if kids can see that they are learning, that affects the school climate and lifts the whole boat.

FELICIA ORTIZ (Member, State Board of Education):

I am so grateful this is coming to fruition. I have asked this question several times at the SBE, where I am a member. The answer has been that we cannot do that. I think that is an excuse, because our children are completely capable and, in many cases, completely literate in their native language. When we were reviewing the EOC exams, I asked whether we could have students take the written English portion in their native language. The answer was "No, if they write it in any language other than English, they get a zero." That was unacceptable to me. Some of our students could probably write a dissertation in their native language. Not writing in English does not mean they are incapable and should not pass these exams.

Nevada is one of the states that offers a seal of bi-literacy. For students who are literate in more than one language, they can get this seal on their diploma. We need to publish this more and make students aware of it. I support A.B. 219 and am pleased it has finally come forward.

AMY GRONNA (Principal, Mater Academy Bonanza):

I support A.B. 219 because it can take up to 7 years for a student to reach proficiency in a second language. My school in Las Vegas has more than 60 percent ELL students and we need to make testing more equitable for our students. I have submitted my written testimony ([Exhibit L](#)).

SEHANY GARIBAY ZEPEDA:

I moved to Las Vegas two years ago from Michoacán, Mexico. I am 12 years old and this is my second year at Mater Academy Bonanza. I am in seventh grade. The first time I took the SBAC test was very complicated since I did not speak any English last year. I was still learning English. The SBAC is only in English which is very difficult for people who do not speak that language. I am able to use a Spanish dictionary, but that would take me days to look up and translate each word.

I had very good grades in Mexico and I have good grades here, but I did not pass the test last year because I could not understand and read English. This is why I am here today to propose accommodations for the SBAC so that we are able to take the test in Spanish. This will give all the students who speak and read Spanish an opportunity to pass the test so our scores and the rating for our school is higher. Our school population has a very high Hispanic population. Please give us this chance.

ANDRIK CANO:

I am from Mexico and today I am here representing the Mater Academy. I came to the United States three years ago, which changed my life. I had a change at home, a change in friends, a new school and learning a new language. The hardest part was learning English.

I support A.B. 219 so I can pass the SBAC in math. I am really good in math class, but when I take the math SBAC test, it is so hard because I have to read the questions in English to be able to find out the math question. I do not understand what the questions are asking me because the English is hard for me

to read. If the SBAC questions were in Spanish I know I could pass the math SBAC this year.

SARAH OCHOA:

I am a student at Mater Academy. My family is from El Salvador. Coming from a home where two languages are spoken can sometimes be a challenging experience. Do you translate words the same? Is there a way to mix both languages? How can you pass an exam without knowing the language? These are the repetitive questions bilingual students ask themselves when they do not have the necessary tools to help them comprehend the language.

In my public charter school, Mater Academy, I have been witness to the growth that has happened in the students who struggle to understand the language. They went from doubting themselves to trusting and believing they could soar in this Country of opportunities. Sadly, the help the school district has given the students of Nevada is lowering. So many students in CCSD rely on the help, yet most of the time our schools fail to supply their needs.

So, the real question is, does the Nevada Education Department have the will and the heart to help those students who rely so much on them?

SANTIAGO GOMEZ:

I currently attend East Career and Technical Academy. I attended fifth through eighth grade at Mater Academy. I moved from Durango, Mexico five years ago and did not know the English language. I am here to represent Mater Academy and to help make the State tests available in students' native languages so that all students have a chance to pass.

When I came to Mater Academy, Ms. Fairless used to talk to me and I would just nod my head in agreement, even though I had no idea of what she was saying because I did not have the comprehension of the English language. Now I feel very proud of myself, because I am able to understand what is happening in class and I communicate in both Spanish and English.

When I had to take the SBAC in the English language the first time it was so difficult. I remember I tried so hard on the first five questions and everyone else was almost done with the test. Then I got so nervous that I would be the last one done so I quickly answered the rest of the questions.

Even now, when I take the exam I have to read it in English then translate it in my head, always hoping that I translate correctly. Then I answer the questions in Spanish and then translate it back to English, hoping again that I am translating correctly.

If I had taken the SBAC in Spanish, I would have had a better opportunity to pass, since that is my native language. I hope you will consider passing A.B. 219 because it will allow other students to show what they truly know when they take the State exams.

SOL AVALOS (English Language Coordinator, Mater Academy of Nevada):  
I am the English Language (EL) coordinator for Mater Academy at Mountain Vista and Bonanza, on the east side of Las Vegas. I am a teacher from Argentina. When I came to the U.S. almost 20 years ago, I could not understand much English. In Argentina, it is expected that throughout your education, you learn a different language. I always chose English.

For me to get my teaching license in the U.S., I had to go back to school. It was a life-changing moment because the way my brain processes information is very complex. I read in English and process in Spanish by translating every word. Then I have to find the right words and vocabulary to answer. The whole process takes me a really long time.

I watch our EL students struggle when they are taking the State tests. They could spend eight hours on a test because they are so committed to it. The truth is, I can only offer them a bilingual dictionary where they have to look up each word. We are not providing them with the right tools for us as educators to be able to find out what they really know.

We are all in the same boat. We want the best for our students. Please support A.B. 219.

SANTOS TORRES (English Language Interventionist, Mater Academy of Nevada):  
As an English Language Interventionist at Mater Academy, I have the opportunity to work with EL students. Having been an EL student myself has given me a unique perspective on A.B. 219.

I moved to the U.S. at the age of nine from Mexico. My parents and school agreed to hold me back a year to catch up and to learn the English language.



Setbacks like continuously failing the State tests were powerful. Constant failure started to affect me without me even realizing it. Every time I would sit down to take a State mandated exam I began to feel I had already failed without even realizing it.

When it came to my high school proficiencies I tried to stay optimistic, but the gut feeling would overtake my confidence and whisper a hint of failure from years past. I began to believe the statistics; that I was meant for construction. I was not going to be able to graduate from high school let alone ever attend college.

As I struggled to pass my high school proficiencies, I began to become frustrated. I had paid my dues by coming early and staying late in school for extra help, yet I still struggled to pass because I was still encountering words I did not know.

I see the same frustrations among my students, many of whom are speaking here today. With your help, other students will not have to go through the same frustrations and difficulties I had to endure.

KAREN AGUILAR:

I moved here about two years ago from Honduras and I now attend Mater Academy. When I came here all my life changed. I had to learn a new language, make new friends and find a new place to live. In school I have to understand what the teachers are saying and sometimes it is very difficult. Mr. Santos would help me understand what other students were learning in class.

In Honduras I was really good at math. I passed all my tests, but after moving to the United States, I cannot seem to pass it because I do not always understand the questions being asked of me. If I had the chance to change the language to Spanish, or even the important words to Spanish, it would better help me pass the math exam.

This bill will help me in high school because of the opportunity to change the language. If I can pass the SBAC, I will feel very proud of myself. If this bill is passed, I will be on the same playing field as everyone else. If we are in a fair Country, there should be fair standards for everyone.

DIANA HIGAREDA:

I moved to the United States from Mexico last year so I could better my dream of becoming a doctor. As a new student in the United States it was really hard for me to learn a new language because I could not understand anything. Mr. Santos and the teachers would help me learn what was going on in school by translating for me.

Then when I went to take the SBAC, I was only given a dictionary. I really wanted to pass so I tried to use the dictionary to translate all the words. I became so frustrated because there were a lot of words I could not understand and yet I had motivation to pass.

I know I could not pass the exam because it was so very hard for me to understand all the reading questions. Even in the math SBAC, there was so much reading. I would really like to have the exam translated into Spanish because it would help me to better understand the text and to show how much I know and how much I have learned this year. I hope you pass this bill because it will allow other students like me to show everything we know on the SBAC, instead of the English language being so hard to understand.

NATALIE LOPEZ:

I am a scholar at Mater Academy of Nevada, at the Mountain Vista Campus. Thank you for allowing me to express why I support A.B. 219.

Como puben ver muchos de mi companeros son hispanios y no entendan el idioma en cual el exam que van a tomar.

Oh, sorry. I just realized you are lost and do not understand what I was saying. That is an example of how my classmates feel when they are told to take a test in a language they barely know. I would like for every single one of you to put yourself in their shoes and support this bill so my classmates and I have the same opportunity to succeed as everyone else.

I would like to take a moment of silence for Chair Tyrone Thompson.

CHAIR DENIS:

Gracias y yo te entendi.

SANTIAGO VEVE:

I remember working with you, Senator Denis, at C.C. Ronnow Elementary School. I started here in Clark County 30 years ago as a bilingual teacher in English as a Second Language (ESL). I remember having the microphone so I could translate for the parents. The programs I did for ESL and bilingual kids were successful. I noticed that bilingual education is not here anymore. I also notice that the kids are suffering by not having the experience of learning the language.

When they come here, they feel lost. For example, today I was proctoring for a SBAC test and there was a girl crying because she could not write or express herself in English. I would love to see A.B. 219 pass so it will at least give directions in Spanish or at least give pointers. I am not asking for the test to be in Spanish, but give the kids extra help. As an experienced teacher and current ESL strategist, I believe this bill will help.

CHAIR DENIS:

Good to see you again. Seeing no more people wanting to testify in support, I will now take testimony in opposition or neutral to A.B. 219.

MS. LAZOS:

Assemblywoman Torres had to leave and asked me to make some closing comments. This is a much needed bill that has been carefully thought through. It went through many drafts with input from a lot of stakeholders. Many changes were made in response to the input. Assembly Bill 219 fills the gap in our total policy with respect to the achievement gaps we must address.

CHAIR DENIS:

This bill is important to enable us to help our kids in the best way we can. I was one of those kids who could not speak English. It takes a long time to figure out the academic English, so being able to identify that issue and to help those students be successful until they can be strong enough in the academic English is important. In the long run, they will learn more, learn faster and be able to avoid that frustration when you cannot understand what someone is asking you to do.

I will close the hearing on A.B. 219 and open the hearing on A.B. 304.

**ASSEMBLY BILL 304 (1st Reprint)**: Revises requirements relating to class sizes in public schools. (BDR 34-930)

ASSEMBLYWOMAN BRITTNEY MILLER (Assembly District No. 5):

We already know the research around the impact of large class sizes on student academic and social development, teacher workload, attrition and even safety issues. We already know that Nevada has the largest class sizes in the Country as cited by the National Education Association (NEA). What is worse, is that class sizes are increasing. In 2013, Nevada's student-teacher ratio was only the fifth largest in the Country at 22 students to 1 teacher. Three years later, NEA reported that Nevada had the largest average number of students enrolled per teacher at 26, making our State the highest in the Nation when factoring in class sizes, yet one of the lowest paid in the Nation.

Keep in mind, these are just averages. I read through class sizes in the Nevada Report Card, although half the schools in CCSD were not listed. The ones that were had a high average of 33 students per class. But, that is still not the full picture because it is an average. It does not take into account all of the classes with 40 and even 50-plus students per teacher.

Nevada's Class-Size Reduction program, which is funded, began in 1989, but it only covers up to third grade. According to statute, the student-teacher ratio for kindergarten through second grade must not exceed 16 students to 1 teacher. For third grade it must not exceed 18 students to 1 teacher. However, our current funded class size averages are 17-to-1 in first and second grade and 20-to-1 in third grade. Remember, these are just averages that do not account for the second grade classes with almost 30 students to 1 teacher.

In cases where the classroom ratio exceeds the approved funded ratio, the school district must request a variance from the SBE. According to the NDE *Class Size Reduction Report* just published on May 2, Grades 1-3 experienced a 5.4 percent average increase in the number of variances this year, with first grade having the highest increase at 7.4 percent.

Looking at recent history, in the 2015-2016 school year, there were 650 variances for kindergarten through third grade only. In the 2017–2018 school year, there were 667 classroom variances. Last week, the SBE approved 1,023 variances in 15 of our 17 school districts. Even more alarming, there are 171 1-Star and 2-Star schools in Nevada. Of those schools, 162 or 95 percent,

have variances. Seven of our 17 state school districts report that 100 percent of their 1-Star and 2-Star schools have variances. That did not include CCSD, which is at 99 percent and WCSD is at 93 percent.

When looking at recourse for those instances when the student-teacher ratio exceeds the maximum ratio and the State Superintendent of Public Instruction finds that a school district's board of trustees has not made every reasonable effort to comply with the standard, *Nevada Revised Statutes* 387.1234 provides that the State apportionment of money that is due to the school district may be withheld.

Last Session, primarily because there were no perimeters around class sizes for Grades 4-12, I introduced A.B. No. 312 of the 79th Session. That bill required the NDE to prescribe nonbinding class size ratios for all K-12 grades based on evidence-based national standards while taking into account the unique needs of ELL and special needs students.

A Statewide survey of teachers was conducted by NDE last summer where more than half of the approximately 9,000 teacher respondents were elementary teachers. This is important to note because generally elementary classes are smaller due to class-size reduction in kindergarten through third grade. We also know that every school district is not impacted the same. Still, of the 9,000 teachers, 58.44 percent said they have classes with more than 25 students, 41percent said they have classes with more than 30 students, 23.5 percent said they have classes with more than 36 students and 7 percent reported having more than 40 students.

When those teachers were asked to what extent they believe student-teacher ratio impacts student learning, 3.5 percent responded "moderate, minimum, or no impact", 19.45 percent responded it has a "strong impact" and 77 percent said it has a "significant impact". That is just student learning.

What about social development, physical safety or social and emotional climates? Teachers were also asked to make class size recommendations and NDE took those into consideration when developing their recommendations to the SBE. The ratio recommendations were passed and adopted by the Nevada Board of Education in July 2018. In grades K-3, the suggested ratios are 15 students to 1 teacher. In grades 4-12, the recommendation is 25 students to 1 teacher.

In 2016, 61 percent of Nevada teachers cited large class sizes as one of their most significant challenges. We know this issue cannot be fixed in one fell swoop, but this bill keeps us moving incrementally toward the goal of reasonable class sizes as recommended by NDE, creating the most conducive and safe learning environment for our students.

I will walk you through the highlights of A.B. 304. First, the SBE shall develop nonbinding recommendations for the ratio of pupils to a licensed counselor and social worker for elementary and secondary public schools.

Second, when applying for a class size variance, a school must include a plan of action that the school district will take to reduce the ratio of pupils per class.

Finally, within the first 30 days after the beginning of each school year, the board of trustees of each district shall publish the exact number of students per licensed teacher. This is not the average per school, but the exact number of students per licensed teacher that has been approved for each class in the district.

SENATOR HARRIS:

Would these full-time substitute teachers be included in the calculation of students per teacher? If we are trying to get an accurate picture of how many teachers are in front of a group of students, we would get a more accurate number if they are included.

ASSEMBLYWOMAN MILLER:

You are correct that often the full-time substitutes are not only included in those averages but also included when it comes to staffing ratios. When we hear that we are short so many positions, we are not acknowledging how many thousands of positions in Clark County alone are staffed by full-time substitutes. Basically it is every licensed teacher who gets counted. We know we have lots of licensed individuals with no classrooms such as coaches, learning strategists, librarians and counselors. Sometimes a special education teacher will only have five students in their classroom because their needs are so great. When we are doing an average for the whole school, we are not getting an accurate picture of the ratios. As an educator, I know the data because I go through it for all the schools and districts.

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SENATOR HARRIS:

Are you saying the answer is that the full-time substitute teachers would not be included in the average because they are not licensed teachers?

ASSEMBLYWOMAN MILLER:

I think they would be counted.

SENATOR HARRIS:

Do you intend for them to be in the averages after A.B. 304 passes?

ASSEMBLYWOMAN MILLER:

Yes.

SENATOR HARRIS:

We have heard a lot of testimony this Session that sometimes the counselors or social workers are licensed teachers. Is there a way to pull them out from that average even though they are licensed teachers?

ASSEMBLYWOMAN MILLER:

That is why the bill states "per classroom" so we are not having these averages anymore.

CHAIR DENIS:

My understanding is that regardless of what the average is, the important thing is that we will actually see what is really happening. Since this bill requires the report, we can get a good feel for what is happening in the classroom.

I will take testimony in support of A.B. 304.

Ms. ORTIZ:

I have talked about this topic until I am blue in the face. As a member of the SBE, I see variance reports come across our desk every quarter for us to rubber stamp. Currently, there is no way to do anything about that which makes me frustrated. I am grateful that the bill is here today, but disappointed that it has been watered down so drastically from the original bill. I am hopeful that this data will shed a greater light on this issue that we all know exists. I am also hopeful it will generate some action to increase funding for schools so we can reduce class sizes. I support A.B. 304 in the hope that it will produce the data that spurs action.

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

We support this bill although there were amendments we were sad to see go. There are two things that are important to mention. The first has to do with the action plan which is an important element. For the last two years in my role as Washoe Education Association President, I have had to sign off that the class-size reduction for first, second and third grade is acceptable for one or two more students than what is the current ratio. However, we have yet to actually sit down and talk about how we can fix the ratios. Although it would be great for the funding and that is what the end game is trying to get to, we need to realize that there are other things we can also look at. To sit down and have the school districts speak with their policymakers and partners to come up with a plan on how to reduce those ratios is an important element.

The second item I want to mention pertains to school counselors, nurses, librarians, speech language pathologists, etc. Too often, people do not think about what their ratios are like. Our counselors have between 700 and 1,000 students they are asked to work with. That is not reasonable. If we are concerned about the mental health of our students and expect counselors to be able to find the time to work with each student in more than a factory-like setting, we have to reduce these ratios. We need to start to document these ratios and address them.

MR. DALY:

We support A.B. 304 but we were disappointed in the amendments. The issue of class size needs to be taken on and this bill is a good place to start. When we talk to educators in the State, the issue of class size is one of the biggest issues, if not the biggest. It outpaces teacher pay.

Common sense and research both tell us that the number of students in a class makes a real difference for students and teachers alike. The issue of large class sizes remains one of the most frustrating issues for Nevada educators, students, parents and school communities. For the second consecutive year, Nevada has the largest student-to-teacher ratio in the U.S. While rapid growth fueled the problem in previous decades, the lack of sufficient funding for school districts is the main reason we rank dead last in this category.

Meanwhile, we know smaller class size has real benefits for students by helping close the racial achievement gap and by making earlier identification of learning



disabilities possible. Smaller class sizes also improve high school graduation rates, improve student behavior and allow for more engagement in lessons. For educators, smaller class size improves educator morale by allowing for more individual and differentiated instruction, less time on paperwork and stronger classroom management as teachers become more aware of individual students' strengths or weaknesses.

Reasonable caseloads for other licensed education professionals are significant in helping students succeed. According to the 2015-2016 American School Counselors Association report, Nevada has an average ratio of 485 students to 1 school counselor as opposed to the recommended 250-to-1 ratio. This is why counselors are overworked and too many students go without needed services. Social workers and librarians and other licensed professionals face similar issues.

TOM DUNN (District Vice President, Professional Firefighters of Nevada):  
We supported the original version of A.B. 304 and we still support the amended version. When I was in school at Echo Loder Elementary School, Clayton Middle School and McQueen High School in WCSD, we did not have overcrowding in the schools. I remember a manageable class size being 20 to 22 kids. Yet, today we are seeing a single teacher attempting to educate and corral anywhere between 30 to 40 kids, depending on whether it is a team situation or a single teacher. Because of the recent recession, we have been dealing with the warehousing of kids in not necessarily a positive learning environment.

Our membership in the Professional Firefighters of Nevada has family members, parents and friends who are teachers or work in the education system. I am an active parent in my daughter's school and I can tell you firsthand that large class sizes take away from the learning environment. It also has an impact on teacher morale and effectiveness. When my daughter was in second grade, her math skills became deficient because she was in a team-teaching environment where her teachers were dealing with more behavioral issues than they were in teaching.

As a professional firefighter and first responder, large class sizes pose a concern for public safety. In classrooms that were originally designed for up to 25 students, we now see up to 40 students. Today, with the issue of active shooters that schools have to consider, there is a lot more stuff in our classrooms and schools. There are more kids, more backpacks, more furniture

and clothing and all of that has to be searched, cleared and evacuated if there is an incident. Seeing some of these school fire drills and evacuation drills, it is difficult for teachers to try to track up to 40 kids, especially when you have hundreds of kids in a school trying to get out of limited access in a school drill. Impact that with a potential fire issue or active shooter issue like we saw in Colorado yesterday, that poses a challenge to police officers and firefighters.

MIKE RAMIREZ (Las Vegas Police Protective Association; Nevada Law Enforcement Coalition):

We support A.B. 304 and I echo the comments made by the previous speaker, Mr. Dunn.

JOHN PIRO:

For far too long we have all been left with the feeling that we need to do more for our schools. Class size reduction is one of the tools to help, even though A.B. 304 has changed from its original wording. We continue to put our students and teachers in unwinnable situations when we do not tackle the issue. This is a good first step and I support the bill.

KENDRA BERTSCHY:

As a constituent of Senate District No. 16, I am here in support of A.B. 304. Children are our most valuable resource and I believe this bill will help us get the data and information necessary to ensure we are providing our students with what they need to be successful. When I was in law school, I had the privilege of teaching at a charter high school where we had extremely small class sizes. The mentorship we were able to provide was more valuable than any of the lessons we taught.

CHAIR DENIS:

Seeing no more testimony in support of A.B. 304 coming forward, I will take testimony in opposition or neutral. Seeing none, I will close the hearing on A.B. 304 and open public comment.

Ms. ORTIZ:

I want to commend all of you for your hard work this week. I know it has been a tough week for you, as well as for all of us in the education world. We will miss Assemblyman Tyrone Thompson. I know he is looking down on us today.

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MS. ADLER:

We want to thank you for moving A.B. 462 today. Chairman Tyrone Thompson did a great thing when he brought this bill forward. All the dialogue that ensued and all the awareness it brought to all of us will produce very good outcomes. We appreciate him and you.

CHAIR DENIS:

I know he worked very hard on that bill. We had many discussions in the last Interim about how we would talk about that issue here in Session. I appreciate all the hard work he did. We want to ensure that all our kids, regardless of where they go to school, are getting the best education.

Seeing no more public comment, I adjourn the meeting of the Senate Committee on Education at 3:33 p.m.

RESPECTFULLY SUBMITTED:

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Linda Hiller,  
Committee Secretary

APPROVED BY:

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Senator Moises Denis, Chair

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

<b>EXHIBIT SUMMARY</b>				
<b>Bill</b>	<b>Exhibit / # of pages</b>		<b>Witness / Entity</b>	<b>Description</b>
	A	2		Agenda
	B	5		Attendance Roster
A.B. 258	C	1	Jen Sturm	Work Session Documents
A.B. 427	D	1	Jen Sturm	Work Session Documents
A.B. 462	E	3	Jen Sturm	Work Session Documents
A.B. 378	F	1	Assemblywoman Alexis Hansen	Proposed Amendment
A.B. 219	G	2	Assemblywoman Selena Torres	Statement of Intent and Purpose
A.B. 219	H	2	Sylvia Lazos / Nevada Immigrant Coalition	Written Testimony
A.B. 219	I	15	Assemblywoman Selena Torres	Presentation Statement of Intent and Purpose
A.B. 219	J	3	Assemblywoman Selena Torres	Supplemental Material
A.B. 219	K	1	Renee Fairless / Mater Academy of Nevada	English Learner Growth & Proficiency Graph
A.B. 219	L	1	Amy Gronna / Mater Academy Bonanza	Written Testimony