

**MINUTES OF THE
SENATE COMMITTEE ON EDUCATION**

**Eightieth Session
May 31, 2019**

The Senate Committee on Education was called to order by Chair Moises Denis at 5:00 p.m. on Friday, May 31, 2019, in Room 1214 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to Room 4404B 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:

Senator Marilyn Dondero Loop, Senatorial District No. 8
Assemblywoman Dina Neal, Assembly District No. 7
Assemblywoman Sarah Peters, Assembly District No. 24
Assemblywoman Selena Torres, Assembly District No. 3

STAFF MEMBERS PRESENT:

Jen Sturm, Committee Policy Analyst
Risa Lang, Committee Counsel
Shelley Kyle, Committee Secretary

OTHERS PRESENT:

Michael Flores, Chief of Staff, Nevada System of Higher Education; Chair,
Nevada Advisory Commission on Mentoring
Anthony Ruiz, Nevada State College

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David Dazlich, Las Vegas Metro Chamber of Commerce
Mariana Kihuen, College of Southern Nevada
Alexander Marks, Nevada State Education Association
Tom Greene, Regional Advocacy Director Western Region, Foundation for Excellence in Education
Katie Dockweiler, Ed.D., Nevada Association of School Psychologists
Natha C. Anderson, President, Washoe Education Association; Nevada State Education Association
Lindsay Anderson, Washoe County School District
Mary Pierczynski, Nevada Association of School Superintendents
Kirsten Searer, Clark County School District
Jessica Ferrato, Nevada Association of School Boards
Meredith Smith, Director of Policy, Nevada Succeeds
J. Kyle Dalpe, Ph.D., Nevada System of Higher Education
Leonardo Benavides, Clark County School District

CHAIR DENIS:

I will open the hearing on Assembly Bill (A.B.) 155.

ASSEMBLY BILL 155 (2nd Reprint): Revises provisions governing the eligibility requirements for grants awarded under the Silver State Opportunity Grant Program. (BDR 34-674)

ASSEMBLYWOMAN SELENA TORRES (Assembly District No. 3):

Assembly Bill 155 revises provisions related to the Silver State Opportunity Grant (SSOG). The SSOG program was Nevada's first State-supported, need-based financial aid program. The SSOG was created as a pilot program by the 2015 Legislature. It became part of the approved Executive Budget in 2017. During the first 3 years of the program, approximately 3,873 students received financial assistance. Based on preliminary data, the program is now serving over 1,500 students in its fourth year.

The SSOG program recognizes that low-income students often struggle to support themselves and their families. As a result, these students do not have the means to be a full-time college student. The SSOG tries to alleviate this shortcoming.

I have submitted a report titled, "The Silver State Opportunity Grant: Year Three Results for Nevada's First State-Supported, Need-Based Financial Aid Program"

([Exhibit C](#)). This report contains an in-depth look at the workings of the SSOG and can answer most questions about the program.

I have also submitted a visual presentation titled, "The Silver State Opportunity Grant: Who is Eligible and How the Program Works Currently" ([Exhibit D](#)). [Exhibit D](#) explains the shared responsibility model used by the Nevada System of Higher Education (NSHE) to award grant aid to students. The SSOG helps alleviate some of the responsibility of the recognized cost of attendance and the fiscal burden for a student and his or her family. The SSOG awards range from \$200 to \$5,500 and are based on the need of the family.

Assembly Bill 155 expands recipients of the SSOG. With this legislation, all eligible students who are taking at least 15 credits will be awarded this scholarship. After funding students who are taking 15 credits, this bill will allow some students taking less than 15 credits to receive the SSOG. The decision for this allowance was made after discussions with NSHE and other stakeholders.

Last year, around \$800,000 remained after the SSOG had been awarded to eligible students who were taking 15 credits. In some years, nearly \$1 million has remained. This money is returned to the State General Fund. Assembly Bill 155 proposes to use surplus SSOG money to help students in their final semester of college who are taking less than 15 credits. Any additional money remaining after giving grants to graduating students would be available for other students who take at least 12 credits.

These students represent a small section of the students in NSHE; however, the additional financial support will be enough for us to make a large impact on hard-working Nevada families. This bill will allow us to use the entire amount budgeted for the SSOG.

SENATOR HAMMOND:

When the SSOG was created, there was a strong emphasis on the 15 credit hours. In this bill, students who are taking 15 credits get the money first, then it waterfalls to those who are only taking 12 credits. Do you anticipate granting the SSOG to students who are taking less than 12 credits? Would a student with only 9 credits be eligible for the SSOG?

ASSEMBLYWOMAN TORRES:

No, the award would only go to students who are taking a minimum of 12 credits. This bill creates three groups of students who can receive the SSOG. The first group of students to receive the award are those taking 15 credits. The second group is comprised of students who are in their final semester and are taking less than 15 credits. The last group which could be funded would be students who are taking a minimum of 12 credits.

SENATOR HAMMOND:

Would any money still remaining be reverted to the General Fund?

ASSEMBLYWOMAN TORRES:

Yes. However, NSHE does not anticipate any of the remaining \$10 million being allocated to return to the General Fund.

SENATOR HAMMOND:

Was there money remaining after the last budget?

ASSEMBLYWOMAN TORRES:

About \$800,000 remained last year.

SENATOR PICKARD:

The intent of the SSOG was to fill a gap so students can focus on school and not have to work. The purpose of the SSOG is to get a student through school as quickly as he or she can while maintaining 15 credit hours. Assembly Bill 155 will allow a student to slow down their school progress or take on more work outside of school. If we give students the opportunity to work more, we are defeating the purpose of the underlying program. How does A.B. 155 not contradict the intent of the original SSOG, which was to encourage the student to stay in school and take a reasonable amount of hours needed to acquire a degree in four years?

ASSEMBLYWOMAN TORRES:

Crystal Abba, Vice Chancellor for Academic and Student Affairs with NSHE, presented A.B. 155 in the Assembly. She explained the graduation rate for SSOG students is significantly higher than for standard students. For example, the College of Southern Nevada (CSN) graduation rate for standard students is 30 percent. The graduation rate at CSN for students receiving the SSOG is over 50 percent. One institution had a graduation rate of 86 percent for SSOG

recipients. A program such as this will continue to allow for the graduation rate to increase.

Students who are taking 12 credits might have a lower graduation rate, but there is no doubt the graduation rate for students receiving the SSOG will be significantly higher than the graduation rate of their peers. The federal government considers a student taking 12 credits to be a full-time student.

SENATOR PICKARD:

Twelve credit hours for purposes of the Free Application for Federal Student Aid does not mean a student will graduate in four years. Students who maintain 15 credit hours per semester are more focused, more motivated and have a much higher graduation rate than students with 12 credit hours, the standard full-time amount.

This bill will bring in students who are not as motivated as the 15-credit hour students, thus reducing the success rate of the SSOG. The money will be diluted across all of those students. This is not an unlimited fund. Given the current funding levels, if too many students are involved at one time, we are unable to fully fund each student. Meeting the current requirements to receive the SSOG encourages the student to work more. Lowering the credit-hour requirement works counter to the intent of the original legislation.

ASSEMBLYWOMAN TORRES:

We will continue to fund students taking 15 credits first. Once we fund the students taking 15 credits, any remaining money will go, first, to students who are taking less than 15 credits and are on their last semester. Such a student might only need a couple classes before graduation. The next group of students to be funded would be those taking less than 15 credits but more than 12 credits. These groups of students are not in competition with each other, because we are funding the students taking 15 credits first.

If this legislation does not pass, we will continue to allow money allocated to the SSOG to revert to the General Fund. We will withhold the opportunity for success from certain individuals.

CHAIR DENIS:

We have said that at 12 hours these students are not going to succeed, but we have not experimented with how their success might be affected by receiving

the SSOG. Assembly Bill 155 creates a type of pilot program for the 12-credit hour students. Money is still available after we have made sure that the 15-credit hour students and the students who only need a few credits to graduate have what they need. Last year, \$875,000 remained unused in the SSOG fund and was returned to the General Fund. We can use the unused money to try out the 12-credit hour students; then we can come back in 2 years and look at their achievement.

I feel similarly to Senator Pickard—I have seen the success at 15 credit hours and continue to feel that is the purpose of the SSOG program. However, we have leftover funds that could go to students who are motivated, but who for one reason or another are not taking 15 credits. Some students, even if they do take 15 credits, are still going to have to work. They may have to work because of family or cultural circumstances. With A.B. 155, we are going to give them the opportunity to try it out.

SENATOR PICKARD:

Senator Denis just made the point I was going to make. We cap the amount of money we give to these students, yet we acknowledge that we are not actually meeting their needs, and they have to work. I would rather see us stay with the proven program and raise the cap. We already have a decade or so of information on the 12-hour students who do not achieve at the same levels. We should give more money to the students who are in the program, keeping 15 credits hours, so they do not have to work as much. We can make it easier for those students, encourage them and maintain the integrity of the program. If any money is left over, we should roll it into another educational purpose.

CHAIR DENIS:

I appreciate that, but we do not have such a bill before us. If we do not pass A.B. 155, the leftover money goes back to the General Fund. We lose our opportunity to use that money in a scholarship for the students who are willing to do at least 12 credit hours. It would be great to expand the program by getting more kids to participate at 15 credit hours. The more students who do 15 credit hours the better the success.

SENATOR HAMMOND:

Are students taking 12 credit hours graduating at an equivalent or greater rate than students with 15 credit hours? Research shows that 15 credit hours gives

the student motivation to graduate and move on with his or her life. Twelve credit hours leads to less motivation and less success.

We have to look at A.B. 155 as a pilot program and reevaluate it in two years. Nothing in the bill language says we need to come back to this issue in two years. We do not need it formally in the language, but we should make a commitment to come back and reevaluate. We should take a look at the data comparing the achievement of 12-credit hour students outside the SSOG program with 12-credit hour students inside the program.

Does just having to do the legwork to get into the program and having the drive to participate in the program affect how motivated the student is compared to someone who is not in the program?

I took 12 credit hours almost every semester. I tried 19 credit hours and 15 credit hours but returned to 12 credit hours. We need to have more information about the 12-credit hour student success. We have the leftover money and should use it, unless we can find another use for it. We should at least put something in the bill that says we should collect the data and analyze student motivations at 12 credit hours inside the program compared to outside the program.

ASSEMBLYWOMAN TORRES:

I am sure that Vice Chancellor Abba will be happy to collect that data and share it with us, so we can see if we might consider funding an expansion of the program.

MICHAEL FLORES (Chief of Staff, Nevada System of Higher Education):

We have already seen the success of the SSOG program. This bill does not change the SSOG program. Many efforts have been made to figure out how to expand more scholarship dollars to our students. In this bill, we are prioritizing 15 credits.

The majority of our community college students are part-time students. Through the Nevada Promise Scholarship, we have changed the culture of our students to encourage them to take 15 credits and 12 credits. We will bring the data on 12-credit hour students to the Legislature next Session.

ANTHONY RUIZ (Nevada State College):

We support the changes made in A.B. 155. Nevada State College serves a diverse student body which largely consists of nontraditional students. Our students have many other commitments. Several are the sole income providers in their households or are trying to balance getting an education with providing child care. Accordingly, many students find it difficult to take 15 credits. We have seen much success with the students who take 15 credits, but data shows that 85 percent of our current students are not taking 15 credits. We have seen an increase in the number of 15-credit students, but many cannot go full-time.

DAVID DAZLICH (Las Vegas Metro Chamber of Commerce):

We support A.B. 155. Using the remainder of this allocated money to invest in continuing education is a good and powerful economic development tool.

MARIANA KIHUEN (College of Southern Nevada):

I echo the remarks made by Mr. Flores and Mr. Ruiz in terms of our demographics. In an ideal world, we would love all of our students to get a liberal arts education in a 4-year program with 15 credits. However, from a community college perspective, the vast majority of our students do not take 15 credits. They are still working hard, but they have families, children, medical conditions and other responsibilities to address. That is the reality of the world we are in.

Assembly Bill 155 strikes the right balance between giving priority to the students who are engaged and enrolled in 15 credits while at the same time giving an opportunity to other students who are also working hard. The 12 credits are still in line with what is seen nationally as full-time enrollment. We support A.B. 155.

ALEXANDER MARKS (Nevada State Education Association):

I echo the previous speakers. We support A.B. 155.

ASSEMBLYWOMAN SARAH PETERS (Assembly District No. 24):

I have a degree in the field of science, technology, engineering and mathematics (STEM). My degree is in engineering. I went to Truckee Meadows Community College High School, an accelerated, college-based high school. I passed most of my math-based classes, so I went into the University of Nevada, Reno, taking lab classes for physics, coding and chemistry. Those three-credit hour lab

classes have two classroom hours and three laboratory hours—five dedicated hours—per week. When I had to take 2 of those classes in a semester, I was taking 10 hours in addition to the other 6 credit hours necessary for a 12-credit hour, full-time status. That was 16 total hours of in-class work, in addition to the homework from my classes. Taking 15 credits would have added an additional 3 hours of classes on top of the load of work, homework and laboratory time I already had.

In our focus on enhancing our STEM education, it is worth considering that not all educational paths have a strict 12-hour, 12-credit program. Some of these programs involve extended hours. We should make that consideration when talking about credit hours and what those allow people to do with their careers.

CHAIR DENIS:

We have received a letter in support for A.B. 155 from Sylvia Lazos of the Nevada Immigration Coalition ([Exhibit E](#)). We have received a statement of support for A.B. 155 from Suzanne Reed ([Exhibit F](#)).

I will close the hearing on A.B. 155 and open the hearing on A.B. 289.

ASSEMBLY BILL 289 (2nd Reprint): Revises provisions relating to the subject area of reading. (BDR 34-93)

SENATOR MARILYN DONDERO LOOP (Senatorial District No. 8):

Assembly Bill 289 relates to the program known as Read by Grade 3, which prohibits a public school from promoting a student to Grade 4 if the student's score on certain exams indicates the student is not reading at grade level. The retention of students under this program is set to begin this upcoming school year. The current law provides a process for good-cause exemptions for student retention and requires students who are held back to receive intensive reading instruction with their progress monitored by the school principal.

The current Read by Grade 3 law is centered on the requirement to retain and the plans that must be established and carried out by a school. The law is not student-centered and not focused on providing the services and instruction needed for the student to succeed. The competitive grant process created in the original legislation means that some schools with students at risk of being retained never received funding to deliver the intensive instruction and support necessary to ensure every student is reading at grade level by Grade 3.

If A.B. 289 is not enacted, roughly 10,000 students are at risk of being retained for the upcoming school year. The purpose of A.B. 289 is to ensure that students receive the necessary support and intensive instruction in reading they need to keep them from falling behind.

It is important to make this bill about data and research-driven decisions. Douglas Fisher and John Hattie are national experts on this subject. In their book, Fisher and Hattie talk about grade-level retention and the meta-analysis of what has been done elsewhere. Those meta-analyses indicate that the practice of retention is actually having the reverse effect of the desired outcome. Schools and districts still hold to the hope that another year of school will ensure that students learn to read and write. But why would another year of the same curriculum, and often the same teacher, make any difference? The problem is especially difficult in rural counties where only one teacher may be available per grade.

Assembly Bill 289 makes changes to the provisions relating to the retention of certain students who demonstrate a deficiency in reading by requiring intensive intervention services and instruction for these students rather than retention. The bill also plans to improve the literacy of students who do not demonstrate reading proficiency regardless of the elementary grade. The bill revises provisions related to literacy specialists. Under the bill, literacy specialists must be licensed teachers. The bill modifies requirements related to assessments used to determine proficiency in reading.

Assembly Bill 289 ensures consistency in the use of assessments and required reporting, regardless of whether the school is a public school or charter school. The bill changes certain provisions related to grants provided by the Department of Education (NDE) to carry out a program of improving the literacy of elementary school students. These changes are accomplished by creating a weighted-funding formula for distributing the noncompetitive grants, clarifying that a district-sponsored charter school is eligible to receive the grant funding and restricting funding for literacy programs from being used to supplant other budgets.

Proposed Amendment 6075 ([Exhibit G](#)) proposes to make the following clarifying changes to the bill.

Section 1, [Exhibit G](#), provides that a school district or charter school must develop, as part of the plan to improve student literacy, procedures to assess student literacy. Student literacy must be assessed within the first 30 days of school after a student enters kindergarten or upon enrollment in the elementary school if the student has not previously been assessed. Subsequent assessment is required during each elementary school grade in which the student is enrolled as determined to be necessary.

Section 4, [Exhibit G](#), applies the same provisions to charter schools that operate as an elementary school. Charter schools without an elementary school component are excluded. Section 4 also specifies that intervention services and intensive instruction will be provided to students who have been identified as deficient in reading under the literacy improvement plan.

Currently, only the parents of children who are newly enrolled in Grades 1 through 3 are notified of their student's reading deficiencies. Section 5, [Exhibit G](#), expands the notification requirement to the parents of any newly enrolled public elementary school student. Section 5, [Exhibit G](#), requires the notification to include an explanation of the services that the student will receive.

Section 7, [Exhibit G](#), requires an elementary school to provide intervention services and intensive instruction if the student does not obtain a passing score in the subject area of reading on certain exams. The section further requires the principal to ensure the student receives the services and instruction as long as deemed necessary while the student is enrolled.

I was an elementary school teacher. I taught thousands of kids to read. Many times, if a student was retained, the key to a successful retention was often that the student was now mature enough to accept the reading instruction. Those students also succeeded because of intensive instruction in a small group setting.

Holding children back for another year and giving them the same instruction is not successful. Sending them forward with intensive instruction is successful.

SENATOR HANSEN:

I understand that we do not want to put the student back in the same class. Are we talking about placing the student in a special class with intense

instruction with a bunch of kids who have the same problem? What are we going to do so they get the intense training they need in order to get out of this reading gap?

SENATOR DONDERO LOOP:

The new funding formula bill has a provision for literacy specialists at schools. When those students need intensive intervention, the specialists will find what is necessary and how to pull those kids together. In all elementary schools, things are fluid; a child or group of children can be pulled out for many reasons. Literacy specialists are trained to pull those students together or individually to give the intensive instruction they need to move forward.

SENATOR HANSEN:

We have the same goal. I want to see kids reading too. We have talked about this program for years. However, the legislation in 2015 was modeled on what was done in other states. We were using those states as models, because Read by Grade 3 had supposedly been substantially successful. Have other states changed their models? Are other states with similar programs modifying their programs? Apparently the idea is not as successful as we would have hoped.

SENATOR DONDERO LOOP:

Other states throughout the Country serve as models. It is time for us to take a look at this and make education work in a solid, intensive way for these students. As a teacher, I know what works. I had many students who needed intensive intervention. It was always most successful when we pushed those students to the next grade and allowed the next teacher to have the intervention with the literacy specialist.

SENATOR WOODHOUSE:

My background experience is similar to Senator Dondero Loop's experience. This is the next step in the right direction after the Read by Grade 3 program we started in 2015. I was a Grade 1 teacher for 17 years and a Grade 2 teacher after that. I have experience with retaining students at the first grade level. It takes a lot of soul searching on the part of the teacher, principal and the parent or guardian in looking at the student's experience in that grade. I had situations with students where we decided, together, that the right thing to do was to retain the child. Sometimes, the parent wanted the child in my classroom again; at other times, we felt it was better that the child be in a different classroom for a different experience.

One thing I found in recommending retention for first-graders was that the students often had the ability, but they were more immature and not able to handle the day-to-day experience of the classroom. The student needed to grow into being a first-grade student. It was the same with second grade. I have great consternation with retaining students at third grade because that is when some of the social and emotional issues arise. It is imperative upon us to find the resources and the interventions that are necessary to bring these students to the level where they should be, so they can achieve at least at that appropriate grade level. This is a good step in the right direction.

SENATOR HAMMOND:

When we passed this legislation in 2015, we talked about the need for every child to read by third grade. Statistics were given about the success of students who achieve reading by the grade level and what happens to students who tend not to read at that grade level. There is a great disparity between those two types of students.

When the bill was introduced in 2015, I was probably the last person on the Education Committee to say yes. I had problems with the implementation of the program in states like Florida. In those states, many students suddenly did not get past third grade. If a large number are placed back into third grade, the system is not set up with enough third-grade teachers and space.

In 2015, I had to be convinced that the implementation process of our program was different than that in Florida. The Nevada approach was thoughtful because we created an implementation process that pushed everything out a little. We did this to ensure all the resources were available to the cohort of students below third grade.

Which problems with the way the Read by Grade 3 program currently exists are most important? Some might suggest the grant money available was insufficient. You are also tackling the retention. Is it your understanding of the current law that retention is automatic if students do not achieve a certain level?

SENATOR DONDERO LOOP:

Retention for students who are not proficient is still at the discretion of the principal on page 9, [Exhibit G](#).

We are looking for a version of Read by Grade 3 for the future. We have looked at national trends. Assembly Bill 289 will be a national model of a way to do things. This will allow students to be promoted with dignity. We will move them forward and help the struggling students rather than leave them behind. Literacy specialists will be there to assist the struggling students. This bill also creates accountability for literacy strategists in schools.

Like Senator Woodhouse, I taught kindergarten through third grade for most of my years. Even in kindergarten when I had students who struggled with the beginning skills, I did not just tell parents to keep the child in kindergarten. It might have been an easy fix, but I did not feel it was the right fix. I felt that moving forward with those students and providing them the skills-intensive training they needed was better. Some students might have trouble with reading but is a math star. You want students to be promoted.

SENATOR HAMMOND:

The problem I have with the bill and the amendment, [Exhibit G](#), is that the provisions of the bill are already part of the current program. There is no automatic retention. It is a thoughtful process. Students are evaluated from kindergarten through third grade. Parents are notified.

My daughter just finished second grade. My wife and I recently received a letter that said our daughter is in jeopardy of not achieving the levels that she needs. It was a very thoughtful letter that explained we will need to have some discussions soon about how we are going to proceed, so that by the end of her third-grade year we are going to make sure she is where she needs to be.

This legislation is a solution looking for a problem that we do not have. We put these provisions in place in 2015; we have not actually let the program come to fruition. The State Board of Education only finalized the rulemaking for promotion and retention in August 2018. We have not even seen those rules implemented yet. We do not know how many students will be retained.

The original Read by Grade 3 program indicated that very few students would need to be retained if we implemented the program with fidelity. The original legislation further explained that, if the students did need to be retained, the process would be done thoughtfully; the parents, teachers and principal would get together and decide the appropriate action. The child might need to be held back for a quarter or a few weeks, or the student might be promoted to

fourth grade but given additional reading help. The NDE Guidance Document for Read by Grade 3 describes all the things that need to happen in order to make sure the instruction is provided.

I do not know why we would want to make changes to something we do not know will fail. You are talking about a model for the future. We already have a model for the future; we just have not had a chance to see if it works. We were careful in 2015 to make sure we were not going too far too fast. We did not want to have the problems we saw in other states. I have an issue with changing something when we do not know if it will work.

SENATOR PICKARD:

I was under the impression that the current retention policy was mandatory and this bill was needed to make it permissive. I was also under the impression that the parents would be making the decision. As I went back into the existing language, I saw that the existing law is permissive. In that respect, what does this bill change with how the parents are involved in the decisions and how that is rolled out? Does A.B. 289 eliminate the retention entirely? What is the difference between A.B. 289 with the amendment, [Exhibit G](#), and the current policy?

SENATOR DONDERO LOOP:

Lines 8 through 13, page 9, [Exhibit G](#), require the principal of a school to consult "with the literacy specialist designated pursuant to NRS 388.159 and any other teacher or other person with knowledge and expertise related to providing intervention services and intensive instruction to the pupil" to ensure and design interventions for a student.

Line 32, page 9, [Exhibit G](#), explains the principal "may retain the pupil in grade 3 rather than promote the pupil to grade 4." This still allows for retention when necessary. This does not mandate retention.

I have worked with NDE on this bill. I know kids. Many teachers have done what I have done. Intervention services and intensive instruction with reading is a better model. It is the model of the future.

SENATOR PICKARD:

We do not currently have a mandated retention policy. This bill would have us go from one policy without a mandate to another policy without a mandate. What makes A.B. 289 different from the language currently in place?

Section 7, subsection 2 of the bill seeks to eliminate language wherein the superintendent and his or her subordinates establish the system to develop the evaluation and look at the factors used in determining whether the retention would happen. The language deleted in section 7, subsection 2 even goes into the remediation that would be required prior to retention. All of those provisions are deleted and replaced with a simple "you gotta talk to everybody about this." Assembly Bill 289 removes standards and guidelines for how the retention process goes forward and eliminates the State Board's ability to regulate how this is done.

Within this context of what has changed, is it the intent of the bill to merely put the retention decision at the principal level and leave the superintendent out of this process? That is what it appears to be doing.

SENATOR DONDERO LOOP:

No. The superintendent, board of trustees and other supervisors are always involved in anything in an education setting. We want the group of people who are closest to the students making those decisions because they know what that student has experienced and what the student needs to move forward. That is not dissimilar to the current law.

SENATOR PICKARD:

As Senator Hansen mentioned, our common goal is to make things better for our students and the education system as a whole. Why would we delete the guidance and replace it instead with just an open-ended statement that the principal, literacy specialist and teacher get together and talk about the decision? I do not see where we have replaced those guidelines, factors and other things that they have to consider. I do not see that in the bill or the amendment, [Exhibit G](#).

SENATOR DONDERO LOOP:

Page 9, [Exhibit G](#), basically puts in place that the principal will be making the same decisions as were included in the language we propose to delete. The principal will be assisted in making those decisions in the intervention system by

the literacy specialist and any teacher or other person with knowledge of the situation. We have just condensed the guidelines and made them clearer. The State Board will still prescribe the regulations.

SENATOR PICKARD:

Starting on line 20 of page 9, [Exhibit G](#) actually removes the authority for the State Board to regulate this process. Deleted lines 20 through 31 include language such as, "the State Board shall prescribe by regulation the score ... an alternate examination ..." and the definition of an "individualized education program."

The bill seeks to remove a critical piece of the Board's regulatory function in terms of how it deals with the process. Yes, the portion removed starting on page 8, line 32, [Exhibit G](#), is simplified on page 9, line 8. However, the removal of other language on page 8, [Exhibit G](#), is concerning.

I approach this from the perspective of a former high school teacher and now lawyer. We need guidance and determining factors. I am concerned about removing guidance and just saying "figure it out."

SENATOR DENIS:

We have talked about this with the reorganization of the Clark County School District (CCSD). We want schools to be able to make decisions at the school level for the kids at that school. I have seen this focus on literacy implemented with Zoom schools. The reading component works at Zoom schools because they have literacy specialists and reading programs that track each child. Zoom schools are having great success in literacy because they focus on literacy. Assembly Bill 289 puts the focus back on the school and says, "You need to make decisions with the people who actually work with the kids in literacy, not just the school board or a superintendent who is not there with the kids." We have seen success with that model.

SENATOR PICKARD:

I agree. However, that ability for autonomy is contained in current law but removed in the section deleted on page 8, line 32, [Exhibit G](#). To your point on the Zoom schools, we have not implemented this in all schools because the Zoom program is not in every school. The updated school funding formula will give us that ability.

This bill does not really change the school level operation. This bill requires the continued intensive supports which we hope to expand to every elementary school because we know these students are present in every school. That is an important piece. I just think we can do all that without this substantive change.

I am concerned with removing guidelines, but I do not see a significant substantive change included in this bill. I do not see language that will make a big change, except in the schools that do not have the supports. We will now have to fund the supports, which is a separate issue.

I support the idea of making sure that every student has the intense supports that this bill provides. I like that. Ultimately, if we are not doing that we are failing our kids. My concerns are technical in nature.

SENATOR DONDERO LOOP:

Section 4, [Exhibit G](#), includes some accountability measures.

CHAIR DENIS:

The Read by Grade 3 program provides additional resources for the schools to be able to implement it. I will ask Ms. Lang to clarify some of the technical changes that might not have been fully explained.

RISA LANG (Committee Counsel):

The original Read by Grade 3 legislation requires the student to be held back if the student fails to meet certain requirements unless the student qualifies for an exemption. The language deleted in section 7, [Exhibit G](#), is the exemption process contained in the original legislation.

Because the automatic retention requirement is removed, it is appropriate to remove the exemption process language. The decision of when it is appropriate to hold the pupil back is left to the discretion of the literacy specialist and the school. The exemption process would not be subject to the specific things explained in the section 7 deletion.

SENATOR PICKARD:

The current policy does not require a mandatory retention in the first instance. The parents and educators still have the ability to promote the student, particularly if a program is available that would provide the intense supports as the child moves forward. Is that correct?

MS. LANG:

The statute requires the child to be held back unless the student qualifies for one of these good-cause exemptions.

TOM GREENE (Regional Advocacy Director, Western Region, Foundation for Excellence in Education):

For the past 4 years, the Foundation for Excellence in Education has supported NDE in the implementation of the Read by Grade 3 program. We consider the current Read by Grade 3 law one of the strongest in the Nation. We support A.B. 289 because of the latest amendment, [Exhibit G](#), which requires students who are still behind in Grade 3 to get all the additional interventions, resources and supports necessary to help them catch up while empowering principals, educators and literacy strategists to collectively decide if a child will be given extra time for promotion to Grade 4.

Automatic retention is a key driver for student success. Florida and Mississippi have benefited from this program. Florida went from being one of the worst-performing states in the Country to one of the best. Mississippi is the second-fastest-growing state in the Country for fourth-grade reading because of this program. Research against retention was mentioned previously. Another body of research suggests that retention within a comprehensive, strategic, universal program like Read by Grade 3 works.

There is a lot of discussion about retention and empowering the principal. In practice, principals, in consultation with teachers and literacy strategists, will make the best decisions. Many principals will probably retain kids. It is a much steeper climb in fourth grade if the student is trying to learn to read while tackling much more difficult content.

We look forward to seeing the early literacy data in the coming years as a result of this legislation and hope this bill creates another national model. We are confident State Superintendent Jhone Ebert and the professionals at the NDE will monitor progress, support principals and teachers, use data to inform future conversations and keep building on the growing success of this program to ensure all our students are proficient readers.

SENATOR HAMMOND:

You have a lot of data. You could back up the program as written in 2015. It has been proven in other states. We have not had a chance to see if the program is working in Nevada, but this bill seeks to change it.

This bill eliminates the automatic retention trigger. Our legal counsel said that currently the retention is mandatory unless the student has a good-cause exemption. If parents do not want their child to be retained, is that a good-cause exemption? Can they say they do not want their child retained?

MR. GREENE:

A process exists by which the parents can to object to retention, but legal counsel can give a better answer.

SENATOR HAMMOND:

In the current process, I might get a letter which talks about my child. At the end of the next year, I can sit down with the team included in the statute and we decide whether my child will go on. Under the current program, I love that we have been receiving letters. We know what is going on.

We have talked about the amendment, [Exhibit G](#), being the program of the future. Many states say that our current program is the program of the future. We do not know for sure because we have not fully implemented the program.

Ms. Lang, is it true that my opinion as the parent can constitute a good-cause exemption?

MS. LANG:

The language deleted on page 8, [Exhibit G](#), explains when a good-cause exemption is required to be approved. It is possible that the section of current law deleted in lines 32 through 45, page 8, and lines 1 through 3, page 9, could allow for good-cause exemptions not explicitly stated in the preceding paragraphs.

SENATOR HAMMOND:

It would be good to get to the bottom of that. The way I understand the current program, if parents really do not want to see their children retained, the parents can object to the retention. That is the bottom line. I want to make sure that is true. As far as I understood the law when we passed it in 2015, the parental

opt-out has always been in the law. It is still there. I do not know if this bill strikes the opt-out entirely. The whole idea was letting parents know what is coming before it happens. That is why the students are taking tests and having their progress documented throughout the early elementary school years.

MR. GREENE:

Parental involvement is a powerful part of comprehensive strategic reading programs in states with similar principles in law. Children are screened within 30 days of entering kindergarten. If reading deficiencies are determined, a personalized reading plan is developed within the five pillars of the science of reading. The parent is brought into the process and given tools to help the child mitigate those literacy issues. Parents should have been informed from the beginning. Parents should be involved before the child even gets to third grade. Parents are part of the process, part of helping the teacher at home, part of helping their child be successful in reading.

SENATOR HAMMOND:

I need to make sure the parental involvement component has not been removed or changing in A.B. 289. As a parent, it has been helpful to get information. That did not always happen in the past.

CHAIR DENIS:

With your work on this bill, is it your understanding that the parental involvement piece is still there?

MR. GREENE:

Yes. That piece is still a part of the bill. That is another reason we support A.B. 289.

SENATOR HANSEN:

Mississippi and Florida were the models we used when we created the Read by Grade 3 program. Your testimony is that you like our current system and you like A.B. 289. Does this bill, with the amendment, [Exhibit G](#), actually enhance our existing program? Is something missing from our current structure that has been successful in the programs in other states?

MR. GREENE:

In 2015, we were a resource to lawmakers in the process of creating the Read by Grade 3 legislation. Eight states serve as the model for this type of program. This bill enhances the program in Nevada.

I am concerned with removing the objective retention piece. However, empowering principals, ensuring we are making the right decision for the child and requiring the interventions, is the key part of the bill. The purpose of the retention is to give the child more time before promotion. Part of the Read by Grade 3 law in other states is that retention triggers more intensive interventions, more resources and more supports. Increased support, not just holding the child back, is the key to helping the child succeed.

That is where the body of research is divided. The research that has been done in Florida indicates that students who are held back perform better in the long run than the kids who are just over the bar. The reason for their success is because they were given the additional interventions and supports. Increased support is required in A.B. 289.

SENATOR HANSEN:

Is the increased support absent in the current program?

MR. GREENE:

The increased support is not absent. The current program triggers additional interventions and supports. The difference is that this bill allows the child to move up if the teacher, principal and literacy strategist decide it is in the best interest of the child. In practice, you will see principals do what is best.

The best strategy is probably to hold kids back but give them the additional interventions and supports. The current law has built-in flexibility that allows students to progress to fourth grade at any time during their second- or third-grade year if they can show proficiency. Students are given three options for advancement—the State test, the Measures of Academic Progress assessment and a portfolio of work to show proficiency in reading.

KATIE DOCKWEILER, ED.D. (Nevada Association of School Psychologists):

Three years ago, the Nevada Association of School Psychologists (NASP) approached Assemblyman Tyrone Thompson. We had some issues with the 2015 version of the Read by Grade 3 program regarding the lack of parental

voice in the retention of their children. The parents were notified, but it was a one-way stream of communication in terms of the parental involvement. When it came to the actual determination of retention, the parent voice was absent.

In December 2015, 6 months after Nevada passed its version of the Read by Grade 3 law, new findings were presented by the National Education Policy Center. The Center had examined third-grade retention reports from Florida and discovered validity issues with the statistical methods used in Florida's analysis. Caution was advised for other states using the Florida model to inform their policy decisions.

The instrument variable approach that was used in Florida was deemed inappropriate, given that the students who were promoted to fourth grade, as well as those who were retained, both received interventions. That speaks to the key need for intensive interventions and instructional supports. The instrument variable is inappropriate; it violates the assumption that the threshold has no direct effect on outcomes other than through retention.

In other words, a causal or direct effect of the retention on student performance in Florida could not be made because it was not the only treatment being implemented. Both academic interventions were being implemented simultaneously. That speaks to the impact of those interventions. This data was not available in 2015 when some decisions were made in Nevada. This new data supports that perhaps the Florida law should not have been generalized in its entirety for adoption by another state.

SENATOR HANSEN:

Dr. Dockweiler mentioned Florida. Mr. Greene mentioned eight other states that were used as a model. Was an analysis done of any of the other seven?

DR. DOCKWEILER:

I do not have that information. I do know that some of those states have relaxed their retention policies regarding the Read by Grade 3 program and have either added good-cause exemptions or have reverted to giving the principal some of those decision-making powers, maintaining the autonomy at the school site and not making retention mandatory. Assembly Bill 289 shifts the language on retention being a "must" to a "may."

SENATOR HANSEN:

Have those other states seen substantial improvements in the literacy of the third- and fourth-grade students?

DR. DOCKWEILER:

I cannot speak to that. I have not examined them comprehensively.

In 2016, the NASP conducted an implementation fidelity survey with school psychologists assigned to every school in the State. Our psychologists reported that only around 66 percent of the schools were implementing the 2015 Read by Grade 3 model with fidelity. So, are students really receiving the intensive interventions they need to make them successful and support them in their literacy promotion?

In the current version of the Read by Grade 3 law, schools are required to report on the number of students retained. In the bill with the amendment, [Exhibit G](#), schools will be required to report on the number of students demonstrating growth. This change will require the schools to make sure they are implementing the model with fidelity, so they have data to report on the number of students who are meeting, exceeding or on track to achieving their targeted growth projections.

The NASP supports [A.B. 289](#).

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

Association members in Washoe County and throughout the State have wondered what exactly a literacy specialist is and how a literacy specialist will be used in our classrooms. Too many schools do not currently have literacy specialists. Increased funds provided in a few different bills this Session will help tremendously.

Other Association members have questioned what it means to give "intensive instruction." Too often we are told we will just have the student read more. Unfortunately, students who are just told to read more sometimes begin to resent and hate reading. The intensive instruction provided by literacy specialists will help other educators give students a love of reading which will last into the future.

LINDSAY ANDERSON (Washoe County School District):

We support A.B. 289. We have been involved in the creation of this bill for over a year. Many of the tenets of Read by Grade 3 which have already been implemented will continue to be embraced regardless of the outcome of this legislation. The real change and engagement takes place in the continued communication with parents early on. That was the original intent of the bill. If we are waiting until third grade to tell families that their children are behind, we have waited far too long.

Communication with families has been a primary tenet of what we have implemented in the Washoe County School District, as well as providing parents with resources when they get that letter. Most parents want to jump in right away and help their students. We provide resources and training for parents on how to help their children and encourage them to love reading. That will continue in our District, regardless of whether that is included in the final language of the legislation.

MARY PIERCZYNSKI (Nevada Association of School Superintendents):

We have also been involved in the working group looking at this piece of legislation and trying to improve it. One of the key issues is the supported promotion allowed in the bill. Students are not just shoved on without additional help, they receive supported promotion to the next grade.

It is also important for decisions to be made by the people who are actually working with the students. We do not need to have so much outlined in the legislation as we need to involve the principal, teachers and others working with the student and the parent. That is allowed in this bill.

KIRSTEN SEARER (Clark County School District):

We support A.B. 289. We have also been involved in the working group over the past few months. The bill addresses many of our concerns while continuing the parts of Read by Grade 3 that we support, including the increased communication with parents whose students have lower reading achievement levels.

Part of our concern with this legislation has been that the financial support for implementation has been through a competitive grant, which means that not every elementary school has had a learning specialist to ensure that all their students are reading at an adequate level. We support this bill and the

discussion going on in other bills about fully funding a learning strategist at every school. That is a critical component of A.B. 289.

We estimate that as many as 7,000 current second-graders could be in jeopardy of being retained if the Read by Grade 3 provisions are not changed. Our superintendent and principals feel strongly that the decision about retention should be made by the principal in conjunction with the literacy specialist and the teacher of the student.

JESSICA FERRATO (Nevada Association of School Boards):

I echo the previous comments. The Nevada Association of School Boards appreciates the provisions of this bill. This gives our teachers, schools, principals and parents the notification and preparation needed to make sure that our students are reaching grade level by Grade 3.

MEREDITH SMITH (Director of Policy, Nevada Succeeds):

Nevada Succeeds has supported Read by Grade 3 since it passed in 2015. We supported the program in its original format and have supported updating the original legislation to remove the retention component since the beginning of 2016. We supported the removal of the retention component when we were made aware of a meta-analysis of more than 1,200 research studies on the influence of retention on student achievement. This analysis showed that retention has a negative impact on student achievement. The goal of retention is not retention; the goal of retention is to ensure students get the reading interventions and instructions they need. For this reason, we support adding the additional interventions past the third grade while removing the automatic retention component.

Among the strengths already mentioned, one of the strongest policy frameworks in this bill is its definition and clarification of the role of literacy specialists. At the end of last year, in a room of educators, administrators and other education stakeholders, Assemblyman Thompson asked us what a learning strategist was and why there was not a definition in statute. Like many terms in the education profession, learning strategist and literacy specialist can mean different things in different schools, districts and states. This is a huge problem when it comes to evaluating the fidelity of policy implementation and helping professionals understand how best to work with one another to serve students well. By putting some parameters and the needed supports around what it means to be or become a literacy specialist in Nevada, this bill will help

define the scope of practice and ensure our human talent is allocated in a way that will equitably meet the needs of students.

MR. DAZLICH:

The Chamber was in strong support of the original Read by Grade 3 legislation. We continue to support the spirit and educational goals of that original piece. We had concerns with the original version of A.B. 289 but have moved to the neutral position because the amendment, [Exhibit G](#), has addressed and mitigated our concerns.

SENATOR HAMMOND:

In the current iteration of the program, we would get to know exactly how many students would be asked to be retained at the end of each year. Does that change at all in this legislation? Will the general public know how many students are in danger of not reading by the end of third grade?

SENATOR DONDERO LOOP:

Page 5, lines 33 and 34, [Exhibit G](#), explain that a copy of the report must be submitted "to the Department, the Legislature and the sponsor of the charter school." That is an accountability piece.

Page 3, line 13, [Exhibit G](#), uses the phrase "curriculum-based assessment." After some discussion with the NDE, we think "standards-based" is better wording, so we will ask for that to be amended.

We have an opportunity to make some differences in education. Assembly Bill 289 allows students to be promoted with dignity and creates accountability for schools and the NDE to work together until all schools are proficient in elementary school reading and literacy.

CHAIR DENIS:

I will close the hearing on A.B. 289.

Our Committee rules allow for voting via phone. Senator Washington is with us on the phone.

I will open the work session on A.B. 168.

ASSEMBLY BILL 168 (2nd Reprint): Revises provisions governing the discipline of pupils. (BDR 34-539)

JEN STURM (Committee Policy Analyst):

I will read the bill summary from the work session document ([Exhibit H](#)). Senator Hammond proposed an amendment which is included with the work session document, [Exhibit H](#).

SENATOR HAMMOND:

I will explain the rationale for bringing forth the amendment, [Exhibit H](#). A lot of research is going into restorative justice. The practice has tremendous potential benefits, but it has to be done right. A lot of training is required. The school staff has to be committed to implementation of restorative justice. Good examples of restorative justice plans must be provided.

What we put in the amendment, [Exhibit H](#), is not too onerous. We want NDE to provide assistance as the districts make restorative justice plans by giving the districts example plans and identifying experts or other people who can give professional development. We want these plans to be the best they can be. If districts can do this right, we will see a tremendous upside to this measure. If the districts do not do it right, the results can be problematic.

SENATOR PICKARD:

Assemblyman Thompson and I worked in the Interim on the CCSD School Justice Partnership program. We took the pilot program that was based on restorative justice and included student supports for individuals identified through the process. We had to move quickly and decisively to determine how we were going to structure the program in order to implement it before the beginning of the next school year. Once the program was implemented, we continued to track it and tried to work out the kinks in the implementation.

This amendment, [Exhibit H](#), is consistent with what we discovered was necessary during that process. This amendment, [Exhibit H](#), will help us implement the policy in a meaningful way without encountering the problems others have found when trying to implement restorative justice.

SENATOR HANSEN:

I am uncomfortable with this bill. I am uncomfortable with language such as that in, section 7, subsection 2, which states, "An employee who is a victim of

a battery which results in the bodily injury of an employee of the school may appeal." Eighty-nine percent of the teachers who are leaving the school system are leaving from high-risk schools. They are leaving in part because of violence in the schools.

I want to help kids who are having trouble, but I am uncomfortable with the idea that you will move them to a different school and give them a certain amount of leniency with violence, firearms and assaults on teachers. Perhaps in the big picture things may work out, but I think we are going backwards. In my day, no one even thought about doing or threatening anything against a teacher. "If anything, kids who are doing this kind of stuff"

I am uncomfortable with the whole premise of A.B. 168. I will vote no on the bill.

SENATOR HAMMOND:

I understand what Senator Hansen is saying. I have spent a lot of time in a classroom. We have to have a different approach to how we deal with situations. It is not always so cut and dry. Some principals have felt certain policies passed over the last few years are too restrictive. This bill actually relaxes the regulations and gives the principal more discretion.

Prior to this bill, principals were told they could not suspend or take other actions. This bill lets principals know restorative justice can work if it is done right. Restorative justice in schools is similar to a community policing approach. In community policing, police officers are part of the community, talking to and interacting with community members.

This bill allows teachers to take a different approach, but it has to be done right. Principals have had their hands tied for the past several years. This unties them under certain circumstances and allows for expulsion and suspension in certain circumstances. This bill places an emphasis on schools creating a tight, progressive policy on what to do and how to do it. School staff members are tied into the policy to make sure they buy into it. Assembly Bill 168 is a first step toward changing the environment in which we live.

SENATOR HANSEN:

"If this is needed to make things better, then things really are a mess."

Maybe I am looking at this backwards. Maybe this is a big improvement over the situation. But from what I read, it is concerning that we have reached this point in the public schools where we are losing teachers because they are afraid of being assaulted by students. It is concerning that teachers are afraid to go to work in a classroom setting. I may change my vote before our final vote on the Senate Floor, but I will vote "no" now.

SENATOR PICKARD MOVED TO AMEND AND DO PASS AS AMENDED
A.B. 168.

SENATOR PICKARD:

The whole point of restorative discipline is to intervene sooner. When I was teaching, I had a fire extinguisher thrown at me. The student was immediately expelled. That would not change under the restorative discipline principles. However, restorative discipline allows for early intervention that is proportionate in response to the early indicators. Restorative discipline tries to get the child back on track. In the old system, the student had to actually violate a rule worthy of discipline. This practice is intended to catch certain indicators sooner and more frequently and guide the student back to the proper path. We have seen it work well in other jurisdictions. Once it was implemented in Clark County, we saw some significant improvements overall.

SENATOR WASHINGTON SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR HANSEN VOTED NO.)

* * * * *

CHAIR DENIS:

I will open the work session on A.B. 155.

Ms. STURM:

Assembly Bill 155 reduces the number of credit hours per semester in which a student is required to enroll at a community or State college to be eligible for the SSOG program. The credit-hour requirement is reduced from 15 credits to 12 credits in certain situations. The bill also provides for an exception to the minimum credit-hour requirement for students in the final semester of a program of study.

The bill prescribes the priority order in which grants, to the extent that money is available, must be awarded. All eligible students enrolled in 15 credit hours are required to be served first, then consideration is made for students in their final semester of a program of study. Finally, consideration is given for students enrolled in at least 12 credits. No amendments to the bill were presented during the hearing.

SENATOR HARRIS MOVED TO DO PASS A.B. 155.

SENATOR WASHINGTON SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

* * * * *

CHAIR DENIS:

I will open the work session on A.B. 289.

MS. STURM:

Assembly Bill 289 removes the requirement to retain students in third grade who do not perform at a certain level of proficiency in reading. Instead, the bill requires the implementation of certain intervention services and intensive instruction for students. The bill modifies the distribution of Read by Grade 3 funding from a competitive grant process to a weighted funding distribution and expands plans to improve the literacy of all students in an elementary school. The bill revises provisions related to literacy specialists and modifies requirements related to assessments to determine proficiency in reading.

An amendment, [Exhibit G](#), was proposed by Senator Dondero Loop.

SENATOR HAMMOND:

I appreciate the intent of the bill and the amendment, [Exhibit G](#), but I have not had enough time to go through it. We went through this legislation in 2015; I need more time before I am comfortable with voting yes to adjust it. I will vote "no" now and reserve the right to change my mind by the time we get to the Senate Floor. I might get more comfortable with what the amendment, [Exhibit G](#), says and changes, and whether the changes are good or if there are changes that I would rather have stay in the program.

SENATOR PICKARD:

I share the concerns of Senator Hammond. After listening to the supportive testimony, particularly the diversity of the support for this measure, I will vote "yes" but reserve my right to change my vote. I am still uncomfortable with making substantive changes before we even know what the original program will do because it is not fully implemented.

CHAIR DENIS:

There is a lot of good and bad about the fact that we meet every two years. One of the good things is we get two years to come back and look at something. Sometimes what we did could be made better. We have had 2 years of looking at what these other states have done with Read by Grade 3 to see what we could do better. We continue with the original legislation, but we have the chance to do something better.

SENATOR PICKARD:

I agree. However, if we have not fully implemented the program we cannot tell if we need to improve it. My concern with constantly moving targets is that as we make changes, we sometimes have to start over because the fundamentals have changed. It is hard to track and identify trends when the baseline has changed underneath. If we do not wait until we see what the program is actually doing once it is fully implemented, we cannot tell if it is working and if change is needed.

That said, the program was implemented in part for a little over a year, so we have some preliminary ideas. We have information from the few schools where it was fully implemented and where Zoom provided the reading centers. Could we really see how this works? Assembly Bill 289 and the new funding formula bill will put these reading centers in every school. That is a positive thing. That is why I am leaning "yes."

SENATOR HANSEN:

My concern is that the program has not had enough time to be fully vetted. My biggest fear is that we go back to the social promotion, grade inflation concept wherein kids with minimal literacy abilities are bumped from grade to grade. I will vote "yes" to move the bill out of the Committee. Reading is a critical component of any child's education. The critical window for reading at a decent grade level happens by third or fourth grade.

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I share the same goal as the bill sponsor. I hope the program is successful. I am concerned with the prospect of holding back a substantial number of kids. That possibility in itself tells us that they need help. This is the critical window in which we need to help the kids. I will support the bill, but I am still leery about too many changes too quickly on a program that is still in its infancy.

SENATOR WOODHOUSE MOVED TO AMEND AND DO PASS AS AMENDED A.B. 289.

SENATOR HARRIS SECONDED THE MOTION.

CHAIR DENIS:

Senator Dondero Loop made a comment about changing the phrase "curriculum-based" to "standards-based." We have Proposed Amendment 6075, [Exhibit G](#), but we will also need to change the word she mentioned. That change is included in the motion.

THE MOTION CARRIED. (SENATOR HAMMOND VOTED NO.)

* * * * *

CHAIR DENIS:

I will open the hearing on A.B. 235.

ASSEMBLY BILL 235 (2nd Reprint): Revises provisions governing the Nevada Advisory Commission on Mentoring. (BDR 34-149)

ASSEMBLYWOMAN DINA NEAL (Assembly District No. 7):

Before he passed, this was Assemblyman Thompson's bill on the Nevada Advisory Commission on Mentoring. I have some of Assemblyman Thompson's notes for his presentation of this bill. I will read some of his comments. He wanted to share a quote by Frederick Douglass, "It is easier to build strong children than to repair broken men." The same applies for broken women.

Assemblyman Thompson's journey to form this Commission began in 2015, when he crafted the original legislation for its creation. The bill did not pass in 2015, but in 2017 Assemblyman Thompson reintroduced, and ultimately passed, legislation which was signed by then-Governor Brian Sandoval. Assemblyman Thompson brought A.B. 235 forward to add money and staff for

the Commission. Assemblyman Thompson wanted to host a mentoring conference with some of the funds from A.B. 235. Assemblyman Thompson worked on these proposals with several partners, including the NDE, the Department of Health and Human Services (DHHS) and the Las Vegas My Brother's Keeper Alliance.

I have submitted a visual presentation ([Exhibit I](#)) which explains the concept envisioned by Assemblyman Thompson of a potential partnership with MENTOR: The National Mentoring Partnership.

MICHAEL FLORES (Chair, Nevada Advisory Commission on Mentoring):

Assemblyman Thompson was passionate about this work. I was blessed to work with him on the Nevada Advisory Commission on Mentoring for the last two years. When the Commission came into existence last Session, there was no staff assigned. Assemblyman Thompson was a fierce advocate for what he believed in, so he went to the NDE and DHHS to figure out how he could make it happen. He was able to get support from then-State Superintendent Steve Canavero.

With the support Assemblyman Thompson found, we were able to fill all the appointments mandated by the legislation in order to create the Commission and start focusing on the work. We realized there is not a lot of capacity in the mentoring community. We needed more mentors; we needed to find out what was out there for our community, and we needed to look at resources provided specifically for our young people. Getting staff for the Commission was one of our greatest hurdles.

The community has expressed concern about the lack of capacity and the staffing issues. We want to make sure we have the staff we need for the future. Members of the mentoring community have expressed that they need some support in the form of grants or similar funding in order to be able to continue some of the work they are doing. They do not need anything big; they just need small opportunities to continue their work.

Assembly Bill 235 also contains an appropriation for an annual Statewide conference focused on mentoring. That has already been happening under the leadership of Assemblyman Thompson.

This Commission is in good hands.

ASSEMBLYWOMAN NEAL:

Section 1 of the bill adjusts the membership of the Commission. Section 1, subsection 2, paragraph (c) lays out the age requirements for certain members of the Commission. It is important to have members on the Commission who actually represent some of the ages served and who have an interest in supporting mentorship programs in the State. Section 1 lays out the terms, sets out the vacancy process and explains the attendance policy for the members. Section 1, subsection 7 addresses the need for administrative support. This is the purpose of the requested appropriation.

Section 2 spells out the meeting times for the Commission. Section 2, subsection 4 lays out the powers of the Commission.

Section 3 explains the duties of the Commission. The duties of the Commission are extensive in response to the scope of what Assemblyman Thompson wanted for duties, support and facilitating mentorship programs within this Commission.

Section 3, subsection 1, paragraph (f) is the provision of the original legislation explaining that the Commission shall administer grant programs and work in coordination with the Office of Grant Procurement, Coordination and Management of the Department of Administration.

Section 3.3 contains an appropriation of \$101,000 to allow the Commission to continue its work. Section 3.6 contains a \$5,000 appropriation for a Statewide conference on mentoring and any marketing or related expenses. Section 3.8 contains an appropriation of \$25,000 in each year of the biennium for mentorship programs and grants. Section 4 contains the effective dates for this bill.

When we amended section 1, subsection 7 in the Assembly Committee on Ways and Means, it was our understanding that the NDE would supply the administrative support, and it would come out of the NDE budget.

CHAIR DENIS:

Section 3, subsection 1, paragraph (e) instructs the Commission to work in consultation with the NDE for its administrative support.

Ms. L. ANDERSON:

Washoe County School District Superintendent Traci Davis is an active participant on the Commission. She represents northern Nevada, which is an important role for her to play. She is proud to support this legislation and be a member of the Mentoring Commission.

J. KYLE DALPE, PH.D. (Nevada System of Higher Education):

We appreciate Assemblyman Thompson's vision on this bill. On behalf of NSHE, its seven teaching institutions and one research institute, we support this bill. Mentoring is a key component of student success and potential student success. With a focused mentoring program and strategies, students can get where they want to go. Mentoring is a key component built into the Promise Scholarship and has helped the students in that Scholarship program move along.

LEONARDO BENAVIDES (Clark County School District):

We support A.B. 235. This bill will provide much needed support for the Nevada Advisory Commission on Mentoring. As my colleagues have stated, community involvement and mentoring are key components for student success. In the CCSD 5-year strategic plan, Focus 2024, we have a goal of having 1,000 new mentors by 2024. This Commission will help us achieve that goal.

Ms. N. ANDERSON:

We were proud to support this in 2017 and are proud to support A.B. 235. I echo the previous comments in support of A.B. 235.

Ms. PIERCZYNSKI:

We have supported this legislation all the way through, because we know how important mentoring is for so many of our students. We support A.B. 235.

CHAIR DENIS:

We have received a letter in support of A.B. 235 from Matt Morris, a member of the Nevada Advisory Commission on Mentoring ([Exhibit J](#)).

I remember discussing the importance of mentoring with Assemblyman Thompson. Mentoring is an important component of the Promise Scholarship. It is important for those students to have somebody who can help them, which is different than just a scholarship where they are given money. Students actually have to meet with somebody and be mentored. The

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community stepped up, and we get around 1,200 mentors for the Promise Scholarship program. Assemblyman Thompson and I used to talk about how important that piece is, especially to our communities where sometimes the kids do not have mentors in their own lives. This is a good bill.

SENATOR WOODHOUSE MOVED TO DO PASS A.B. 235.

SENATOR PICKARD SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR WASHINGTON WAS EXCUSED FOR THE VOTE.)

* * * * *

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CHAIR DENIS:
The meeting is adjourned at 7:00 p.m.

RESPECTFULLY SUBMITTED:

Steven Jamieson,
Committee Secretary

APPROVED BY:

Senator Moises Denis, Chair

DATE: _____

EXHIBIT SUMMARY				
Bill	Exhibit / # of pages		Witness / Entity	Description
	A	2		Agenda
	B	4		Attendance Roster
A.B. 155	C	21	Assemblywoman Selena Torres	The Silver State Opportunity Grant: Year Three Results for Nevada's First State-Supported, Need-Based Financial Aid Program
A.B. 155	D	5	Assemblywoman Selena Torres	Visual Presentation
A.B. 155	E	1	Nevada Immigration Coalition	Letter of Support from Sylvia Lazos
A.B. 155	F	1	Senator Moises Denis	Statement of Support from Suzanne Reed
A.B. 289	G	15	Senator Marilyn Dondero Loop	Proposed Amendment 6075
A.B. 168	H	16	Jen Sturm	Work Session Document
A.B. 235	I	15	Assemblywoman Dina Neal	Visual Presentation
A.B. 235	J	2	Nevada Advisory Commission on Mentoring	Letter of Support from Matt Morris