

**MINUTES OF THE
SENATE COMMITTEE ON EDUCATION**

**Eightieth Session
February 13, 2019**

The Senate Committee on Education was called to order by Chair Moises Denis at 2:04 p.m. on Wednesday, February 13, 2019, in Room 2134 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to Room 4412 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Senator Moises Denis, Chair
Senator Joyce Woodhouse, Vice Chair
Senator Marilyn Dondero Loop
Senator Dallas Harris
Senator Scott Hammond
Senator Ira Hansen
Senator Keith F. Pickard

STAFF MEMBERS PRESENT:

Jen Sturm, Policy Analyst
Asher Killian, Committee Counsel
Steven Jamieson, Committee Secretary

OTHERS PRESENT:

Todd Butterworth, International Education Study Group Member, National Conference of State Legislatures
Rachel Hise, Lead Principal Analyst and Education Workgroup Leader, Office of Policy Analysis, Department of Legislative Services, Maryland General Assembly
Michelle Exstrom, Education Group Director, National Conference of State Legislatures
Stephen Augspurger, Executive Director, Clark County Association of School Administrators and Professional-Technical Employees
Mary Pierczynski, Nevada Association of School Superintendents

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Mary Alber, Director, Education Innovation Collaborative
Meredith Smith, Director of Policy, Nevada Succeeds
Vikki Courtney, President, Clark County Education Association
Alex Bybee, Nevada State Director, Teach Plus
Bob Hastings, Work-Based Learning Administrator, JOIN Inc.
Denise Tanata, Executive Director, Children's Advocacy Alliance Nevada
Theodore Small, Vice President, Clark County Education Association
Patti Oya, Director, Office of Early Learning and Development, Nevada
Department of Education

CHAIR DENIS:

We will begin today's meeting with a presentation entitled *No Time to Lose*, a study of high-performing international education systems created by the National Conference of State Legislatures (NCSL).

We had an opportunity to hear about this study during the interim. I thought it was important for all the members of this Committee to hear the findings of the study.

TODD BUTTERWORTH (International Education Study Group Member, National Conference of State Legislatures):

Today I will discuss the NCSL report, *No Time to Lose: How to Build a World-Class Education System State by State* ([Exhibit C](#) This is a copyrighted exhibit. Original is available upon request of the Research Library). As non-partisan staff, I can neither support nor oppose any legislation being considered this Session.

For the past few years, I have been associated with the NCSL International Education Study Group (IESG). The IESG was formed to study the highest-performing education systems in the world, and to assess how their best practices could be applied in the U.S.

Over the course of three years, the group met with education leaders from high-performing nations, along with American and international experts who study education systems. Members of the IESG also paid personal visits to multiple countries to see what exactly these different systems look like.

The group discovered that high-performing nations are doing a few key things much differently than we are in the U.S. Research shows those differences largely explain the growing academic disparity between our nations.

The legislators involved represented the broad political spectrum, but with "one voice," the IESG issued its report of findings in August 2016. The report is titled *No Time to Lose*. Many states have started studying or implementing the conclusions of the report.

In general, high-performing national or provincial education systems have four key elements in common:

First, children enter the school system ready to learn. Children who are not ready receive extra support. This extra support may come from a variety of government or family based sources. The method of support is not as important as the fact that it is provided.

Second, the teaching profession and systems of instruction are benchmarked to the world's best systems. Teachers in top-performing systems usually come from the top 25 percent of their high school graduating classes. Teachers in the U.S. typically come from the bottom half of their graduating classes. "In many cases, today's American teachers are yesterday's struggling high school students."

After college, teachers in high-performing systems are supported through years of induction processes and career-long professional development. Teachers spend less time in the classroom teaching, and more time developing high-quality instruction. U.S. teachers spend more time isolated in the classroom than in any high-performing nation. Teachers in other systems get paid as well-educated professionals. Their salaries are on par with accountants, engineers and school principals.

Third, Career and Technical Education (CTE) is not viewed as "alternative education." Their CTE is just as rigorous as the high school to university pathway. Should the student decide to change directions, some countries allow their students to cross seamlessly between the two pathways. Local industries are tied to local CTE. They make large investments of time, money, expertise and equipment in CTE programs. Additionally, CTE education almost always leads to specific employment opportunities on graduation.

Fourth, these nations have clearly planned and carefully designed a comprehensive approach to education. Their vision has been developed with broad input and stakeholder buy-in. It is viewed as a decades-long plan, not

pursued "ad hoc." Any proposed programs or policies must be research based and aligned with the larger vision for education.

To review, the four key elements of high-performing education systems: children enter kindergarten ready to learn; teachers and the system of instruction are world class; CTE is robust; and all of it is part of a planned and coordinated system.

The countries have developed their systems based on research done in the U.S., even when U.S. systems have not followed that same research.

As a result of *No Time to Lose*, some states have begun reimagining their broad approach to education. Some states have convened stakeholder groups to examine the evidence of what works. These states have hired experts to analyze where their states fall behind international standards; they have developed strategic plans.

No Time to Lose can provide some helpful context to the education discussions going on during Session.

CHAIR DENIS:

I have heard this presentation several times. It is great that we are able to see what is working in other places, and what kind of things we could do here.

I find it interesting that the systems used by the other nations are systems developed first in the U.S., yet we have not figured out how to implement that same research here. It is interesting that they do not necessarily spend more money on education. However, they spend more money on other things we do not, such as health care or Pre-Kindergarten (Pre-K); things that tend to be outside of regular education budgets. I think having this discussion is good.

As a Legislature with elections every two years, it is hard for us to come up with a long-term plan looking at how we will make things better a decade or two in the future.

SENATOR HANSEN:

Years ago, I read about a program in Germany where eighth grade students were tested, and kids who were not as academically brilliant as the others went into plumbing and other mechanical trades. They put them into tech schools and

similar programs. Is that covered in this report? Is that system still in place? Germany had unusually high levels of success. It seemed like the country overall was happy with their education system, including putting kids in trade schools.

MR. BUTTERWORTH:

Germany was not one of the ten countries specifically studied by the IESG, but it was one of the countries IESG members visited. The IESG members looked specifically at the German CTE system, and were impressed with what they saw. The areas specifically included in the study were Vancouver and Ontario, Canada, Estonia, Finland, Hong Kong, Japan, Shanghai, Poland, Singapore and Taiwan.

CHAIR DENIS:

I would encourage all the members of the Committee to look at this report.

I will open the hearing on Senate Bill (S.B.) 91.

SENATE BILL 91: Establishes the commission on Innovation and Excellence in Education to develop a statewide vision and implementation plan to improve the public education system in this State. (BDR 34-386)

SENATOR JOYCE WOODHOUSE (Senatorial District No. 5):

I served with Mr. Butterworth on the IESG.

During the 2018 Interim, the Legislative Committee on Education heard presentations by the NCSL and Marc Tucker of the National Center on Education and the Economy (NCEE). The presentations gave the members a comprehensive review of education in Nevada and the United States, compared to international programs that outperform in academic achievement. The Legislative Committee also heard action steps that individual states may take in order to develop a higher-performing education system.

After these presentations, the Legislative Committee expressed unanimous support to move forward with a long-term, comprehensive study of Nevada's education system, compared to high-performing systems. Modeled after similar legislation in Maryland, Nevada's long-term stakeholder group would develop a statewide vision and implementation plan to create a world-class education system, so that Nevada's students can match the performance of the world's best.

The Commission on Innovation and Excellence in Education (CIEE), proposed in S.B. 91, is designed to ensure diverse input by all parties interested in creating and implementing recommendations to create a high-performing education system.

Section 3 of S.B. 91 lists the members of the CIEE. This will include legislators, State and district representatives, members from teachers' associations, parent and advocate groups, representatives from the Nevada System of Higher Education, the business community and other key stakeholders.

Section 4 outlines the duties of the CIEE. The CIEE will conduct a study comparing Nevada's education policies to those of high-performing international and domestic education systems. The CIEE will make recommendations on how to implement those education policies.

The CIEE will also identify objectives and make recommendations to align the academic performance of Nevada's students with those of high-performing education systems.

The CIEE will review the findings of relevant studies concerning education funding, and develop a cost analysis of any implementation plan recommended for Nevada.

"In order for our students to remain competitive in the global marketplace, Nevada must be able to compete with the best education systems in the world."

I am working on creating an amendment related to the composition of the CIEE and a few other technical issues which have been brought to my attention.

RACHEL HISE (Lead Principal Analyst and Education Workgroup Leader, Office of Policy Analysis, Department of Legislative Services, Maryland General Assembly):

I served as a representative for Maryland on the IESG. The timing of the NCSL study was fortuitous for Maryland, because we were in the process of updating our adequacy study of education funding for kindergarten through 12th Grade (K-12) education.

As we went through the process of learning about top-performing systems and how we compare in the U.S., we came to the conclusion that we should not look at the funding question in isolation. We needed to first look at how our students were performing. We needed to examine our existing policies that were not working as well as we had hoped. We needed to talk about these issues before we talked about how much more money to spend. Maryland's CIEE was charged to do just that.

Maryland's CIEE was appointed in the fall of 2016. It is led by a Chancellor Emeritus of the University System of Maryland and composed of 24 other members, with a similar membership to that proposed in S.B. 91. It is important that all the stakeholders needed to create not just a bipartisan solution, but a consensus of a vision for education in the State, are around the table.

In January 2017, Maryland's CIEE hired the National Center on Education and the Economy (NCEE) to do a gap analysis comparing Maryland's education policies to three other U.S. states and four international systems. The results of that gap analysis were published in January 2018, as part of Maryland's CIEE preliminary report. The gap analysis led the Maryland CIEE to make preliminary policy recommendations around the four elements described in *No Time to Lose*, broken into five policy issue areas.

Over the past year, the Maryland CIEE has spent its time putting more detail into the policy recommendations the members wanted to make to transform Maryland's education system into one of the best in the world, and to estimate the cost of implementing those policy changes.

The final step for Maryland is to now incorporate the recommended funding changes into our existing formulas. A report containing the final policy recommendations and the estimated cost to implement them will be published this fall.

MICHELLE EXSTROM (Education Group Director, National Conference of State Legislatures):

I would like to give the Committee a sense of the work being done in other states as a result of *No Time to Lose*. A handful of states, including Maryland, have used *No Time to Lose* as a starting place for the work they are hoping to do to improve student outcomes in their states. Maryland has gone the furthest

with this work, but other states are also looking at this either at a different pace or at certain specific provisions of the recommendations.

New Mexico's permanent interim education committee took about 12 to 14 months to look deeply at the recommendations in *No Time to Lose*. International experts were able to spend days with the legislators on that committee. They went over the four elements of the report in-depth so the legislators could better understand the research, and what actions were occurring in these high-performance countries. As a result, New Mexico has decided to use this work as a template for their anticipated changes in policy and funding.

Indiana is looking specifically at the teaching aspects and at CTE. They have been working with international experts in that space. They are looking more deeply at Switzerland, rather than Germany, in the area of CTE education. Switzerland has a more permeable system, where students can more effectively flow between CTE and the traditional college pathway. Most experts have turned our attention toward Switzerland as a model that can be used for the work that could happen in the U.S.

Colorado is basing a new youth apprenticeship system, "CareerWise Colorado," entirely on the Swiss model, with direct support and advisement from the Swiss experts. Through the youth apprenticeship model, Colorado is becoming a state to look toward in ways to leverage CTE into a meaningful opportunity for students wanting to gain more work experience while they are still in high school.

Massachusetts sets a standard for other states to follow. Massachusetts is not only the highest-performing state within our country, it ranks among the highest-performing education systems in the world.

SENATOR PICKARD:

As proposed, the CIEE in Nevada would be comprised of more than 20 people, who serve without compensation and meet at least once every calendar year.

In my experience, unless a committee is a small, fairly nimble group with the ability to meet and move the issues forward, it is largely ineffective. "The larger they get, the more ineffective they get." Do we need these numbers in order to create subcommittees?

Is there an expectation for a more aggressive timeline for the CIEE to meet more than once a year? Can you show me how a group of 25, meeting once a year, is not what will happen, but that we will actually do some good here?

SENATOR WOODHOUSE:

The Maryland CIEE is the model used in S.B. 91. They had an aggressive meeting schedule. They broke into groups and identified the order in which they were going to study things. They also worked with NCSL and NCEE. This committee would certainly be meeting more than once a year. Section 3, subsection 7 states, "The Commission shall meet at least once each calendar year and, after its first meeting, at the call of the Chair". But, I intend the Chair to call meetings very often.

I would like Ms. Hise to give us a sense of what Maryland's calendar was like.

MS. HISE:

In its first year, the Maryland CIEE met at least monthly, sometimes more than monthly, except when the legislature was in session. We developed a work plan, included in the preliminary and interim reports, to systematically work our way through the elements of *No Time to Lose*. We started with early childhood education, moved into high-quality teaching, and went all the way through the *No Time to Lose* report. We brought in international and national experts, as well as local school systems and other stakeholders who were doing innovative things in certain areas.

After we got through the first round and identified the preliminary recommendations, the schedule became much more aggressive. During 2018, the Maryland CIEE broke into four working groups, led by a moderator—instead of subcommittees with a chair—so they would be driven by consensus. They met multiple times per month in order to get the policy recommendations flushed out sufficiently so that the legislative staff, working with NCEE and the consulting firm Augenblick, Palaich, and Associates, could put cost figures on the proposed recommendations. There were a lot of meetings, but it was necessary to get the work done and to reach consensus. The chair's goal was to reach consensus around the vision we were establishing.

SENATOR PICKARD:

That is what I expected. After reading this, I assumed that it would be an active group. The members of Nevada's CIEE will serve without compensation, but it is

not clear how the legislative staff working with the CIEE will be compensated. How are we going to effectuate regular meetings, efforts and reports if there is no money behind this?

SENATOR WOODHOUSE:
There will be a fiscal note.

SENATOR PICKARD:
What about the staff?

SENATOR WOODHOUSE:
That is in the list of technical amendments I intend to do. Having legislative staff assigned to Maryland's CIEE was extremely helpful and supportive. It made their work move along as it did. That will add to the fiscal note; we will have to make sure we work that through. It is critical to have the connection between our legislative staff, Nevada Department of Education (NDE) staff, school districts, legislators, and the CIEE itself. It is going to take organization and a lot of people willing to do the work.

SENATOR HANSEN:
This is a great idea. It reminds me of the Spending and Government Efficiency Commission, commonly known by the acronym SAGE.

It can sometimes be difficult to overcome the entrenched ideas of the existing system. For example, Mr. Butterworth brought up the fact that we have the lower half of high school graduates becoming teachers, compared to other places where the higher end of graduates are becoming teachers. How do you make those kinds of transitions?

At this point, the CIEE is basically just a policy recommendation body. They will throw out ideas and come back to the legislative body to make the calls as to which kinds of things we want to pick from other countries to implement in our own State.

SENATOR WOODHOUSE:
I do not see this as the Legislature picking and choosing which things work or will not work, because the fourth component Mr. Butterworth addressed was a systemic plan. That is one of the reasons we need to do the research. We need

to talk to and listen to those who are involved in high-performing school districts; high-performing programs around our country. I think that is important. I believe our teachers are excellent, doing what they can in the classrooms with what they have. But, it is also the reason we have been working so hard on the teacher pipeline. Last Session we passed a bill establishing the Nevada Institute on Teaching and Educator Preparation, where we are doing just that. We are reaching out to our high schools in Nevada, and in some instances around the country, to pull in the top 25 percent, so that our institutions of higher education are looking to recruit the kind of students that we want to be teachers in the future.

This will take a lot of work. It will require lot of fortitude on the part of the CIEE members to really spend the time and the work necessary. They will have to be the champions for what they, through consensus building, have determined is best, so they can bring it forth and we can make it something successful in Nevada.

SENATOR HANSEN:

I think it is a wonderful idea. I fully support the whole concept.

SENATOR HAMMOND:

This is a very large, potentially unwieldy group. The main purpose seems to be to develop a direction for the State. The NDE is tasked with that particular responsibility. They fulfill that role by putting together a vision to inform them on the Every Student Succeeds Act of 2015 (ESSA) plan that they then submit to the federal government. The ESSA plan is Nevada's plan for the future.

How often do we change that ESSA plan? If the task of this 25 member board is to inform NDE and those putting together the ESSA plan, it might be several years before that plan is changed.

So, how useful would the CIEE be? How do we make sure it is not just a collection of great thinking people coming together to come up with an idea, without being able to implement that idea? Looking at the other states mentioned earlier, I think they might have been able to form those groups before their plans were done. They could use that information to inform their ESSA plan before they submitted it to the federal government.

SENATOR WOODHOUSE:

I believe the membership of 25 is appropriate for the Nevada CIEE. I am basing that on the success the Maryland Commission has had. They broke into smaller working groups to attack the issues and get information and research on the various categories they had identified to work with. You build consensus by having people work together, do that research, come together and make decisions.

If this Committee feels strongly that 25 is too many, I am certainly open to speaking to you about it. I can see a couple of places where we could maybe take a position or two off, but we need to be sure we do not leave a critical group out of the discussion. That is one of the reasons why it is a 25 member commission at this point. I am happy to work with the Committee on it during this Session.

It is so important that we take this step forward in Nevada. We talk about how public education in Nevada is failing. It is incumbent upon us as legislators, now that we are in Session, to step forward and do something right to address this. A lot of the work in other states is done in companionship with the work they are doing on their funding formulas. I see all of that working together over the next couple of years.

It is not something that can be done in six months. This is going to take time, because there is a lot of work.

SENATOR HAMMOND:

I would imagine that someday you would like to ask the federal government to redo our ESSA plan. Do you have an idea of a timeline on that, or a goal of when you might want to submit something so we can change the plan in the next few years? How long do you think this group will need to work before we have something substantive?

SENATOR WOODHOUSE:

Maryland has been at this for about two to three years. They now have an interim report and are getting ready to finish. If we pass S.B. 91 this Session, I would imagine it would take us two to three years to do it properly, before we bring it back to a future legislative session and to NDE. As far as ESSA, I would look to NDE for direction on that. I do not want to put a timeline on that part of it, because I think we have to work through what we want to do for Nevada.

SENATOR HAMMOND:

You anticipate this group will advise NDE on changes they should make. When a decision is made to change the ESSA, how long does the adjustment process take?

SENATOR WOODHOUSE:

At this point, I am not comfortable with setting a timeline. My intent, first of all, is to pass this legislation so we can begin to work. We will absolutely be working with NDE and making sure they are a part of this process as well. If we see things we need to change, in regard to ESSA or any other programs being promoted through NDE, we will be doing that as well.

Ms. HISE:

In Maryland, the state superintendent of schools is on the CIEE. I believe that is the same in S.B. 91. The Maryland Department of Education staff were at all the meetings. In some cases they worked with legislative staff to provide information.

It has been a fairly consultative approach, but there has been some tension. The Maryland State Board of Education and Maryland Department of Education do necessarily want the CIEE or the legislature to be prescriptive in how they should approach their work, but that is all part of the process of getting to consensus. It has taken more than two years to get to where we are now. By the time we are done it will have been a three year process. I think it needs to take that long.

CHAIR DENIS:

I think having a large, diverse group could help get "buy-in." We have seen that with other large groups we have created here, even in education. It will be good to have a plan that will take us to the future. That will be a help to all the educational stakeholders in Nevada.

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

The Clark County Association of School Administrators and Professional-Technical Employees (CCASAPE) supports this bill. We are particularly in support of Senator Woodhouse's willingness to bring forward an amendment to ensure all interested parties are at the table.

MARY PIERCZYNSKI (Nevada Association of School Superintendents):

We are also in favor of this bill. We would like to bring forth an amendment to add a school administrator to the CIEE.

MARY ALBER (Director, Education Innovation Collaborative):

I established the Education Innovation Collaborative for Nevada with the intent to support exactly this type of program—a statewide level investigation into how Nevada can be excellent and world-class.

I suggest that the type of innovation we might be looking at here could extend beyond the four categories conceived by the various councils and groups nationally.

I am a strong believer that Nevada is an innovative, leading-edge type of state. I believe we could use a lot of the innovation that is already going on in this State through the programs that exist. Some of these include Nevada Ready 21; the Competency-Based Education Network; and Science, Technology, Engineering, Art, and Mathematics (STEAM) Academies. These programs are doing an excellent job of exposing kids to twenty-first century learning.

I see the potential for us to really leverage what is going great in Nevada. Recognizing the limitations in our current teacher workforce, budget and funding plan, we can get really creative and figure out how we can be a leadership state. Not necessarily following in the footsteps of Maryland or Colorado or Massachusetts, but doing it our way for our stakeholders, our constituents. In light of that, I would like to suggest and support the discussion around the CIEE. I would like to help form the CIEE in a way that will make it possible for Nevada to excel.

I have submitted further remarks and ideas as a written testimony ([Exhibit D](#)).

MEREDITH SMITH (Director of Policy, Nevada Succeeds):

Nevada Succeeds is in favor of S.B. 91. I will read my written testimony ([Exhibit E](#)).

VIKKI COURTNEY (President, Clark County Education Association):

The Clark County Education Association supports S.B. 91. I will read my written statement ([Exhibit F](#)).

ALEX BYBEE (Nevada State Director, Teach Plus)
Teach Plus supports S.B. 91.

To accelerate the pace of improvement in our schools, stakeholder collaboration around a shared vision for our education system is critical. Absent a comprehensive approach to how we design policies to improve outcomes, and clear direction for how partners in the public, private and nonprofit sectors can engage in that plan, we may continue to see improvements, but certainly not at the pace that is acceptable to those who want to see all of Nevada's kids receiving a quality education.

It is critical that we ask ourselves how we can compete with the highest-performing systems nationally and around the globe while engaging stakeholders who have the necessary context to guide the conversation toward Nevada-specific needs. Establishing this Commission is a strong step in the direction toward envisioning a system that meets the needs of today's globalized workforce and most importantly the needs of Nevada's diverse learners.

BOB HASTINGS (Work-Based Learning Administrator, JOIN Inc.):

Nevada is the fastest growing state for jobs. By 2020, 65 percent of jobs will be mid-level positions requiring more than a secondary education and less than a 4 year degree. The preparation and qualification for these jobs will come from certifications and apprenticeship programs. Our goal is to have successful children become successful adults.

We have a problem with the focus of some of our students. Some kids go into school and believe they do not have a future; they give up. They really do have a future. Not that college is bad, but they could go in many other directions. Work-based learning programs, addressed in S.B. No. 66 of the 79th Session, are one way to provide options for students who do not believe they have a future. Additionally, JOIN Inc. works with the Office of Workforce Innovation for a New Nevada (OWINN) in regard to registered apprenticeships in the State. These can provide other options for a student's career building. CareerWise Colorado and Switzerland are models for the system we can build in Nevada. We need to focus not just on those students in the CTE programs. Like the Swiss, we need to include everyone.

When, and if, the Committee passes this legislation, I would ask that you put an emphasis on, and maybe add somebody to, the CIEE who could have a focus on work-based learning and apprenticeships within the State. That will help us become better in our education process.

DENISE TANATA (Executive Director, Children's Advocacy Alliance Nevada):
We would like to offer our support for this bill. We would encourage the Committee to ensure adequate representation from the early childhood development community on the CIEE.

CHAIR DENIS:

I will close the hearing on S.B. 91. We will now consider S.B. 126, with Senator Woodhouse chairing during the presentation.

SENATE BILL 126: Revises provisions relating to education. (BDR 34-906)

SENATOR WOODHOUSE:

I will open the hearing on S.B. 126.

SENATOR MOISES DENIS (Senatorial District No. 2):

In 2015, the Legislature passed S.B. 241 of the 78th Session. One of the provisions of that bill, codified as *Nevada Revised Statutes* (NRS) 391.830, requires each school based administrator to reapply to the superintendent for reappointment to his or her administrative position every five years, regardless of disciplinary status.

With the exception of principals and administrators excluded from bargaining, the original legislation left unanswered a number of critical questions now creating considerable uncertainty for administrators and school districts. It now poses a significant risk for Nevada schools.

First, the legislation created a blanket mandate for this reapplication process without outlining the process itself. In the four years since it was implemented, no administrative regulations have clarified the process. Accordingly, school districts across Nevada are now left to develop a process district by district, without statewide consistency.

Second, the legislation did not include a due process mechanism for those administrators who do not feel the process was adequately implemented.

Additionally, the reapplication process is unnecessary. Newly promoted administrators are at-will employees, and experienced principals are subject to non-renewal in their positions due to poor evaluations. Should S.B. 126 become law, districts would still have broad authority to identify and remove underperforming administrators.

Further, the cost to implement mandatory reapplication is unknown. The cost of qualified administrators choosing to not reapply, and moving on to other careers, would be felt both in academic success and in the bottom line of districts across Nevada. A recent study found average costs to replace a salaried employee in the private sector can be 213 percent of annual salary for highly-educated executive positions.

No other state in the nation requires this type of open-ended reapplication practice for school-based administrators. We are unable to identify a single state that requires education professionals to reapply for their jobs regardless of performance.

With the five year mark of the legislation looming in 2020, it is incumbent on this body to take action to rectify this inadvertent consequence of the broader reforms of the original legislation. If even one great principal elects to move on to retirement or another career because of NRS 391.830, it would be a tremendous loss for Nevada students with no discernable benefit. In some schools, the entire administrative team will be required to reapply for their jobs at the same time. Senate Bill 126 is necessary because NRS 391.830 will create a chilling effect on administrative employees, as opposed to encouraging critical thinking and expression.

MR. AUGSPURGER:

In the 2015 Legislative Session, the Legislature eliminated from participation in a collective bargaining group any superintendent, assistant superintendent, chief, assistant chief or anyone who supervised principals.

Also in 2015, a number of important reforms led to additional accountability for school-based administrators. A school-based administrator is a principal, assistant principal, dean or person with a related position. The legislation in 2015 included extending the probationary period to three years; adding additional accountability measures for principals that would return them to probationary status; and providing a pathway for any administrator, based on

poor performance, to return to probationary status. Unlike NRS 391.830, all of those reforms were contingent on demonstrated poor performance.

Under this statute, someone can lose their job on a whim. There are no guardrails, no performance standards, no mechanisms at all. If not corrected, this legislation can serve as a disincentive for people wanting to make a career in school administration.

In NRS 391, we have an exhaustive list of things that will lead to suspension, demotion or termination. Included in that list are seven items that can involve immediate termination or demotion on the first offense. We believe that legislation works. We believe poorly performing administrators should not be in the profession. We believe S.B. 126 will resolve an issue not related to poor performance.

SENATOR PICKARD:

What was the rationale for passage of the legislation in 2015?

I am all for progression based on merit. However, we know that peer-based performance reviews are rarely objective. Was NRS 391.830 created in response to that?

MR. AUGSPURGER:

This legislation was brought up late in the 2015 Session. There was very little discussion. It came about as part of the wave of reform. This was something that, at the time, seemed like the right thing to do, but on its face it is arbitrary and capricious, because it is not based on any demonstrated performance, good or bad. It is simply a decision that someone would make in isolation.

Very few people have been demoted or non-renewed. Administrators usually recognize when it is expedient for them to leave. Since 2015, we have had 262 administrators retire. Some might do so early because they recognize they are facing some sort of demotion or discipline. We have had 90 administrators simply resign. Many of these came about because they were under threat of some consequence. We have had 62 administrators return to a licensed teaching position. Some people find themselves in circumstances beyond their level of control or ability, and find refuge by returning to regular teaching where they may have once excelled. We have had 29 people take a leave of absence. Sometimes people take a leave as a strategy for getting out of a set of difficult

circumstances. Instead of fighting and possibly receiving disciplinary action, some people will choose to leave or self-demote themselves.

THEODORE SMALL (Vice President, Clark County Education Association):

The Clark County Education Association (CCEA) is opposed to S.B. 126. Current language in NRS 391.830 is about accountability. If there are no issues with an administrator, they merely have to reapply for their job. Administrators and teachers in Clark County and throughout the State are familiar with the reapplication process, because they have to reapply every time they switch positions or schools. As education professionals, we also do this work when we update our licenses.

A Democratic majority in both Houses voted for Assembly Bill No. 225 of the 76th Session, holding teachers accountable for their practice. As teachers, we still live under that law. If we have two unsatisfactory evaluations in a row, we are moved to probationary status. Teachers and licensed professionals are held accountable. We believe administrators should be held to that same level.

Since 2013, CCEA has met with the Clark County School District (CCSD) and the CCASAP to find a way to hold ineffective administrators accountable, so problematic administrators are not just moved to another school. In 2015, we supported the language of S.B. 241 of the 78th Session as a compromise with all stakeholders. We have not yet reached the five year mark to see what impact this law might have.

SENATOR WOODHOUSE:

I will close the hearing on S.B. 126.

CHAIR DENIS:

We will now hear a presentation on the *Improvement of Quality and Access to Early Childhood Programs and Overall School Readiness*.

MS. TANATA:

A copy of our presentation on the importance of high-quality early childhood education has been submitted to the Committee ([Exhibit G](#)). I will refer to the pages of the presentation and give further details on the information therein.

On page 2 of [Exhibit G](#), you can see that Nevada tends not to do well on a variety of children's issues, earning a "D" rating in children's well-being overall.

However, we have made many improvements in all areas over the past several years, including education and early childhood education. According to the American Community Survey, there are approximately 670,000 children under the age of 18 living in Nevada, and just over 20 percent of those children are living in households with incomes below the poverty level. This equates to over 136,000 children.

The Children's Advocacy Alliance (CAA) works to educate policymakers and the public about the importance of high-quality early childhood education. Our Strong Start for Children campaign, seen on pages 3 and 4 of [Exhibit G](#), seeks to remind people of some of the fundamental aspects of the healthy development of young children. These areas include academic, social, emotional, physical and medical development. We are working with the State on the Nevada Early Childhood Obesity Prevention Work Group and the Nevada Early Childhood Obesity Prevention State Plan, trying to ensure that children at a very young age are not only academically and cognitively prepared to enter school ready to learn, but are physically, socially and emotionally ready as well.

The chart shown on pages 6 through 8 of [Exhibit G](#) shows the entry points that our children ages 0 to 5 have into kindergarten. They might attend a licensed childcare center, a school district Pre-Kindergarten (Pre-K) program, or just be at home or in unlicensed care. Many children do well at home with their parents, but the children in poverty tend to do better in a more structured setting. They are then better able to enter school ready to learn.

Page 7 discusses Nevada's Silver State Stars Quality Rating & Improvement System (QRIS), which helps assess the quality of early care centers. Nevada has made significant improvement in the quality of our licensed early childhood programs. We have also significantly reduced the waitlist for inclusion to QRIS.

Of the 1 and 2 star centers, 41 are still in the initial coaching period so they still have an opportunity to improve their star rating with the support they will receive through the program. These improvements are due, in large part, to the decision made during the last Session to put an additional investment into QRIS, to eliminate the waitlist and provide more coaches for these facilities.

Page 8 addresses the affordability of early childhood education. Nevada ranks forty-first in state preschool spending. Our per capita spending is about \$2,500, compared to an average of about \$5,000 nationally. Nevada is one of the least

affordable states for the cost of infant care in licensed family home care and is the eighth least affordable for licensed care centers.

Page 9 lists some of the sources available to help fund early childhood education. Nevada's childcare subsidies serve less than 6 percent of children below 200 percent of the federal poverty level. The national average is about 15 percent.

Page 10 gives an overview of some important legislation passed during the 79th Session, and pages 11 and 12 describe some of our priorities for this Session.

SENATOR PICKARD:

I have been pleased to work with CAA in the past. I appreciate the work they do.

CHAIR DENIS:

We will now hear the *Presentation on Early Childhood Education Programs and Licensure* from the Nevada Department of Education (NDE).

PATTI OYA (Director, Office of Early Learning and Development, Nevada Department of Education):

My presentation ([Exhibit H](#)) will give an update on the current state of preschool education in Nevada. We are looking to align our funding and workforce issues from infancy to Pre-K and beyond.

The Preschool Development Grant (PDG) was a four year federal grant that ended in December 2018, but we received a no-cost extension through the end of the school year. As of our December count, we exceeded our enrollment goal.

The new Preschool Development Birth through Five (PDG B-5) Grant is very different from the original PDG. It is a one year planning grant that looks at systems, including professional development and quality Pre-K programs.

During this first year of PDG B-5, we will conduct a needs assessment, revise a strategic plan and implement some initial pieces. If we are successful, we will then apply for an implementation grant for the next round. The current monies cannot be used for any of the Pre-K seats.

Pages 4 through 6 show some initial Brigance Early Childhood Screens III data, and so should be looked at as a template, rather than as data telling where we stand. This is brand new, focused on early childhood education and how we are working toward our strategy of aligning a screening system from birth through kindergarten entry. It helps us know how we are tracking those children in Infinite Campus; how we are able to pull some of this together.

The NDE now requires childcare centers in our QRIS to annually do a Brigance screen. Some initial results of this screening are seen in the top left square on page 4. As a caution, when we first start something, we always get the very high, 4 and 5 star centers participating first, so it is not really telling a true picture yet.

In comparison, the top right slide on page 4 shows that in our Pre-K pre-screening, only about 50 percent of children are coming in within or above normal developmental limits.

These Pre-K kids are 4 years old children, under 200 percent of the federal poverty limit, possibly experiencing school for the first time. You can understand why they might not come in as strong. These are just snapshots in time, so they do not tell a lot of the story.

We were able to use some unique identifiers to track some kids from Pre-K to kindergarten. Their results are found on page 5. In their small cohort, we can see the growth they have had after one year of full Pre-K. These gains are seen between the graphs on the top left and top right. We also analyzed their results based on the star rating of their early childcare centers. We would like to continue to track this cohort as they move through the Read by Grade 3 program.

Most of the students in the cohort were in the Lyon County School District. Their results can be found on page 6. In the future, we will be able to pull out data based on school district.

In addition to access, we always want to talk about quality, which is addressed on pages 7 through 11. It is not simply a matter of being in a Pre-K program, but of being in a quality program or having quality experiences. Our QRIS is very different than the rating system for the rest of NDE for kindergarten through 12th grade (K-12). The QRIS actually goes into the schools to do observations

and provides grants for materials and training. It is very intensive, but is really about the supportive improvement piece, not just a rating and gathering data system.

The Pre-K program largely tries to align with K-12, but also looks unique. Wraparound services are very important. We want to serve children where they are, where families are comfortable. The wraparound services we have offered in our preschool development classrooms have been very well used. Parents feel safe in that environment to then get resources for housing, mental health and employment.

SENATOR DONDERO LOOP:

You said that the star rating system for Pre-K is different than for K-12. Can you clarify that?

Ms. OYA:

Yes. It is a totally different system. The K-12 system looks at a lot of data pulled from student assessment and other pieces, but our system uses the environment rating scale. We have people who are trained to go into the classrooms, to look at director and teacher qualifications and parent engagement. In our system, the teachers have a coach to mentor them.

SENATOR DONDERO LOOP:

Does the Brigance figure into that?

Ms. OYA:

It is now a requirement that all children are annually screened with Brigance. Our QRIS has been around for about five years for childcare centers.

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CHAIR DENIS:

As was mentioned during the interim, our best investment is in Pre-K. The Committee is adjourned at 3:58 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	7		Attendance Roster
	C	28	Todd Butterworth / National Conference of State Legislatures	No Time to Lose: How to Build a World-Class Education System State by State
<u>S.B. 91</u>	D	4	Mary Alber / Education Innovation Collaborative	Written Testimony
<u>S.B. 91</u>	E	1	Meredith Smith / Nevada Succeeds	Written Testimony
<u>S.B. 91</u>	F	2	Vikki Courtney / Clark County Education Association	Written Testimony
	G	13	Denise Tanata / Children's Advocacy Alliance Nevada	Presentation
	H	13	Patti Oya / Nevada Department of Education	Presentation