

**MINUTES OF THE
SENATE COMMITTEE ON EDUCATION**

**Eightieth Session
February 22, 2019**

The Senate Committee on Education was called to order by Chair Moises Denis at 11:16 a.m. on Friday, February 22, 2019, in Room 2134 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to Room 4412E of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Senator Moises Denis, Chair
Senator Joyce Woodhouse, Vice Chair
Senator 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
Shelley Kyle, Committee Secretary

OTHERS PRESENT:

Amber Joiner
Hannah Jackson, President, Associated Students of the University of Nevada, Reno
Christopher Roys, President, Consolidated Students of the University of Nevada, Las Vegas
Joko Cailles, Associated Students of the University of Nevada, Reno
Sheridan Manfredi, Associated Students of the University of Nevada, Reno
Aamir Aziz, Associated Students of the University of Nevada, Reno
J. Kyle Dalpe, PH.D., Interim Executive Director of Legislative Affairs, Nevada System of Higher Education

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Kent M. Ervin, Ph.D., Nevada Faculty Alliance
Jordan Lewis, University of Nevada, Reno
Spencer Stewart, Chancellor, Western Governors University Nevada
Crystal Abba, Vice Chancellor for Academic and Student Affairs, Nevada
System of Higher Education
Sharon Wurm, Executive Director of Financial Aid and Student Success, Truckee
Meadows Community College
David Dazlich, Director, Government Affairs, Las Vegas Metro Chamber of
Commerce
Anthony Ruiz, Nevada State College
Angie Sullivan
Mariana Kihuen, Interim Director, Government Affairs, College of Southern
Nevada
Dolly Rowan
Jonathan P. Moore, Ed.D., Acting Superintendent of Public Instruction,
Department of Education
Peter Zutz, Administrator, Assessment, Data and Accountability Management,
Department of Education
Jennifer Manning
Theo Small, Vice President, Clark County Education Association
Bill Hanlon
Alexander Marks, Nevada State Education Association
Natha C. Anderson, President, Washoe Education Association
Brian Rippet
Jim Frazee
Kenny Belknap
Karl Byrd
Mary Alber, Ph.D, Founder and Director, Education Innovation Collaborative
Melissa Sewell, President, Washoe Retired Education Association
Michael Ashton
Vickie Courtney, President, Clark County Education Association
Dan Price
Erica Jackson
Kathleen Watty
Sadie Brown, Carson Montessori Charter School
Devyn Kellner, Carson Montessori Charter School
Brad Chandler
Ed Gonzalez
Scott Sabraw

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Chet Miller, President, Nevada Education Association-Southern Nevada
Vicki Kreidel
Ian Latas
Chris Daly, Nevada State Education Association
Tanya Brown
Elizabeth Campbell
Jessica Jones

CHAIR DENIS:

I will turn the meeting over to Vice Chair Woodhouse and join former Assemblywoman Amber Joiner at the table to present Senate Bill (S.B.) 145.

VICE CHAIR WOODHOUSE:

I will open the hearing on S.B. 145.

SENATE BILL 145: Creates the Battle Born Opportunity Grant Program for university students. (BDR 34-384)

SENATOR DENIS:

I will give a brief background on S.B. 145 and S.B. 146.

SENATE BILL 146: Revises the eligibility requirements for the Silver State Opportunity Grant. (BDR 34-385)

Assembly Bill No. 202 of the 79th Session was requested and enacted by former Assemblywoman Amber Joiner. Assembly Bill No. 202 of the 79th Session required a Legislative Commission to appoint a Legislative Interim Study titled the "Committee To Conduct A Study Concerning The Cost And Affordability Of Higher Education". Ms. Joiner chaired the Committee and I served as the Vice Chair.

Four additional legislators served on the Committee: Senator Yvanna Cancela, Senator Ben Kieckhefer, Assemblyman Chris Edwards and Assemblywoman Heidi Swank. Additionally, there were two nonvoting members representing the faculty and students of the Nevada System of Higher Education (NSHE): Alicia Contreras-Martinez, a student from Nevada State College (NSC) and Dr. David Sanders, a professor from University of Nevada, Reno (UNR). Ms. Joiner will now introduce S.B. 145.

AMBER JOINER:

The 2017-2018 Interim Committee for this study had four meetings and several topics were discussed. Because of the topics, the meetings were extremely well-attended. One of the topics was the affordability of higher education for college and university students. Assembly Bill No. 202 of the 79th Session would have created an expansion of the Silver State Opportunity Grant (SSOG) Program that has been successful for our students in our community colleges.

There was concern this might dilute the community college program or divert funds from the SSOG Program. The 2017-2018 Interim Committee for this study needed to explore and study the true need for a program to help students with the cost of higher education at our two universities. It was not the Committee's intent to dilute SSOG funds. The SSOG Program is very successful and is able to provide grants to all eligible students at the community college level.

Since the SSOG Program has been so successful, it was the pilot program the Interim Committee used to craft S.B. 145 to help university students at UNR and the University of Nevada, Las Vegas (UNLV) with some of the costs of their higher education.

As a former Assemblywoman, I represented District 24, which is where UNR is located in northern Nevada. Over the four years I served this District, I consistently received constituent comments on how expensive their college tuition and cost of living were in the area. The Battle Born Opportunity Grant Program not only helps with tuition, it also helps students with food expenses and an affordable place to live while at school. These circumstances are crucial when we look at students who often drop out of college because they work full-time.

I was one of those students during college. I worked graveyard at the casinos and remember how hard it was to stay awake the next morning in class. This happened 20 years ago. Since that time, tuition has more than doubled and the percentage of income has also doubled in northern Nevada. Now the cost of attending college and the costs of living are much higher. If the cost of higher education was hard for me, I know it is now much harder for students today.

The blue colored language in the bill mirrors the language of the SSOG Program. We know the SSOG has been successful. The criteria are determined by the

Free Application for Federal Student Aid (FAFSA) which is a clear, federal designation of need. Senate Bill 145 is a last dollar approach. If a student has merit-based scholarships, such as the Millennium Scholarship or other scholarships, those are used first. The students who have a dire financial need are the ones who will receive the Battle Born Opportunity Grant Program funds.

Senate Bill 145 allows students to be in the most appropriate placement for them. Since the SSOG was established, one of my constituents was quite frustrated because he must now attend a community college. He felt because he was poor he was being told the "place" he belonged was in a community college and he did not belong in UNR. It was a heartbreaking statement for me to hear.

As a State, we do not want to create an impression that we are only willing to fund or help students if they choose a community college. Community college is not the right place for every student.

We received examples of students at the top of their high school class who have dreamed of attending a university. One is now at UNR and she could be a star student who could be an undergraduate in a lab. We need students to do undergraduate research and be mentored by amazing researchers at our four-year institutions.

The fact is, some students do not have majors at the community college level that are consistent with their dreams and aspirations or fit their talent. We want to enable students to go to the higher education that best fits their passion, their talents and what would offer them the most success for their future careers. Currently, we have students choosing a community college, because it is where they were given the funding. We want to change this.

This bill also allows students who have the SSOG for two years at a community college to continue at a four-year college in Nevada. Currently, after receiving an Associate degree, a student's financial aid is discontinued. We want to support students to continue their education without having to take gap years after which they often do not return to finish their education.

Senate Bill 145 allows dual enrollment. There are a few students who may choose to take a few classes at a community college and at some point in their sophomore year, they want to take classes in their major. Dual enrollment

allows them to do this. The requirement for a certain number of credits in a year can be met through a combination of community college credits and university credits. Another key component, in section 6 of S.B. 145 allows the Program to accept State General Fund money, gifts, grants, bequests and donations.

The Senate Committee on Education is not going to get into detail regarding the fiscal note for this bill. First, students are in dire need for educational dollars to further their education. The fiscal note for this program is \$126 million over the biennium. Our students would be taking on this amount in student loan debt. These funds are for the most needy students and the unmet need in their finances. There is a need for S.B. 145. The second important point is to know that during our discussions in the Interim Committee, it was never our intent to fully fund this program. The SSOG Program did not start out fully funded.

If we can get this bill into statute, the bill will allow the acceptance of grants and donations, and the State can contribute some General Funds this year. This would be a huge start. Helping one student is a huge improvement over zero. If the program is put into statute, the statement will be made about the State's concern for our university students and its desire for students to be successful. This program can grow over the years as the SSOG Program did.

HANNAH JACKSON (President, Associated Students of the University of Nevada, Reno):

Thank you, former Assemblywoman Joiner, for your work in fighting for students. I support S.B.145 on behalf of the 18,000 undergraduate students at the UNR.

Our Student Senate recently passed a resolution in favor of the creation of the Battle Born Opportunity Grant. I have submitted the resolution, ([Exhibit C](#)). In this legislation, the Senate cited how important need-based aid programs are, and how the creation of the Battle Born Opportunity Grant will be critical to the success of our students.

The costs of higher education are not just tuition. The creation of this grant program would greatly help students address the overall financial burden that comes with pursuing a higher education.

A campuswide Civic Engagement Survey conducted in 2018, found 22 percent of the UNR students who were surveyed are facing food insecurity. Nearly

two percent of our students reported in the past six months they sometimes or often do not have a home.

The establishment of a program similar to the SSOG Program at four-year universities would offer additional paths to the affordability of higher education for university students; especially of low-income status. According to a 2013 Postsecondary Education Opportunity report, Nevada was ranked 44th in the nation for overall college participation rates for students from low-income families in 2012.

The Associated Students of the University of Nevada, Reno (ASUN) supports the creation of the Battle Born Opportunity Grant Program for university students. Every student who is able to walk across the graduation stage will be so appreciative of your efforts in promoting the affordability and accessibility of higher education in our State. This is a statewide effort and we have been working closely with our colleagues from the UNLV.

CHRISTOPHER ROYS (President, Consolidated Students of the University of Nevada, Las Vegas):

I am representing the UNLV Consolidated Students which is UNLV student government. I am pleased to have the opportunity to communicate with the Senate Committee on Education on this bill which is incredibly important to the students I represent.

The students of UNLV strongly support S.B. 145. This bill would expand the opportunities for students in Nevada to access funding for four-year public institutions under the Battle Born Opportunity Grant Program.

Students in Nevada face challenges that students in other states do not. A large portion of our students in southern Nevada report working second jobs in order to pay for school. It is especially hard for nontraditional students with families. Access to funding for education is a large barrier for students completing their education at a four-year institution.

The term “swirling” is often used to describe those who work full-time by taking a semester off, later to return to their studies after they have accumulated enough resources to be a full-time student. By creating a program that will improve the ability for students to pay for their education, similar to the SSOG,

we can improve the social mobility of our residents by reducing the time to graduate due to financial stress.

As a State, if we have a goal to diversify our economy, provide better economic opportunities for students and our residents and raise the standard of living for the average Nevadan, investment in education is the rising tide that lifts all boats.

In a survey conducted in January of 2019, 30 percent of UNLV students reported access to financial aid mechanisms as being one of the least satisfactory of the metrics. People in this State are crying out for improved social mobility and one of the leading indicators of social mobility is access to higher education.

After representing over 28,000 students for more than two years as President of the Consolidated Students of the UNLV undergraduate student government, I cannot count the number of stories I have heard about students being unable to afford their education or experiencing conditions that have made attaining an education financially impossible.

I look forward to seeing this bill move out of this Committee for a broader discussion among the members of our State Legislature. This issue is critical for the success of our students to have economic opportunities and to contribute to our economy as a State.

SENATOR PICKARD:

How many students will be eligible for the program? Will we fully fund those students? Can you expand on those details?

MS. JOINER:

The SSOG Program was originally initiated by making a list ranking the students with the greatest need who could contribute zero. Those students were funded first. For the first year of the program, it was not possible to reach the bottom of the list. Students with the most need were funded first.

The intent is not to give a little amount of money to each student. The idea is to fully fund the differences for what the students cannot meet. This is what was done in the SSOG Program. The grant program is a full grant. As funds are

available we will go down the list of available applicants until the funds are depleted. Giving out small amounts of money does not work well.

VICE CHAIR WOODHOUSE:

I want all to know that in this meeting we want to talk only about the policy of S.B. 145. Should the bill pass this Committee, it will go to the Senate Committee on Finance where the funding will be addressed. Ms. Joiner is correct about how the system works.

SENATOR PICKARD:

I anticipated your answer and it makes sense. How do we set the criteria if it is not in the bill and we are not going to fully fund the entire need? How is it decided who receives the Battle Born Opportunity Grant and who does not?

MS. JOINER:

The model of the SSOG Program is a good one. Senate Bill 145 gives the authority to the NSHE to develop that. There are eligible criteria determined. A student must be a Nevada resident and meet adequate academic progress from a formula. There are very clear criteria in the current program that have worked well. After meeting the criteria, the students are ranked by need.

SENATOR HAMMOND:

I was on the Committee when the SSOG Program was discussed and passed. I have carefully gone over S.B. 145. What I do not understand is the family portion and the student portion. Who will determine this? How can this be concrete?

As a member of the older generation, we hear about cost increases and the needs of the students. In my generation, we worked two or three jobs for our higher education. Are we being too soft on the next generation?. I worry that I may not always be preparing my children for their future life. Life is not easy.

Can there be a payback mechanism in the bill? Students graduate, get jobs and start to gain income. Can we make it a requirement, possibly not the full amount, but for some funds to be returned to the Battle Born Opportunity Grant Program? It is similar to paying it forward in order for the next generation to have the same opportunities.

MS. JOINER:

The report by the SSOG Program has a chart on how the cost of living is determined, and each campus determines what a reasonable amount is for students to pay, versus their family, versus the government. The model for this program is definitely a shared responsibility. The State is not just funding these students. Student graduation will include 15 hours of work.

I share your concern and I do not want my two kids to have a soft life. I want them to learn hard work, have minimum wage jobs that teach good customer service, no matter how difficult. The reason I feel strongly about this bill is that the cost of education and the cost of living in our State is so unattainable and so different than when we were in school.

Most students, with not much education and little experience, often can only have minimum wage jobs. On minimum wages, working full-time and going to school full-time, these students can barely pay their rent in many areas of the State. Many are food insecure. Even when a student is working, the amount of debt is insurmountable. Students are taking out student loans at a very high rate.

It is a great idea to give money back. The foundations at the universities keep track of their alums and call to ask them to contribute back to their schools. Perhaps something like that could be done.

The concern I have with mandating the program is we do not know if the students will have extra income after graduation and become employed. The students could be tracked by the alumni foundation and we could hope they would give back in the future.

Recently, I was asked if the program is only for recent high school graduates. No, this program is for a student of any age who meets the criteria. Many have families or there are other circumstances. An example would be taking care of a family member, which would cause them not to have extra money. Circumstances may cause many without extra money to give back.

SENATOR HAMMOND:

I appreciate your answer to my first question; however, I am not with you on the second question. We do mandate a lot of things here and the money is coming from somewhere in the beginning. Many would be sending their own

kids to college and then paying with their tax dollars into programs such as this. There may be another way to recover some of the money paid out to the students.

SENATOR DONDERO LOOP:

We need to remember, many of us can afford to send our children to college or ask our children to work to supplement what they are receiving for college. The end goal is to make productive citizens through educating our children.

If it means we are supplementing the costs due to the high rising costs of higher education and living in our communities, it is a good thing to do. As legislators, we often put ourselves in positions when we are in this role of serving in the Legislature.

We need to remember about the students Ms. Joiner is talking about. Those students are food insecure or may be working, yet are still working poor. Some families absolutely cannot give a cent toward their child's higher education.

The end game is to make successful, law abiding citizens for our communities. Ms. Joiner, I applaud you for bringing this bill forward and thank you for what you are doing for all students in Nevada.

SENATOR HARRIS:

I express a similar sentiment; we appreciate you bringing this bill forward. As someone whose student loan debt is somewhere close to the fiscal note attached to this bill, I personally truly appreciate this.

I would like to continue to work on the population of those who cannot afford to return to school full-time. They may not be eligible for many of the programs we have at this time to help them return to school. The adult who is supporting a family and trying to go back to school, likely cannot do 30 credits in an academic year. There may be a piece of the population we are missing. I hope we can continue to work on that as well.

SENATOR HAMMOND:

Is the \$126 million the fully funded amount for this program? Do you consider the definition in this program of fully funded to mean, after an assessment is made, every student who goes to one of our universities has the funds needed to go to school? Does fully funded mean a certain amount of money?

I worry about the fact that in a few years, hundreds of people will be asking for us to fully fund this program. Would we have a certain amount available for grants, and would we make certain every student would get a little bit of the funds?

MS. JOINER:

I believe starting this program and allowing it to receive donations and grants and funding the program through the State in a good faith effort is a huge step forward. We are one of only a few states in the country that does not use State General Funds for need-based grants to our students. We are decades behind in doing this.

I do not know what fully funded will look like and I do not think that is expected. Students are used to applying for scholarships from different sources and understand scholarships they may be eligible for or apply for are given as funds become available. If we can help a small group of students this year, it will be a big improvement for what the State can afford.

JOKO CAILLES (Associated Students of the University of Nevada, Reno):

My name is Joko Cailles and I am an academic senior at UNR. I am the Policy Director for Associated Students of the University of Nevada, Reno (ASUN) Legislative Affairs.

When you go to the top floor of the UNR Joe Crowley Student Union, you will see an engraved quote from one of UNR's former presidents. It reads, "The next Comstock Lode will come not from the mines of Nevada, but from the minds of Nevadans".

Symbolized in this statement is a recognition that quality universities, and access to said universities, is key to the future success of our State. We must ensure that all students who wish to pursue an education are able to do so. Senate Bill 145 will establish the Battle Born Opportunity Grant Program and is just one of the steps we can take to move closer to this reality.

I know from experience how help can be beneficial to one's education. I was fortunate to receive a full-tuition scholarship to attend UNR. This has allowed me to pursue internships, including one in this body, that have provided crucial professional experience. Not having to worry about crushing student debt allows one to focus on what college should be about: learning, growing and

preparing oneself for future occupations. The Battle Born Opportunity Grant Program will help a myriad of students throughout Nevada to share in these kinds of experiences.

It is not only my personal story that leads me to support S.B. 145. Whether we are talking about Clark County, Washoe County, Carson City or rural communities, one of the problems that Nevada is facing is that of "brain drain". We are losing young people with talent to other states.

Initiatives such as the Battle Born Opportunity Grant Program would help show students that this State cares about them, and wants to invest in their future. Need-based aid will further expand equal opportunity for historically marginalized groups in our State. We know the cost of education can be a deterrent to people who face a number of unique challenges. The Legislature can help advance equity. I strongly urge this Committee and the Legislature to adopt S.B. 145.

SHERIDAN MANFREDI (Associated Students of the University of Nevada, Reno):
I am the Student Outreach Coordinator for ASUN Legislative Affairs. The passage of S.B. 145 will give all students in the State the opportunity to receive need-based grant funding. While I acknowledge the SSOG Program provides need-based grant aid to community colleges, the universities offer a different experience for students.

Both UNR and UNLV have received the designation of R1 from the Carnegie Research University. This R1 designation by Carnegie is reserved for doctoral universities with the highest levels of research activity. This elevation, from R2 "high research" to the R1 "very high research activity" follows a concerted effort by our State's two universities to elevate their commitments to research and graduate education.

With two R1 universities in our State, it is our duty to ensure that all students receive the opportunity to attend the type of university that best meets their needs.

AAMIR AZIZ (Associated Students of the University of Nevada, Reno):
I am both a student of UNR and the senator representative for the College of Agriculture, Biotechnology and Natural Resources of UNR. Last week, I co-wrote

an ASUN resolution that was passed in support of S.B. 145, to create the Battle Born Opportunity Grant Program for university students.

As a student and a representative, I wholeheartedly support measures to increase the affordability of higher education. I cannot promise to answer every question about why higher education should be more accessible to a larger group of students, but I can give my own story.

Three and a half years ago, during my first semester at UNR, my father was laid off from his company of 15 years and spent the next 2 years unemployed and attempting to start his own business. He was able to find a job with less than half his original pay grade and below the 30 years of experience he had gained from working internationally.

Subsequently, I paid for my education to ease the financial burden of raising four children. I graduated from high school within the top 10 percent of my class, with over a 5.0 weighted grade point average.

At UNR, I have maintained a GPA of 3.75 and have made the Dean's List multiple times. Besides the Millennium Scholarship, my financial aid was cut off after two years. I no longer received any financial aid.

My final two years at UNR have left me with over \$8,000 in student debt and \$5,000 in credit card debt. The majority of my combined debt is tuition, a laptop for school, books and the \$500 parking pass this year alone.

I work three jobs a week to afford my classes. I attend my classes and complete my unpaid research internship in a lab as required for me to complete my degree. The impact of additional financial aid is undeniable in my situation. I would not need multiple jobs to afford school, and I would be able to focus on the education that I am working to pay for. However, I have been blessed to be an in-state student, living with my parents and not worrying about making rent, buying groceries or where I am doing my laundry.

I bring the stories of students at UNR, relying on the ASUN funded Pack Provisions for food and basic living necessities, suffering from food and housing insecurity, reaching out to the Dean of Students to afford books, tuition or the graduation fee. These same students live a life of uncertainty in the hopes that they will receive the education necessary to survive in this world.

College is priced as a luxury but deemed a necessity. Please help students shape the future of our State, country and world. Please help students gain the education that this world has deemed necessary.

J. KYLE DALPE, Ph.D. (Interim Executive Director of Legislative Affairs, Nevada System of Higher Education):

The Nevada System of Higher Education supports S.B. 145. I want to thank the university students for sharing their stories to the Committee today. The NSHE supports S.B. 145 to help with access for NSHE programs of study for university students. We hope additional funding can be secured for this program.

KENT ERVIN, PH.D. (Nevada Faculty Alliance):

Why do we have such high tuition? Since fiscal year 2008 through fiscal 2019, the State General Fund support for NSHE overall is 16 percent in real dollars after adjusting for inflation. Over the same period, the revenue from student fees and tuition rose from 20 percent of the budget in 2008 to 34 percent in 2019.

Students are having to cover a much higher proportion of the burden of the cost of higher education in the State. This is one of the reasons for the increases in tuition. Currently, the proportion of State funding versus student funding for instructional budgets is 55 percent to 45 percent, which the Battle Born Opportunity Grant for university students will affect.

I am a chemistry professor at UNR and sometimes, a student will come into my office struggling in the course. I have learned not to ask whether they are working, but how many hours they are working. Students who are working nearly full-time do not have the time to dedicate the hours necessary for college level courses. We have to work through those realities.

Two years ago, I attended an ASUN sponsored student panel with students from diverse backgrounds. They told how their identities impacted their learning opportunities and lives as students. In particular, I remember a Latina student who was attending UNR. Her identity was not being a Latina student; it was being a cash-poor student. Everything for her was just on the edge. If any of her financial aid, scholarship or work changed, it would mean she was out of the program because of her family situation.

The 30 hours per year is important. Federal full-time is 12 credits per semester. This mismatch of different requirements is hard for the students, because if they drop out of one program, often they are unable to continue and they drop out of school.

The fiscal note shows the need. We are able to do this through the SSOG Program for community college students. Many students who have the need, who do not need remedial courses, are ready to go to the university and take part in all the opportunities. We should give them the financial means to do so.

JORDAN LEWIS (University of Nevada, Reno):

I am a student from UNR. I would like to echo what prior students have said. I complete the FAFSA form every year with an Effective Family Contribution (EFC) of zero. Senate Bill 145 would greatly benefit me and many other students. I have worked full-time for most of my entire higher education career. I am fortunate to have received one of the very few paid internships UNR has to offer. This program will help those students who cannot afford school and other things.

SPENCER STEWART (Chancellor, Western Governors University Nevada):

I am the Chancellor of Western Governors University (WGU) Nevada. While I am neutral, as a lifelong Nevadan I will tell you I will smile when I leave this meeting with what has been accomplished.

My compliments and deep admiration for the work that has been done by the Interim Committee and by the Senate Committee on Education to reach this point. I was with NSHE for 14 years building NSC. It was a wonderful experience. It is wonderful to hear these students who spoke today.

In June 2015, Governor Brian Sandoval established WGU Nevada. Twenty years prior, former Governor Robert Miller was one of the founding governors of WGU. The idea for WGU was to expand access to higher education for in-demand fields.

Since WGU Nevada launched in June 2015, it has awarded over 1,900 undergraduate and graduate degrees to deserving students. Roughly half of these students are now working and actively engaged across the State as teachers and employed in our hospitals and other health care environments. The

other half of these graduates are employed in information technology and business related fields.

This year, over 900 students will graduate, roughly a 35 percent increase over the last fiscal year. From a State perspective, the replacement cost of WGU Nevada awarding 1,900 degrees, is approximately \$40 million that would have come from the State General Fund.

The top priority today is to serve the diverse needs of students so they can be successful. Western Governors University Nevada serves diverse students. At one point in time, half of the students we serve were members of the NSHE. A few months ago, the last student commencement speaker at WGU Nevada was one of my students at NSC.

We have very good student outcomes, which brings me to my point. As you look at how to design a good State financial aid program, there are four principles that come from the Education Commission of the States. I will read to you just two of those principles.

The first principle is that financial aid programs should be student centered. I think this program is very student centered.

The fourth principle is that financial aid programs should be broadly inclusive of all students' educational pathways. Programs should respond to the diverse enrollment options available to students.

I encourage this Committee to consider expanding the eligible set of institutions to include WGU Nevada, but I would be a hypocrite if I just said WGU Nevada because the principle is the principle. I encourage this Committee to look at other reputable private nonprofit institutions that could be part of this eligible set. Putting students first should be Nevada's first initiative, irrespective of where students attend.

VICE CHAIR WOODHOUSE:

I will close the hearing on S.B. 145 and open the hearing on Senate Bill (S.B.) 146.

SENATOR DENIS (Senatorial District No. 2):

I will introduce S.B.146, which revises the eligibility requirements for the SSOG Program. This program was established with the enactment of S.B. No. 227 of the 78th Session. Vice Chair Woodhouse was one of the bipartisan co-sponsors on Senator Kieckhefer's S.B. No. 227 of the 78th Session. The intent of this State funded, need-based scholarship program was to cover the total cost of attendance for eligible students enrolled in a community college or a State college which is part of the NSHE, so the student would not need full-time work. This allows those students to take 15 credits per semester and improve the likelihood of graduating in two years with an Associate degree or in four years with a bachelor's degree.

The rationale behind the requirement for 15 credits per semester was fairly simple. I have provided a table ([Exhibit D](#)) to visualize how the 15 credits per semester helps a student reach the end goal of a degree. For example, an Associate of Arts or Science degree at one of Nevada's public community colleges generally requires 60 credit hours. A student needs to take exactly 15 credits per semester to graduate in two years.

The table in [Exhibit D](#) shows an Associate of Arts in Elementary Education from the College of Southern Nevada requires a minimum of 60 credits, or 15 credits per semester. Some Associate degrees require more than a minimum of 60 credits to graduate, and I have provided the example of the Associate of Applied Science in Welding Technology at Great Basin College (GBC) that requires 70 credits. A Bachelor's of Arts in Elementary Education at NSC requires a minimum of 120 credits.

While the Silver State Opportunity Grant (SSOG) Program is for eligible students enrolled in a community college or a State college, I have provided two examples of the minimum credit requirements for selected degrees at UNLV and UNR to show that the credit requirements for graduation are comparable. Generally, it is 60 credits for an Associate degree and 120 credits for a bachelor's degree, with some exceptions as I have noted with the Associate of Applied Science in Welding Technology degree at GBC and the Bachelor of Environmental Engineering degree at UNR.

Senate Bill 146 revises statutory provisions concerning the SSOG Program. It expands eligibility to students enrolled in 30 credits in an academic year utilizing fall, spring, and summer terms. Currently, under *Nevada Revised Statutes* (NRS)

396.952, to be eligible for the SSOG, a student must enroll in at least 15 credit hours each semester (fall and spring semesters only).

It amends NRS 396.952 to allow students to enroll in fewer than 30 credit hours in the final academic year of his or her program of study and remain eligible for the program. It requires the Board of Regents to include in the report to the Legislature relevant to the SSOG and per NRS 396.960, credit load data indicating how students met the 30 credit hour requirement each academic year.

For some students, 15 credits per semester may be too much, and many students are taking courses year-round, including summer. Senate Bill 146 provides flexibility to students while still keeping them on track to graduate on time.

This bill also requires the Board of Regents to adopt regulations that require a student who applies for the SSOG to complete an academic plan, essentially a road to graduation.

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

Nevada System of Higher Education has provided you two pieces of reference material. One is the Year Three SSOG report ([Exhibit E](#)). The report shows the number of students served, what the return on investment has been for the State and how the SSOG Program works.

The second piece is titled: "The SSOG: Who is Eligible and How the Program Works Currently", ([Exhibit F](#)). There seems to be confusion between the Promise Program and the SSOG Program. On page 2, a graphic shows the Shared Responsibility Model and shows what it looks like. The Millennium Scholarship is a merit-based program where students receive a scholarship on a per credit amount. To attend one of our universities, the cost is \$80 per credit. Without the scholarship, to pay for a credit the amount is closer to \$200.

The basis for how the SSOG award is calculated is not just the base registration fee. The award includes the total cost of attendance. Based on a federal methodology, we use the calculation as defined by the federal government of what the cost is to attend a university for a full year. The full-year costs include books, lab fees, transportation and room and board. In particular, low-income

students, especially for the working poor, may be able to scrape enough together to pay for the base registration fee at a community college. What they cannot do is put gasoline in their vehicle. Or worse, they cannot feed themselves or their families.

Page 2 of [Exhibit F](#) shows the total recognized cost of attendance. For this academic year, a student living off campus and not with a parent, the average total cost of attendance is over \$21,000. This is the amount we are aiming to provide to students, not just by using State aid, but federal aid and any student contributions.

Page 3 of [Exhibit F](#) shows who is eligible for the SSOG. The most controversial piece of this program is a student must be enrolled in 15 credits. Students who enroll in 15 credits are more likely to graduate from our universities. In some cases, the likelihood can be up to six times higher to graduate.

Why? What is done full time, is done better. Students who attend part time face many challenges in reaching the finish line of graduation. One of the causes of this is the students must support themselves and their families. The purpose of the SSOG is to give a student the money for he or she to focus on school without worrying about other concerns, like gasoline for their car to attend classes.

In addition to taking 15 credits, a student must be enrolled in a degree or certificate program and be college ready. College ready means a student must be placed into a college level course of mathematics and English to avoid remediation or be in a co-requisite course. A student must be a resident of Nevada and the key to all of this, a FAFSA form must be completed. Nevada System of Higher Education is trying to leverage as much federal aid as possible and this is the reason we require a completed FAFSA. Without a completed FAFSA, the amount the State would need to fill increases. The FAFSA requirement is critical.

Page 4 of [Exhibit F](#) explains the calculation. An equation engine was created so students do not need to complete a separate application as they must in the Promise Program. Once a FAFSA form is completed, the student is in the NSHE database and NSHE has the information about the student, including the EFC. From this information, we will calculate what a student's award will be.

Awards range from \$200 to \$5,500. The \$5,500 figure matches what NSHE assumes a student can reasonably contribute to his or her education. This amount is based on a reasonable assumption that a student can work a few hours during the summer that would equate to approximately saving \$5,500.

However, many of the students do not work and save those dollars. The reason the Millennium Scholarships or other private aid are not subtracted is because those amounts are considered the student's contribution. The student earned those scholarships. What NSHE leverages and what are taken out in the equation, are things like the Pell Grant, the Supplemental Educational Opportunity Grant and the federal Teacher Education Assistance for College and Higher Education Grant. This means a student can receive the SSOG and the Millennium Scholarship.

How are the SSOG funds awarded? A specific population is targeted, which is the poorest of the poor. The aim is to serve students with an EFC between \$0 and \$8,500. A student with an \$8,500 EFC is described as the working poor. Those students' Pell Grants would shrink to nothing, but they still must support themselves. In order to reach a group of students, we start at an EFC of zero for a student, which means he or she cannot contribute a single cent to his or her education. This is known because of the FAFSA application received from the student.

In the first biennium, the NSHE received \$5 million and it did not serve all eligible students. In the first year, it served 55 percent and in the second year approximately 50 percent. This was because more students were hitting those eligibility criteria as word got out about the SSOG Program.

In the 79th Legislative Session, the third year of the SSOG Program, the appropriation was doubled. This amount is now in the NSHE base budget. The NSHE receives \$5 million per year. In year three of the SSOG Program, we spent about \$4.2 million. The attention was shifting to the administration of the Promise Program and getting that program off the ground.

The Promise Program requires filling out a FAFSA and by the fourth year, there are more FAFSA filers than the previous three years. The Promise Program is helping us to leverage more federal aid. These programs are working well together. Students are receiving more Pell Grants.

Page 5 of [Exhibit F](#) shows three examples of students with a zero EFC and the figures are based on calculations from the last academic year of 2017-2018. The examples range from a student living off campus, a student living with a parent and a student living on campus which is based on the GBC amount. The student living off campus would receive the largest grant, a student living on campus the next highest amount and the student living at home would receive the least amount from the SSOG. A student's need differs according to their living circumstances, which then contributes to the amount of the SSOG received.

I will now turn to S.B. 146. There are two basic provisions to this revision. The first provision appears in section 1, subsection 5 and section 3, subsection 1, paragraph (e). This language basically states if a student is in their final academic year and they do not hit 30 credits, they will still receive the SSOG.

An error in creating the original bill was requiring 15 credits. We had some students who would take 15 credits in fall semester; in their spring semester prior to graduation they only needed one course. A student does not qualify for the SSOG by taking just one course. A student cannot enroll in four other courses for the sake of receiving the SSOG. Courses taken must apply to the student's degree program. From an administrative standpoint, students who have received the award before and who are near their graduation date are not penalized because they are close to the finish line.

The second provision sounds easy to administer; however, there are challenges with it. This change shifts the focus population. Currently, the focus is on students who have hit 15 credits and are between a \$0 and \$8,500 EFC. With the revised bill those students who enroll in 30 credits per year will be served. It means a student can take 12, 12, 6; 12, 15, 3 or any number of unit combinations totaling 30 credits.

There are more students taking the various combinations of credits instead of 15 and 15. This is to the tune of \$12 million or an additional \$6 million a year. This second provision would open up the bill to part-time (less than 15 credits) students in any one term. Instead of narrowly defining the credit hour requirement to a specific combination, the student can have any combination totaling 30 credits per year.

If a student does not take the combination of credits as reported, the student will not receive the award in the next year. How do we know students are going to do what they say they will do? We want them to understand the commitment; this will create an administrative onus on the institutions. The institutions will need to advise those students.

In section 3, subsection 1, paragraph 3, subparagraph (d) a student must enroll in 30 credits and a student must sign an academic plan. The institutions are challenged to offer all the courses in their summer school programs that a student will need to complete his or her degree. The bill states a student must take the courses that apply to his or her degree program. This is a risk for the institutions, because the institutions have asked for State funding for summer school and it was not part of Governor Sisolak's recommendation.

Nevada System of Higher Education receives State funding for the Nursing Program and currently, there are nursing students who are taking 15 credits during the summer. These students are getting the benefit of receiving the SSOG over three terms rather than two.

The Board of Regents is promoting through its Student Success Goals that the universities want to graduate students year round, although these provisions have administrative challenges. The message we are sending now to students is clear. They must take 15 credits. If S.B. 146 is enacted, we will tell the students they need to take 30 credits in an academic year and the credits can be varying combinations to total the 30 credits required. This will put a burden on the students to meet their commitment. A student who does not meet his or her commitment, will lose the program or grant going forward.

Starting with zero EFC, we do not know how much EFC we will receive because we will not know all the various combinations of credits. When the fiscal note was created, the 1 year of historical data was viewed to see those students who enrolled in the 15 credits. In all likelihood, I do not know what this will look like. There may be students who think the pressure is off and do not meet their commitment. This is not impossible, but it does create some challenges. The messaging we give to students will not be quite as concise. From a policy standpoint, this is something of which the Committee needs to be aware.

The efficacy of this program is more than documented in two pieces of information. First, the students who entered this program over a three-year

period have a graduation rate of 59.4 percent. The national average rate for community colleges is in the mid-20s, or 23 to 25 percent. For those students receiving the SSOG it is 59 percent. At GBC, the rate was 86.6 percent. This figure is absolutely unprecedented. The investment in poor students paid off. Almost 9 out of 10 students at GBC who received the SSOG graduated. We owe the Committee a great deal of thanks for the wisdom in creating this program.

The second effect of the program is the money went to kids with the most need. The median income from year three was \$16,700 for independent students supporting themselves. It is hard to live on \$16,700. Living on \$16,700 and going to school is even harder. The data shows the SSOG funds went to students needing it the most.

For dependent students living with parents, the median income was \$34,000. However, the data does not show how many individuals the \$34,000 supported.

The target will be shifted with this bill. Section 4, subsection 3 requires NSHE to report more credit load data to show the outcome of students enrolling in at least 30 credits per year. This is the goal of S.B. 146.

SENATOR PICKARD:

This is the kind of investment the Committee wants to make. Have you incorporated into the total cost estimates the additional fees and additional semester? Some fees are fixed. Are those numbers included?

MS. ABBA:

Yes they were included. An assimilation of the existing engine was used. Not knowing the figure of EFC to work with is the challenge.

SENATOR PICKARD:

There will not be an answer until we know who are applying and what their scheduling arrangements will be in order to determine the fees. The student is signing an academic plan which is basically a contract. Was it considered the funds must be repaid if a student does not complete their academic plan? If not, why?

MS. ABBA:

The answer I am giving is from an administrator's standpoint. When programs are created, NSHE must ensure staff and the financial aid offices at the institutions are not crushed. Administratively, the cost of trying to recover the money must be weighed. Students may not have the funds available because they have just graduated and may have loan debt.

From a fiduciary standpoint, the cost would not make sense. If the money must be repaid, it cannot be called a grant program. The definition of a grant program is something that is not repaid.

SENATOR PICKARD:

I do not disagree. I paid for my Pell Grant and other loans when I attended school and had to repay the loans. I disagree with the idea that because it is called a grant, we give out the money. There needs to be an expectation or recourse if a student does not meet the expectation.

There should be carveouts in the bill, especially if the circumstances were well beyond the student's control. I suggest by simply failing to meet the student academic plan, there needs to be something attached to the bill for the student to at least repay some of the money.

SENATOR HARRIS:

Is there a student population who cannot do 30 credits over the academic year? Is it your contention everyone who we want to go to college will be able to attend college?

MS. ABBA:

Yes, there is a population of students who cannot do 30 credits. There is a huge population who cannot do 15 credits. This was elaborated in the Year One report on our website. The rationale for that is the return on investment.

Looking at the data for those students who enroll in less than 12 credits at a two-year institution, their graduation rate is 3.5 percent. The students who enroll in 15 credits the percentage is 32 or 10 times higher.

When the original S.B. No. 277 of the 78th Session was presented we were coming out of the recession. The sponsors, Senator Kieckhefer and Senator Kihuen wanted to be certain the bill would not give money for the sake of giving

money. By giving the money they wanted to ensure the State was getting something in return in terms of a student who would graduate and hopefully would remain in Nevada to work.

Your point is well taken. This is why we are having the dialogue about going to 30 credits per year versus 15 credits. We took a hard line at the beginning because we knew the return on investment would be high. Having looked at this data for a number of years, I have never seen an 86 percent graduation rate. This is astounding.

Initially, had the program served any student who enrolled in three credits, I would not be bragging about the GBC 86.6 percent rate. This is what the Board of Regents is trying to accomplish in their strategic planning. Part-time students are the final frontier; how do we get them to graduate?

SENATOR HARRIS:

The graduation rate might be a little bit higher with financial assistance. Financial assistance might lead part-time students or students who are not taking full credits to actually obtain a degree at some point. Like the academic plan, what are other ways to ensure students are degree seeking? Are there other types of extensive academic counseling requirements or other ways to ensure students taking less credits because they are working full-time and cannot work on their schoolwork while on the job?

Perhaps, we can come up with more creative ways to help students, rather than making it harder for them to graduate because they cannot access money. This would be a worthwhile endeavor to strive toward.

SENATOR HAMMOND:

Good questions from my colleagues. I was on the Committee in the 2015 Session when the bill was presented. I agreed because the Committee felt this bill was a pathway for our neediest student population to obtain money to graduate from college. My worry is after an intent is established, someone will try to change things. For me, the intent of the bill was to invest and graduate students.

If a student does not obtain the 30 credit goal in an academic year, no money is received the following year. For a student not meeting his or her goal and has

lost funding for a year, is there a process in place that would enable a student to re-apply for the SSOG the following year?

Ms. ABBA:

Some of this we are still figuring out. Currently, if a student loses the scholarship because he or she falls below Satisfactory Academic Progress (SAP) for federal financial aid, you are grappling with the very thing with which we are grappling. I am not certain we have entirely figured it out yet. The poll position is if the commitment is not met, money will not be given.

Currently, a student can regain through SAP. You are hitting on what makes this challenging. I do not have the answer. It is going to be more difficult to administer 30 credits over the course of an academic year versus 15 credits and 15 credits.

With the 15 credit plan, if a student does not enroll in 15 credits, it is known at the beginning of a semester. If a student commits to their academic plan and follows it for the first term, and the second term plan is to take 12 credits, 12 credits and 6 credits, if the student fails to do that, the student cannot make it up in the summer. There are a lot of conversations that must happen in this scenario.

We do not know how this will work. We do not know how it will work administratively. As you alluded, Senator Harris, there are circumstances with students when life gets in the way. Suddenly a student has made a commitment and something happens and the student cannot meet his or her commitment.

SENATOR HAMMOND:

What keeps returning to my mind is we needed the SSOG for our most disadvantaged students. Four years later, we are talking that it was only for community colleges, now let us talk about our universities.

We keep asking for more and more dollars. Returning to the Battle Born Opportunity Grant brings me to the question regarding the idea of fully funded. This worries me. If it is a particular population of students we want to reach and we are talking about fully funding, will there be additional students who could probably use another \$1,000 or \$500 a year or a semester? Are we going to fully fund whenever there is a need for all students?

Are we getting to a point where we are going to make college affordable and free for everyone? Can we afford that? Wow, \$126 million is a lot to ask for one program. Where is the cap? Who are the most disadvantaged students? At what point do we cut off the funding so we know what fully funded means?

MS. ABBA:

You have asked me difficult questions. I do not know the answers. I do not envy your jobs, because you are the ones who must figure this out. There will never be enough money. The challenge facing the Legislature is the limited resources.

When we started the SSOG Program, the argument was we wanted to invest in the students. We were betting on those students we knew could succeed. We wanted to give them enough money so they could be incentivized to take 15 credits and hopefully, succeed at 15 credits.

You are right. As we continue to expand this program there will always be more students we can help. Currently, the State is not anywhere close to saturating what is needed in covering the total cost of attendance for students. I believe we will never get to that point.

SENATOR HAMMOND:

We are having the same thought. It is a difficult question to answer. I do not want to reach a point when a student would have to weigh the opportunity cost of a higher education. If we keep making it so there are avenues to less student debt or Pell grants, we do not know what the true cost of going to college will be or is currently.

For example, a person is looking to purchase a car. The salesman tells the prospective buyer not to worry about the total cost of the car. Let me make monthly payments affordable for you. The buyer does not realize the true cost of the car.

Often, students must weigh the cost of college debt versus receiving enough certificates or certification to have a comparable high paying job. I want a student to be able to weigh this information and determine what is going to be best for him or her.

I do not want a lot of students thinking college is going to be free and they will try it. They attend for one or two years and we have lost our investment when they drop out of school.

My intent is to help those who need it the most and that the State will make a return on its investment. We want graduates to remain in our State; however, some jobs will not be available in our State. For those students who do not remain in Nevada to build our economy, can we ask them to help Nevada students who will remain in the State who may need assistance in the future?

MS. ABBA:

I spend a great deal of time in my office with my staff having the exact dialogue that you just stated. When you know resources are limited, where do we put our bang for the buck to make certain the State will have a return on its investment and also a return on investment for the student? You are looking at this situation from both perspectives.

It is really difficult in Nevada, which has such limited resources. I am constantly frustrated by analogies that go to states like Tennessee, which has more in its lottery than we can only dream of. With a piece of the Tennessee lottery, we could fund everyone.

That is what makes this so challenging. You are hitting on the heart of the purpose of financial aid. Financial aid is intended to put the affluent student, whose parents take care of everything, and the low-income student on the same playing field so both students have the same access opportunity. Financial aid brings the low-income student up to the level of the affluent student.

When you look at programs, that is the difference where we are today versus where we have been historically in our State, in terms of our financial aid discussion. Return to the Kenny Guinn era, we were looking at keeping the best and the brightest. At the time it made a lot of sense. We knew we had a "brain drain". We were losing those kids.

Today, we have a different issue. We are more acutely aware of the challenges that face low-income students, more now, than ever before. It is because of a tremendous amount of affordability data. More than that, for the first time we are able to look at data and look at the makeup of the students who are not

succeeding. I know lots about the students who are succeeding; nobody is concerned because they are succeeding.

The pieces we are learning about, the students who do not succeed, are the pieces at which we are better. It does not make the job easier, Senator Hammond, it actually makes it more challenging.

SENATOR HAMMOND:

Sometimes a student has a special job in mind for their future and we want to help them to pursue their dream; however, they may not meet the criteria for their dream job. Now, what do we do as a State?

SENATOR DENIS:

Ms. Abba mentioned we are making an investment. With any investment, we do not always know the end result or payoff. What I have seen when kids get a degree, their future earning potential is much higher than the kid who does not receive a degree. The revenues we will bring in will be much higher than what we will put into the program.

DR. DALPE:

I am representing NSHE and we support this bill. Western Nevada College and GBC, who are unable to be here today, also support this bill.

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

Earlier, the question was asked if we will saturate the financial need of students. At Truckee Meadows Community College (TMCC), the unmet need for our FAFSA filers is \$25 million per year after all federal and State aid are given to the students.

Every year I re-award financial aid to students who do not come in the spring. I have 600 zero EFC students, the poorest of the poor. If I could give these students a supplemental educational opportunity grant, the total would be \$3.3 million for those 600 students if they were to receive the SSOG. We will not saturate. We also have students that have a higher EFC.

As far as ensuring the student is seeking a degree and on an academic plan, we have tools within our student information system where the students can document their academic plan. That is what TMCC would do.

We offer a variety of workshops for all new degree seeking students to attend. We have a two-step orientation and instructions are given on how to work on an academic plan so it is not a foreign concept to our students.

DAVID DAZLICH (Director, Government Affairs, Las Vegas Metro Chamber of Commerce):

The Las Vegas Metro Chamber of Commerce is in support of S.B. 146. It supported the original legislation for the SSOG Program and it sees this bill before you as maintaining a path toward graduation for our students.

ANTHONY RUIZ (Nevada State College):

Nevada State College supports the revisions for the SSOG in S.B. 146 and I have submitted written testimony ([Exhibit G](#)) of our support.

ANGIE SULLIVAN:

I want to speak about accountability and insufficient funds. Any money given directly to students is what we should be doing with legislation. I hope the members of this Committee who have concerns and great questions about accountability, resources and being a good steward over the taxpayers' money, do the same when Nevada charter schools come up.

MARIANA KIHUEN (Interim Director, Government Affairs, College of Southern Nevada):

I am the Interim Director of Government Affairs for the College of Southern Nevada (CSN). The CSN fully supports the passage of S.B. 146. I have submitted written testimony ([Exhibit H](#)) of our support.

DOLLY ROWAN:

I am in support of S.B. 146. I am a native of Las Vegas and single mother of two children. After high school graduation, I was on welfare. Public assistance allowed me to go to a community college where I took one course and a program such as this was available. I enrolled full-time with 100 percent support. I needed remedial courses and a great amount of support. There were no required credits and I was not required to take college level courses.

I began where I needed to and was successful because of the support provided by the State. I am now one of your finest and very best autism teachers in the Clark County School District (CCSD). I urge the Committee to support S.B. 146 and add amendments that are needed so that all students can be successful.

MR. AZIZ:

Last week the ASUN, along with our support of the Battle Born Opportunity Grant, also supported a resolution ([Exhibit I](#)) in expansion of the SSOG Program to 30 credits per academic year. The University of Nevada, Reno, does not benefit from the SSOG Program, but as the students of UNR we do support higher education and affordability for all students across our State.

This resolution includes some of the data we have collected to help more students afford higher education, including the State and community college levels. As spoken by one of our ASUN advisors, we believe the current situation with 15 academic credits versus 30 credits per the academic year is the spirit of the law versus letter of the law conflict.

Senator Hammond, you stated you want these students to graduate. We believe 15 credits per year was written with the intent to graduate, but most institutions have a design for 30 credits to complete, such as UNR and other colleges. We believe 30 credits is what it takes for students to graduate. We wholeheartedly support the expansion of S.B. 146.

DR. ERVIN:

Senate Bill 145 is relevant to S.B. 146. Forty years ago, I could attend a state public funded university by working the summer months and being awarded a few scholarships and living in a co-op house. I did not have to take on debt.

Now public education puts more expense on the students. Affluent students can afford higher education, and we are now going to balance that with State support for the neediest students. A paradigm shift has happened. We need to do this to begin balancing higher education for the neediness before we fully fund higher education for all.

If a student is trying to do 15 credits plus 15 credits, sometimes life gets in the way and a student may need to drop a course and drop to 12 credits. If they are not allowed to make up the three credits in the summer, not only would the student lose the SSOG, they may not have the prerequisites to continue in the fall with their regular program. This causes a cascading effect.

It is important to give extra flexibility and advise students with the SSOG to do the 15 credits plus 15 credits. If they do fall back, they have a second chance to pick up credits in the summer.

VICE CHAIR WOODHOUSE:

We will close the hearing on S.B. 146. I will turn the meeting over to the Chair.

CHAIR DENIS:

We will go to the report of the audit of assessment tools and examinations used to monitor the performance of pupils pursuant to S.B. No. 303 of the 79th Session, the Independent Evaluation of Nevada's Statewide Assessment System.

JONATHAN P. MOORE, Ed.D. (Acting Superintendent of Public Instruction, Department of Education):

I am here to introduce the report on the audit of assessment tools and examinations used to monitor the performance of pupils pursuant to S.B. No. 303 of the 79th Session. This bill provided requirements for the Department of Education (NDE) to generate and carry out a plan for auditing assessments to monitor student performance. My colleague Peter Zutz, Director of the NDE Office of Assessment, Data and Accountability Management (ADAM) will present the methodology and outcomes of the report.

Peter Zutz (Administrator; Assessment, Data and Accountability Management, Department of Education):

I am the administrator for ADAM and I will briefly present a high-level overview of the Independent Evaluation of Nevada's Statewide Assessment System ([Exhibit J](#)), as per S.B. No. 303 of the 79th Session.

In 2017, S.B. No. 303 of the 79th Session became law and required the NDE to create and carry out a plan for auditing the assessment tools and examinations used to monitor the performance of pupils in schools from K-12 in the Nevada public school system.

Page 2 of [Exhibit J](#) shows the scope of work, which included an examination of assessment models used in other states, a review of local assessment administration practices and options to streamline Nevada's K-12 State assessments.

The NDE contracted with WestEd, a non-partisan, non-profit research development and service agency to conduct an evaluation of our State Assessment System.

To complete the evaluation, WestEd developed and administered two online surveys for District Test Directors (DTD) in each of our 19 school districts and conducted 7 follow-up interviews with individual DTD to gather district perceptions of the Nevada State Assessment System and to identify areas for improvement.

To augment and provide context for the survey and interview results, WestEd also reviewed Statewide planning documents and resources related to our State assessments; technical and administration manuals that were developed for Nevada State Assessments.

The evaluation employed a multi-method approach. Data from surveys, interviews and documents enabled the study team to triangulate findings by testing for consistency of claims across various data sources and for constructive, plausible explanations when inconsistencies or contradictions emerged. This information is shown on page 3 of [Exhibit J](#).

On page 4 of [Exhibit J](#), the Examination of Assessment Models Used in Other States, provides a high-level overview of state assessment systems including information on the assessments administered in core academic subjects, such as English Language Arts (ELA), mathematics and science. This information can be useful and can inform the assessment tools being used, as well as how other states are using different assessment tools.

For each state, information is presented to identify the assessments administered for each of the subjects and the grades. The report also includes information on alternate assessments, English language proficiency assessments, American College Test (ACT), Scholarship Aptitude Test (SAT), science and summative assessments.

Two online surveys were administered to the 19 DTD. The study team administered two surveys to distribute the burden on the DTD, as well as to promote higher response rates from the DTD.

The first survey was designed to collect data on DTD perceptions of our State assessments, specifically as related to assessment utility, consistency, security, accessibility, reporting and testing time. This survey included questions on how the State Assessment System might be strengthened.

The second survey was designed to solicit information about the district's own assessment administration practices and the State resources that support these practices. This survey also included questions about how resources for assessment administration might be improved.

Both surveys were designed to yield a broad understanding of assessment related experiences with the State Assessment System and what supports would be most helpful for assessment and educational professionals.

Page 6 of [Exhibit J](#) shows the considerations for streamlining our State K-12 assessments and summarizes current research to present 6 characteristics of high quality assessment systems which were used in evaluating the quality of State Assessment System.

Furthermore, the researchers used a U.S. Department of Education 2015 fact sheet detailing 7 research based principles useful for informing the selection of individual assessments and assessment strategies that collectively make up a high-quality system of assessments.

Nevada's statewide system of assessments was reviewed against these principles to inform specific recommendations for improving the quality of individual State assessments and for streamlining and improving the system's efficiency.

SENATOR HAMMOND:

One question I want to ask the Department and many teachers are asking me the same question. The Smarter Balanced Assessment Consortium (SBAC) is given at the end of the year, which is supposed to inform the teachers where their students are as far as understanding the material that was taught in that particular year. Did students not understand the material, where did the teacher fall short or what kind of interference can be run so a particular student can get better?

The information does not come back to the teachers until the following fall. At that time, this information does no good whatsoever except for the star rating. The information does no good when it is received the following fall. If we are trying to figure out diagnostically where our students are, then this does not accomplish that.

I have heard other states are receiving this information much quicker than we do in Nevada. Why is it taking so long in our State?

DR. MOORE:

I see two parts to the questions. One is the ability to obtain data from some other assessments and use this data for instructional purposes. The second part to your question is the timing by which results are returned.

One of the misconceptions NDE is trying to address is the idea that summative data should be used for continuous teaching and learning. Research would suggest, and by the nature of the summative of assessment, it is a snapshot over a period of time. It is not just designed necessarily to give granular data. When teachers are engaged in teaching and learning and they are looking continuously for assessments or data to inform their instruction, that comes more at the formative level.

It would make sense for a teacher to get summative results either at the end of one year or at the start of the next year, and they will not find the granular standards based results they are looking for. That is not the intent. In fact, in the assessment world it is often called autopsy data because you are looking back at what transpired.

If you are looking in terms of the realm of continuous teaching and learning, a teacher would use more formative assessments that would occur throughout instruction or on a more daily or frequent basis. I will defer to Mr. Zutz to answer questions regarding the timeline to which assessment results return.

MR. ZUTZ:

I can speak directly to the timeline for our reporting for the SBAC. We provide to the districts an electronic file with the individuals' score reports. The performance of any individual student on the SBAC is provided as an electronic file the third week of July. The last week of July, those paper reports are bundled and mailed to the districts. In a way that works best, the districts then send those reports to the individual students. The individual school or district data files are provided prior to both of those dates, roughly the late second week or early third week of July.

Nevada has worked very hard over the last three years. We now have three years of successful summative testing; we also have many years of successful

testing in our other assessments. We are one of the first SBAC states to provide reports. There are 15 consortium members, including the Virgin Islands and other territories and states.

VICE CHAIR WOODHOUSE:

Senate Bill No. 303 of the 79th Session was one of the bills that I worked on last Session. It came about because over the years there were so many teachers who came to me and fellow legislators. These teachers came with their frustrations about the number of assessments that are given and what these assessments do to children in the classroom.

Two years ago when the bill was introduced and I gave my testimony, I told a story about what had happened to one of my second grade classroom students, what it did to her and how we handled the situation. The example I gave at that time was case in point of what is happening in our classrooms. First of all for our students who are undergoing this pressure of test, after test, after test; and second, to the teachers whose training and desire to be professional educators to the highest level have so much time taken away from them in providing the instruction for students, because of the amount of time it takes to do all of these tests and assessments that school districts require.

I was pleased Senate Bill No. 303 of the 79th Session passed. I am glad we finally have a report. I am frustrated with the report, because it does not go as far as I was hoping and that we would get better information. Perhaps at this point, I should say at least we have started to look at this situation with a microscope and I hope everyone within NDE will continue looking at this and coming up with recommendations for the future.

I am very, very frustrated it took us so long to reach this point. Particularly you, Dr. Moore, were not even here when we were going through all of this. I appreciate both of you sitting at the table before me trying to come to grips with how we handle the amount of assessments we require of our students. Because of these requirements, it takes away from instruction in the classroom.

When this report was put on our agenda, I received a lot of letters from teachers about their continued frustration with the number of assessments that they must give. I am not sure we have answered any of those concerns at this point. I hope some of my colleagues will continue to help me push on this effort. This subject really needs to be addressed.

We want our students in Nevada to achieve. We want to have the highest quality of teachers delivering instruction to the students, yet we put up so many barriers. We have not solved the problem and this needs to continually be addressed because we have not solved the problem.

DR. MOORE:

Your comments resonate. One of the things NDE has been talking about is an idea of a balanced assessment system. What is it and what does it look like? Research has shown a balanced assessment system includes a multitude of various types of assessments: formative assessments, which are more frequent in nature and should be because those are the ones that inform continuous teaching and learning; diagnostic, which are meant to diagnose an issue or a student's progress or performance; interim or benchmark assessments and summative assessments.

When we begin to look at those various types of assessments and the role we play here at NDE, most of our assessment implementation by nature of State and federal law deals in the summative lane. When you look at frequency of summative assessments, those are usually one point throughout an academic year.

As a former classroom teacher and principal, when we hear frustrations of the frequency of various types of assessments, we must look at the beginning or the formative assessment that may or may not be required and those interim or benchmark assessments that may or may not be required. The conversation of assessment has to be encompassed. What does a balanced assessment system look like for a particular district, and how do they manage those types and the frequency by which they are administered? Vice Chair Woodhouse, what you shared resonates with us at NDE.

SENATOR PICKARD:

Ditto to everything that has been said. At least the frustration is bipartisan. There is frustration with the timing and frustration with the missing pieces, given what S.B. No. 303 of the 79th Session required.

When we talk about summative assessments we are typically talking autopsy. Usually that is a review of the prior assessments. This is a new assessment. In terms of the surveys, we are asking teachers to take more time out of their instructional time to do this assessment. Is there any way to obtain the same

information from a review of the formative assessments throughout the year? Is there coordination with those assessments? Are we assessing just to assess? Is there some avenue of coordination so we can begin with the end in mind? I see no coordination.

DR. MOORE:

You are 100 percent correct. By definition, research tells us that in a balanced assessment system there is absolute coordination. Think about a summative assessment which assesses a student's mastery over the content standards for a particular grade level. It is not in depth, because it would be a five or six hour potential summative assessment, but it provides a snapshot.

If I am teaching and looking to continuously assess teaching and learning toward mastery of a standard that I know potentially will be assessed in the summative assessment, I will be administering those assessments on an ongoing basis. This data will inform my teaching and learning in the moment. As opposed to when we get to the summative assessment, by that time I may not have the same students because they are in the next grade level. As a new teacher it will give me a sense of where to start; however, by that time, I may have taken an interim benchmark. Now, this data is old within the first eight weeks of the school year.

Research tells us in a balanced assessment system, assessments are aligned. Coherence and frequency are absolute considerations. It is important to also note that those formative assessments are not required by NDE.

SENATOR PICKARD:

Are you saying these are coordinated assessments all through or not?

DR. MOORE:

They should be.

SENATOR PICKARD:

I am not asking if they should be; we agree on that. Are they?

DR. MOORE:

I cannot speak to that, because every system designs their own formative assessment. Every system may have their unique benchmark assessments. I can

Speak to the summative, the ones NDE administers. I cannot say for certain every district has the balanced assessment system.

MR. ZUTZ:

You asked if we are assessing to assess. We certainly are not. We are required by federal law and State law. It is a question that deserves to be addressed and is a fair question. It is not a unique question. This is not the first venue we have heard the question asked.

SENATOR PICKARD:

I am sure, because I have dozens of emails from teachers all over the State asking that question

MR. ZUTZ:

The Nevada State Assessment System is one of the best State assessment systems in the nation. The required assessments are mandated by either federal or State law. One is the English Language Proficiency exam, otherwise referred to as WIDA, the brand name. There is the SBAC 3-8 which assesses ELA and math, and ACT which we use for our federal high school reporting. Federal law requires states to assess student understanding of science knowledge in Grades 5 and 8 and in high school. Nevada assesses high school science in Grades 9 or 10. Recent State law and the adoption of the Measures of Academic Progress (MAP), the product for reading in K-3, is required by State law.

Other than that, the State does not administer other assessments; however, there is a footnote to that and it is one of the recommendations in the report that I would like to call to the Committee's attention. We still have the End-of-Course (EOC) program. The EOC exams have moved from our federally reported high school exam to a district administered, district reported true end-of-course exam. At the direction of the superintendent of public instruction, a year and a half ago, what true end-of-course means is these exams would become part of the EOC grade. I would be happy to provide a copy of the guidance memo that gives the phase-in of what that would be to the final course grade.

JENNIFER MANNING:

I have been teaching high school for 13 years in CCSD. Since we are talking about accountability and how money is spent, we should definitely look into

getting some of the money back that was spent for the report we are discussing today.

We wanted to know what tests teachers were giving and having to administer to their students in our State. I assume that would mean tests given in the classroom? In one hour this morning, for free, I did a quick poll on social media and came up with a list of 20 given in our State. Again, this online research was done for free. I am disappointed in the report that was provided.

One elementary teacher reported to me she has given her students six of the listed assessment tests which her students must take weekly, monthly or quarterly throughout the school year.

At my high school, teachers are responsible for administering the EOC exams. We are confused about this because of the words "end-of-course". A student can pass this EOC exam in the second semester where it is tied to their grade. There is not an EOC exam in the first semester. There is not an EOC exam, yet students receive class credits for the first semester. There is a discrepancy with that.

We need our money returned for this evaluation report. The dollars spent for this report could have been better spent on the salary for one teacher or for three support staff personnel salaries. My social media poll this morning was one tenth of the price paid for the report. I would be able to provide you a report by the end of the weekend.

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

Part of my job is to go to schools to have this conversation. A lot of this data is coming in at the district and State levels.

The important information and important instruction is going on at each school's classroom level. Conversations need to happen at the classroom level and the Committee needs to hear this information. I received information this week that many of these assessments are paid for by the individual schools. Rather than pay for curriculum materials or other important items for instruction, schools are paying for many of the tests administered at their sites. This evaluation does not provide that information.

The lower the scores on the Nevada School Performance Framework (NSPF), the more assessments are given to students at that school. Therefore, the students who need the most instruction are having to take more assessments, rather than receiving needed instruction. This is something that needs to be aligned. As I have testified and said many times at the Legislature, educators in the classroom and administrators in buildings need to be listened to on what is useful to them in their practice.

Assessments are important, vital and they should be happening at the classroom level. This is standard five in the NSPF and I agree with giving some assessment and formative assessment. The teachers give summative assessments in their own instruction. The idea summative assessments are only done at the district or State level is incorrect. Summative assessments are important to instruction.

It is important for the Committee to hear these points. Please make sure you are listening to the level of the classroom and school on how these assessments are being used. Teachers are over testing, classrooms are over tested and students who need more instruction are being tested more.

BILL HANLON:

Forty-five states began with the SBAC and the Partnership for Assessment of Readiness for College and Careers (PARCC); we are now down to 15 states. This should tell you something about the quality. Second, Nevada does not have a clue what a balanced system of testing is. Now to my prepared remarks ([Exhibit K](#)).

In 2015, NDE identified what they called math experts to work with EOC exams being developed and used for high school graduation. For those not up to date, the State has now dropped that requirement.

Nevada's own identified math experts told NDE in 2015 there were huge issues with the EOC exams. The State people did not listen and continued to move forward spending millions of dollars.

These math experts were ignored by the State and predicted what would happen if the State moved forward with these EOC exams. The math experts were right. The failure rate was astronomical. To make matters worse, students

and teachers had no idea what questions would be asked or how the questions would be asked on these exams.

When the State superintendent did not listen to their concerns, these experts had the where-with-all to place their concerns in writing. These concerns were sent to the Governor, the State superintendent, the State Board of Education, local superintendents and trustees. The State's response to that was to insinuate these people, these experts, these teachers would have their testing license threatened by the confidentiality of the test. The confidentiality or secrecy of this test borders on lunacy. Teachers and students have no clue what is on these EOC exams. Who does that?

The Advanced Placement, ACT, SAT, the law school admission test, GMAT which is a registered trademark for the Graduate Management Admission Council and civil service exams, all release test questions and practice tests to help students prepare for their exams. There are two testing consortiums in the nation: the PARCC and SBAC.

These tests are not reliable, just by the definition of reliability, they should have the same results whether they are given by computer or handwritten. We know students who take the test by hand outperform the students who do not.

If a student computes 21×32 correctly and gets the correct answer of 672 and if the student did not get the answer written out as $600 + 70 + 2$, the answer is wrong.

There is a problem here and I think the testing issues should be open to the public. This is a community concern. We want parental involvement and for parents not to know or the teachers not to know what is on these exams is fraud.

ALEXANDER MARKS (Nevada State Education Association):

I have submitted the Nevada State Education Association's written testimony regarding its comments ([Exhibit L](#)).

NATHA ANDERSON (President, Washoe Education Association):

I worked closely with Senators Woodhouse and Denis last Session and I was excited about the bill and the possibility of finding out some different things. Then the report came out. I felt dejected, disappointed and upset.

No place in the report is there any mention of some of the items that were discussed when it came to the stress our students experienced. No place in the report were there recommendations how to streamline the number of tests we are required to give to our students. We have students crying. Our testing policies now have to have an element instructing staff what to do if a student throws up on a test. There is nothing in this report that addresses this.

I did, however, appreciate number two in the key findings, the phrase "a considerable amount of time being devoted to setting up these tests". Perhaps this is an insinuation that there is an understanding about how the tests are reducing the instruction time for teachers.

As you continue to read the report, there is nothing saying there is a need to streamline the tests given. There is nothing in the report to show the formative or summative assessments that are being created by a Professional Learning Community. Individual teachers working with other educational leaders at their school sites are not recognized as just as important as a Statewide test.

I appreciate Dr. Moore's statement after Senator Hammond's comments regarding the different types of testing. But the realities are, currently, the report that has been turned in is demeaning to educators. At one point, it basically says "they do not know how to read the report correctly". That is unacceptable for us.

We are educators, we love teaching our kids and these tests take up too much of our time. This report does not do what it needs to, which is figure a way to streamline the number of tests we have to give. I look forward to working with a new leadership at the Department to figure that out.

BRIAN RIPPET:

I am a science teacher in the Douglas County School District (DCSD). The only authentic assessment is done by the real teacher in the actual classroom. The idea that we need any of these tests is not correct in my assessment. We do

not need to be feeding the data monster to figure out what our students need to know and to learn.

For example, I have a daughter who is a senior. By the time she had reached Grade 6, she had taken versions of a math test 52 times. Every single time, she was within a few percentiles of average, meaning 50 percent, sometimes 51 percent and sometimes 49 percent.

At that point, I decided I do not need this child to ever again be told she is completely average. Last night, I watched her start for the regional play-off basketball game at Hug High School in Reno. She has been admitted to UNR and she is a National Honor Society member.

We do not need to be feeding this data monster; it is unreal. I want to reflect on the presentation. The air and the joy were sucked out of this room when the presentation was happening. Not once were the words child, student or person mentioned. It was a clinical report as detached from the schools and the students who are taking these tests, as the students feel from the school and the joy of school when they take these tests.

Every category of assessment is done by the classroom teacher. What is not mentioned in the report is not just the SBAC, we now have interim SBAC to predict where a student might be low on the SBAC so that when the student takes the SBAC, a student can show growth for the Student Learning Goals (SLG) and such things.

The report and the idea of the overall category of testing does not include the depth and the pervasiveness of the testing, of the testing, of the get ready for the test.

JIM FRAZEE:

I am a high school teacher in CCSD. I have not prepared remarks, but after hearing these conversations I am greatly disturbed. My take is not one on the amount of tests given, it is the money drained out of the classroom we cannot afford.

I cannot imagine the bill for the millions of dollars these tests require. We are simply putting the cart before the horse. Why not give us the funding we need so we can actually produce a product that you can measure?

Mr. Rippet said it brilliantly when he talked about the need for these outside tests. I have classrooms of over 40 students and I teach co-op with special educational students. Some of my students have Asperger's and other issues and are not going to ever do well on a standardized test. It does not mean they are not learning. It does not mean you can measure it.

For weeks, I was unable to communicate with one student with special needs and English language issues. Finally, I put down a piece of poster paper and asked him to show me Rome. I teach world history and he blew me away. He was able to draw and express on the poster paper what he could not do on a standardized test. Yes, he is learning and his parents are getting their money's worth.

We need more flexibility and the first thing is the money spent on testing. The CCSD has the largest class sizes in the country; perhaps we should measure this issue first and address this serious issue.

KENNY BELKNAP:

I am a social studies teacher and a member of the Clark County Education Association (CCEA). I would like to echo what Mr. Frazee has said. These resources that are being done to poke, prod and measure our students like a pig being taken to market should be redirected to being used the correct way. This is done by reducing class sizes and actually having the time to teach our students before we begin to measure them on these ridiculous standardized tests. As admitted by NDE, these tests are snapshots. They are not accurate measures of what students know.

We receive students who are deficient because of the unique challenges they face and they have not made growth. We do not have the resources to address these challenges at an earlier age. By the time these students reach my classroom, of course I am not going to give them this random level of measurement NDE wants me to give them.

These assessments are only used for the NSPF to give our schools star ratings, to only further demean and dissuade people from having their children attend schools that are in communities where some of the students have unique challenges. I am completely against further standardized testing. Saying we are effective and making these statements meaningful across the board is a misnomer.

KARL BRYD:

I am a middle school history teacher, a proud member of CCEA and want to speak on behalf of my students. As a teacher in an area that was non-tested, it was always wonderful to have children say, "Wow, we can learn and relax". It is something we do not often hear now. Because of all the testing, the loss of learning time and the reduced content knowledge, we narrow the curriculum, divert resources, take facilities that are so important in our schools and overuse them for testing.

We do not look at the harmful stress on students, the societal and economic issues and issues at home that play a substantial part of our students' learning. Most of all, we do not look at the child or ever ask the child how he or she feels. Even a doctor asks from time to time, and should ask all of the time, how are you doing? We do not do that with our children. When are you going to speak for your clients, the children?

In a non-testing area, I have often been forced to do something, to help in those testing areas. In math classes, do not give them a concept a day and expect them to master it. This is completely unfair.

Teaching is an art. Do not kill it. Allow students to come in, enjoy and receive the enrichment they deserve so they are turned on to education. I hope the Committee takes these comments into consideration and does the right thing for our students.

MARY ALBER, PH.D (Founder and Director, Education Innovation Collaborative):

For five years I have been struggling with the very question that you are addressing today, because the assessment system of our education system is broken and we need to find another way to meet everybody's needs.

I am hearing some reasons for getting rid of testing altogether and I would first argue we do need some form of a summative assessment to compare how our students are doing in basic knowledge, competency, English, math and science. I also argue that we need a broader set of assessments to cover things such as social, emotional competence. Are they personal and interpersonally competent at dealing with and working with other people? Are they in fact ready for the workplace and higher education?

The measures we are using today are not even touching on many of these aspects, such as critical thinking, higher-order thinking, creativity, collaboration and more. What I would like to offer as a solution is what is being developed around the country in terms of competency-based education. This Committee passed A.B. No. 110 of the 79th Session. This bill allows for a whole new way of doing assessments that are embedded, are formative and not assessment and standardized; such as every child is a widget to be produced from the factory of school. Instead, we can acknowledge every student in the voices of the teachers, who you have heard today. These teachers can see and understand every student as an individual, a unique being with different needs, purposes and goals in life. Let us empower the kids to be the drivers of their own education. Empowered from within and motivated from within, with teachers, educators and parents being their coaches.

MELISSA SEWELL (President, Washoe Retired Education Association):

When I was teaching primary students in Grades 1 and 2, I saw first-hand too much time spent on testing. Over the years, we would give an assessment at the beginning, middle and end of the school year and determine if a student made their growth in reading and math. This was done within the classrooms.

It was not a big deal until it became a monthly occurrence, then weekly. An entire afternoon would be spent assessing students instead of teaching them. This was my Friday afternoon which was not the students' favorite thing to do.

We did not have time for subjects like art, physical education and hands-on learning because we needed to assess. It took the joy out of teaching, the joy out of learning and was one of the reasons I decided to retire. All of these assessments are driving the teachers out of the profession and taking the joy out of the art of teaching. This needs to be considered.

MICHAEL ASHTON:

I am a math teacher in the DCSD. There are two conflicting finite needs in education: time and money. Our assessment program drains both of them to a greater extent than we fully understand.

The report did not address the time to make the beautiful picture we post online to say how our schools are doing. It is not just the time to give the assessments. It is the time administrators spend doing interim assessments, doing test prep and teaching them the platform on which the SBAC is given,

versus the platform on which the students will take the EOC exam, versus the platform on which the students take the ACT. We become not an education facility, we become a test-prep facility.

As teachers, administrators pressure us to raise scores at all costs. Ultimately, it is the cost of the student's ability to think, to reason, to consider for themselves the world around them and to make choices that will prepare them for a successful and productive future.

The resources we have obviously need to be used in the best possible way. We cannot get our time back; time passes. We can control the way we use the financial resources we do have. The amount of resources spent in testing need to be considered. In my opinion, dollars spent on testing need to be greatly reduced.

I spent an entire day administering the math EOC exams at the end of last school year. The testing began at 7:30 a.m. and the last student finished at 1:30 p.m. Since the beginning of my teaching career, that day was the longest and most miserable day watching students suffer through their EOC exams. One question in a geometry test was an 8.5" x 11" sheet of paper. Read it, understand it and pick from four choices. That is not an effective use of time or resources.

VICKI COURTNEY (President, Clark County Education Association):

It is simply time to allow our professionals to do their job and spend time teaching, not testing.

DAN PRICE:

I am a career and technical education teacher and member of the CCEA. Yesterday, I was giving one of two State-mandated tests to my third year students. After the 1 hour test, the students returned to my room and I spent 20 minutes consoling about 20 of the students who were crying because they did not pass.

I teach photography. The students did not understand why a written test must be taken instead of showing the work they had learned and done over the past three years in my classroom. I agree with them.

Some of the testing just does not make any sense. I figure I spend about 15 or 20 classroom days teaching the students to the test. This is a complete waste of time when I could be educating them and allowing them to learn.

ERICA JACKSON:

I am a member of the CCEA and have been a CCSD teacher for 21 years. Currently, I teach Grade 4 and have taught all the grades from kindergarten through Grade 5. I could take a long time speaking about the impacts of testing on each and every one of those elementary grades.

I want to give you a snapshot of what today should have looked like. You see in Clark County we had a rare snow day today. Normally, I would not be sitting in front of you; I would be in a classroom teaching students. We start our school day at 7:40 a.m. which is an early start time. Our bell would have rung and I would have picked up students and at 7:50 a.m. our day would have begun.

Today, my plan was to administer the test that would have assessed all of the math learning that I had taught my students during the week. I estimated that it would have taken me about 40 minutes. Here comes 8:30 a.m. where I would have administrated an assessment to see the retention of instruction I gave two weeks ago. That possibly would have taken 30 minutes.

At 9:00 a.m., I begin prepping students for SBAC, which honestly I feel is the least useful assessment that I give. One, it is very difficult to figure the granular data from it; the second issue is that I do not see the data from it from the year before until December of this year. This does me no good in the middle of the year and now I am supposed to start ramping things up regardless.

I am giving the interim for the assessment for geometry, a unit I taught in September again to see retention, again to test and see if the students can handle the wide variety of ways in which the assessment is given.

I spend the remainder of my day doing various interim assessments like one for reading and one for writing. I spend 40 minutes teaching a whole group reading and spend roughly 1 hour teaching small groups. There is not a lot of instruction going on in our classrooms. That is what a day looks like across the elementary school setting.

KATHLEEN WATTY:

I am a former educator from the Washoe County School District. I would like to submit written testimony ([Exhibit M](#)) from Phil Sorenson, a teacher in DCSD and the president of the Douglas County Professional Education Association. This is his response to S.B. No. 303 from the 79th Session Independent Evaluation of Nevada's Statewide Assessment System published on January 16, 2019.

SADIE BROWN (Carson Montessori Charter School):

I am in the fifth grade at Carson Montessori Charter School (CMCS) and a member of the Student Legislative Team. At CMCS, we learn with a purpose. Carson Montessori Charter School is a real world, hands on school and while we use technology, we are not digitally disconnected. Data comes from the staff knowing students inside and out. We know each other because we are connected.

Assessments are done as observations. They watch us while we work. The data that is collected is real and nonstressful to us. It keeps the joy in learning. Our school is building life-long learners. There are eight ways to assess us and the last thing is standardized assessments. Families are our first teams and families are accountable. The variety of "assessment formats" allow us the freedom to be creative. We learn skills and better yet, we know how to apply them.

Senator Dondero Loop made it clear today that the end goal for education is to make productive, successful, law abiding citizens. More tests is not the way.

We still play at CMCS. At play, children learn how to learn. They do not learn by taking tests. You want to create educational opportunities and improve education. Here is an idea, take money from all the testing and give it to the two grants presented this afternoon.

DEVYN KELLNER (Carson Montessori Charter School):

I am also a fifth grade student at CMCS and a member of the Student Legislative Team. I want to talk for a minute about how important it is to just be a kid. The State wants data, data, data. Albert Einstein said, "play is the highest form of research". Children learn through play. Play is healthy. Play reduces stress. Play and learning go hand-in-hand. Play is more than meets the eye. Finland, one of the top educational countries in the world, uses play not digital devices, not assessments, but play.

Today in Nevada, we have high stress, high stakes tests, after test, after test compared to when you were a child and took one achievement test in the spring.

Did you know, today doctors have to write prescriptions for children to go outside and play? I agree with Sadie that your money can be better spent on those education grants, rather than wasting it on so many unnecessary tests for data collection.

SENATOR HAMMOND:
Wow!

CHAIR DENIS:
We could end right there and we would be fine.

BRAD CHANDLER:
I am a member of the CCEA, part of the review board and have been teaching French for 25 years at Durango High School. In those years, I have found a way to make children feel safe in my classroom and to value themselves and not tie their worth to an arbitrary grade they receive on their report card.

Now, I do all of this testing and children hate coming to my classroom on those days. I am ashamed to go to work on those days and you should be ashamed to make me do it.

ED GONZALEZ:
I supported S.B. No. 303 of the 79th Session when I was in Carson City. I share Senator Woodhouse's frustration. I have reviewed my testimony given in the 79th Session and I believe, at that time, the hope was that we could regain instructional time to see which assessments were working and which ones were not.

When we discuss elementary grades like K-3, many times we have students taking these assessments who do not know how to read yet. When we have programs like Read by 3, we should be focusing on instruction and not administering tests. These tests are not useful.

There is a frustration with that. I am not against testing, but what I want is the best use of this data. On the original bill, we were trying to limit the amount on

the fiscal note to \$100,000. Perhaps this did not get us where we were intending to go. I hope we can get going on this serious issue.

Ms. ROWAN :

I am speaking with CCEA support and speaking on behalf of our young children with special needs. Our kindergarten teachers are providing ongoing assessments. The Measures of Academic Progress is given three times a year; essential skills, individual testing, monthly; iReady Diagnostic, three times a year; iReady Growth Monitoring, monthly. Both iReady and MAP are reading and math assessments that give us almost the same information.

As Mr. Small stated, our special needs students are required to do more testing because they must do AIMSweb every two weeks. We have children who do not respond to their name, do not know how to use the restroom, do not have a computer skill or the ability to feed themselves.

We are requiring them to take these tests twice a week, monthly and three times during the year. It is insane that we are demanding this from small children.

Our teacher, in a primary special needs program is spending, at minimum, two days a week assessing, when she should be spending that time teaching. She should be there helping her students learn the skills they need to become independent. To reach our goal for a student to meet his or her maximum development, we need to reduce assessments and increase teaching time.

SCOTT SABRAW:

Ditto to what has been said up to now. Clearly something needs to be done moving forward.

CHET MILLER (President, Nevada Education Association-Southern Nevada):

I am a physical education teacher in CCSD and president of the NEA-Southern Nevada. Let us face it. Nevada students are overtested. We all know it. Students absolutely know it.

We expected this audit to prove what we already knew, that too much time is spent on testing. Unfortunately, a plan to address this issue is not addressed in the bill. We need to find ways to streamline assessments and the tools we use need to be purposeful for the students and the educators.

All educators know that assessment tools are important. These tools need to assist educators in the role of providing instruction to the students. High stakes tests that are used as a means to reward and punish students do not do that and teachers spend too much time preparing for these tests.

I feel the impact even as a P.E. teacher. This year, it was mandated by the district that I change my program to include language art assessments. This is the district's direct result to increase time on test preparation. This is my example of how student time is being impacted.

I know from our NEA-Southern Nevada members this is not unusual; it just took longer to reach me in physical education. Time is being taken away from teaching. The focus needs to be providing the students with instruction, not testing.

VICKI KREIDEL:

I am a second grade teacher in the CCSD. I can safely say I am a test-prep teacher. Much of my valuable teaching time is spent preparing students for testing. The SBAC testing is not done in Grade 2; however, we have seen that waiting until Grade 3 to prepare for the test is too little, too late. Since so much depends on how our students do on the test, it becomes the target.

Doing well on a test is an important life skill, but there is much more to helping students to be successful in life than just testing. Administrators are doing everything possible to raise our test scores and we often have layers of formative and summative tests required to be given to our students.

A closer look needs to be taken on how much time teachers are allowed to use for testing and test preparation. We want to do what is best for our students and provide what helps them to grow, learn and flourish. Over testing our students does not do that.

IAN LATAS:

I teach at Legacy High School in CCSD and am a member of NEA-Southern Nevada. Most of my comments have been mentioned by my colleagues here today. I do want to address some points to those on the Committee.

This Independent Evaluation of Nevada's Statewide Assessment System report was done specifically to see if students need educational help in Nevada. While

this report was to be submitted by December 1, 2018, it was received a month later. Teachers like to stress deadlines. This report missed its deadline.

In my school, we are trained specifically for these assessments. This may be the case for many high school teachers in CCSD. We cannot tell students what is on the exams. We cannot release this information to anyone or we may lose our jobs. Who are we trying to protect with this audit? Is it specifically to help teachers or is there something else going on here?

MS. SULLIVAN:

I am a CCEA member. I can say ditto to much that has been said. The NDE focus for the last couple of decades has been very standardized test driven. This has created a culture in our schools which has caused teachers to focus their instruction and daily activities in a non-productive way. It is our survival reality to be able to keep our jobs and careers, to keep our place at our school, and help kids pass the hurdle to get to what is coming next.

When Dr. Moore referred to the standardized testing as an autopsy, he could not have picked a better word. I feel that testing kills learning and possibly irreparably harms kids, instead of helping them. The word is fitting in this respect.

I have not heard the SLG mentioned. Now our evaluation is tied to scores. If a teacher is teaching at an at-risk school and the students will not perform well on the standardize testing, the teacher makes a plan with his or her administrator to drive his or her instruction in his or her classroom. This requires further need for additional testing to all the other testing that has been mentioned. Throw that on the top and that testing will actually drive a teacher's effective instruction and allow him or her to speak with knowledge to his or her students.

There is a real problem with this. This report is unfortunate.

CHRIS DALY (Nevada State Education Association):

Senators, it is no secret there is bad blood with people at this hearing; yet, as bad as that may be, it may not be as bad as over testing in Nevada classrooms. We are all here saying much of the same thing.

Two years ago, I sat right here with Senator Woodhouse presenting S.B. No. 303 of the 79th Session. Unfortunately, we are largely in the same

place we were then. Senator Woodhouse, thank you for your leadership on this issue and your forbearance. I will read what I read two years ago in my presentation of the underlying bill. It was from the focus groups that were conducted by WestEd in 2016, that were supposed to be part of the basis of this audit.

From the focus groups:

Participants consistently reported that there were too many State assessments that took too long to administer. Participants in every focus group believed that there were redundancies within the Nevada State Assessment System that should be eliminated resulting in fewer tests. They expressed a desire for a shorter administration period for tests.

Participants identified a number of ways that assessments negatively impacted the educational system. The most common concern was loss of instruction time. Estimate of the instructional time lost directly to test administration, range from four days for one set of students, to one month for all tests in a school.

Participants also noted that instruction is negatively impacted due to pressure to "teach to the test" and imposing time constraints on instruction. Participants identified ways that State assessments indirectly affected instructional time through accommodations made to school schedules.

Participants were also concerned about the effects on students, noting that frequency and duration of the State assessment system led to adverse behavioral outcomes. In other words, disengagement in the classroom, not trying hard on tests, test fatigue, missing classes.

A month ago, Governor Grisham of New Mexico issued an Executive Order taking New Mexico out of the PARCC exam, which is similar to the SBAC. We need bold action and we stand ready to work on this issue. It is time for more teaching and learning and less testing.

TANYA BROWN:

The frequent testing causes anxiety in a large number of kids. The tests are not an accurate accounting of the children's knowledge. The tests are timed and done in groups so there are distractions. Many kids would score higher if they had enough time to actually read and finish all the questions.

Teachers are forced to cram so much into so little time between all yearly testing that the children do not get a good or great education. The students learn what is on the test and are actually behind in other things for the next grade.

ELIZABETH CAMPBELL:

I am a National Board Certified teacher of Spanish with 23 years in CCSD and a member of CCEA. I want to add that accomplished teachers in classrooms are assessing every minute of every day.

Right now, I have more than 200 students because of large class sizes and I could tell you exactly which of my students are struggling and on which concepts and in what way. With this over implementation of standardized testing in a year, we are talking a lot about school funding and how to find more money for schools. I recommend some of our standardized testing money be diverted back to schools. This is where the real teaching and learning is happening.

JESSICA JONES:

I am a teacher in the CCSD and a CCEA member. Many of my comments have already been said; however, I want to mention the anxiety that is being placed on the students who are taking these tests. My son is in 6th grade and has had to take the SBAC every year since 3rd grade. As the date for the test gets closer, the happiness drains from him. He cries, he throws up and he does not want to go to school anymore. The joy of learning has been taken from him.

Last year when teaching Grade 4, I saw these similarities in my students. We spent about an hour prepping for the SBAC exam. Students were frustrated and crying. We put them through too much.

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CHAIR DENIS:

To those who participated today, we hear your concerns and share many of them. There is no further business. The meeting is adjourned at 2:24 p.m.

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RESPECTFULLY SUBMITTED:

Shelley Kyle,
Committee Secretary

APPROVED BY:

Senator Moises Denis, Chair

DATE: _____

Bill	Exhibit / # of pages		Witness / Entity	Description
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	B	11		Attendance Roster
S.B. 145	C	2	Hannah Jackson / Associated Students of the University of Nevada, Reno	Senate of the Associated Students of the University of Nevada / Resolution No. 129
S.B. 146	D	1	Senator Moises Denis	Table / Silver State Opportunity Grant
S.B. 146	E	21	Crystal Abba / Nevada System of Higher Education	Report / Silver State Opportunity Grant
S.B. 146	F	5	Crystal Abba / Nevada System of Higher Education	Presentation / Silver State Opportunity Grant
S.B. 146	G	1	Anthony Ruiz / Nevada State College	Written Testimony
S.B.146	H	1	Mariana Kihuen / Nevada State College	Written Testimony
S.B. 146	I	2	Aamir Aziz / Associated Students of the University of Nevada	Resolution No. 86 in Support
	J	7	Peter Zutz / Department of Education	Independent Evaluation of Nevada's Statewide Assessment System
	K	2	Bill Hanlon	Written Testimony
	L	1	Alexander Marks / Nevada State Education Association	Written Testimony
	M	1	Kathleen Watty	Written Remarks / Phil Sorenson