

**MINUTES OF THE  
SENATE COMMITTEE ON EDUCATION**

**Eightieth Session  
March 27, 2019**

The Senate Committee on Education was called to order by Chair Moises Denis at 1:07 p.m. on Wednesday, March 27, 2019, in Room 2134 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to Room 4404B of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

**COMMITTEE MEMBERS PRESENT:**

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

**GUEST LEGISLATORS PRESENT:**

Senator Marilyn Dondero Loop, Senatorial District No. 8  
Senator Pat Spearman, Senatorial District No. 1

**STAFF MEMBERS PRESENT:**

Jen Sturm, Committee Policy Analyst  
Risa Lang, Committee Counsel  
Steven Jamieson, Committee Secretary

**OTHERS PRESENT:**

Kristy Keller, Nevada Medical Center  
Ruben Murillo, President, Nevada State Education Association  
Jared Busker, Associate Director, Children's Advocacy Alliance  
Michelle Kim, Director of Strategic Initiatives, Clark County Education Association

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Tami Hance, Chief Executive Officer, Communities In Schools of Nevada  
Sylvia Lazos, Nevada Immigration Coalition  
Chris Daly, Nevada State Education Association  
Mary Pierczynski, Nevada Association of School Superintendents  
Meredith Smith, Director of Policy, Nevada Succeeds  
Mark Newburn, Co-Chair, Advisory Council on Science, Technology, Engineering  
and Mathematics  
Keenan Korth, Clark County Education Association  
Ray Bacon, Executive Director, Nevada Manufacturers Association  
Tyson Falk, Microsoft Corporation  
Carolyn Turner, Las Vegas Metro Chamber of Commerce  
Kirsten Gleissner, Director, Northwest Regional Professional Development  
Program  
Brian Mitchell, Director, Office of Science, Innovation and Technology  
Evan Gong  
Morgan Hansen, Nevada Bankers Association  
Christopher Nolan, Chairman, Nevada Council on Economic Education  
Matthew Friedman  
Katie Dockweiler, Ed.D., Nevada Association of School Psychologists  
Brenda Pearson, Director of Professional Learning, Clark County Education  
Association  
Lindsay Anderson, Washoe County School District  
John Eppolito, President, Protect Nevada Children  
Vikki Courtney, President, Clark County Education Association  
Hilda Robles  
Kristin Barnson, President, Nevada School Counselor Association  
Paige Myers, Clark County Education Association  
Andy Haycock  
Emma Dickinson, President, Nevada Association of School Psychologists  
Gwynne Partos  
Linda Jones, Political Field Coordinator, Clark County Education Association  
Janine Hansen, President, Nevada Families for Freedom  
Michaela Tonking, Research and Advocacy Director, Educate Nevada Now

CHAIR DENIS:

I will open the hearing on Senate Bill (S.B.) 267.

**SENATE BILL 267**: Makes revisions concerning the effect of social and  
environmental factors on education. (BDR 34-578)

SENATOR PAT SPEARMAN (Senatorial District No. 1):

I will begin with some statistics from the Annie E. Casey Foundation KIDS COUNT Data Center. As of 2015, more than 1 in 5 children in Nevada live in poverty. More than 1 in 5 children in Nevada were food insecure at some point during 2016. Between 2015 and 2016, almost 1 in 10 of Nevada's children lived in an unsafe community. As of 2016, approximately 1 in 4 low-income children in Nevada have at least one parent working 50 or more hours per week.

Nevada ranks number one in the Nation for unsheltered homeless youth. When you think of a homeless person, you might think of a young person or an older person, but we have many teens who are not just homeless but also alone. In 2017, the U.S. Department of Housing and Urban Development reported that Los Angeles was the only place with more unsheltered youth than Clark County.

These numbers give a glimpse of some of the social and environmental factors that some of our children face every single day. We have focused a lot of our efforts and resources over the years on improving test scores and student performance, reducing class sizes, building better and safer schools and improving teacher recruitment and retention. Those are all important pieces of Nevada's education system. However, there are several more intangible or harder to reach pieces of a child's overall educational experience.

In some circumstances, it does not matter how much money a school receives for an "at-risk" student; the child will still have a difficult educational experience unless we address what is going on every day at home, in the community and in the student's life away from school. Many times, these students are not able to master an exam because they have no food at home. They may be acting out because their parents are working multiple jobs to keep their family afloat and cannot spend much time together at home as a family.

Perhaps the student is dealing with an adverse childhood experience, some type of trauma that negates every opportunity that they take to try to have academic success. The student is struggling just to stay in school. The student may have a parent or someone in their household who is trying to get free of substance abuse. The student might be dealing with the death of a parent, a friend or a sibling. Many students must overcome illness before they can learn or have academic success. We know these challenges exist. We have known that for a

long time. But we have not brought these challenges to the forefront of school and teacher accountability evaluations and protocols.

Assemblywoman Ellen Spiegel sponsored Assembly Bill (A.B.) No. 275 of the 79th Session, which is now codified in *Nevada Revised Statutes* (NRS) 388. Assembly Bill No. 275 of the 79th Session required the establishment of a Statewide framework for providing integrated student supports for certain pupils and their families. The Legislature ultimately passed A.B. No. 275 of the 79th Session because we recognized that some students face nonacademic factors outside of their control. *Nevada Revised Statutes* 388.885 required the establishment of protocol for coordinating integrated student support. Senate Bill 267 takes this concept a step further by providing for better identification of what supports are specifically needed for students at each school. Students in Elko may have different challenges than students in Las Vegas. This bill will help identify those unique conditions.

Senate Bill 267 does not change the Nevada School Performance Framework Star Rating. However, the bill brings into focus some of the factors we have not identified; unidentified factors which contribute to the ranking of the school and the teacher and the administrator's evaluations. Even a master teacher will have a difficult, if not impossible, time trying to help students who have not eaten, or who are dealing with some type of trauma, learn and retain information. Heretofore, we have vilified teachers and public schools for not doing their job, but we have not paid attention to the social determinates that affect the learning of the students.

Those social determinates might include suicide. We learned recently that a couple of students from Parkland, Florida have committed suicide. One of the fathers of a child who was killed at Sandy Hook Elementary School in 2012 recently committed suicide. These are things that are happening. Even though they may be beyond our control, we can recognize that they influence learning ability or the lack thereof. We can take those factors into account, instead of automatically saying that public schools are not doing their job.

Senate Bill 267 lays the foundation for the identification and consideration of social and environmental factors which affect students. It also lays the foundation for the identification of action steps education stakeholders can take in order to make decisions in line with these factors.

Section 1, subsection 1 requires the State Board of Education to adopt regulations requiring the board of trustees of each school district and the governing body of each charter school to identify the social and environmental factors that affect the educational experience of students at each school. These entities must report these factors to the Department of Education (NDE).

Section 1, subsection 1 also requires that NDE, the board of trustees or the charter school governing body and the staff of a school consider those factors when interacting with or making decisions concerning the school and its students and staff. These decisions would include the allocation of money, integrated student supports, staff evaluations, student discipline and other policies and procedures.

The proposed amendment ([Exhibit C](#)) would delete subsections 2 and 3 of section 1 of the bill and retain all of subsection 1. The bill will continue to require the State Board to:

Adopt regulations that require the board of trustees of each school district and the governing body of each charter school to identify the social and environmental factors that affect the educational experience of pupils at each school in the district or the charter school.

The amended form of the bill would continue to require the Department of Education, a board of trustees, a governing body and the staff of each school to consider those factors when making decisions that affect the outcome of student learning.

We have spent a lot of time vilifying our teachers and the public school system. We have not acknowledged the fact that many of the outcomes we purport to be disappointed in are the result of social determinates beyond the control of the student, teacher and school system.

Senate Bill 267 acknowledges that we have to look at the social determinates which make a school a 1-Star school. We received several presentations on this matter during the interim. Many 1-Star schools are located in "food deserts." Some of the 2-Star and 3-Star schools are located in places with high opioid addiction rates. Some of the low-ranked schools are located in areas with high crime. We currently do not take these factors into consideration. It is

irresponsible to not take these factors into consideration. Senate Bill 267 requires us to take these factors into consideration. We have to acknowledge the facts that are staring us in the face. We have to stop vilifying those who do not have an opportunity to fulfill what they are trying to do to help students achieve academic success. We need to take these issues on and look at what we can address. When you have the highest number of homeless teens in the Country and you are not taking that into consideration when ranking schools, that is irresponsible.

SENATOR HAMMOND:

As a teacher, I think what you are asking has been done and is being done by staff in those particular schools. The teachers and staff are always looking at the environment in which children are surrounded.

In your testimony, you repeatedly said that we keep forgetting to include these factors, that we keep vilifying the teachers and public schools. It sounds like you are trying to include these factors in the Star Rating system, but this bill does not do that. It does not state, "Take these considerations into account when you are putting together the Star Rating system." Does this bill not correctly target what we are trying to achieve? It is one thing to identify the problems and try as a staff, school and district to figure out how to mitigate them so the kids can get back to learning. It is another thing if we are trying to get at how to include these as factors in the Star Rating system.

SENATOR SPEARMAN:

The intent is not to change the Star Rating. The intent is to include social determinates that people have to include when they talk about which schools are failing or not turning around. When someone sees a 1-Star rating, right next to that rating they must also see a list of social determinates. These social determinates must be included in the conversation.

Last Session, the Education Committee talked a lot about turnaround schools. The idea was to send a principal to a school and see if the principal can turn the school around. If the school does not turn around in a certain number of years, it becomes a charter school. Every session, I have heard how horrible our public school system is. I have heard how much better children do when you take them out of the public school system and put them in a private school. I always ask, if a private school says that they are going to only take 100 children, if 101 show up, will the school take them? If the private school has promised the

teachers they have hired that they will not have a classroom of more than 15 students, if 17 show up, will they take them? Are we looking at the whole picture?

I am not talking about the Star Rating. What I am talking about is making sure that every time we talk about accountability and evaluations we are also including in that consideration those social determinates. I am not trying to go around the Star Rating system. I am saying that we must include, in all printed materials, those social determinates. We do not do that. The easy way is to vilify teachers. I am tired of us doing that. This is one way that we can get away from doing that.

SENATOR HAMMOND:

I am not misunderstanding you at all. I think I understand. I think that, from what you are saying, you want to make sure that we are including this information.

You are saying to us, "Why don't we have the school districts, on each school site, figure out or evaluate the social determinates, list them out, and maybe have an asterisk next to the star rating?" It sounds like you want to make sure that people say, "Ok, that is a 1-Star school, there is an asterisk" and then look at that asterisk and find out what social conditions are going on around that area. That way people get a better idea of why the school might have received that rating.

It is like lifting the hood of a car. It is one thing to get a Star Rating, it is another thing to lift the hood and find out what the Star Rating is made of.

I talked to several principals at the start of the school year. One of them said to me:

We are a 5-Star school this year, but we had a couple of students who were in special education because of some physical limitations, and two of them passed a test. If those two students had not passed the test, we probably would have been a 3-Star school.

It is nice to lift the hood up, look at what goes into that evaluation and realize that it is still a good school. It is important to realize that if two students had

not passed the test, the school would have been rated a 3-Star school. You are basically saying, "Hey, how about we put an asterisk here and say, these are the social determinates." You are talking about the Star Rating. You want to show people that there is a reason, which may not be just academic, that it is a 1-Star or 2-Star school.

Does that put into perspective what you are asking?

SENATOR SPEARMAN:

That is correct. That is a primary reason for the bill, but that is just one of the reasons. Another reason is that we have, in some cases, teachers who are being held responsible because students in their classes may not be mastering the skills that others think they should. The teachers are held responsible even when there are a lot of other things going on inside the classroom and in the lives of the students.

We are number one in the Country for homeless teens. Some of those students are probably in the classes of the teachers who are getting blamed because the students cannot learn. We need to include the whole picture.

If we are talking about helping teachers help students and parents, we can determine exactly what needs to be done, after we look at all the contributing factors.

KRISTY KELLER (Nevada Medical Center):

The Nevada Medical Center is a non-profit organization dedicated to improving the quality of and access to health care for all Nevadans. Our mission includes a particular focus on mental health and wellness, social connectedness, and social and emotional learning for young people. We recognize that these elements are critical to student success in school and in life. Sound curriculum, quality instruction, and a safe school environment in which to learn are paramount. However, students cannot fully maximize these opportunities when the relationships they build in schools with their teachers, counselors, administrators and other school staff members do not afford them the opportunity to be seen as individuals with distinct needs, backgrounds and situations.

I have submitted additional remarks ([Exhibit D](#)).



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RUBEN MURILLO (President, Nevada State Education Association):  
The Nevada State Education Association (NSEA) supports S.B. 267. I have submitted additional remarks ([Exhibit E](#)).

CHAIR DENIS:  
Do you think this is a good thing for teachers?

MR. MURILLO:  
It is a great thing for teachers. It is a great thing for our students, teachers and school communities.

JARED BUSKER (Associate Director, Children's Advocacy Alliance):  
We support S.B. 267 and hope that additional resources will be forthcoming to help address these external factors so we can have successful students.

MICHELLE KIM (Director of Strategic Initiatives, Clark County Education Association):  
The Clark County Education Association (CCEA) supports S.B. 267. The Clark County School District (CCSD) is the fifth largest school district in the Nation. We mirror the diversity that other urban areas will have 20 years from now. In addition, CCSD is the fourth largest rural district in the State. With so much diversity, we need to look at each of these schools and learn about the different social and economic factors that impact these schools.

We are encouraged by the intent of this bill, which is to learn about the unique social and environmental factors that affect the over 357 schools in Clark County, and to use these factors when making decisions, including the allocation of money. Truly equitable funding cannot occur until these factors are accounted for. The CCEA has been a strong proponent of not using a one-size-fits-all model and has fought for local autonomy to empower decision making. This local autonomy includes the creation of School Organization Teams.

Despite our support, we would like to bring attention to the fiscal impact and make sure this is funded. I have submitted my written testimony ([Exhibit F](#)).

TAMI HANCE (Chief Executive Officer, Communities In Schools of Nevada):  
Communities in Schools (CIS) of Nevada is the largest state operation within the Nation's largest dropout prevention organization, provided to keep students in

school and on a path to graduation. We use an evidence-based model implemented by trained site coordinators, who are deployed directly into Title I low-income or high-need K-12 schools. In these schools, site coordinators and other local affiliation staff connect students and their families to critical educational and community-based resources. This involves working directly with schools, communities and families to identify their unique needs and surround students with a caring network of support.

We operate in 63 school sites in Elko, Las Vegas and Reno. We currently serve over 60,000 students across the State. We use an evidence-based model of integrated student support (ISS). Our model is defined by Child Trends, a nonprofit research center, as a school-based approach to promoting students' academic success. This success is achieved by coordinating a seamless system of wraparound supports for the family, child and school in order to target students' academic and nonacademic barriers to learning.

Each year, our site coordinators conduct a comprehensive assessment in their schools in order to identify and prioritize risk factors such as chronic absenteeism, trauma, violence, homelessness, neglect, teen pregnancy and poverty. The foundation of the ISS model is our belief in the power of a student's one-on-one relationship with a caring adult. We are well-positioned to address many of the social and emotional needs and challenges facing students. Our mission is to surround students with a community of support, empowering them to stay in school and achieve in life.

Many of the students served by CIS are from low-income backgrounds. Research suggests that students living in poverty are more likely to experience both acute and chronic stressors, which can influence a child's psychological development and result in social-emotional difficulties. For these students, building social and emotional learning skills is incredibly important.

SYLVIA LAZOS (Nevada Immigration Coalition):

We are in full support of S.B. 267. This is a bill that promotes equity and brings forward the issue of the odds our children who live in extreme poverty have to overcome. Many of these schools are being helped through Victory and Zoom school funding.

I will never forget the day I went to Arturo Cambeiro Elementary School; the principal explained that the walls are shaped in a curved fashion because the

school is in the middle of a gang area. I will never forget the day that I went to Dean Petersen Elementary School; the principal explained that a parent was acting out because he was about to be homeless. Dean Petersen is a Zoom school and is 54 percent transient, as is Paradise Professional Development School.

I think this bill is going to be very good. I am asking you to consider that we are already taking into account, in some fashion, these schools that have such trauma, because we have had the foresight in the past of creating Victory and Zoom. I have submitted additional written remarks ([Exhibit G](#)).

CHRIS DALY (Nevada State Education Association):

We have heard that poverty is still prevalent across Nevada. Most Nevada students qualify for Free and Reduced Lunch. Racism, sexism and homophobia intersect in many of our communities with crime, violence and addiction, which in turn intersect with lack of economic opportunities, homelessness, poor health, trauma and more.

Schools in communities that are beset with these social and environmental factors often struggle, despite the best efforts of very capable administrators, teachers and education support professionals, as well as the best efforts of students and their families. Senate Bill 267 may not be the heaviest, programmatic piece of legislation, but it serves as a think piece to move toward greater social, economic and racial justice in our schools and communities.

MARY PIERCZYNSKI (Nevada Association of School Superintendents):

Our only concern with the bill is the funding for wraparound services that are identified and need to be provided in schools. We are not in favor of any unfunded mandates that might evolve from any of these types of legislation.

MEREDITH SMITH (Director of Policy, Nevada Succeeds):

The intent of the bill is excellent. It is imperative, however, to ensure that we are equipping teachers, as well as the full scope of professionals in the field, with the expertise they need to serve even our most nuanced needs in the State. Professionals from preparation programs all the way through various stages of career development need to be able to build this expertise.

One way to achieve this is better knowledge of metacognition as a foundation for the profession. Metacognition expertise is a foundation for understanding,

among others, how to serve students with high "A" scores and a way to holistically address brains experiencing trauma. We hope that in the coming years we will be able to move the conversation in the profession in our State to more robustly include discussions around metacognition.

CHAIR DENIS:

I will close the hearing on S.B. 267 and open the hearing on S.B. 313.

**SENATE BILL 313**: Revises provisions relating to computer literacy and computer science education. (BDR 34-731)

SENATOR JOYCE WOODHOUSE (Senatorial District No. 5):

The fields of science, technology, engineering and mathematics (STEM) are becoming more and more critical for our Nation to remain competitive in the global marketplace and to maintain our strength in innovation and advancement across all disciplines. It is more important than ever for our students to be well versed in technology when they graduate from high school.

Whether a student plans to continue on to higher education or enter the workforce, it is vital that he or she have the computer skills and technical knowledge to succeed in a rapidly changing global economy.

While most of us here understand the urgency for our future workforce to be strong in STEM fields, the need for a computer savvy workforce is especially significant. The technology we use to solve some of our most critical problems requires computer know-how. This can include creating new software or applications to make our daily lives easier or writing codes and algorithms to keep our Nation safe from cyber threats.

The United States Department of Education Office of Innovation and Improvement stated that by 2018, more than half of all STEM jobs would be in computer science related fields. It adds that most of the remaining STEM jobs would still require significant computation skills. The nonprofit organization <Code.org> estimates that nationally, 58 percent of new STEM jobs are in computing and only 8 percent of STEM graduates are in computer science.

Furthermore, the U.S. Department of Labor estimates that by 2020, there will be more than 1.4 million computing related job openings. However, with current

trends in computing graduates, the U.S. is on a path to be able to fill only about 30 percent of those jobs.

One of the State's primary workforce development goals has been to emerge as a global leader in science, technology and innovation. Nevada has become an international center for innovation in science and technology, attracting companies within these industries—including Tesla, Switch, Panasonic and others—to establish operations in the State and hire skilled Nevadans to fill those positions. In Nevada, growth in STEM jobs, including computer science, is projected to be 40 percent higher than in non-STEM jobs between 2014 and 2024. According to <Code.org>, there are currently almost 2,200 open computing jobs in Nevada. In 2017, we had only 163 computer science graduates, only 25 percent of whom were women.

In recent years, local business leaders testified that the workforce they require to remain competitive will need to be computer savvy, including possessing some level of coding skills. The Legislature recognized the critical need to establish policies that would meet the coming workforce demands for highly skilled graduates in computer science and related STEM fields.

For this reason, we passed S.B. No. 200 of the 79th Session, which required certain schools to offer a computer science course. It required public school students to receive instruction in computer education and technology prior to sixth grade. The Legislature also passed S.B. No. 241 of the 79th Session, which established the STEM and science, technology, engineering, arts, and mathematics (STEAM) proficiency diploma seals.

In 2013 and 2015, we passed several STEM related bills, including S.B. No. 474 of the 78th Session, which mandated certain STEM teacher training and professional development. Senate Bill No. 515 of the 78th Session provided funding for competitive STEM grants. Senate Bill No. 345 of the 77th Session established the Advisory Council on STEM within NDE. Assembly Bill No. 485 of the 78th Session transferred the Advisory Council to the Governor's Office of Science, Innovation and Technology.

Nevada has done a lot of bipartisan work in this area for many years. We are the only state with STEM and STEAM seals. I know of at least seven states currently considering bills which copy our bill from last Session. The bill before you continues the work to make our State a stronger leader in these initiatives.

Senate Bill 313 creates the Account for Training in Computer Literacy in the State General Fund and establishes requirements for the use of money in the Account. The Superintendent of Public Instruction administers this Account.

Section 2 of S.B. 313 authorizes a person who receives an endorsement to teach in computer literacy and computer science to request a reimbursement for the cost of the coursework.

Section 4 requires regional training programs for education personnel to provide trainings on methods to teach in those fields.

Section 6 authorizes the Board of Regents to apply for a grant from the Account to develop the curriculum and standards required to educate and train students studying to become teachers in such fields.

Section 7 appropriates funds for purposes of carrying out the provisions of the bill.

Today, I am sharing the policy contained within S.B. 313. I want to assure the Committee that I am continuing to work with school districts and NDE on section 7 to specify the appropriations. A couple of the areas that need to be addressed are: the continuing professional development of teachers provided by school districts and the Regional Professional Development Programs (RPDP), which are regional training programs for the professional development of teachers and administrators; and the Account for Training in Computer Literacy to fund grants as indicated in sections 2 and 6.

If you support our efforts to take the next steps in providing teachers and students the necessary training and resources in computer literacy and computer science, these fiscal changes can be addressed by the Senate Finance Committee.

MARK NEWBURN (Co-Chair, Advisory Council on Science, Technology, Engineering and Mathematics)

Senate Bill 313 is the result of specific recommendations by the Nevada STEM Advisory Council and the Computer Science Subcommittee of the Council, with the goal of expanding the number of K-12 computer science teachers. This bill is the next in a series of STEM related bills that have been introduced since the Great Recession. These bills are designed to build the high-skilled workforce

needed for the new Nevada. Specifically, S.B. 313 is a follow-up to S.B. No. 200 of the 79th Session, introduced to expand equitable access to K-12 computer science. Senate Bill No. 200 of the 79th Session was in response to the recognition that all of Nevada's economic sectors are increasingly dependent on computer technology.

Recent advances in artificial intelligence and automation now threaten to eliminate many traditional jobs. Our kids are entering a world where every job may be a computer job. A world where the jobs their parents had may no longer exist. Senate Bill No. 200 of the 79th Session was groundbreaking and instantly became the model legislation used by the rest of the Country. Its impact was immediate and spectacular. From 2017 to 2018, Nevada's participation in Advanced Placement Computer Science Principles grew by 127 percent, 2.5 times the national average. Female participation grew by 175 percent. Hispanic participation grew by 179 percent. Senate Bill No. 200 of the 79th Session laid the groundwork of standards and requirements. Now the roadblock is a lack of trained teachers. The goal of S.B. 313 is to address that challenge.

SENATOR PICKARD:

To the extent that money affects our policy decisions, do you have an idea of what kind of appropriations we are looking at? Is this in the hundreds of thousands of dollars range, like we currently see in the bill, or are we talking about millions or even tens of millions?

SENATOR WOODHOUSE:

On page 7 of the bill, we put in the funding that we provided for S.B. No. 200 of the 79th Session. I will be pairing that down a bit. I do not want this to get any bigger than it already is, but it is important that we have the opportunity to adequately fund this. It is incumbent on us to provide the funding necessary for our teachers to be trained. Last Session we did not involve the RPDP to help in the training. The RPDP will help get it spread farther around the State.

SENATOR HARRIS:

As a female who holds a computer science degree, I wholly appreciate you trying to get more female colleagues in the field.

MR. DALY:

Two years ago, NSEA was proud to support S.B. No. 200 of the 79th Session. This Session, we support S.B. 313. We appreciate the contemplation of reimbursement for those who have completed coursework required to receive an endorsement in computer science. We also appreciate the professional development support provided for in the bill.

KEENAN KORTH (Clark County Education Association):

We support S.B. 313. In our modern world and economy, we simply cannot stress enough the importance of computer literacy. Research shows that the vast majority of jobs that our students will face when they enter the workforce will involve emerging technologies and require high levels of computer literacy. Many of these jobs do not yet exist. As such, our task of educating the future workforce of our community and our State necessitates the inclusion of robust instruction of computer literacy and computer science curricula. Developing an educated workforce with high computer literacy and skills will add fuel to our economy and we will see the benefit for generations to come. We also have the opportunity to level the playing field for students across the socioeconomic spectrum by implementing high-quality computer literacy, allowing them to compete fairly for the good jobs our future promises to offer.

Our understanding of S.B. 313 is that it has a significant fiscal impact. We wholeheartedly support the revised provisions relating to computer literacy and computer science education, but we urge the Committee to look seriously at the fiscal impact and ensure that all legislation that is passed, including S.B. 313, is fully funded. This will necessitate a conversation about revenue, as we simply cannot afford to burden our schools and our educators with more unfunded mandates, especially given how absolutely crucial this legislation is. We must fund our schools now.

RAY BACON (Executive Director, Nevada Manufacturers Association):

We have been deeply involved in STEM education and career and technical education (CTE). I do not think that there is a CTE program which does not include computers as part of the operation. Manufacturing has changed dramatically. There are about 13 million manufacturing jobs around the Country. A 2018 survey from the National Manufacturers Association found that at least 90 percent of the employees in the manufacturing sector interface with a computer in some way every day. That does not mean that they have broad-spectrum computer skills, but they are at least interacting with a



computer. We have about 55,000 manufacturing jobs in Nevada. We are the fastest growing state for manufacturing jobs. We have been running at 14 percent for the last 2 years. That makes us number one in the Country.

This initiative will help get us ready for what will take place in the future. I would estimate that of the roughly 14,000 jobs that have been added to manufacturing in the last two years, probably 99 percent use computers.

TYSON FALK (Microsoft Corporation):

We supported S.B. No. 200 of the 79th Session and feel that this bill is a natural next step because it will help teach our teachers how to teach our kids the best computer science and computer literacy techniques. There is a mini-boom in the technology industry in Nevada; many new technology companies are focused squarely around this space and are in desperate need of workers. Whatever we can do to make sure that our graduates are knowledgeable in this area is good for the State.

MS. PIERCZYNSKI:

We are very supportive of the policy to provide further training for our teachers. We are looking forward to the Legislature fully funding this legislation.

CAROLYN TURNER (Las Vegas Metro Chamber of Commerce):

The Las Vegas Metro Chamber of Commerce supports the bill.

KIRSTEN GLEISSNER (Director, Northwest Regional Professional Development Program):

All three of the RPDPs are deeply involved in this work. We are in full support of S.B. 313. We would like to thank Senator Woodhouse for including us in the bill.

BRIAN MITCHELL (Director, Office of Science, Innovation and Technology):

The Office of Science, Innovation and Technology (OSIT) and the STEM Advisory Council are established in NRS 223. Senate Bill No. 200 of the 79th Session required the Computer Science Subcommittee of the STEM Advisory Council to oversee the process of drafting computer science educational standards for State approval and to make further recommendations to the Legislature regarding computer science education. The Subcommittee is made up of experts in computer science from around the State. The experts represent businesses, higher education, K-12 education and NDE. The

Subcommittee drafted recommendations regarding continued professional development for computer science teachers. The recommendations were adopted unanimously by both the Subcommittee and the Council as a whole.

The recommendations became part of the STEM Advisory Council's biennial recommendations to the Legislature. The provisions found in S.B. 313 came from these recommendations. At OSIT, we see a growing need for a workforce with skills in computational thinking, programming and computer science. By extension, we need teachers with the requisite skills to teach computer science to our workforce.

SENATOR WASHINGTON:

What is the grade level for this computer literacy bill? I have a 3-year-old granddaughter who is a professional on the iPad, so I am curious at what grade level the students will start the STEM program.

SENATOR WOODHOUSE:

In S.B. No. 200 of the 79th Session, we began the computer literacy part at the kindergarten level. Computer literacy and the beginning of computer science goes through sixth grade. Middle and high schools switch into computer science. It all weaves together.

CHAIR DENIS:

I think this is an important bill. We talk about preparing for the jobs of the future, but the future is already here. We need these workers now. I will close the hearing on S.B. 313 and open the hearing on S.B. 314.

**SENATE BILL 314**: Revises provisions relating to education. (BDR 34-730)

SENATOR WOODHOUSE:

This bill further supports the work started by S.B. No. 249 of the 79th Session.

Last Session, the Kenny Guinn Center for Policy Priorities testified before the Legislature that the Great Recession adversely impacted economic and financial security of households in Nevada. Poverty increased for families, unemployment rose, income fell, and housing foreclosure rates were the highest in the Nation. Nevada still has not fully recovered from some of these impacts.

It was also noted that Nevadans have low levels of financial literacy and may not take advantage of existing financial instruments. Alternatively, Nevadans may use instruments that undermine long-term wealth building strategies.

The Prosperity Now *Scorecard* ranks each state's health on various issue areas, including family financial health. According to the 2018 *Scorecard*, Nevada ranks forty-eighth overall for the prosperity of its residents and forty-third in the financial assets and income category. Specifically, Nevadans have a difficult time managing debt. The *Scorecard* found that almost 1 in 5 of Nevada consumers with debt are 90 or more days behind on their payments, and more than 1 in 5 student loan borrowers are severely delinquent.

Among other things, the report also found growing income inequality and racial disparities.

To counter these concerns, the organization suggested that Nevada lawmakers "invest in the State's most financially vulnerable residents." The bill before you today tackles just that—our students.

Consumers are faced with a dizzying array of financial options, requirements and decisions, forcing citizens to select among a sometimes confusing mix of prices and fees. College tuition is now so costly that postsecondary education has become a serious personal financial decision. Defined benefit pensions have been largely replaced with defined contribution plans, shifting the responsibility for saving and investing to the employee.

During the Interim, I served on the Nevada Task Force on Financial Security. We examined the financial security of the residents of Nevada and the causes, extent and consequences of financial insecurity in our State. The Task Force identified concrete strategies and recommendations for improving the financial condition of Nevada. One of these recommendations was to support funding for professional development to expand teaching financial literacy in schools.

It is critical that we provide the foundations in personal finance literacy early in life, so that Nevada residents will have a sound base of knowledge for life after high school, when they will be confronted with complex financial decisions.

Senate Bill 314 addresses many of the issues I have mentioned by expanding the reach of financial literacy principles, including matters affecting our residents the most.

Section 2 of the bill requires CTE programs to include a program in the area of business and marketing education. Courses for this program area must include financial literacy studies, including courses on mortgages or underwriting, realty, and accounting.

Section 3 establishes the State Seal of Financial Literacy for public schools. This provides that a special seal denoting financial literacy can be affixed to a high school diploma and noted on the transcript of a student who has achieved a high level of proficiency in related coursework.

Section 4 lists the requirements a student must earn to attain this designation.

Section 5 requires NDE to establish an annual financial literacy month. This month will include a parent and family engagement summit, a student Smart Week, and a Money Week. The plans and initiatives will focus on learning activities and will be targeted to curriculum standards.

Section 7 requires the governing body of each RPDP to coordinate with NDE to provide an annual summit at the beginning of the financial literacy month.

While S.B. No. 249 of the 79th Session required certain financial literacy instruction to students and made available related professional development and training, it was not required for teacher certification or license renewal.

Section 6 of this bill requires teachers to obtain an endorsement in teaching financial literacy courses in order to teach such courses. Section 8 requires the RPDP to provide training for teachers who obtain such an endorsement.

Section 9 provides for certain requirements for a program offered by the Nevada System of Higher Education (NSHE) to obtain an endorsement to teach financial literacy courses, including creating a personal finance portfolio or transition plan.

Section 10 makes the related appropriations.

I am working with NDE, school districts and interested stakeholders on possible amendments. These amendments include in section 2, an amendment to eliminate the coursework identified in lines 9 and 10 and, in section 3, an amendment to revise the criteria for a student earning the financial literacy seal. We are also considering an amendment to add a State Financial Literacy Advisory Council that will include educators and business leaders who will plan the annual summit, pursue additional funding and fulfill other needed duties.

We will continue to work on the appropriation in Section 10. We will need to cover funding for the Advisory Council, the annual summit and the professional development provided by the districts and RPDP.

Senate Bill 314 is an important step in making education more relevant for our students and in preparing them for life after high school.

EVAN GONG:

I am a former member of the Nevada Youth Legislature. I will explain why I think financial literacy is such an important issue for young people and provide a history of our work promoting this issue over the last four years.

During my time as a youth legislator, my responsibilities included listening to my peers' concerns and advocating for important issues affecting youth. In this process, I came up with the idea to require financial literacy in our academic standards after realizing that our high school education did not include enough real-world, practical skills.

For example, many of my former high school peers had part-time jobs, but they hardly knew about the taxes withheld from their paychecks. Many of us who were in the process of applying to college were baffled by the plethora of different financial aid options, especially student loans. Even fewer of us thought of keeping an emergency savings fund or setting up a Roth IRA to save for retirement.

Financial literacy is important to young people because it provides us with the clarity to better navigate a world in which access to finances determines our prosperity. The responsibility will fall on us as individuals to secure our own well-being.

My concern about financial literacy led me to reach out to Senator Woodhouse, who sponsored S.B. No. 220 of the 78th Session and reintroduced it as S.B. No. 249 of the 79th Session. Senate Bill No. 249 of the 79th Session was signed into law in 2017. It expanded financial literacy to the third through twelfth grade academic standards. Senate Bill 314 would further improve on the progress we have made. It would offer teachers the necessary resources and training to provide students with the best instruction possible on this crucial topic.

SENATOR HAMMOND:

Section 10 contains an appropriation for Clark County, an appropriation for Washoe County and an appropriation for NDE. Is that so that some of the money can get to the rural counties?

SENATOR WOODHOUSE:

Section 10 mirrors the appropriation that we put in the bill in 2017. Clark and Washoe took advantage of the appropriation. Many of the rural counties took advantage of the appropriation as well. There was some reversion of funds back to the General Fund. We want to look at the amount of money we need for the things we need to put in place this Session. We need the Advisory Council. We also want to make sure that we have some beginning funds for the annual summit, because we need to involve students, teachers and parents in family engagement and financial literacy activities.

We are trying to provide these kinds of resources for the schools, as well as the students and their families. We often find that these students have not heard about some of these things at home. We have to make sure that we are making financial education possible in school.

In this situation, we are starting with third grade. When I was teaching first grade, I taught economic principles to my students. It is just done in a different way when teaching middle or high school. We are reworking this budget to include some of the other things that I addressed in my testimony.

SENATOR HAMMOND:

You also left in S.B. 314, and I think in S.B. 313 as well, that you are open to gifts, grants and so forth. I have heard a lot of interest from banks and other financial institutions that want to help out with this.

SENATOR WOODHOUSE:

Absolutely. The issue of keeping the donation account alive and well is really important in this bill. When Mr. Gong and I were working on this in 2015 and 2017, we had many representatives from Nevada banks and credit unions, as well as organizations that provide free instruction in schools, express interest in the financial literacy initiative. As long as their programs are aligned to curriculum standards, there is a lot of support available in both human resources and finances. We want to keep all those doors open.

MS. GLEISSNER:

I am here on behalf of the three RPDs to lend our support to this bill. We are happy to partner with NDE to provide high-quality, professional learning in financial literacy.

MR. KORTH:

We support this bill, as we did in 2017 when we testified that the cost of financial literacy is high and disproportionately affects people living in poverty, women, minorities and those from lower socio-economic backgrounds. Research shows that 65 percent of those who obtain graduate degrees possess basic financial literacy skills, compared to only 19 percent of those whose highest education attainment is a high school diploma. Furthermore, African Americans and Latinos score lower than Whites on surveys measuring knowledge of financial concepts such as debt.

Studies by Dr. Annamaria Lusardi, Director of the Global Financial Literacy Excellence Center at the George Washington University School of Business, have documented gaps in financial literacy between different demographic groups. The data clearly show that financial knowledge is unequally distributed. Our most vulnerable populations possess the lowest levels of financial literacy. These inequalities in turn further exacerbate economic inequality. Dr. Lusardi's analysis estimates that as much as one-third of economic inequality can be accounted for by disparities in financial knowledge.

The CCEA has always believed that education is the great equalizer. Requiring instruction on financial literacy will lead to greater economic opportunities and upward mobility for our students. Financial education will help even the playing field.

However, we would be remiss if we did not highlight the absolute need for this legislation to be passed with proper funding. While this bill and many others represent positive policy changes, without new revenue and proper funding we fear we will ultimately be unable to properly implement the policies and see the potential benefits they present for our students and community.

MORGAN HANSEN (Nevada Bankers Association):

The Nevada Bankers Association (NBA) has a history of supporting initiatives that promote and further financial literacy. For example, the NBA supported Senator Woodhouse's bill, S.B. No. 249 of the 79th Session.

Additionally, during the interim, the NBA supported the SaverLife Program, which provided weekly savings tips from a financial coach, as well as a 50 percent match in committed savings, up to \$60 per month. The SaverLife Program helped people develop good savings habits through mentorship and incentives.

Therefore, the NBA is also in support of S.B. 314.

In particular, the NBA supports Section 3, which would create the "State Seal of Financial Literacy" to signify that a pupil has attained, "a high level of proficiency in financial literacy".

Moreover, the NBA supports Section 5, which requires the establishment of a "Financial Literacy Month", which would also promote financial literacy.

The NBA supports Section 8, which provides for the establishment by regional training programs, courses of "training and continuing professional development for teachers who receive an endorsement to teach courses relating to financial literacy".

Proper financial literacy is important to Nevadans and a successful Nevada.

Ms. TURNER:

The Las Vegas Metro Chamber of Commerce is supportive of efforts to improve financial literacy for Nevada students.



MS. PIERCZYNSKI:

The Nevada Association of School Superintendents supports the policies outlined in this bill. We look forward to working with Senator Woodhouse on the areas she outlined for possible amendment. We also look forward to proper funding for the financial literacy piece.

CHRISTOPHER NOLAN (Chairman, Nevada Council on Economic Education):

The Nevada Council on Economic Education (NCEE) supported previous financial literacy legislation such as S.B. No. 249 of the 79th Session, S.B. No. 220 of the 78th Session and S.B. No. 317 of the 75th Session.

Senate Bill 314 is primarily about education on financial literacy for teachers, as explained in section 10, subsection 5. We worked hard on the previous legislation to create financial literacy classes. It makes sense to ensure that our teachers are adequately prepared to teach the subject matter.

The NCEE is in support of many of the different sections of the bill, but I will highlight section 6. The NCEE strongly encourages economic education to be added to the endorsement program. Section 2 of S.B. No. 249 of the 79th Session changed NRS 389 to include economic education as a core academic subject. Starting in 2022, economics is required to be taught for one-half unit, with the intention of having financial literacy taught within this economics class. Teachers will soon need to teach an economics class that they may have neither taught nor have been educated about in the past.

Senate Bill No. 249 of the 79th Session was designed to start children early and often on financial literacy and slowly guide them through fun activities and games. The students would then receive more advanced education in high school, leading up to Grade 12 and the economics class. Financial literacy is embedded within that economics class. We do not want to discourage teachers from teaching this subject matter.

While the regional training program mentioned in sections 7 and 8 of S.B. 314 is adequate for providing teacher education, we believe the universities, colleges and alternative license programs should be charged with educating our teachers in the area of financial literacy and economic education. The NCEE, through the university system, would be in a prime position to coordinate the education of teachers on financial literacy and economic education. The NCEE would then facilitate the endorsement program for universities, colleges and other providers.

The NCEE recommends that we add economic education to financial literacy because we feel that it is needed. A lot of financial literacy is going to be retaught in that class. I have submitted additional remarks ([Exhibit H](#)) and possible amendments for your consideration.

CHAIR DENIS:

I will close the hearing on S.B. 314 and open the hearing on S.B. 320.

**SENATE BILL 320**: Makes various changes concerning the placement of pupils in certain more rigorous courses. (BDR 34-681)

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

Advocates for advanced courses often cite the benefits of such programs. The programs prepare students for college-level expectation, save students time and money by allowing them to earn college credit in high school and increase postsecondary enrollment and completion.

Many students take advantage of these opportunities. However, according to the Education Commission of the States, access to advanced coursework, including advanced placement (AP) and international baccalaureate programs, honors classes, and other advanced curriculum, is uneven. Students of color, low-income students, and students in smaller or rural districts are often less likely to have access to such courses.

A report published in October 2018 by the United States Government Accountability Office identified disparities in advanced coursework offerings as the school poverty level increased. The report also showed that smaller schools and certain types of schools, like charter schools, are less likely to offer such courses.

Senate Bill 320 ensures equitable access to advanced coursework for all students in Nevada.

Section 1, subsection 1 of the bill requires the State Board of Education to adopt regulations that provide for the identification of public school students in grades 3 through 12 for placement in advanced coursework in mathematics, English language arts, and social studies.

Subsection 2 requires the school to place the identified student in an advanced course unless the student's parent or guardian submits written notice of their objection to the placement.

Subsection 3 requires the board of trustees of a school district or the governing body of a charter school to establish advanced courses in mathematics, English language arts, and social studies in certain circumstances.

Subsection 4 clarifies that the provision of subsection 3 applies only if a district or charter school has sufficient financial resources available to do so.

We have also worked on some important amendments.

Ms. SMITH:

I will provide you with some context, perspective and information on S.B. 320. I will go over how Nevada Succeeds started working on this bill. I will also explain national data around the issue, Clark County data, behavioral implications, what other states are doing, concerns around professional development needed for teachers and potential impact on NSHE remediation rates.

I have submitted my remarks as written testimony ([Exhibit I](#)).

The bill came about because of an interaction with Matthew Friedman, a Clark County teacher who will share his story later in this hearing.

SENATOR PICKARD:

Based on section 1, subsection 1, I would like to know about the testing that is to be administered. Are these new tests to be developed or are these existing tests that are already occurring? If the tests are already occurring, why do we need this bill?

Ms. SMITH:

This bill is not proposing any new testing. It would leverage existing data that we have for students in grades 3 through 12.

SENATOR PICKARD:

Section 1, subsection 1 states, "The State Board shall adopt regulations that require each public school to establish ..." and it goes on. It sounds like the

regulations do not exist, and then it points to the tests. What is missing from the existing requirements that this is adding?

Ms. SMITH:

As of right now, there is no requirement that the existing standardized test be considered in course placement for students, which is the crux of the issue here.

CHAIR DENIS:

So, the answer is that if it is not required now, there would be a necessity for regulations to be developed. Correct?

SENATOR DONDERO LOOP:

Yes. That is where we are going with this. We give these criterion reference tests to students; one of the amendments would be to add norm reference tests as another option for placement evaluation. We give many tests to kids, but we do not take the student scores into account, just as Ms. Smith explained in her personal example on page 3, [Exhibit I](#). We are taking the scores of the tests, but we are not actually saying, "this student qualified really high in math, let's put them here." This bill will change that.

SENATOR PICKARD:

I thought that if we were testing, we were using that data to move kids where they need to be. This was a kind of revelation to me.

We are requiring charters to do the same evaluation and placement, so we create what would be an unfunded mandate. However, in subsection 4 we say that the school does not have to do it if they do not have the money. My concern here is that we are setting them up for failure. Imagine if someone was to challenge the school and say, "You are required to do this," and although the bill lets the school off the hook, it is still a requirement. Are we setting up the charters, or any school, for failure if they do not have the resources?

I am thinking more about the rural schools and the charters because they do not have the same kind of resources that the other schools may have.

SENATOR DONDERO LOOP:

I appreciate that question, especially for the rural schools. Charter schools are funded publicly. We do not have private charters in this State. I would say that

public money denotes public requirements. We would hope that charters would be offering the same education, if not more, as a requirement for them.

Ms. SMITH:

On page 2, line 30 of the bill states there must be "sufficient numbers of pupils". I would like clarification of what "sufficient" means. I think that definition can be worked out. That goes to some of your concern.

SENATOR PICKARD:

I had also underlined "sufficient" because it is not defined. I would suggest that charters do not get the same funding. They do not start out with the same funding. They do not start out with the physical facilities funding. It is not funded the same way. They deal with some different challenges. We have allowed them a way "out" by saying, "if they don't have enough money, they don't have to do it."

To me it sounds like we are saying "you must" and then you do not have to. That can be tricky.

SENATOR DONDERO LOOP:

On page 2, line 24 of the bill states "the pupil must be placed ...". On page 2, line 30 states, "There are sufficient numbers of pupils ...".

I visited Austin, Nevada, and there were only five pupils in the whole school. There were maybe only one or two pupils doing AP or honors classes. Many of our rural communities have found work-arounds for those situations.

CHAIR DENIS:

I would like Risa Lang, our Committee Legal Counsel, to weigh in on that. Based on the discussion they just had, the question that I heard from Senator Pickard was, "could there be a challenge because the charter school did not provide the class?"

SENATOR PICKARD:

I was not thinking about a legal challenge, but that is a good question too.

RISA LANG (Committee Counsel):

The bill probably leaves some discretion for the Board of Trustees and the governing body of the charter school to determine whether or not they have the

funding to establish those classes. It is not set out here. I think it would be discretionary for them to make that determination.

MATTHEW FRIEDMAN:

I teach seventh grade English at Brown Academy of International Studies in Henderson. The initial seeds of this bill came out of a capstone project that I worked on as part of the Teacher Leader Academy through the Public Education Foundation in Clark County, but the concern that it seeks to address came about while I was breaking up a fight at my school. I have submitted my remarks as written testimony ([Exhibit J](#)).

KATIE DOCKWEILER, Ed.D.:

I am a school psychologist, but I speak on this bill as a parent. My children are only six and seven, but I believe this is a strong bill to help support them and their peers as they grow up. Children do not know about scheduling, and adults certainly do not know about scheduling, so I support this bill to provide stewardship for our youth.

BRENDA PEARSON (Director of Professional Learning, Clark County Education Association):

I am here to speak in support of S.B. 320. I have submitted my written testimony ([Exhibit K](#)).

LINDSAY ANDERSON (Washoe County School District):

The Washoe County School District (WCSD) supports this bill. It aligns with our philosophy in WCSD of how important addressing implicit bias and equity is for all of our students.

We administer a universal gifted screener to all of our first grade students. We are not relying on individual teachers to select students who may be gifted, we are looking for those students across the entire District. We require all of our tenth grade students to take the PSAT exam. We use those test scores in placement for our students as they move forward in high school.

We mentioned to Senator Dondero Loop our concern about making these tests any more "high stakes" than they already are, as well as a concern about a lack of alternative placement options at the elementary school level. Despite these concerns, the philosophy of the bill is in line with that of WCSD.

MS. PIERCZYNSKI:

We are in support of this bill. We appreciate the fact that we are recognizing that we are not currently capturing all the kids who can do this advanced placement work.

JOHN EPPOLITO (President, Protect Nevada Children):

I support the idea of getting more kids in rigorous classes. However, the devil is in the details. Section 1, subsection 1 of the bill states, "The regulations must require a school to use criterion-referenced examinations".

I think this will keep minorities out of advanced placement classes. For example, in Incline Middle School, our top math students are already in algebra. They will take the End of Course exams, but several of them will not be taking the Smarter Balanced Assessment Consortium (SBAC) exams. Are you saying that the kid who is taking algebra in eighth grade is not going to be able to take geometry in ninth grade? Is this a roundabout way to force people to take the SBAC? Also, the same sentence of the bill allows for whatever other methods the State Board wants to use to identify pupils for such placement. This should not be the job of the State Board. This should be the teachers. The teachers know which classes the kids should be in.

This bill is taking it further away from where it should be, which is with the teachers. I taught a two year algebra class in Tahoe City. I had kids who were lazy. They did not want to take algebra in one year. They wanted to kick back, they were football players, whatever. Why must they be in the higher class if they do not want to be in the harder class?

The kids like one of my son's friends come to mind. In middle school, my son's friend slacked off. By the time he got to high school, he decided he wanted to take Honors and AP classes. He was able to do that because he wanted to do the work.

I think the theory of the bill is good, but the way it is written does not get us to where we want to be. I have submitted additional remarks ([Exhibit L](#)).

SENATOR HAMMOND:

I do not read the bill in the same way you did. A criterion-referenced test (CRT) is something that they do administer. It is an SBAC Test. Teachers give a lot of tests. In this particular case, it is a test that teachers can use to diagnostically

figure out where students are. The bill is asking that we redirect the use of the test data, or additionally use the information coming in from the test. We are not currently using it to tell the students where they ought to be in classes.

I think this bill is a good tool for allowing the parents to get more involved. The school is going to say, "we are going to place your child in this class, this class or this higher level class," forcing the student to go to their parent and say, "I don't really want to be in that class."

My oldest son came to us often and said, "I am in a higher level class. I don't want to be in that class." Now we get to sit down and say, "Why not?" Now I am going to have a discussion with my son. Now the parent has to say to the school, "No, we want to put him in a different class." In probably one out of four times we actually put him in a lower class because we did not think he was ready.

There is nothing really here about the SBAC. It really has nothing to do with that. It is really about another exam. Perhaps you and I are reading the same bill, but in a different way.

MR. EPPOLITO:  
What CRTs are we talking about?

SENATOR HAMMOND:  
The Measures of Academic Progress (MAP) exam, for example, would be one test that students take every year. Sometimes they take it two or three times to get a baseline, then they take it again in the middle of the school year and again at the end of the year to see where they are.

MR. EPPOLITO:  
The new MAP test is also computer adaptive. Not all kids take the same test. The old MAP test was good and would have qualified as a CRT, but the new one does not qualify as a CRT, nor does the SBAC.

SENATOR HAMMOND:  
I think that the sponsor of the bill is going to add in norm-referenced exams as well. If the school likes to use those as well, or in addition to, or instead of the other test, that would be another possibility. I think the bill is just striving to place kids in the highest possible class, where they are able to be challenged.



CHAIR DENIS:

I think this is a great bill. I have a son who is the opposite of the example Senator Hammond gave. His test scores are very high, and he qualifies for all of the highest classes, but he does not like a lot of extra writing, so he does not want to do the AP classes. It is the opposite situation of what this bill is trying to accomplish. This bill is to give a chance to those kids who really should have an opportunity to take those higher level classes, especially if they want to do the class. We do not want to force them to do it if they do not want to, because some kids will have behavioral issues as well.

I will close the hearing on S.B. 320 and open the hearing on S.B. 319.

**SENATE BILL 319**: Revises provisions relating to education. (BDR 34-1063)

SENATOR DONDERO LOOP:

This bill proposes to take steps to address a serious personnel situation in our public schools.

The personnel to whom I am referring are the behavioral and mental health professionals who work in our schools—counselors, psychologists and social workers.

These professionals bring to their positions years of education and training. They are dedicated to ensuring that all students in Nevada have access to quality education and the support they need to grow, learn and feel safe. However, they are often subject to working conditions that limit their opportunity to provide services to Nevada public school children.

Counselors are trained to assist students with academic and career planning and personal and social development. However, their duties are often dictated by supervisors who assign them to administer standardized tests, including counting test booklets and proctoring test administrations; supervise lunchrooms; cover classes when no substitute teachers are available and make attendance phone calls.

Similarly, school psychologists are experts in education and psychology. They are qualified mental health professionals who could work with students in crisis. They have training to improve the school climate as a prevention measure. They understand child development and adolescent psychology.

Best practices in school psychology recommend that these professionals develop prevention strategies in mental health, substance abuse, bullying and delinquency. But they are most often assigned to test and assess children for special education services and develop individualized education plans.

School social workers are licensed by the Board of Examiners for Social Workers. School social workers are trained to implement small group intervention strategies and identify more intensive interventions for individual students. They target multiple risk factors in home, school, and community settings and identify warning signs of violent behavior. They work to provide support after a crisis.

Counselors, school psychologists and school social workers are qualified mental health professionals who are underutilized in our public schools. In addition, Nevada public schools are understaffed in these professions. The U.S. Department of Education listed all three areas as experiencing shortages in personnel.

We do not mandate ratios of these professionals to students. However, the American School Counselor Association recommends a ratio of 250 students to 1 counselor. In recent school years, the Association reported there were 517 students per counselor on average in Nevada. In 2017, the Nevada Association of School Psychologists reported to the Teachers and Leaders Council that the national recommendation is 500 to 700 students per psychologist. In Clark and Washoe, the average is 2,000 to 2,500 students per psychologist. Some rural districts reported one psychologist for all schools of the county. In 2018, the National Association of Social Workers recommended a ratio of 250 students per social worker, yet the Student Well-Being Working Group estimated that the current ratio in Nevada is 1 school social worker to 1,500 students.

Our ratios of school-based mental health professionals to students are four to five times higher than the national recommendations. Senate Bill 319 will help address these concerns.

Sections 3, 4 and 5 establish in statute the duties of a counselor, psychologist and social worker employed by a school district. My purpose is to create an environment in which these professionals spend most of their time on services to students. I hope that they will no longer be diverted to lunch duty or

supervising playgrounds. They may go into those areas and deal with students or talk with and find ways to work with those students, but I would hope that that they would be performing tasks related to their professional roles, not completing an unrelated, assigned duty.

Section 6 provides that any of these professionals who present satisfactory evidence of certification by the National Board for Professional Teaching Standards, or a corresponding national board of certification for their profession, will be eligible for a 5 percent increase to the salary that he or she would otherwise have received. Several years ago we did this for teachers who achieve National Board certification. It is time we do this for mental health professionals as well.

There has been some discussion about the deadline of September 15 currently in section 6. We are working with stakeholders to make sure that this aligns with the school district submission requirements. I am hopeful that with the change in work expectations and potential salary increase, Nevada school districts will be able to recruit and retain more mental health professionals.

I would like to draw your attention to a conceptual amendment I am proposing.

First, I want to make a correction to section 1, subsection 10. School psychologists are not currently licensed by the Board of Psychological Examiners.

Second, I propose to amend section 6 to provide that the 5 percent salary increase does not affect any applicable collective bargaining agreements.

Third, I want to include school audiologists who hold national board certification in their field as eligible for the 5 percent increase.

Fourth, I want to require that, if funds are available, all public elementary and secondary schools must provide access to a full-time counselor and provide a comprehensive school counseling program.

Fifth, I propose that all public school counselors must implement a comprehensive counseling program adopted by the schools in which they are employed and spend at least 80 percent of their work time providing direct and indirect services to students.

It is time we recognize that our K-12 students face many social, emotional and situational pressures that affect their school performance. Unfortunately, actual violence has also increased in our schools in the past decades.

We have available—or should have available—in our schools, mental health professionals who can work individually and collectively to create school environments that encourage growth and enable children to feel that school is a safe place for them. Working conditions and salaries are two areas where we, the Legislature, can act to foster that environment both for the children and the professionals our schools need so desperately.

SENATOR PICKARD:

I appreciate the intent of the bill. After we dealt with some of the school counselor issues last Session, I had several school counselors come to me. I learned a lot about the differences between school counselors and psychologists and how we do it differently in Nevada.

You have not included occupational therapists and physical therapists in the discussion. Their mission is a little different, but they usually work together with the mental health professionals. Is there a reason that they were not included? Is there a possibility to include them later?

SENATOR DONDERO LOOP:

We are not opposed to including them, with the appropriate national board certification. The initial piece of this bill was that these groups of educators and professionals were not being given the national board certification raise. It was not an issue of purposefully ignoring occupational and physical therapists, it was an issue of getting the bill out in time. I am certainly able to circle back around to them.

SENATOR PICKARD:

I think they will be happy to know you are willing to amend them in.

SENATOR HARRIS:

In the definitions of school counselor, school psychologist and school social worker, there is a requirement to have an endorsement to serve in those positions. Is that currently a requirement or would this be a new requirement? If it is new, would that apply to those who are currently serving in these positions but who may not have that endorsement?

SENATOR DONDERO LOOP:

I will ask Dr. Dockweiler to address that specifically for the school psychologists.

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

We are currently licensed through NDE. Our license includes an endorsement to practice as a school psychologist.

SENATOR DONDERO LOOP:

In education, any time you have an endorsement, NDE puts the endorsement on your certificate. It might state that you are endorsed to teach K-8 math or you are endorsed to be a school psychologist. That endorsement is part of your license.

SENATOR PICKARD:

I want to confirm that one of the amendments is addressing the licensure issue. The intent is to move licensure back to NDE, not the Board of Psychology. Is that correct?

SENATOR DONDERO LOOP:

It is currently with NDE and we would like it to stay there.

DR. DOCKWEILER:

Currently, there is ambiguity surrounding the basic definition, role, function, scope of practice and supervision structure for school-based mental health professionals. On a campus, this sometimes leads to confusion regarding the various ways in which we can interact with students. We need clarification of basic definitions and duties, so we can better provide equity and access to our students for academic, mental, social and behavioral supports.

This foundational bill will not only assist school districts in better differentiating their human capital expertise, but districts will be better positioned to identify ways in which the three school-based mental health professions' skill sets overlap and are unique. This distinction will support students and school improvement efforts and align district service delivery.

After the 1 October shooting, many of us were dispatched to the call center to help with triage and to answer phone calls for victims and victims' families. I have never seen such an amazing combination of professions working together

in an integrated way. The purpose of defining the different roles of these professions is not to separate them but to bring them together. The purpose is to show how we can overlap and support and supplement the work that we do on a daily basis.

MR. KORTH:

The CCEA represents 18,000 educators and other licensed professionals (OLP) across CCSD. We speak at the Legislature on behalf of their experiences. In particular, I am proud to speak today on behalf of my mother's experience as a counselor at Desert Pines High School, a Title I school in Clark County, where she has worked for the last nine years. These are Kristine Korth's comments:

Almost everything about working at a Title I school makes my job enormously challenging as a counselor. Pervasive transiency results in much higher scheduling, transcript and credit retrieval demands. At our site, counselors take on a quasi-parental role in completing college admissions applications, scholarships, Free Application for Federal Student Aid requests, ACT signups and more, which are crucial to postsecondary success. Most of our students are the first in their families with a chance at graduating from high school. Our students who go on to college become game changers in their families and their communities.

This population experiences the traumas of poverty in high rates, and many of our students require extensive interventions for their mental and physical well-being. Title I schools typically have high populations of English Language Learners, as well as students who require Individualized Education Plans and other special interventions. Chronic absenteeism is often the result of economic difficulties that force students to babysit younger siblings or work to help pay household bills. Keeping these students on track to graduate requires persistence and continual motivation from counselors.

This bill has the potential to strengthen the work that my colleagues and I do and to attract more talented individuals to our schools. But I fear that that potential will not materialize if the goals outlined in the bill go unfunded, as so many other good educational policies do. Please do not forget me and my colleagues

who serve in these key roles in helping elevate opportunities and success for these students. I often say that these Title I schools are not for the faint of heart. We love these kids and work so hard for their futures.

VIKKI COURTNEY (President, Clark County Education Association):

The CCEA represents teachers and OLP, which include counselors, psychologists and social workers in Clark County, as well as the other OLP included in the amendment.

We support S.B. 319. This bill provides these OLP with the 5 percent stipend from the State that other OLP and educators receive for completing a rigorous national board certification program. We believe it is necessary to have licensed OLP in each of our schools to provide support for student success. Their role is vital and allows the classroom teacher support for students who may not be able to focus on their education until other needs are met.

This bill should be sending a message to you as legislators. You are asking us to do more with less. There are not enough counselors, psychologists or social workers; we are expected to do more on a daily basis, to serve more students and to be better educated in order to do more. I have submitted further remarks ([Exhibit M](#)) to address the revenue crisis and funding issues we face in education.

HILDA ROBLES:

During a time when a plan for school safety is paramount, who would argue that school counselors are not a vital part of this process? School safety is at the forefront of education. Senate Bill 89 proposes methods for support which include family engagement and assessing, screening, intervening and monitoring not only academic but also social emotional progress.

**SENATE BILL 89**: Makes various changes relating to education. (BDR 34-331)

Assembly Bill 261 requires a training plan and methods and procedures to address the safety needs of students.

**ASSEMBLY BILL 261**: Revises provisions relating to the safety of children in public schools. (BDR 34-590)

With that being said, the value of the school counselor is being undermined at this time. I have submitted additional remarks as written testimony ([Exhibit N](#)).

KRISTIN BARNSON (President, Nevada School Counselor Association):

The Nevada School Counselor Association is the professional organization dedicated to developing Nevada school counselors and advocating for the school counseling profession. We are here to support S.B. 319. This bill provides much needed clarity in the definitions, roles, function and supervision of school counselors, school psychologists and school social workers. This bill assists lawmakers, districts and community partners in understanding the ways in which the skill sets of school-based professionals overlap, are unique and support students with academic, mental, social and behavioral supports. This bill also ensures greater access and equity for all students.

Section 3 defines the direct services offered by school counselors. These direct services are aligned with the best practice for school counselors as outlined by the American School Counselor Association National Model. The National Model is a framework of comprehensive, data-driven school counseling programs. These direct services also align with our new Nevada Educator Performance Framework for school counselor evaluation.

School counseling programs are collaborative efforts benefiting students, parents, teachers, administrators and the overall community. School counseling programs should be an integral part of every student's daily educational environment. School counselors should be partners in student achievement. The question has been posed: "What do school counselors do?" The more important question is: "How are students different as a result of what school counselors do?"

By supporting this bill, school counselors can focus on delivery of services, which should account for 80 percent of their time. Currently, our large student-counselor ratios and other duties as assigned, such as being test coordinators, test proctors and more are just hindrances to our students. This bill clarifies the definition of a school counselor and the role of a counselor in delivering high-impact direct services.

PAIGE MYERS (Clark County Education Association):

I am the CCEA Board Member who represents OLP, including counselors, social workers and psychologists, as well as the other groups identified for inclusion in



the amendments, as previously mentioned. Several people I represent reached out to me to speak in support of this bill. I will read one of those statements:

My name is Jessica Sharon. I am expressing my support for S.B. 319. I am currently in my third year as a licensed school psychologist and I am a CCEA member. As a school mental health professional, I am often faced with questions regarding my role and the need for my profession within the school setting. I am frequently confused for a social worker, a counselor or a clinical psychologist who happens to work at a school. While there is some overlap in the roles and responsibilities of each of these professions, we are also distinctly different and equally necessary. This bill takes the necessary steps to outline the capabilities of each job class and helps to establish how important each school mental health professional is in regards to a student's outcome.

I currently serve at two elementary schools, one of which has access to a full-time social worker, no counselor, and myself two and a half times per week. At this school I see the social worker going above and beyond to fulfill her role as a school social worker as well as many of the responsibilities of a counselor. She is a phenomenal colleague doing the work of two people to meet the needs of our students. Because this school has no counselor, and a social worker and a psychologist stretched very thin, I see the needs of students going unmet. Due to budget restraints, the school does not have access to a counselor to teach social-emotional lessons to the classrooms.

In the case of crisis, I am called to be on-call at both of my schools. At any given moment I may need to be pulled away to support my other school in the case of a crisis. The key takeaway here is that when schools do not have access to all three school mental health professionals, students' needs go unmet. Having our roles specifically lined out in legislation is a huge step in the right direction.

This bill also outlines specifically how each profession may achieve an additional salary stipend for obtaining national certification. National certification and recognition is no small feat for any

professional. It requires rigorous coursework and additional tasks to demonstrate not only competency in your responsibilities, but also in-depth knowledge of your field. This is an accomplishment that has earned recognition. In my experience in research, no national certification is any more difficult than any other. They are simply different. For this reason, it only seems logical to reward educators for their work and their accomplishments in the same way.

MS. SMITH:

I am here to speak in support of S.B. 319. This bill helps to recognize and clarify the professionalism of all of the mental health practitioners mentioned in the bill. Nevada Succeeds believes that better understanding of the full scope of expertise required every day to meet the needs of our students will ultimately lead to even better outcomes for our students. This will be especially beneficial when policymakers have something to guide future discussions around the professionals who work in our schools every day. Better aligning compensation with the expertise needed is also a good step in ensuring the outcomes we all want for our students.

ANDY HAYCOCK:

This is my fifth year as a school psychologist. I have also been a school counselor for 11 years. I previously sat on the boards for the Nevada Association of School Psychologists and Nevada School Counselor Association. I am speaking in support of this bill. In addition to my day-to-day work, I am one of the crisis team coordinators for our District. I am also coordinating one of the pilot programs for a new threat assessment protocol. I am also one of the bilingual psychologists for the District. We are much more than psychometricians. This bill essentially validates the day-to-day work that we do. It helps us embrace the comprehensive nature of the work that we do as school counselors and school psychologists.

When I was a school counselor, we would have to basically negotiate our tasks with our administrators to say, "Yes, I can do these groups," but then you would have to coordinate tests or do the master schedule. This legislation will actually provide administrators and district staff with a clear picture of what we do on a daily basis to assist our students.

MS. PIERCYNSKI:

The superintendents recognize that the importance of the mental health professionals in our schools seems to be even more important now than it was several years ago. We are in support of their work. We understand that there are some amendments coming to the bill and we look forward to working with the bill sponsor in ironing out those issues.

MR. DALY:

We are also here in support of S.B. 319. In particular, we want to point out that we very much favor section 6 of the bill to include these important OLP in the 5 percent addition to their salaries. We further want to appreciate Senator Dondero Loop for her work with the professional associations to address the issues of the timelines. We also appreciate her work to not override, perhaps, a current agreement in Washoe County that has an 8 percent increase. We may have comments on education funding issues, but we will make those to the appropriate committees at the appropriate times.

EMMA DICKINSON (President, Nevada Association of School Psychologists):

I am a school psychologist, as well as a former school counselor. I have worked in education for 20 years. The Nevada Association of School Psychologists supports S.B. 319. As we were involved in the design of the bill, we believe it will allow for differentiations of roles within the school. The roles, defined in the bill, align with our national practice model standard domains. The bill will allow clarity and improved services for all students within the schools. In addition, the funding that the bill provides will help attract school psychologists to Nevada to help with the shortage of school psychologists in the State.

GWYNNE PARTOS:

I am a school psychologist. I support S.B. 319 because it clearly defines the duties of school psychologists and the services we provide to students, schools and the community.

LINDA JONES (Political Field Coordinator, Clark County Education Association):

I am here today to read a statement from Monica Bryant, one of our CCEA members ([Exhibit O](#)).

JANINE HANSEN (President, Nevada Families for Freedom):

I read through this bill several times, and I could not find anything in it which assures that parents will be contacted, consulted or informed about what

psychologists or social workers are doing. I think this is critical if parents are to be involved in the well-being of their children. In section 5, one of the things it allows is to "provide therapy, counseling and support services for pupils". I think parents should be involved in that.

I think parents should also know what data and information is being collected on the mental and behavioral health of their students. Section 5 of the bill covers the "biopsychosocial assessments". I picked one of these assessments up off the internet. It is ten pages long. It is very invasive regarding a family. The assessment covers drug abuse, depression, schizophrenia, violence and sexual activities; there is not anything it does not cover. I think parents ought to be aware of this kind of data being collected by the schools. I would also think it is very important to know what happens to the data once it is collected. Does it go into the Statewide Longitudinal Data System? Does it go in their permanent file? Does it follow the children forever? Are they ever able to escape what happened to them?

At this time there are some serious problems with regard to this bill and how it essentially excludes parents; they are an afterthought, if there at all. For instance, one of the things required in section 5 is to provide "strengths-based assessments for the school, the pupils and the parents or legal guardians". So even the parents are going to be assessed in this circumstance and put into the permanent record. I am significantly concerned about those issues.

I hope that you will be concerned with family privacy under the Family Educational Rights and Privacy Act and general decency. The parents should be deeply involved in these things. You are not going to correct a problem unless you engage the parents as well.

MR. EPPOLITO:

The way it is written, we too are against this bill. I have submitted my written testimony ([Exhibit P](#)).

MICHAELA TONKING (Research and Advocacy Director, Educate Nevada Now):

Educate Nevada Now is an education policy organization dedicated to ensuring all of our students have the resources they need to succeed. Although we support the intent of the policy behind this bill, we must testify neutral on this bill. We believe that every school deserves to have high-quality counselors and

social workers who are paid an amount they deserve. Additionally, with the list of tasks in S.B. 319, it is fitting that they receive additional pay.

However, we must testify neutral until we are sure that the new funding formula and the education budget will take the mandate of S.B. 319 into account by providing additional dollars to public education. Funding one essential aspect of education at the cost of another will ultimately not provide the adequate resources necessary for students to succeed. I have submitted my written testimony ([Exhibit Q](#)).

SENATOR DONDERO LOOP:

I found an article about the Parkland shooting. One of the quotes from a superintendent was that "recovery for impacted families could be endless, and their lives have been changed forever." We work with those students every day. We work with students who were and are affected by 1 October, tragedies in their homes, car accidents, deaths of parents and other things that happen every day. We deal with those kids every day for 180 days.

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CHAIR DENIS:

I will close the hearing on S.B. 319. The meeting is adjourned at 3:42 p.m.

RESPECTFULLY SUBMITTED:

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Steven Jamieson,  
Committee Secretary

APPROVED BY:

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Senator Moises Denis, Chair

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

| <b>EXHIBIT SUMMARY</b> |                                 |    |  |                                      |
|------------------------|---------------------------------|----|--|--------------------------------------|
| <b>Bill</b>            | <b>Exhibit /<br/># of pages</b> |    | <b>Witness / Entity</b>                                  | <b>Description</b>                   |
|                        | A                               | 2  |  | Agenda                               |
|                        | B                               | 10 |  | Attendance Roster                    |
| S.B. 267               | C                               | 1  | Senator Pat Spearman                                     | Proposed Amendment                   |
| S.B. 267               | D                               | 2  | Kristy Keller / Nevada Medical Center                    | Written Testimony                    |
| S.B. 267               | E                               | 1  | Ruben Murillo / Nevada State Education Association       | Written Testimony                    |
| S.B. 267               | F                               | 1  | Michelle Kim / Clark County Education Association        | Written Testimony                    |
| S.B. 267               | G                               | 1  | Sylvia Lazos / Nevada Immigration Coalition              | Written Testimony                    |
| S.B. 314               | H                               | 7  | Christopher Nolan / Nevada Council on Economic Education | Position Paper                       |
| S.B. 320               | I                               | 4  | Meredith Smith / Nevada Succeeds                         | Written Testimony                    |
| S.B. 320               | J                               | 2  | Matthew Friedman   | Written Testimony                    |
| S.B. 320               | K                               | 1  | Brenda Pearson / Clark County Education Association      | Written Testimony                    |
| S.B. 320               | L                               | 1  | John Eppolito / Protect Nevada Children                  | Written Testimony                    |
| S.B. 319               | M                               | 1  | Vikki Courtney / Clark County Education Association      | Written Testimony                    |
| S.B. 319               | N                               | 2  | Hilda Robles   | Written Testimony                    |
| S.B. 319               | O                               | 1  | Linda Jones / Clark County Education Association         | Written Statement from Monica Bryant |
| S.B. 319               | P                               | 1  | John Eppolito / Protect Nevada Children                  | Written Testimony                    |
| S.B. 319               | Q                               | 1  | Michaela Tonking / Educate Nevada Now                    | Written Testimony                    |