

**MINUTES OF THE
SENATE COMMITTEE ON EDUCATION**

**Eightieth Session
March 29, 2019**

The Senate Committee on Education was called to order by Chair Moises Denis at 1:05 p.m. on Friday, March 29, 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

STAFF MEMBERS PRESENT:

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

OTHERS PRESENT:

Brad Keating, Clark County School District
Vikki Courtney, President, Clark County Education Association
Mary Pierczynski, Nevada Association of School Superintendents
Natha C. Anderson, President, Washoe Education Association, Nevada State Education Association
Linda E. Young, School Board Trustee, Clark County School District
Roxanne James, Principal, Jerome Mack Middle School

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Edgar Patino, Latin Chamber of Commerce
Don Gallimore, Sr., Reno-Sparks NAACP
Don Soifer, President, Nevada Action For School Options
David Blodgett, Principal, Nevada Prep
Emily Allen
Maria Ela Garcia, Parent Representative, Board of Directors, Futuro Academy
Maria Estrada
Elizabeth Sanchez
Ronnika Oliver
Samantha Loya
Jocelyn Campbell, Nevada Prep
Davashinay Franklin
Armani Yelton
Jordan Estrada
Barbara Adams
Gretchen Larsen, Explore Academy
Biante' Gainous, Lead Founder, Las Vegas Collegiate
Maryann Abdelhamid, Explore Academy
Jacquelyn Cherny
Steven Washington, Vice Chairman, Board of Directors, Nevada Rise Academy
Adam Johnson, Executive Director, Democracy Prep
Jeffrey McAlpine
Ignacio Prado, Executive Director, Futuro Academy Charter School
Jana Wilcox Lavin, Opportunity 180
Sarah Adler, Charter School Association of Nevada
Meredith Smith, Director of Policy, Nevada Succeeds
Ryan Herrick, General Counsel, State Public Charter School Authority
Cyrus Hojjaty
Matthew Borek, Ph.D., Director of Educator Preparation, Recruitment and Field
Placement, College of Education, University of Nevada, Las Vegas
Paul J. Moradkhan, Vice President, Government Affairs, Las Vegas Metro
Chamber of Commerce
Warren Hardy, Council for a Better Nevada
Carol Del Carlo
Janine Hansen, Nevada Families for Freedom
Douglas Unger, Chair, Council of Faculty Senate Chairs, Nevada System of
Higher Education
Kent M. Ervin, Ph.D., Nevada Faculty Alliance

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CHAIR DENIS:

We will begin our work session with S.B. 82.

SENATE BILL 82: Revises provisions relating to education. (BDR 31-479)

JEN STURM (Policy Analyst):

The first bill is S.B. 82 which was sponsored by the Committee on Education on behalf of the State Treasurer. I will read the bill summary from the work session document ([Exhibit C](#)).

CHAIR DENIS:

I will entertain a motion.

SENATOR HAMMOND MOVED TO AMEND AND DO PASS AS AMENDED
S.B. 82.

SENATOR WOODHOUSE SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

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Ms. STURM:

The next bill is S.B. 146 sponsored by the Committee on Education to conduct a study concerning the cost and affordability of higher education. The work session document is ([Exhibit D](#)).

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

CHAIR DENIS:

I will entertain a motion on S.B. 146.

SENATOR WOODHOUSE MOVED TO DO PASS S.B. 146.

SENATOR HAMMOND SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

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CHAIR DENIS:

We did not re-refer S.B. 146 to the Committee on Finance. The Senate Finance Committee will get the bill so we will not redo the motion. Senator Dondero Loop will now introduce S.B. 321.

SENATE BILL 321: Abolishes the Achievement School District. (BDR 34-682)

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

Senate Bill 321 repeals provisions relating to the Achievement School District (ASD).

In the 78th Legislative Session, the Legislature enacted many bills relating to education reform. Many of those programs were positive and merit continuation; however, some reforms turned out to be long on promises and short on delivery. The ASD, established by A.B. No. 448 of the 78th Session, is one of those reforms that has not been successful.

This ASD was a last option to improve the performance of the lowest performing schools. This bill would have turned our neighborhood public schools over to charter school operators. I use the phrase "would have" because to date no public school, as defined by A.B. No. 448 of the 78th Session, has been converted to an achievement charter school under the ASD umbrella.

Transforming our lowest performing schools is difficult and requires immense resources and special leadership to implement change. Our public schools should have the flexibility, funding, resources and staffing to ensure these transformations occur. Lack of funding that plagues our public schools is likely the cause for the failure of the ASD. The ASD has not been successful in its goal to attract high-quality charter school operators to Nevada because of our State per-pupil funding amount.

The lack of high-quality operators, combined with the lack of enthusiasm in Nevada communities to offer their neighborhood schools for conversion, has led the ASD to look for other schools to bring under its purview. For the school year 2017–2018, the Nevada Department of Education (NDE) authorized two charter

operators to establish charter schools under the ASD. In 2017, during the 79th Legislative Session, the NDE recognized this method was not authorized by statute and attempted to enable these charter conversions in an amendment in a measure that would fail to pass. Despite the failure of the legislation, which would have allowed charter schools to be converted into ASD charters, the ASD converted three additional charter schools into the ASD for school years 2018-2019 and 2019-2020.

This is why S.B. 321 not only repeals the provisions that created the ASD, but section 37 of the bill provides for the transfer of charter schools, currently under contract with the ASD, to the sponsorship of the State Public Charter School Authority (SPCSA). These current charter schools under contract with the ASD will be required to apply for sponsorship by the SPCSA, which will ensure the schools are qualified to operate in Nevada. The SPCSA will hold the schools to the same standards as other charter schools in our State. I would like to recognize Senator Woodhouse for her diligence in shining a light on this issue throughout the Interim. Senate Bill 321 ensures our children in Nevada are attending high-quality schools operating within the boundaries established by our State Legislature.

I want to make clear that I am hopeful about building a strong partnership with the NDE under the current administration and the new incoming Superintendent of Instruction. I am confident this partnership will ensure we do not face the same issues and challenges again. It will allow all of us to live up to the shared goals we have to ensure every Nevada student has a fair opportunity to succeed.

BRAD KEATING (Clark County School District):

The Clark County School District (CCSD) thanks Senator Dondero Loop for bringing this very important bill forward. The district has heard continuing concerns from our trustees, our district leaders and our community about the ineffectiveness of the ASD. The CCSD believes in the importance of neighborhood schools and we believe that we are on a path to improving our schools and offering a quality education to every child. The CCSD also believes experiments with achievement school districts in other states have not been successful.

The CCSD also believes this specific ASD model in Nevada has been a failure for students and a waste of taxpayer dollars. The State has been unable to bring

in charter operators to take over schools because of our per-pupil funding amount. There was initial doubt how our schools would be taken over and ambiguity how students would be selected to attend those schools.

Teachers in potentially targeted schools were uncertain about their job status and put in transfer requests. Some teachers left their schools immediately if their school was on the list. This caused more instability in schools already difficult to staff. Thousands of dollars have been invested in professional development for much of the personnel who were leaving these schools.

Because the ASD did not do an adequate job of informing the community and parents of the ASD process, the CCSD hosted community meetings at 90 schools to communicate this information to parents and the community.

Many of our schools, parents and community members felt they were being targeted, and we heard from some community members that they were not sure how to voice their concerns. Parents also wondered how the registration process would work for these schools and if it would give preference to neighborhood students.

Some community members wondered if neighborhood students and their parents did not complete the charter paperwork on time, would the neighborhood charter then recruit students from outside the neighborhood who would take a prospective seat of a neighborhood student?

Another concern was the funding for the charter schools. There is a potential that a "for profit" charter company could take over a public CCSD building and the CCSD would be required to make repairs up to a certain dollar amount for the building. Technology, furniture and other types of equipment would all stay at the school. Would CCSD or the charter school be required to replace those items?

The ASD did find an operator to take over schools, California-based Celerity Educational Group. Their pending approval was revoked after the FBI raided their offices amid allegations of financial mismanagement. This ended the ASD's intended conversion of schools in early 2017. To date, the only school the ASD has converted is Democracy Prep at the Agassi Campus, a former charter school. The other schools did not need the ASD to become charter schools. They could have contracted with the SPCSA or found another sponsor. Thus

far, the ASD has only targeted schools in Clark County and not low-performing schools in other counties in Nevada.

Nevada officials pointed to Tennessee's own ASD, launched in 2011, as a model. In 2018, the Tennessee Education Research Alliance found that the turnaround efforts of the public school district yielded greater student achievement results than the state-run ASD. In Tennessee, district-led turnarounds have had significant effects on reading, math and science test scores relative to those lowest-performing schools in their district with no intervention assistance.

Achievement School District schools in Tennessee, however, did not demonstrate academic progress in their first five years compared to their peer schools. It is time to end this experiment. We know we can improve our schools and we see it in the Zoom Program and other programs in the CCSD. The recipe is to invest in our students and staff with structured, research-based interventions and professional development. Let us stop diverting funds from our kids in public schools with experiments such as the ASD. As Nevadans, let us roll up our sleeves together to expand what is working in our public schools that serve the vast majority of our students and future leaders.

SENATOR HANSEN:

There is almost an arrogance to this issue. Nevada is 50th in the Nation and the CCSD is one of the largest school districts in the Nation. I was on the Education Committee in the Assembly five terms ago and we are still discussing the same things which have gotten progressively worse.

My impression is that in order to become a school in the ASD, there must be parental support and approval. Am I correct with that statement? There are no ASD schools in northern Nevada. How many ASD schools are in Clark County?

SENATOR DONDERO LOOP:

It is my understanding there are four ASD schools. As originally written in A.B. No. 448 of the 78th Session, the ASD would convert an underperforming school to an achievement charter school sponsored by the ASD. When neighborhood schools did not want or accept to be part of the ASD, and the ASD could not find a charter sponsor, the charter schools Futuro Academy, Democracy Prep, Nevada Prep and Nevada Rise Academy became part of the ASD system. These four schools are free-standing charter schools and not in a

CCSD public school building. If Nevada public school XYZ was around the corner and was approached by Nevada Rise Academy to be converted and XYZ did not want to participate in the ASD program, Nevada Rise Academy would then look for a school or build one elsewhere. These four established charter schools could have been part of the SPCSA rather than joining the ASD.

SENATOR HANSEN:

Accountability was one of the big factors that initiated the idea of the ASD. The worst schools in all the school districts have been consistently under public administration for years and had consistently failed to meet the needs of the students.

Once the ASD is removed from the process, what accountability measures will be in place to ensure there will be standards to show accountability metrics have been done to improve this issue? Obviously, these are the worst of the worst schools in the entire school district. From what I understand, in some cases, these schools have not been performing well for generations. Where will the accountability be when we abolish the ASD?

SENATOR DONDERO LOOP:

The CCSD actually has a school improvement collaborative piece that has been composed for the NDE. The goal on this document states "to increase student achievement in selected schools to reach 3-Star status in 3 years through supports and services focused on district-driven school improvement aligned with the CCSD Strategic Plan *Focus: 2024*". Superintendent Jesús F. Jara refers to his plan as *FOCUS: 2024*.

MR. KEATING:

When we discuss schools that are failing and not doing as well as they should, the topic of conversation for some time has been that schools have not been adequately funded. We will continue to have this discussion for the next 60 days. The ASD promised to improve failing schools and make those schools better than others had done previously. The ASD would bring in an operator to accomplish this task. No operators have come to our State because of Nevada's per-pupil funding amount.

Turnaround efforts have been successful in the CCSD. Instead of the ASD and NDE suggesting that they partner with the CCSD to provide professional

development, intensive training and Tier I instruction to our schools to make our schools the best of the best, they chose to take over CCSD's failing schools.

In the past, the CCSD has worked with NDE and the ASD and have presented a plan to NDE and the ASD. This plan will provide high-quality, standards-based Tier I instruction for all students. It is a research-based plan, uses balanced assessment systems, implements K-12 literacy plans, provides multi-tiered systems of support for the schools, continues school improvement and provides professional learning for the educators. We have provided this documentation to NDE and stated to them that the CCSD would like to continue as a partner to make certain every school is successful, whether it is a charter or public school. The NDE answer to the CCSD was that NDE wished to move forward with the ASD plan.

The CCSD and NDE have had an issue to come together to itemize what 1-Star and 2-Star schools need and the State has been unable to provide the CCSD with those resources for our schools.

SENATOR HANSEN:

This is a sensitive issue with me. We are letting down primarily minority kids in the worst parts of town. The CCSD had decades of opportunities to make the situation better for the kids in Clark County. Suddenly, after having the ASD in place for two years, there is a bill to abolish the ASD. From e-mails I have received, and most likely from the testimony we will soon hear, these programs are popular in the neighborhoods where they currently are located. If these schools had not had parental support in the neighborhoods where they currently are, these schools would not exist. Am I correct? Does there not need to be a majority vote of the parents prior to drifting in this direction?

SENATOR DONDERO LOOP:

No, there does not have to be a majority vote of the parents. The ASD was designed to ask parents at a public school if they wanted the ASD to come in and convert the school. When the majority of the parents said "no", the charter schools were developed. I would not argue with you that all children need a quality education. I have been in nearly every school in our State with the exception of two or three and I see good things happening in our schools. Are there some schools that are failing? Absolutely. We also have some charter schools that are not doing as well as they could. There are probably some private schools that could improve. In some areas, charter schools were

developed because the parents did not want the ASD to take over their public school.

SENATOR HANSEN:

I would like to hear some testimony from the people in the Carson City and Las Vegas meeting rooms.

CHAIR DENIS:

I remember some of the discussion when A.B. No. 448 of the 78th Session rolled out. The schools in the ASD were not takeover schools. The schools in the ASD were appointed by the NDE. A vote of the parents was not needed because of the NDE appointments. There is not enough funding available in our State for charter schools to be successful.

SENATOR PICKARD:

If the creation of the ASD system has finally gotten the CCSD to figure out a way that will actually work to improve their schools, the ASD was a success. We have gone for generations without improvement in the CCSD.

I understand that the existing ASD schools are established by contract. Is it constitutionally permissible for the Legislature to invalidate those contracts?

RISA LANG (Committee Counsel):

The contract clause of the *Nevada Constitution* states contracts cannot be impaired; however, this is not absolute. The Legislature does have authority to impair some contracts when there is a valid purpose for doing so. In this case, the purpose would be education. There may be an issue how the contracts operate since the contracts were not exactly in line with the statutory requirements for their establishment. It is the Legal Department's opinion this would be constitutional and defensible the way the bill was composed. The bill does give the schools involved a year to convert to the SPCSA or be accepted by another charter sponsor.

SENATOR PICKARD:

Am I right that this would open it up for litigation? I would have to challenge this or certainly open the door to litigation?

Ms. LANG:

If the current achievement charter schools wanted to challenge S.B. 321, they would have to do so in court.

SENATOR HAMMOND:

It is good to have in-depth discussions when it deals with a good quality education for the children who will be leaders in future generations. As Senator Pickard mentioned, if the ASD has done nothing else but open the avenue for improving school districts to reconcile and see what they are not providing to students, then this has been a big success.

I had seen what was happening in Tennessee's ASD program and had my reservations creating the ASD in our State. I may have been one of the last of my colleagues to get on board with the idea. When beginning something new, there will be some waves.

Senator Dondero Loop mentioned there are some private schools and charter schools that are not doing so well. If a parent has a child in one of those schools and feels the education could be better, the parent and student can walk away from that particular school. This cannot be done so easily when you live in a zip-coded school area. This was the reason the original ASD bill finally made sense to me. Perhaps as a school district, we need to be reallocating dollars in the right area and correct our programs for schools. We need to do our due diligence and find evidenced-based programs that are out there.

After reading S.B. 321, there may be a way to do this better and maybe more seamless. Perhaps we can dissolve what is in statute and create something without the potential of litigation. I suspect there is someone out in the audience who has put their mind to litigation and perhaps can give us thoughts on the pros and cons of the ASD. I know we will hear from families, parents and educators who will tell us why they like the schools they are in now. There may be a better plan than abolishing ASD and starting over.

SENATOR DONDERO LOOP:

In my opening comments, I did state these current schools would be required to apply for sponsorship by the SPCSA. The word "require" means "able to apply" for sponsorship by the SPCSA. There would be no reason for these schools to be going away. These schools would be under a different umbrella.

I would remind everyone that parents, teachers and students have the opportunity to make several changes within our school districts. There are many options of schools in the Las Vegas area. There are many magnet schools, technical schools and elementary schools that are near each other. If a student is not receiving his or her desired education in a particular school, he or she may go to another school and ask for a zone variance; or go to another school and apply for a lottery to attend a magnet school of some sort. Those schools are not always in the best areas of town. There are many of those schools in all zip codes.

There are many people in this building far younger than me who have been successfully educated in the CCSD. I have forgotten the exact number, but we have 6 or 8 high schools in the CCSD that have a 100 percent graduation rate. The 100 percent figure is not seen everywhere; however, I see it in those 6 or 8 schools and these schools are now fostering the ability to tell other schools how their schools have reached this percentage.

When there is a certain set of parents and a certain set of kids in any given school, there will be success at different levels. We need to work together to make certain all kids, all students and all parents get what they are asking for.

Giving \$10 million to the ASD to use for charter schools and not using the ASD as it was set out to be in A.B. No. 448 of the 78th Session is a concern to me as a Legislator and a community member.

SENATOR HAMMOND:

Magnet schools allow anybody to attend, but students must meet certain criteria and then it is a lottery system. It is not open enrollment. In charter schools, it is a lottery system.

SENATOR DONDERO LOOP:

That may be true in a high school setting, but in the elementary setting a student goes to his or her home school for kindergarten. Parents can then access a lottery system for their child to possibly attend a magnet school; a science, technology, engineering, mathematics school or a science, technology, engineering, arts and mathematics school. If a student is not chosen as a first grader, second grader and on up to the fifth grade, those students will go to a neighboring school. My own grandchildren are in this position. I can speak very well to this issue.

CHAIR DENIS:

When A.B. No. 448 of the 78th Session was passed, our Legal Counsel pointed out there is a discrepancy about how the current schools were created. I believe these schools have been showing they are doing some good things. Would you be amendable for the current schools in the ASD to join SPCSA and not be required to go through a long process?

SENATOR DONDERO LOOP:

Sarah Adler, representing the SPCSA, at this time is the only one who has contacted me. She sent me some amendments. I wanted to have this hearing first. I will be happy to have some discussion and suggestions to make this a seamless process. I want these students and parents currently in these schools to remain in their chosen schools. This bill is only taking the ASD schools and putting these schools under the SPCSA. I have knowledge of how the process would work and with a new administration at the NDE and a new Superintendent of Public Instruction, this will be a nice transition and can be done easily.

CHAIR DENIS:

I appreciate hearing your words because Futuro Academy is in my district and I have visited there several times. The school is doing great work and I would hate to lose the school.

Each time we discuss education, the topic of Nevada education and how bad it is and that it is worse today than in previous years is brought to our attention. That is not a true statement. Our State education system is not as bad as it once was. Nevada is one of the best improving education systems in the Country. I want to acknowledge there are positive effects happening in Nevada's education system.

I want to make it clear that we have a plan to help kids who are attending schools that are habitually failing. I do not disagree that our per-pupil funding is not where it needs to be. We have put resources to work in the Zoom and Victory schools and have seen that those kids can succeed.

SENATOR DONDERO LOOP:

I could not agree with you more. It does irritate me when I hear people continually beat, beat, beat on all of our teachers who are working so hard. These professionals are doing a good and effective job.

In any large group of people or corporations, there will be people who may not be doing a good job; I do not know. I do not evaluate the teachers. I do know that these teachers are working very hard to make our students more effective and to receive a quality education. I cannot say enough about Nevada's education system and how far it has come.

CHAIR DENIS:

We will now hear support for S.B. 321.

VIKKI COURTNEY (President, Clark County Education Association):

I am the President of the Clark County Education Association and am speaking in support of S.B. 321. I have submitted written testimony ([Exhibit E](#)).

MARY PIERCZYNSKI (Nevada Association of School Superintendents):

The Nevada Association of School Superintendents is in support of S.B. 321. When the ASD was established it was with good intentions; however, the ASD has not worked well. It created a layer of bureaucracy that is not needed and it is time to eliminate this layer. Charter schools will still exist. They will be under the SPCSA or a sponsor the schools would choose.

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

I am representing the Washoe Education Association (WEA) and Nevada State Education Association (NSEA) representing teachers and educators across the State. We support S.B. 321 and I have submitted written testimony ([Exhibit F](#)).

LINDA E. YOUNG (School Board Trustee, Clark County School District):

I am a School Board Trustee for CCSD and am in support of S.B. 321. The legislative platform passed by the CCSD Board of Trustees says we oppose charter operators taking over our public schools. This process has only caused uncertainty, hurt our families and community and has distracted us from our mission in ensuring every student has a quality education. After the 2015 Session and the creation of the ASD, the CCSD hosted 90 community meetings to communicate to parents in the community at large about the process of the

ASD. The ASD did a poor job of informing the community, which caused many chaotic responses.

Parents and educators were not sure how schools would be taken over. There was a lot of ambiguity how students would be selected to attend those schools. Many schools in my District C, including historic West Las Vegas were targeted, which focused on students of color which we saw as discriminatory. We need adequate funding, quality teachers, well-built schools and support for all of our families in District C. No schools in historic West Las Vegas want charter schools.

Teachers in potentially targeted schools were uncertain about their job status and many put in transfer requests and left schools in District C. It was chaotic. Many schools, parents and community members felt they were being targeted. We heard from some members that they were not sure how to speak up for their concerns. They had questions regarding the registration process and if preference would be given to neighborhood schools.

Many of my communities do not want to lose their neighborhood schools and the relationships that have been forged over the years. The residents absolutely want to improve our current schools working together in partnership with the CCSD, many of our partners and with the NDE. We oppose the conversion of our schools to charter operators and stand in support of S.B. 321.

ROXANNE JAMES (Principal, Jerome Mack Middle School):

I am in support of S.B. 321. I have submitted my written testimony ([Exhibit G](#)).

EDGAR PATINO (Latin Chamber of Commerce):

I am a Board Member of the Latin Chamber of Commerce and our organization is in support of S.B. 321. The ASD has not been a good use of taxpayer dollars. The ASD has been unable to find a quality operator willing to come into our State. Currently, there are only four charter schools in the ASD that have always been charter schools and were not converted from public schools. The SPCSA will continue to be in place if S.B. 321 is passed and the SPCSA can open charter schools as neighborhood options, making the ASD's current work redundant. Many of the potential schools the ASD has targeted for conversion are heavily attended by communities of color, especially Latinos.

To truly understand and work with these communities, our organization feels community partnerships are more effective. Our kids deserve to go to schools run by members of the community and not others from out of state who may not know or understand the issues our Latino community faces. Community partnerships have the added benefit of involving local leaders from organizations and businesses who know these kids and the struggles they are going through.

Proponents from the ASD say removing the ASD from State law removes accountability. The Latino Chamber of Commerce is confident in Superintendent Jesús F. Jara's 5-year Strategic Plan, *FOCUS: 2024*. Dr. Jara aims to hold himself and his entire staff accountable as they move toward the goal of having no more 1-Star or 2-Star schools in 5 years. We also are confident the CCSD will try to work with NDE on research-based practices and to reach these goals.

DON GALLIMORE, SR. (Reno-Sparks NAACP):

When the ASD was proposed in the 78th Legislative Session, I was astonished why we would want to segregate or categorize our schools and our children on their capabilities. I hope one day that the monikers or designations are completely removed from our schools. Our schools and school districts should be more uniform and ones that we all can be proud of regardless of who we are. Zip codes should not be a means to derogate us from one another. I support S.B. 321 and hope it will be passed.

SENATOR WASHINGTON:

How many students will be affected by this bill?

SENATOR DONDERO LOOP:

Effective October 1, 2018, Nevada Ready quotes there were 1,500 students enrolled in achievement charter schools in Nevada.

SENATOR WASHINGTON:

Would these students return to their home schools? What would happen?

SENATOR DONDERO LOOP:

The charter schools these students are currently attending could be transitioned to the SPCSA. The ASD would be abolished and the schools currently in the ASD would join the SPCSA where they should be.

DON SOIFER (President, Nevada Action For School Options):

I want to speak for the four charter schools that are in the ASD. Some of the Committee members have spent time in some of these schools. These are terrific schools where equity is practiced with fidelity. The schools serve almost entirely students of color and students who are eligible for the free and reduced lunch program. I appreciate Senator Dondero Loop's willingness to consider potential amendments and looking at the language of the transition.

The transition as it now reads in the bill is fraught with peril in terms of being a smooth transition, especially when the concept of a moratorium is introduced. The danger of abolishing an entity which is partnered to a contract might put these terrific schools in peril.

SENATOR HANSEN:

Are you familiar with the achievement of the schools at all? I have not heard a lot other than positive from the parents whose children attend these schools. Are the schools in the ASD actually failing? What are the results in these four schools since being placed in the ASD?

So far from the testimony, the ASD has been an incredible failure. The communications I have received are positive from parents who have children in the schools. Are there statistics you can give me?

MR. SOIFER:

There are four schools that are currently in place in the ASD. Two other schools have been through the approval process and I am encouraged about the quality of those schools. The one school that has been in existence long enough to have a star rating has a middle school that is the only 4-Star or 5-Star school within 5 miles. Futuro Academy serves students who are too young to be tested and is working its way through the 4-Star to 5-Star system. One turnaround school at the elementary level is still making progress.

I have been around urban schools for most of my career. I have been through the Las Vegas schools that have not been through the 4-Star or 5-Star process. These schools are terrific and have every indication, based on their internal metrics and their measurable student outcome related ways, of being very strong achievement schools.

SENATOR HANSEN:

You are testifying that these schools have been very successful on the academic side of education for the kids in the program?

MR. SOIFER:

Yes.

CHAIR DENIS:

I believe no one is disagreeing on the existing schools and how they are performing. The comments are in regard to what the ASD was created for and that has been a failure.

SENATOR DONDERO LOOP:

I can give some additional information. Previously, Democracy Prep was the former Andre Agassi Charter School. It went through a couple of transitions. Their elementary school rating for 2017-2018 was 2-Star; the middle school is currently a 4-Star and we do not have data on the high school. Futuro Academy shows 60 percent of their students met the math growth target. There is no data on reading. Nevada Rise Academy and Nevada Prep are not open as of yet. We are really talking about two schools.

SENATOR HANSEN:

The direction of the ASD is positive and yet the impression I am getting from your testimony is these two schools have been horrific failures and we need to return to the SPCSA.

SENATOR DONDERO LOOP:

No. Democracy Prep was the Andre Agassi Charter School that had been a charter school in Las Vegas since the mid to late 1990s. After several transitions it became Democracy Prep and is run by that organization. Futuro Academy Public Charter School was built after the ASD was not successful taking over a public school. We are not saying these schools do not have a place. We want to consolidate these few ASD charter schools under the SPCSA where they belong and save the \$10 million that is now under the ASD.

SENATOR HANSEN:

We have a bill that will cap the ability to expand charter schools. Are we going to have an amendment to that bill to accommodate these ASD charter schools to go into that program?

SENATOR DONDERO LOOP:

I cannot speak to that bill nor have I studied the bill. I only know S.B. 321 and currently there are only two schools in the ASD.

SENATOR HANSEN:

I wanted the Committee to be aware there is a bill that will possibly be passed that will lock the further expansion of charter schools. One of the things in S.B. 321 is the current schools in the ASD need to be transitioned from the ASD to the SPCSA. Am I correct?

SENATOR DONDERO LOOP:

Correct.

SENATOR DENIS:

I do not want to spend time about a bill that might be.

SENATOR DONDERO LOOP:

I agree with you. We have not heard that bill nor have we passed that bill.

SENATOR HAMMOND:

Senator Dondero Loop, you testified there are two schools currently open in the ASD and two schools are not open. Am I correct?

SENATOR DONDERO LOOP:

According to a sheet I have from the NDE, it is stated that Nevada Rise Academy and Nevada Prep were not open in 2017-2018; they may be open now.

SENATOR HAMMOND:

I believe these two schools are open and have not been tested yet. We have to consider that we are opening an avenue for schools in the ASD to convert over to charter; however, there is a potential pitfall. We cannot guarantee that those schools, administrations, students and parents can transfer seamlessly over to the SPCSA if the bill passes.

SENATOR DONDERO LOOP:

I am sure this can be worked out. I want to remind you the contracts that were signed were not legal contracts and Ms. Lang can correct me if I am wrong. I

am assuming we would be available to amend whatever bill it may be to include these schools in the SPCSA.

SENATOR HARRIS:

Senator Dondero Loop, why do you think these new charter schools coming in chose to have the ASD as a sponsor as opposed to the existing SPCSA?

SENATOR DONDERO LOOP:

You have asked a good question. If anyone from NDE is here today, they might be able to give some historical information to your question. I can only speculate it may have been the funding the ASD had available. What is important is that \$10 million was designated for the ASD to use to convert underperforming schools. When I reviewed this matter, that is not what happened.

SENATOR PICKARD:

Ms. Lang, I apparently came up with a very different interpretation of your statement than the Senator did. Are you suggesting the contracts entered into by the ASD are void because they did not comply with law? What was the statement you made?

Ms. LANG:

We would probably say they may be voidable because the contracts are in violation of State law.

SENATOR PICKARD:

Would that take litigation to determine?

Ms. LANG:

If someone wanted to argue one way or the other, that is how it would be accomplished.

SENATOR PICKARD:

My point is the contracts are enforced and in place. If the contracts are voidable the schools continue to operate under the terms of the contract until someone challenges it and the court determines it is void.

MS. LANG:

We believe the way this bill was composed, which would void those contracts after a year or when the schools are under a different sponsor, is constitutionally defensible. We think it would be upheld.

CHAIR DENIS:

I see that S.B. 321 would prevent the question whether a contract was legal or not because the bill would void the uncertainty of the current contracts' legality and create contracts that are legal.

SENATOR DONDERO LOOP:

The SPCSA is a rigorous system. I do not make this remark to be scary. I believe the SPCSA is a more refined system for charter schools to be under, if they are going to be under a separate system from public schools.

SENATOR WOODHOUSE:

I want to follow along the line of Senator Harris. Regarding the two schools that we know are operational in the ASD; should this other bill come along which we have not seen at this time; would it be possible we could grandfather those two schools into the SPCSA so they would not have to worry about where they would be?

SENATOR DONDERO LOOP:

I absolutely believe that would be possible. I am not here to remove children from schools. My first and foremost life has always been educating children. As an educator, a mother and a community member, I would not want these children to be out of a school. I have spoken to one person who represents the SPCSA about an amendment or two. There has been no one else to approach me regarding S.B. 321. I am open to discussion and suggestions. That is the reason I keep using the word "transition" because while my remarks indicated the schools would need to apply, I believe "transition" is a better word. We do not want teachers out of jobs, kids out of schools or parents out of a safe place. We want a different authority for these particular schools.

CHAIR DENIS:

Senator Woodhouse mentioned two schools, but I believe we want to take into consideration all four of the schools.

SENATOR DONDERO LOOP:
Yes.

MS. LANG:

I want to mention as we get through this 80th Legislative Session, we have a system of identifying conflicts between bills. Since we are talking about a bill that has not passed yet and if that bill was to be passed before S.B. 321, it would be flagged as a conflict. As a Committee, you would have an opportunity to look at the bill and make a decision at that time.

CHAIR DENIS:

We will continue with opposition testimony in Las Vegas.

DAVID BLODGETT (Principal, Nevada Prep):

I am the Principal of Nevada Prep Charter School, one of the four schools in the ASD. Our school is in the same building as the other new schools and I can confirm both schools are there and have been open since August 2018. I am here speaking about the families Nevada Prep serves and the students who are here today. Something missed from this conversation is that all charter school authorizers are created equal. A transition to us is actually a very big deal. There are hundreds of authorizers around the Country and we have spoken today about accountability.

We also need to talk about customer service. The ASD is mission aligned and holds us accountable. We welcome you to come see our school to see the great things happening in our classrooms and see the outcomes for which we are held accountable. It is hard to argue we are not as accountable as any district school or other charter schools in the State.

On a school morning beginning at 6:15 a.m., eager students are waiting for our school bus to bring them to our school at 6:30 a.m. for a long school day. Parents are sending their children to our school because they want to and are looking for good school options for their children. We are only providing an option so the children can attend our school if that is what they choose to do.

I believe there was no malice intended when it was stated some of these schools are in the worst parts of town. These are valuable parts of town where our students and families live. We are only providing an option for these students to attend our school if that is what they want to do.

As this bill is considered, please remember for us it is not as simple as moving from one authorizer to an equal authorizer. Details are important to us. For the past two years, the ASD has been a valuable State agency to help us deliver a better service to our students and families. Some of these students will have more compelling testimonies than I do.

CHAIR DENIS:

I live in those neighborhoods and know they are not the worst. There are good people in those neighborhoods.

EMILY ALLEN:

I am a parent of two students at Nevada Rise Academy and wanted to share my story about my family's journey with Nevada Rise Academy. Nevada Rise Academy was recruiting founding families for their school and our family took a leap of faith.

My daughter attended another school for kindergarten and did not perform well. When entering first grade at Nevada Rise Academy she was well below expectations of a kindergarten student. At Nevada Rise Academy she has made stellar progress and continues to grow daily.

My son provided quite a challenge for the staff as a kindergarten student. They not only survived his challenging behavior but exceeded my expectations handling his situation.

If I could help my children, I knew that I wanted them to attend charter schools. If my children were not enrolled at Nevada Rise Academy they would be attending an elementary school that neighbors another elementary school.

My area is overcrowded and having the option of the school means the world to me. Deciding on Nevada Rise Academy was the right choice for my family. I am asking that you plan for these four schools to continue and be able to serve their students and families.

MARIA ELA GARCIA (Parent Representative, Board of Directors, Futuro Academy):
I serve as a Parent Representative on the Board of Directors at Futuro Academy. I took this opportunity to join the Board to be the voice for the children and families. I have submitted my written testimony ([Exhibit H](#)).

MARIA ESTRADA:

I have two children attending Nevada Prep. The reason I decided to enroll them there is that I wanted a better education for my kids. At Nevada Prep I saw that. I have seen academic improvement in both of my boys. I can sincerely say that the teachers at that school do care about our children. If Nevada Prep was to close it would be devastating for our family, especially for my children, their education and their future.

ELIZABETH SANCHEZ:

My son, Charlie Peralta, is in the first grade at Futuro Academy and began kindergarten at Futuro. He is my oldest son and I was concerned where to enroll him in school and looked outside of the CCSD. I selected Futuro Academy because the school is aligned with the educational standards I want for my boys. My son Charlie has met those goals and gone above them.

His reading level is so good. He can read to me and I am so proud of that. I am thankful for the teachers who have taught him and there is so much uncertainty if the schools will get funding. I do not want my son to lose his opportunity for a better education.

RONNIKA OLIVER:

I have two children; one child is enrolled at Nevada Rise Academy and one child attends Nevada Prep. Recently, my son transferred to Nevada Rise Academy from a CCSD school. He is a special needs child; however, his progress within the two to three weeks he has been attending Nevada Rise Academy has been phenomenal. He comes home and wants to do his homework and he is encouraged to do his assignments. I was at the school just prior to coming to this meeting and he actually did his whole assignment without needing me. That means a lot to me. I have been in the CCSD since 1992 after coming from California. The CCSD has not gotten better for our children, the teachers or for school safety. It is a great concern who to send our students to school with. Nevada Prep and Nevada Rise Academy is considered family.

Not once have they spoken about money or finances. When we struggled to get our children to school, the families came together to make it happen. This is very important for the students because they are all minorities and are considered family. Nothing is looked at as being different. The schools do everything to help the students be successful. I am proud of these schools.

SAMANTHA LOYA:

I attend Nevada Prep Charter School and the school has helped me to improve academically in math, reading and science. I have shown much improvement since the beginning of the school year. Every Friday we are dismissed from school at 12:30 p.m. The school wants us to have time with our families. It is a reward for us after a long week of working hard.

JOCELYN CAMPBELL (Nevada Prep):

I attend Nevada Prep Charter School and I have a sister who attends Nevada Rise Academy. Previously, I attended a public school and did not learn as much or work as hard as I have done at Nevada Prep. Nevada Prep has given a lot of kids access to learn about English Language Arts (ELA), reading, math and science. The teachers give us hard things so that we can learn more and work harder.

On Fridays, when we are dismissed at 12:30 p.m., the teachers give us an opportunity to go to Leaders and Training which is a program about learning how to be a leader. This gives us an opportunity to learn about colleges and an opportunity to learn what we might want to do when we grow up. We also have a choice to go home after dismissal and spend time with our families. The school and teachers have helped us improve and give us multiple opportunities which help us and give us a reason to be in school.

DAVASHINAY FRANKLIN:

I attend Nevada Prep and have a sibling at Nevada Rise Academy. Basically, Nevada Prep helps students who want to learn. The school gives us hard work on purpose so we can actually learn as we get older. We learn seventh grade math so we are prepared. We are given what is called Life Work because we will have homework as we grow up in life.

ARMANI YELTON:

Nevada Prep gives me a chance to learn and become more advanced. I used to go to a school in the CCSD and I did not learn as much as I have learned now. My behavior from when I attended school in CCSD to the present time has improved and I do not get in trouble as much. Thanks to Nevada Prep we learn more and that helps us. On Fridays we are dismissed at 12:30 p.m. and it gives us a chance to go home and relax. The other four days we stay at school really late to learn.

We have the opportunity to attend Leaders and Learning where we are shown which high schools and colleges we may want to go to. The class helps us plan what we want to do and where we want to be later in our lives

JORDAN ESTRADA:

Nevada Prep helped me a lot, especially with math and ELA. When I attended a CCSD school, I struggled a lot with math. When I started at Nevada Prep the teacher began to give me harder stuff which helped me to learn faster. Now I no longer struggle that much with math and ELA.

Since we work hard at school during the first four days of the school week, we get out of school on Fridays at 12:30 p.m. The students can use this opportunity to see if they want to stay until 4:00 p.m. on Fridays to learn how to be leaders. This class is called Leaders in Training. We go on trips to colleges to see what we can do after we graduate from high school.

BARBARA ADAMS:

My 6-year-old great-granddaughter attends Nevada Rise Academy. She was in a public school and I enrolled her in Nevada Rise Academy because she was above her grade level. She was always telling me that her classroom was boring. I decided to try Nevada Rise Academy and I love this school.

She has advanced even more since she has been attending Nevada Rise Academy. We need Nevada Rise Academy and the school needs us. Please do not shut our school down. Let these students learn so these kids will be somebody.

The public school she came from was a good school and I really liked it. Nevada Rise Academy is really doing something with these kids, not only teaching them to learn. They are teaching the students manners and respect. My grandbaby has a really loud mouth and a bad mouth; she is not like that anymore.

As a 6-year-old, she is learning so much; just think how she will be when she is 16. I may not be here to see that, but I hope she will make it there and can stay in this school. Leave them alone.

GRETCHEN LARSEN (Explore Academy):

I am in opposition to S.B. 321. I serve students and families in Clark County because I believe that all children deserve access to a high-quality education.

Having school options directly affects the quality of education that students can access.

Explore Academy's model is based on choice theory; the premise that students learn best when they have internal motivation through the power of choice. The flagship school in Albuquerque has a proven success record and is among the top ten highest performing schools in New Mexico. It consistently outperforms state and national averages in all tested areas of reading, writing and math on standardized assessments. Our unique model is so innovative that there is nothing else like it in Nevada. We have spoken to hundreds of children, parents and families in North Las Vegas who are thrilled by the prospect of our school coming to their area. These families are surrounded by 1-Star schools and they know that their children deserve better.

Explore Academy is exactly the type of charter that ASD was created to authorize. We are in the process of being authorized and we do not know what this bill means for our charter in Nevada. Removing the ASD and stopping new schools from opening is telling families that their kids do not deserve these options, or that their kids can wait a year or two. Our families, our children have waited far too long already. They deserve options now and the ASD, through its paired school process, is giving kids the schools they deserve. I ask you to keep the ASD to allow new charters to continue to come to Nevada. Give these families in our State the change they have waited generations to see.

BIANTE' GAINOUS (Lead Founder, Las Vegas Collegiate)

I am the lead founder of Las Vegas Collegiate, a proposed kindergarten through Grade 5 charter school with the intent to open in the fall of 2020. All ASD schools serve predominately black and brown children and low-income families. My entire career has been dedicated to serving disadvantaged communities such as the ones served by the ASD.

I began as an educator working to provide scholars with the high-quality education they deserved. As I transition to leadership, I am mirroring those same results which were number two in the district for math growth and in the top ten for literacy.

I have resided in Nevada for a while working to launch Las Vegas Collegiate with the intent to serve disadvantaged families and provide those families with options they currently do not have in their neighborhood. My current work is

mission aligned with the ASD. The ASD goal is to reach families who have been historically disadvantaged and overlooked and to close that gap in education we see as it continues to grow.

The abolishment of the ASD is a step away from improving the educational landscape in the Las Vegas Valley, especially disadvantaged communities. Abolishing the ASD is a strike against those families. As Nevadans, we pride ourselves on equality. It is our moral, ethical and legal obligation to every parent and child to give them the education they deserve and not work against organizations in legislation whose work improves the opportunity of life success via high-quality education.

MARYANN ABDELHAMID (Explore Academy):

I am representing Explore Academy, Las Vegas and am in opposition of S.B. 321. There is no testimony more important than hearing from parents and families and I would like to echo some of what we have heard in our recruitment efforts in the North Las Vegas community. Parents are begging for the opportunity to be exposed to schools where students do have a diverse model that can be explored. The North Las Vegas community is craving better options for their children who are predominately black and brown children being deprived of access to high-quality education.

When we continue to restrict our students of color to only attend 1-Star or 2-Star schools, we are messaging to our families that students of color do not matter and these children are not a priority. Explore Academy's flagship school in New Mexico is ranked number ten in their state. Students in North Las Vegas also deserve access to top ten schools.

Our students matter and when we deter charter schools from launching in communities where students are predominately of color, we are telling the children they do not matter. We owe it to our families to continue moving forward with the ASD and to collaborate to improve educational opportunities in Las Vegas.

JACQUELYN CHERNY:

I am a parent and licensed educator in Las Vegas and I oppose S.B. 321. I have submitted my written testimony ([Exhibit I](#)). Over the last ten years of my career, I have worked with disadvantaged students. Nine of those ten years have been

spent to close the achievement gap with charter schools in California, Tennessee and Nevada.

I have direct experience working as both a teacher and an administrator with the ASD. Twice, I have had the specific opportunity to play a role in improving student outcomes in schools that were not meeting the needs of students in Memphis, Tennessee with Aspire and here in Las Vegas with Democracy Prep. Both of these schools are under the ASD umbrella. I worked at Andre Agassi Academy when it was a CCSD charter school prior to its transition. I have seen public charter schools achieve great academic success with students who previously occupied underperforming schools. These included the schools in Tennessee that have been in the ASD for at least 3 years and where student achievement scores jumped nearly 10 percentage points prior to the ASD being created.

In states across the United States that have strong laws and accountability standards in place, charter schools have had notable success, especially with at-risk students. Charter schools offer additional options for students and families who are often left behind.

I will give two examples of underperforming schools that have increased their ratings. Democracy Prep achieved a 4-Star rating and Mater Academy is the only middle school in the immediate area with a 4-Star rating or above. I am in a leadership program where I am prepared to lead this fight of turnaround in Las Vegas and if S.B. 321 passes, I will not have the opportunity to serve the students I came here to serve.

STEVEN WASHINGTON (Vice Chairman, Board of Directors, Nevada Rise Academy): Our school began serving students and their families last fall. Initial benchmark data indicate that founding students at Nevada Rise Academy are ahead of typical growth rates in reading. Additionally, the school is showing positive results in family engagement with over 90 percent of Nevada Rise Academy parents participating in quarterly community events. Public neighborhood charter schools funded in Nevada's ASD are playing the role of offering families a high-quality option in their neighborhood. These charter schools offer relief to nearby overcrowded schools in the CCSD that have reached over 150 percent capacity.

Schools in the ASD are serving students and families who have historically lacked access to quality schools in their neighborhoods. Families in the ASD schools made an informed choice to enroll their kids based on the children's unique needs and parents are seeing the results they wanted. Senate Bill 321 creates uncertainty for the school I currently serve, Nevada Rise Academy, and eliminates a critical opportunity for children in the lowest performing schools across our State.

This bill as written requires we take precious time away from working directly with our students and families to focus on finding a new sponsor for our charter. Our kids do not have time to waste nor do our teachers and administrators have time to waste. We are asking the Senate Committee on Education to consider students and families when making this decision and ensure our school has the certainty it needs to keep driving toward great outcomes for our students.

ADAM JOHNSON (Executive Director, Democracy Prep):

Two years ago, Andre Agassi College Prep opted into the ASD and invited Democracy Prep, a national charter school operator from New York City, to operate their schools in Las Vegas. During this time, we have begun our journey and now are a tuition-free K-12 public charter option for students living in the heart of historic West Las Vegas and North Las Vegas. My team and I have the privilege of educating nearly 1,000 hard-working, driven and college bound scholars. We are committed to educating those responsible citizen scholars for success in the college of their choice and a life of active citizenship. This is accomplished through the model to work hard, attend college and change the world.

A month ago, I had the opportunity to testify to this Committee when it was Charter School Day and I talked about some of the results that we had achieved through the 2017-2018 school year. I want to talk about what we have been able to achieve through this current school year.

Our elementary school has already seen a 20 percent growth in proficiency with youth in math. In our middle school, we had some 6th graders with Measures of Academic Progress results that had grown 17 percent faster than 6th graders across the Country. At our high school level, we had scholars who have been accepted to top tier universities which includes a number four liberal arts college on a full-ride scholarship. Within a 5-mile radius of our school there are over

17,000 middle school age kids. Today, the only 4-Star school option these kids have is Democracy Prep at the Agassi Campus.

We want to continue to provide not only options for our families, but also for families who want to find other quality options of education in this community. I stand in strong opposition to S.B. 321 which would abolish the ASD, the single mechanism that allows Democracy Prep to open and operate in West Las Vegas. My career in education is to serve students in low-income communities and I want to continue this service for families moving forward.

JEFFREY MCALPINE:

I have been an educator in the Las Vegas Valley since 2004. I am in opposition to S.B. 321. I have taught and supported teachers in many of the CCSD schools on the east side and throughout the past 15 years I have served some incredible people. I have worked with many CCSD principals, assistant principals, union leaders, teachers and support staff. I began my education career as a science teacher in the CCSD. Right away, students knew there was something different about me. My classroom was surprising and unique. Every day I wore a different costume and infused humor, music, media and student interest. It was a normal day when I was jumping on tables and putting on a show. I knew early on that it was the student experience that mattered and I wanted to be certain, regardless of where my students came from, that school is a life changing experience.

Eventually, I grew up in the CCSD system. I became a department chair, team leader, instructional coach and cage busting teacher/leader. I knew I wanted to make the leap to become an official school leader and wanted a different process to accomplish my desire. I applied for and was honored as being chosen as one of the educators in our Nation to enter the Ryan Fellowship, spent the summer in Chicago at the Accelerate Institute and I was placed as a Fellow at Mater Academy Mountain Vista. I have been learning at this middle school which is 0.5 percent from becoming a 5-Star middle school.

I am designing my vision for a transformational school within the ASD. Currently, my school is a vision in my head. It is called Experience Academy. I want to make this vision become a school; a transformational school vision.

Mater Academy and Experience Academy would be different schools and different flavors. This is at the heart of why I believe in charter schools. They

allow someone like me with a passionate vision who happens to be a bit different to lead. School choice means if you believe in my vision for a child, you can choose to go to my school. We need more flavors for our neediest students in Nevada, not less.

The ASD is a means to offer those choices; charter schools give that offer to students and families. Charter schools offer something that is different and that is what I am fighting for today. A vote to abolish the ASD is essentially saying there should only be a few flavors of schools in the Las Vegas Valley. Please allow me and other passionate educators the chance to create transformational schools. Please offer us this chance and this choice.

IGNACIO PRADO (Executive Director, Futuro Academy Charter School):
I have submitted my written testimony in opposition to S. B. 321 ([Exhibit J](#)).

JANA WILCOX LAVIN (Opportunity 180):
I am a mother and live in a zone of a 2-Star downward trending school. I have submitted written testimony in opposition to S.B. 321 ([Exhibit K](#)).

I want to take this opportunity to clarify a few things. First, if you would look at Opportunity 180's current pipeline in terms of charter operators who are interested in serving students through the ASD, we see a number of high-quality operators who have seen the vision and opportunity that has been provided by the four schools now in the ASD and serving our students. I would be happy to provide you with this pipeline information for additional support to demonstrate there are school operators doing amazing work in school transformation who want to be a part of this community.

Second, I want to clarify for the record, it is my understanding the ASD had a very small budget that is based exclusively on a small percentage of its charter sponsorship fee that it receives from its schools. The \$10 million that was referenced was provided to Opportunity 180, my organization, in advance of me joining as the leader and has not been fully exhausted. I believe there is \$2.6 million that is remaining with the State. It is important to clarify the funds were used to recruit and are used to invest in leaders who you heard from today to continue to serve our students of any sponsor; however, given some of the testimony related to customer service and serving a particular population those efforts have focused on the ASD.

SENATOR HAMMOND:

Ms. Wilcox Lavin, thank you for your clarification. I heard the figure of \$10 million several times. In the first biennium when the ASD was approved, in 2015-2016 and 2016-2017, I believe your budget was around \$432,780. That is the amount given the first biennium.

Ms. WILCOX LAVIN:

Are you referring to the ASD itself?

SENATOR HAMMOND:

Yes, for the ASD.

Ms. WILCOX LAVIN:

It is my understanding the ASD was funded through two mechanisms. The first was philanthropy and the second was a small amount of money coming from the school improvement fund. We can look up the exact designation from the NDE. Also, the ASD would be funded through a sponsorship fee just like the SPCSA and any of the district sponsors. That fee is up to two percent, but no more.

SENATOR HAMMOND:

For clarity sake, we saw just the appropriation was \$433,000. How much in philanthropy did you receive? How much extra dollars went into education?

Ms. WILCOX LAVIN:

That is a good question. I would have to go back and look at the Department figures. I am certain I can go through the hearing testimony from the last budget hearing to find the exact numbers. In terms of philanthropy, we raised enough money to cover an additional leader and we had one leader who was fully funded by the Department. Again, the \$10 million was provided as matched funds exclusively to public funds raised in support of investing in leaders, community engagement and charter school recruitment. Those funds were not fully exhausted.

SENATOR HAMMOND:

We have heard a lot about moving these four schools into the SPCSA. What is the difference between the SPCSA and the ASD? Is there a measureable difference? Why would a school prefer the ASD?

MS. WILCOX LAVIN:

They are governed under two different statutes. Charter schools are under *Nevada Revised Statutes* (NRS) 388A; achievement charter schools are under NRS 388B. *Nevada Revised Statutes* (NRS) 388B allows the schools in the ASD to operate as their own local educational agency. Currently, schools under the SPCSA are not their own local educational agency. That does create differences in terms of fiscal operations and general school operations. *Nevada Revised Statutes* 388B has a few other provisions that are provided to Achievement Charter Schools, including the opportunity to preference students in their paired school which is a critical part of the process. This is not provided as a preference under NRS 388A.

SARAH ADLER (Charter School Association of Nevada):

We are in the neutral position at this time and have submitted three issues to Senator Dondero Loop we hope can be resolved as S.B. 321 moves forward.

The first is the contracts issue. The schools that have testified today feel that they have traction and they want to keep moving forward. These are technical issues that we hope will assist the schools and keep the families and schools feeling secure in moving forward. For existing contracts between the ASD and the schools' authorizers we propose to simply re-assign those existing contracts to the SPCSA without requiring the schools to reapply to the SPCSA.

Second, achievement charter schools do have Local Educational Agency (LEA) status that is helpful when applying for grants and other business procedures. If the schools can retain their LEA status, that would keep them moving forward. Last, there are two schools that have submitted applications to the ASD. Explore Academy is one of those and the other school is Urban Prep. We would suggest those two schools receive reciprocal approval from the SPCSA to prevent having to go through a reapplication process. They still have their contracts to be negotiated, but not to be required to reapply. We would be glad to work on those suggestions with the Committee.

MEREDITH SMITH (Director of Policy, Nevada Succeeds):

I speak in the neutral position on S.B. 321 and have submitted written testimony ([Exhibit L](#)).

RYAN HERRICK (General Counsel, State Public Charter School Authority):

I want to talk about the practical aspects and reiterate a few things. The SPCSA is happy to have the four schools join the SPCSA. They would not have to reapply to the SPCSA and could come over with their own contracts. The only change to the statute would be the LEA status because of the funding. The federal and State funding these schools currently receive would require these schools to remain their own LEAs for at least the short term and probably the long term as well. We can make that fix in S.B. 321 or the SPCSA's pending Assembly Bill (A.B.) 78.

ASSEMBLY BILL 78: Revises provisions governing charter schools. (BDR 34-339)

There is the ability of the SPCSA to designate those schools as their own LEAs. It probably should be amended in S.B. 321. We are happy to work with the sponsor and the CCSD to make those changes.

CYRUS HOJJATY:

I have some pros, cons and views about the bill. It is a mixed bag as far as I know. We always hear that this system negatively affects people of color. I am curious why do Iranian-Americans, like myself, do better than normal? I think my thought should be considered. I was hoping there would be more opposition time. I did not know what the rules were. Thank you so much.

SENATOR DONDERO LOOP:

Thank you for your attention in hearing S.B. 321. All children, districts, parents and schools deserve the support needed to succeed and this Legislature has a responsibility to ensure underperforming schools receive the resources to succeed. There are many ways to support and assist our neighborhood schools, but turning those schools over to the ASD is not one of them. Our teachers in the CCSD are strong and effective teachers; those same teachers end up in our charter schools. They do not become different teachers; they are in a different location teaching our children. Our public charter schools are a choice and we also have a choice in the Clark County School District.

CHAIR DENIS:

I will close the hearing on S.B. 321 and open the hearing on S.B. 376.

SENATE BILL 376: Revises provisions relating to the Nevada Institute on Teaching and Educator Preparation. (BDR 34-732)

SENATOR JOYCE WOODHOUSE (Senatorial District No. 5):

I will present Senate Bill 376 which revises provisions relating to the Nevada Institute on Teaching and Educator Preparation (NITEP) and referred to as Nevada's "Top Gun" initiative.

Dr. Matthew Borek, Director of Educator Preparation, Recruitment and Field Placement at the University of Nevada, Las Vegas (UNLV) will provide insight on the work of the Institute.

It is no secret that Nevada suffers from an acute shortage of teachers. This shortage has grown in recent years as enrollment in teacher colleges has declined as much as 40 percent in some reports. As a result, our school districts have been forced to hire an army of substitute teachers and to sometimes compromise on the education and experience desired of those teachers. As more of our State's baby boomers retire, our need for new teachers will only grow, making our teaching corps even younger and less experienced.

Not only is there a need for more teachers, but a need that those teachers are better prepared for the rigors of the classroom when they begin their teaching careers. The growing complexity and diversity of our communities necessitates that teachers possess knowledge and skills that would have seemed totally unnecessary when I entered the profession as a first grade teacher.

Think about this for a moment. This spring, many of our high school seniors will be heading off to careers in industries that did not exist when they entered kindergarten in 2006. Some examples are coding for mobile applications, autonomous vehicles, drones, virtual reality, advanced robotics and so many others.

The same is true for the kids who will enter kindergarten this fall. What new industries will develop before they graduate? Our schools need to be nimble enough to prepare those children for whatever may come 13 years from now. Our schools must also provide a depth of education that is sufficient to the challenge of these unknown opportunities.

On top of this spiraling complexity, our teachers need to deliver rigorous and technical academic content to all students, many of whom enter school unable to speak English. Imagine the challenge of the Clark County School District and other districts in our State, where nearly one in five students speak a foreign language. Not only is Spanish spoken, but literally dozens of different languages.

We also have a large number of students who come from challenging economic circumstances, or whose parents have not been educated beyond high school. These students bring an additional set of challenges. How do we educate these children and prepare them for a life of opportunity? The answer is not easy, but it is a simple one. We need excellent teachers. A teacher who is adequately resourced, appropriately compensated, properly supported and well prepared can achieve wonders. How do we get those teachers?

Nevada already invests millions of dollars in professional development programs to enhance our teachers' knowledge and skills. Such programs can be costly for school districts. The nonprofit New Teacher Project recently reported that school districts spend an average of \$18,000 per teacher on professional development, yet only 30 percent of teachers who participated in such programs reported substantial improvement in their classroom performance.

A more cost-effective approach to recruiting and retaining the best educators is to effectively prepare them right from the beginning. This brings me to S.B. No. 548 of the 79th Session which established the NITEP. This elite Institute was designed to attract and graduate the most promising future educators. These top graduates would then remain in Nevada to teach in our schools.

Senate Bill 376 improves on the previous statutory requirements and provides more direction for NITEP. Section 1, subsection 2 requires NITEP to give priority to Nevada students when recruiting students to participate in the program, identify job placement opportunities for graduates, identify a recruitment target and establish certain mentorship requirements for graduates.

Section 1, subsection 3 authorizes the NITEP to accept gifts, donations, bequests, grants or other sources of funding, property, or services to support the Institute. The program may also support participating students by allocating

money to the student or reimbursing the student for certain costs in obtaining a teaching degree or license.

Our State needs to be proactive. Nevada needs to recruit and attract the best and brightest to the teaching profession and we need to provide these students with education and preparation that is second to none. Nevada's future leaders, innovators and job creators are counting on us. I urge your support on this measure.

MATTHEW BOREK, PH.D (Director of Educator Preparation, Recruitment and Field Placement, College of Education, University of Nevada, Las Vegas):

I am the coordinator for the NITEP. I will provide background on the UNLV College of Education goals and plans as they relate to NITEP.

The College of Education outlined a vision in its proposal to host NITEP that met the core criteria of S.B. No. 548 of the 79th Session. We identified a problematic plan that focused on three key areas:

Identifying the exemplary teaching candidates as Fellows and engaging them in practice and intensive professional training with substantial financial support in advance leadership opportunities.

Engaging in scientifically based research focused on identifying and validating the most effective pedagogical practices for a diverse community.

Disseminating research results for use in the Nevada educational community.

The University of Nevada, Las Vegas, College of Education was awarded the NITEP Program in 2017. In those 15 months, we have built critical infrastructure for the Institute. The College of Education hired a coordinator, welcomed the first cohort of NITEP Fellows, developed and launched a national and local recruitment plan and convened an advisory board comprised of key stakeholders.

We are in the process of formalizing a curriculum for the Fellows and selecting a set of research projects to sponsor that will launch in fall 2019 in welcoming our next cohort of Fellows. An essential component of our NITEP strategy is the establishment of a fellowship program for undergraduate students, which will

provide both financial rewards to Fellows and distinct leadership opportunities that are not typically available to undergraduate education students.

Our goal is to enlist promising scholars into teaching, to prepare them in an environment that demands constant innovation and to ready them for advance leadership opportunities throughout their careers.

The College of Education selected a group of ten students comprised of five juniors and five freshmen as the first cohort of NITEP Fellows. The college launched a Nationwide recruitment plan in August 2019, for the next cohort of NITEP Fellows. This has included in-person recruitment at national college fairs in high schools across the Country, sending NITEP materials to guidance counselors at over 100 large, diverse high schools in 11 different states and increasing our social media presence in new markets.

We also increased our local recruitment activities to reach high-achieving Nevada students and solicit their interest in the NITEP Fellowship Program. Our review of applicants begins on April 1, 2019 for the next cohort of NITEP Fellows, which will be comprised of incoming freshman who will begin their programs in fall 2019.

We signed a memorandum of understanding with Paradise Elementary School in Las Vegas. Our vision is that over time, Paradise Elementary will serve as a key research and practice site for NITEP activities. Our priority is on the continual development and testing of promising next generation approaches and educator preparation. Next year we plan to support a series of research projects in Paradise Elementary and other research-based school sites.

We convened an advisory board for NITEP beginning in November 2018, comprised of faculty from both UNLV and the College of Education, a current NITEP Fellow, representatives from the Nevada Department of Education (NDE), Clark County School District (CCSD) and a local community partner. The Board has been assisting in areas that are central to our plans for the upcoming year and for the coming years.

In the initial phase of NITEP, despite the relatively short time frame, we feel confident that we have built a strong foundation for NITEP moving forward that is consistent with the initial goals of the Institute. In the coming year we plan to expand our work in a number of areas.

First, we will be launching the first set of NITEP sponsored research activities by having input from our partners at the NDE and the CCSD, who hold seats on the advisory board. We have built an initial feedback loop allowing us to be more responsive to local needs as we consider which projects to support. Not only will projects address important topics in educator preparation, they will also establish a new model of university district research partnerships.

Second, we will welcome our next cohort of Fellows, build a network for the Fellows, a mentor network for the Fellows and provide the Fellows with leadership opportunities as they begin or continue their studies and preparation.

Third, we will begin to leverage our school partnerships and explore new ways to engage educators so they may better realize the potential benefits of research conducted through NITEP. This includes expanding our existing engagement method such as the Summit on Nevada Education that we have hosted in recent years, in addition to considering new methods of professional development activities for Nevada educators.

We will continue to engage with other educator preparation partners in the State through our work with groups such as the Nevada Consortium on the Teacher Pipeline.

Finally, we will expand our recruitment efforts both locally and nationally. We will continue to attract highly qualified candidates to teaching and attract prospective teachers from around the Country to Nevada who will remain in Nevada.

To summarize, our goal for the next phase of NITEP includes support and document the launch of NITEP sponsored research activities, engage with a few of the new ways to encourage additional partnerships through NITEP and explore additional ways to connect research to practice in a timely fashion. This will include engagement with schools, engagement with our local community partners and support new cohorts of NITEP Fellows providing them with advanced leadership opportunities. Eventually, NITEP Fellows will represent an elite advanced group of educators and scholars who will expand their influence in Nevada schools and expand the overall system capacity and effectiveness in utilizing the results of high-quality research.

SENATOR WOODHOUSE:

I know you all worry, as I do, about funding for these kinds of programs. The funding for the expansion of this program is in Governor Steve Sisolak's recommended budget at \$2.5 million.

CHAIR DENIS:

I will hear support for S.B. 376.

MS. ANDERSON:

I am representing WEA and the NSEA. We are in support of S.B. 376. Every opportunity we can recruit and get teachers to Nevada, the better. We believe the knowledge and skills new teachers will bring to our districts and State and the goals of NITEP will help the education of children in Nevada.

PAUL J. MORADKHAN (Vice President, Government Affairs, Las Vegas Metro Chamber of Commerce):

The Las Vegas Metro Chamber of Commerce supports S.B. 376. We support efforts for teacher pipeline development in southern Nevada and Statewide.

CHAIR DENIS:

Mr. Keenan Korth who represents the Clark County Education Association had to leave the meeting and has submitted his written testimony in support of S.B. 376 for the record ([Exhibit M](#)). Seeing no opposition or neutral testimony, I will close the hearing on S.B. 376 and open the hearing on S.B. 354.

SENATE BILL 354: Revises provisions relating to the Nevada System of Higher Education. (BDR 34-59)

SENATOR WOODHOUSE:

I am introducing Senate Bill 354 which proposes to revise the membership of the Board of Regents of the University of Nevada. This bill is linked to Assembly Joint Resolution (A.J.R.) 5 of the 79th Session. The A.J.R. 5 has passed both houses of the Legislature this Session and will be placed on the General Election ballot in 2020.

ASSEMBLY JOINT RESOLUTION 5 OF THE 79TH SESSION: Proposes to amend the Nevada Constitution to remove the constitutional provisions governing the election and duties of the Board of Regents of the State University and to authorize the Legislature to provide by statute for the

governance, control and management of the State University and for the reasonable protection of individual academic freedom. (BDR C-60)

If the voters approve the proposed constitutional revisions, the Board of Regents will be removed from the Nevada Constitution. The Legislature will be authorized to provide by statute for the governance, control and management of the State university.

The provisions of S.B. 354 will become effective only if the proposed constitutional change in A.J.R. 5 is approved and ratified by the voters in 2020. I have concerns about the current composition of the Board. If A.J.R. 5 is approved by the voters, the Board of Regents will be on par with every other governing or regulatory board created by the Legislature. Senate Bill 354 proposes to reduce the current number of Regents from 13 to 9 members.

In 1864 when Nevada statehood was established, there were three members on the Board; in 1905, the Legislature increased the membership to 5 where it remained for years; in 1957, the membership increased to 9 members from 5. Over the next 44 years, the Legislature increased and decreased the membership of the Board 4 times. In 2001, the Board membership was set at the present 13 members.

This is not a new exercise of authority by the Legislature. It is time to reduce the size of the Board once more; 13 members is unwieldy. A smaller Board will be more efficient and more responsive to the system and, more importantly, to the voters in our counties. A smaller number of members will go far to reduce the formation of factions that result in turf battles and inertia. This is something Nevada can no longer permit and can no longer afford.

If A.J.R. 5 is approved by the voters, the terms of the Regents serving at that time will expire on January 2, 2023. After the reduction in the size of the membership, initial terms are staggered with some terms expiring at two years and others at four years. When completely effective, about half of the terms will expire every two years. This will ensure continuity.

You have been given a conceptual amendment ([Exhibit N](#)) that I am considering. Together, Senator Kieckhefer and I are going to work on additional changes to the original bill and perhaps changes to this conceptual amendment that is before you.

I have met with a number of interested Nevadans about revisions to the composition of the Board of Regents. I have heard their concerns and being able to vote to elect the Regents is important to many of them. For that reason, I am considering the following revisions to S.B. 354.

Personally, I strongly support the concept of a hybrid Board with five members elected and four members appointed by the Governor. Therefore, I suggest in this amendment that the hybrid model as specified in section 1 of S.B. 354 be removed retaining the election of Regents and section 4 be redrafted to provide all members be elected.

My intent in S.B. 354 is to retain the reduction in the number of the members of the Board of Regents from 13 to 9 members and to retain staggered terms of 4 years for the members of the Board of Regents.

One of the most important factors in the success of a system of higher education is governance. We in the Legislature and concerned Nevadans worry about the current governance of the Nevada System of Higher Education (NSHE). If A.J.R. 5 is ratified by the voters in 2020, we must be prepared to revitalize the Board membership. Senate Bill 354 offers a way forward.

If there are any of you who would like to assist in working out the details of this measure, I welcome you.

SENATOR PICKARD:

I was a strong supporter of A.J.R. 5. I love the idea of a hybrid Board where there would be subject matter experts. The appointment system does not guarantee, as the bill is written, a subject matter expert. I like experts being involved in the Board as well as elected members.

As you have heard from your constituents, and I have from mine, the people in Nevada want to elect their leaders and I understand the tension. As we travel down this road of A.J.R. 5, there may be a lot of input given as we approach that time. Is S.B. 354 intended to be a placeholder for how we begin or is this part of a bigger plan that we are not all aware of at this time?

SENATOR WOODHOUSE:

One of the reasons I so strongly support a hybrid Board with members appointed by the Governor is on page 2, section 1, subsection 2, paragraph (c) which states:

Four members appointed by the Governor. The Governor shall ensure that the members appointed pursuant to this paragraph possess knowledge and experience in higher education or business and represent the diversity of this State,

About the only way I can think of to develop that kind of Board is to have some of the members appointed. I do not think any of you were here a number of years ago, possibly 2010, I served on the study committee when we came up with the new plan for the State Board of Education. We changed that Board from an all elected Board to a hybrid Board with part of the members elected and part appointed. I think that example has worked very well. That was the model I was looking at as I composed this part of the bill.

We had posted S.B. 354 for hearing today based on some concerns that came forward because of A.J.R. 5 and how it would be viewed when it was presented to the voters in November 2020. There were concerns that there may be some disconnect. That was one of the reasons why I drafted the conceptual amendment. After speaking to Senator Kieckhefer today, there may be a better way than my original bill. I am more than happy to work on this and have no pride of authorship other than I feel strongly that we need to do our work to make sure that NSHE, and especially the Board of Regents, is doing the job that we need them to do for our students and our communities.

SENATOR PICKARD:

Thank you. I was looking at section 1, subsection 2, paragraph (c). Education or business is a broad group. I am not going to argue that is wrong. I want to make sure I understood. I am happy to volunteer to help with this bill.

WARREN HARDY (Council for a Better Nevada):

I am representing the Council for a Better Nevada. We are in complete agreement with S.B. 354 and the thought process and concepts behind it. As Legislators, you know we need to find a way in higher education policy to create a balance between the Board of Regents, who have a specific responsibility, but also for you as Legislators and the Governor.

I know that as Legislators, you receive phone calls and concerns relating to higher education that are not all going to the Board of Regents. They are coming to you as Legislators and there is a level of expectation from the public that as Legislators you have control over the process.

Senator Pickard brings up an excellent point. When I spent time in the Legislature, I was always concerned about when we take the right to vote away from the public. In a representative democracy, in most cases that is not a good idea and is an area where we must tread very carefully. There are very few specific examples where we need to ensure the kind of expertise necessary to effectively fulfill an obligation to the citizens of Nevada. It is my opinion, the Board of Regents is clearly one of those exceptions and examples.

The Council for a Better Nevada is a volunteer board I serve on that is comprised of community leaders who have an interest in making Nevada a better place in all aspects of life. On behalf of this organization, we offer our full support on S.B. 354.

MR. MORADKHAN:

The Las Vegas Metro Chamber of Commerce is in support of S.B. 354. Higher education governance reform has been a long-standing priority of the Chamber. We believe the proposed size reduction from 13 to 9 will allow for greater efficiencies, good governance and stronger management of the NSHE system.

We do recognize the recent efforts that have been taken by NSHE to better address some of the management operations and concerns within the system. We are in support of this bill. As you know, the business community is the largest customer of graduates from NSHE. This is why we believe governance is important, not only in the business community, but for our students and our community stakeholders.

CAROL DEL CARLO :

I am on the Board of Regents and am speaking for myself today. I am not speaking for the Board of Regents of NSHE.

I was elected in 2016 and took office in 2017. I filled someone's term and then ran last year unopposed. The Board of Regents represents a lot of citizens. There are 3,115,000 people residing in our State. An Assemblyman or Assemblywoman represents 74,181 Nevadans and a Senator represents 148,362 people in our State.

There are 13 members on the Board today and a current Regent represents 239,662 constituents. If you approve S.B. 354, you will add 106,517 to the remaining 9 Regents. Each of the 9 members on the Board would then represent 346,179, which is a large number to represent. I represent District 9 which is comprised of 8 rural counties plus a piece of Washoe County. My district covers Battle Mountain to Goldfield which is a huge area to cover.

Four Regents are in northern Nevada and nine are in Clark County. By reducing the number of Regents you are reducing Washoe County and the rural counties of Nevada. As we all know, Clark County has the greatest amount of our State population.

We are not a full-time Board. We meet quarterly for two-day meetings and then have special meetings which I call supplemental meetings because we have so many. We do all governance and a budget. The budget is close to \$1 million with over 8 institutions. The composition of our Board now comprises seven people who work full-time, five are retirees and one is seeking employment. In addition to meetings, you may not be aware of the Board's eight committees. These eight committees are: Academic, Research and Student Affairs; Audit, Compliance and Title IX; Business, Finance and Facilities; Community Colleges; Cultural Diversity; Health Sciences System; Investment and Security.

I am concerned because I was elected to a 6-year term and it was the will of the voters who elected me. Reducing my term by 2 years is not listening to voters.

JANINE HANSEN (Nevada Families for Freedom):

Two years ago, I met with Assemblyman Elliot T. Anderson, Assembly District No. 15, about A.J.R. 5. Our organization was upset because in the original version, it removed the right of the people to be able to vote for the Board of Regents. Because of our concerns and the overwhelming concerns of those who contacted him, he removed this issue from the bill.

When I saw S.B. 354 I felt our trust had been betrayed. Had I known this was going to happen, we would have opposed A.J.R. 5 as it slipped through the Legislature. As it was, we were satisfied with the concerns about governance as long as the people could still vote.

We feel like lowering the number of people on the Board of Regents will lessen the representation as Ms. Del Carlo has mentioned. We do not trust the education establishment to make those appointments. Our citizen Legislature, which represents ordinary people in many different and diverse walks of life, is a better way for governance. Instead of one particular point of view, there are many points of view represented. We are opposed to appointing members of the Board of Regents in this bill. We hope this Committee will honor the will of the people and honor the statements of those who originally supported and changed A.J.R. 5 because of their concerns. Senate Bill 354 will deny us the right to vote.

Voters do not always make the best decisions, but in the long run the system has served us well in the United States and Nevada. We can trust the voters to make the right decisions. All of you should be witnesses of that.

DOUGLAS UNGER (Chair, Council of Faculty Senate Chairs, Nevada System of Higher Education):

I am representing nearly 7,000 faculty of Nevada universities, colleges and institutes. I am speaking today to S.B. 354 to express preliminary neutrality. We have not had sufficient time to discuss the implications in its support of the A.J.R. 5 amendment to the Nevada Constitution should it be ratified by a vote of citizens. Still, as this distinguished Committee and Legislature contemplate further changes to higher education in Nevada, our faculty Senates wish to express our desire to be included in the shaping of policy.

The University of Nevada, Reno and UNLV have joined the rank of 130 institutions nationwide classified by Carnegie as a "very high research

activity" R1, the gold standard for university research metrics. Faculty in our R1 universities are among the top innovators in the education policy field. Some of them provided a brief with supporting information in the shaping of the A.J.R. 5 amendment proposal.

Our faculty wished me to inform the Legislature of their fervent desire and willingness to continue to participate in this policymaking process. We are forming a working group to do this, which is consistent with the basic principles of faculty governance which we are sure will contribute to the well-being of the system of our State and to the ultimate benefit of students. Please consider our faculty, especially those who are recognized authorities in this education-policy field, to be active, willing resources to the Legislature, to the Governor and in shaping the changes to our higher education system for putting innovative, carefully considered data-tested plans in place well ahead of time before the 2020 election. Please consult with us and rely on us before changing the system.

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

I am representing the Nevada Faculty Alliance (NFA), the independent, Statewide association of faculty at all eight NSHE institutions. We work to empower our faculty to be fully engaged in our mission for student success.

The NFA is neutral on the number, length of terms and method of selections of Regents, as there are pros and cons, our members have varying opinions and the amendment is a work in progress. There is no single right answer.

We note that reducing the number of districts could effectively eliminate districts that now primarily have a single college as their constituency. That is a concern for our rural colleges.

If S.B. 354 is passed and A.J.R. 5 is enacted by the voters, it appears that larger changes in the structure of higher education in Nevada are being contemplated whether or not Assembly Bill A.B. 350 is passed.

ASSEMBLY BILL 350: Revises provisions relating to higher education.(BDR 34-1054)

We join the faculty Senates and respectfully request that faculty representatives at every level be actively involved in those discussions and decisions. This is an

essential part of shared governance in our academic institutions. A top-down approach would not only violate the principles of shared governance but is also likely to yield counterproductive results.

The NFA is ready to be part of a collaborative discussion on improving outcomes in public higher education in Nevada. As November 2020 approaches, we recommend that an appropriate forums for that purpose be established.

SENATOR WOODHOUSE:

Again, to put on the record, I realize there is much work yet to be done on this measure. Thank you for hearing the bill today and I pledge to continue to resolve the issues that have been identified. We want to ensure that NSHE is the best it can be.

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CHAIR DENIS:

The hearing is closed on S.B. 354 and I will ask for public comment. Seeing none and having no further business, the meeting is adjourned at 3:34 p.m.

RESPECTFULLY SUBMITTED:

Shelley Kyle,
Committee Secretary

APPROVED BY:

Senator Moises Denis, Chair

DATE: _____

EXHIBIT SUMMARY				
Bill	Exhibit / # of pages		Witness / Entity	Description
	A	2		Agenda
	B	8		Attendance Roster
S.B. 82	C	2	Jen Sturm	Work Session Document
S.B. 146	D	1	Jen Sturm	Work Session Document
S.B. 321	E	1	Vikki Courtney / Clark County Education Association	Written Testimony
S.B. 321	F	1	Natha Anderson / Nevada State Education Association	Written Testimony
S.B. 321	G	1	Roxanne James / Jerome Mack Middle School	Written Testimony
S. B. 321	H	1	Maria Ela Garcia / Futuro Academy	Written Testimony
S.B. 321	I	2	Jacquelyn Cherny	Written Testimony
S.B. 321	J	1	Ignacio Prado/ Futuro Academy Charter School	Written Testimony
S.B. 321	K	2	Jana Wilcox Lavin / Opportunity 180	Written Testimony
S.B. 321	L	1	Meredith Smith / Nevada Succeeds	Written Testimony
S.B. 376	M	1	Keenan Korth / Clark County Education Association	Written Testimony
S.B. 354	N	1	Senator Joyce Woodhouse	Proposed Conceptual Amendment for S.B. 354