

**MINUTES OF THE
SENATE COMMITTEE ON EDUCATION**

**Eighty-first Session
May 5, 2021**

The Senate Committee on Education was called to order by Chair Moises Denis at 1:07 p.m. on Wednesday, May 5, 2021, Online and in Room 2134 of the Legislative Building, Carson City, Nevada. [Exhibit A](#) is the Agenda. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Senator Moises Denis, Chair
Senator Marilyn Dondero Loop, Vice Chair
Senator Roberta Lange
Senator Fabian Donate
Senator Joseph P. Hardy
Senator Scott Hammond
Senator Carrie A. Buck

GUEST LEGISLATORS PRESENT:

Assemblywoman Brittney Miller, Assembly District No. 5
Assemblywoman Selena Torres, Assembly District No. 3

STAFF MEMBERS PRESENT:

Jen Sturm, Policy Analyst
Asher Killian, Counsel
Bruno Landivar, Intern, Nevada Hispanic Legislative Caucus
Ian Gahner, Committee Secretary

OTHERS PRESENT:

Ignacio Ruiz, Assistant Superintendent, ELL Division, Clark County School District
Jonathan Moore, Ed.D., Deputy Superintendent of Student Achievement, Department of Education
Anthony Ruiz, Nevada State College
Chris Daly, Nevada State Education Association

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Benjamin Challinor, Faith in Action Nevada
Gil Lopez, Charter School Association of Nevada
Marie Neisess, President, Clark County Education Association
Amy Koo, One APIA Nevada
Mary Janet Ramos, Culinary Workers Union Local 226
Erika Castro, Organizing Director, Progressive Leadership Alliance of Nevada
Maria-Teresa Liebermann-Parraga, Battle Born Progress
Cecia Alvarado, Director, Mi Familia Vota
Lynn Chapman, State Vice President, Nevada Families for Freedom
Cyrus Hojjaty
Lindsay Anderson, Washoe County School District
Erika Valdriz, Vegas Chamber
Brittany Hill, Carson Montessori Student Legislative Team
Chaarvi Basanth, Carson Montessori Student Legislative Team
Hank Brown, Carson Montessori Student Legislative Team
Mary Pierczynski, Nevada Association of School Superintendents
Brittany Sheehan
Wiz Rouzard
Elissa Wahl, Nevada Homeschool Network
Erin Phillips, President, Power2Parent
Katie Matteson
Kate Marshall, Lieutenant Governor, State of Nevada
Mike Dyer, Nevada Catholic Conference
Michael Flores, University of Nevada, Reno
Renee Cantu, Executive Director, Jobs for Nevada's Graduates
Eric Jeng, Asian Community Development Council
Leonardo Benavides, Clark County School District
Tya Mathis Coleman, Deputy Director, College Savings Division, Office of the
State Treasurer
Alex Bybee, Communities in Schools of Nevada
Mariana Kihuen, College of Southern Nevada
Sabra Newby, University of Nevada, Las Vegas
Annette Dawson Owens, School Readiness Policy Director, Children's Advocacy
Alliance
Kanani Espinoza, Nevada System of Higher Education
Brenda Pearson, Ph.D., Clark County Education Association
Alexander Marks, Nevada State Education Association
Brad Keating, Clark County School District

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CHAIR DENIS:

I will open the work session on Senate Concurrent Resolution (S.C.R.) 9.

SENATE CONCURRENT RESOLUTION 9: Expresses support for the Nevada System of Higher Education to work collaboratively in its science and research efforts addressing the needs of the Lake Tahoe Basin. (BDR R-364)

JEN STURM (Policy Analyst):

The work session document ([Exhibit B](#)) has been submitted for S.C.R. 9. This resolution was presented to the Committee on April 21 by Assemblywoman Sarah Peters.

SENATOR HARDY MOVED TO ADOPT S.C.R. 9.

SENATOR LANGE SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

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CHAIR DENIS:

I will close the work session on S.C.R. 9 and open the hearing on Assembly Bill (A.B.) 195.

ASSEMBLY BILL 195 (1st Reprint): Revises provisions relating to pupils who are English learners. (BDR 34-174)

ASSEMBLYWOMAN SELENA TORRES (Assembly District No. 3):

Assembly Bill 195 creates the English Language Learner bill of rights. Throughout today's presentation I will be referring to the legislation as modified by the conceptual amendment ([Exhibit C](#)). I will be using acronyms that apply to this bill. The first acronym is ELL, which is an acronym that refers to English Language Learners (ELL). These students are students who are learning English and speak many languages—Spanish, Tagalog, Chinese, French and so on.

English Language Learner students can thrive when they are given the appropriate support. Assembly Bill 195 is intended to help instructional leaders and policy makers make informed policy decisions while simultaneously

implementing the mechanisms to inform ELL students and their parents and guardians about their rights. Due to concerns raised, I want to be clear A.B. 195 does not give ELL students additional rights. This legislation enumerates the rights that ELL students and their families presently have.

English Language Learner students make up 14.1 percent of the student population and consistently lag behind in proficiency tests. Nonetheless, there is little data about their performance. This data is necessary for instructional leaders and policy makers alike to implement modifications to the curriculum.

Section 2, subsections 1 and 2 require the board of trustees determine the number of students who are immigrants, refugees, Long-term English Learners (LTEL) and ELL. Additionally, this bill requires that the district aggregate the data of ELL students who are in a career tech program, magnet school, advanced placement courses, international baccalaureate courses, dual-credit courses and extracurricular programs to the extent possible. In some of our extracurricular programs, that data may not be tracked. The amendment to this section clarifies that data for ELL students will be captured by this bill.

Section 2, subsection 3 requires the Board of Trustees of each school district determine the number of teachers employed who have an endorsement in bilingual education and teaching English as a second language, and this information is to be disaggregated by grade level. This will help school and instructional leaders make decisions regarding the educators they have, and it will help policymakers see where we have large gaps in service to our ELL students. Additionally, section 2, subsection 3 requires local education agencies to report on the number of teachers per school who are trained in the local education agencies' adopted language development programs. Many of our districts have stepped up to the calling to ensure we have language development programs provided to our schools. Clark County has been a role model in this way, ensuring that all educators have some type of language development training and professional development. This will help us capture how many teachers have completed that training.

Section 2, subsection 4 requires this data to be submitted to the Department of Education (NDE). Section 2, subsection 5 requires this information is disseminated to the Legislature. Section 2, subsection 6 defines LTEL as a learner who has been in the U.S. for six consecutive years.

Section 3 enumerates the rights of an ELL and the rights of a parent or guardian of an ELL student. While these rights are presently available to students, the education community knows that often students and their families do not know or understand their rights. These rights include the right to a free public education, regardless of immigration status or native language, equal access to programming and the right to be evaluated annually. Additionally, parents and guardians have the right to register their students without disclosing his or her immigration status, have an interpreter for significant interactions to the extent practicable and information about the progress of the pupil.

Section 3, subsection 3 as amended requires that schools provide ELL students with a copy of these rights upon annual registration. The Department of Education shall provide translations of the rights described in as many languages as possible but at least the top five languages spoken in Nevada.

The Committee will note the amendment clarifies that schools are not required to meet annually with parents for the sole purpose of discussing student language achievement but clarifies that schools shall meet with parents at the request of the parents. The rights enumerated in A.B. 195 will empower students and families to be involved in their school community and empower families in our community. When parents and guardians play an active role in their child's education, students achieve.

Section 4 requires the board of trustees report annually on the use of Title III funds to allow for policy makers to understand how the money designated for Nevada ELLs are being spent. This report will also be posted on the internet to ensure that Nevadans can understand the use of those funds. Section 5 authorizes the NDE to adopt the regulations they need.

Section 6 requires that schools identify the primary language of a pupil upon registration annually to ensure students are properly identified as ELL students. Presently, students are identified as ELL students when they complete the home language survey. Many families do not initially admit to speaking a different language for fear of this making their child have a less equitable education. Families fear this may cause the information to be flagged to immigration authorities or worry their child may be put in a remedial program. As families grow more comfortable with their child's school they are more likely to reveal this information. Section 6, subsection 2, paragraph (g) provides that a pupil

who is an ELL student remain placed in the ELL program until he or she reaches language proficiency as determined by the State's assessment.

SENATOR DONDERO LOOP:

Section 2, subsection 6 gives the definition of LTEL as an English learner who has lived in the U.S. for at least six consecutive years. What if I am in the U.S. for a couple years, my family and I go back to my homeland for some time and then I come back to the U.S.? In a case such as this, the years would not be consecutive, but I would still need the help. What happens in a case like this?

ASSEMBLYWOMAN TORRES:

Right now, a LTEL student can be a student who was registered in kindergarten, left the Country for five years and then came back. Technically, that student is tracked as a LTEL. Assembly Bill 195 is clarifying that definition. Those students are not LTEL, they are newcomers. We need to make sure we are providing them with support. Schools are evaluated by how many LTEL's they have and how many newcomers they have. The goal of the ELL program is to exit kids so they are proficient in the English language. Essentially, A.B. 195 says in that circumstance if a student were to leave for an extended period of time, that student should not be defined as a LTEL.

IGNACIO RUIZ (Assistant Superintendent, ELL Division, Clark County School District):

We do take into consideration the time those students were here before, but when they return, if they are identified as ELL, they would be eligible for any services or resources.

ASHER KILLIAN (Counsel):

The definition of Long-term English Learner in section 2, subsection 6 relates back to the language in section 2, subsection 1 paragraph (c). It is not a limitation on the pupils to which these rights attach. It is for the reporting requirement, which requires pupils to be differentiated based on whether they are newcomers to the English language, short-term English learners or LTELs. All ELLs are still accounted for; that definition disaggregates English learners into three different groups. The dividing line for a student to fall into the LTEL category is the six consecutive years of having been in the U.S.

SENATOR DONDERO LOOP:

I was caught up on the consecutive definition and wanted to ensure if students left and came back they were still supported. When I got my ELL endorsement it was not an option to acquire. We had to do it. Is that endorsement an option now? What percentage of teachers do we have with this endorsement?

ASSEMBLYWOMAN TORRES:

Right now, the ELL endorsement is not a requirement, but it would be beneficial. As we continue to serve our ELL community, it is essential we have enough teachers to serve that population. I cannot speak to the percentage element.

MR. RUIZ:

We do not have that information from a Statewide perspective. We could get that information for Clark County.

JONATHAN MOORE, Ed.D. (Deputy Superintendent of Student Achievement, Department of Education):

The Department of Education will look into that question and provide the number for the Committee.

SENATOR BUCK:

I appreciate A.B. 195. When I was an ELL specialist in my district, it was difficult to determine the differences between immigrant, refugee, newcomer and so on. How do you intend to accomplish this process?

ASSEMBLYWOMAN TORRES:

This information is available and would come at no cost. It is just a matter of getting that data aggregated. Right now, it is based on a school level.

MR. RUIZ:

Yes, the data is available. It just needs to be compiled.

SENATOR BUCK:

How does A.B. 195 show progress through the language proficiency process?

ASSEMBLYWOMAN TORRES:

Language progress is better identified per individual pupil. What is important for us to understand as policy makers is whether or not the systems we have are

equitable and reflect ELL students. We need to capture if we are exiting students. Having the ability to look at these data will help us make decisions.

SENATOR HAMMOND:

In section 2, A.B. 195 talks about collecting data after students leave high school. Is there a mechanism in place to do that, or is A.B. 195 creating it?

ASSEMBLYWOMAN TORRES:

That data is available when the students disclose to their counselors how much money in scholarships they received. Those are the numbers we will be looking at. Not all information is gathered in this regard, but many schools already ask this kind of question. Assembly Bill 195 would allow us to find out what is being reported by students graduating.

SENATOR HAMMOND:

Once a student leaves high school will the data no longer be collected?

ASSEMBLYWOMAN TORRES:

I do not believe so. The intent is to ask for the amount of scholarship money that is raised at the time the student is in high school and is reported.

ANTHONY RUIZ (Nevada State College):

We support A.B. 195, which aims to better meet the needs of ELLs in this State. We remain committed to expanding the teacher pipeline with qualified, bi-lingual educators and look forward to working with the school board on the tracking data and transparency measures. Assembly Bill 195 is greatly needed in our State to ensure equitable practices.

CHRIS DALY (Nevada State Education Association):

I present supporting testimony ([Exhibit D](#)) for A.B. 195.

BRUNO LANDIVAR (Intern, Nevada Hispanic Legislative Caucus):

We support A.B. 195 to ensure policymakers have the data they need to make decisions about ELL education. Furthermore, it is critical that parents and teachers understand their students' needs.

BENJAMIN CHALLINOR (Faith in Action Nevada):

We support A.B. 195. As a personal story, my family was a mixed-status household until I was in the fourth grade. Even though I had a White father and

English was spoken at the home, I was put into the ELL programs for the first couple years of my education. I became good friends with many of those who were in the program and others who were undocumented. This was before the time of Zoom Schools. If A.B. 195 and Zoom Schools were in place at that time, then I and other of my fellow students would be in a better spot. Assembly Bill 195 looks to build on the amazing work that Zoom Schools have done since 2013.

GIL LOPEZ (Charter School Association of Nevada):

We support A.B. 195. Anything we can do to help families understand the rights they have is a benefit for the community.

MARIE NEISESS (President, Clark County Education Association):

I present supporting testimony ([Exhibit E](#)) for A.B. 195.

AMY KOO (One APIA Nevada):

There are 300,000 limited-English-proficient Nevadans who lack resources to help translate documents or critical information. Approximately 17 percent of Nevada's K-12 students are designated as ELL. Asian American Pacific Islanders are the fastest growing population in the State, growing 150 percent in the last 10 years, and more than 12,000 Asian households are limited English-proficient.

As a young student, I was part of an Asian household with limited English proficiency and I remember how little school support I received. I was reading above my grade level, but I did not receive any additional help when it came to passing out of the ELL program or transitioning to other classes. My parents were unfamiliar with the ELL program, and they did not know what rights they had to discuss the quality of my education with my teachers and administrators.

Assembly Bill 195 ensures that students are provided a quality public education, regardless of their parent's native language, are provided written notices in both English and the primary language of their parent's or legal guardians. This allows students from limited English or mixed-fluency households like mine to focus on being students.

MARY JANET RAMOS (Culinary Workers Union Local 226):

We support A.B. 195, because it is an important step towards improving outcomes for ELLs and protecting the rights of students and parents. As the largest organization of immigrants, Blacks, API and Latinx workers, the Culinary

Union represents 600,000 working families in Nevada. Culinary Union members come from 178 different countries and speak more than 40 different languages. Assembly Bill 195 would ensure our schools are meeting the needs of all students. As the largest organization of parents in Nevada, the Culinary Union believes that having a robust ELL program is critical to the future of our State and a necessary component of a just education system.

ERIKA CASTRO (Organizing Director, Progressive Leadership Alliance of Nevada):
I present supporting testimony ([Exhibit F](#)) for A.B. 195.

MARIA-TERESA LIEBERMANN-PARRAGA (Battle Born Progress):
I am someone who came to this Country with English as my second language and had family who did not speak English fluently. I am thankful that before we came to Nevada we had a school district and teachers in another state which had what A.B. 195 is trying to implement. As a result of this support, when I did come to Nevada, I did well. Unfortunately, I had many classmates and friends who would have been helped if they had the same rights and equity in their education I had. There are many students who will benefit from A.B. 195.

CECIA ALVARADO (Director, Mi Familia Vota):
I want to say ditto to all the testimony and support. I would add A.B. 195 will support our students and parents. This bill does not create new rights; A.B. 195 just addresses the rights our families and children have. We support A.B. 195.

LYNN CHAPMAN (State Vice President, Nevada Families for Freedom):
We oppose A.B. 195. Federal law mandates that all states educate all children. The issues in this bill are already covered in federal law our State is following. There is an unfunded mandate in A.B. 195. The Education Commission of the States did a State profile on Nevada in 2014, and in fiscal year 2014-2015, the State of Nevada allocated \$24.9 million for ELL services.

How much money is needed for the unfunded mandate this time? How much more money is being spent in Nevada for the ELL services that were spent in 2014? How much money is being spent per ELL student over and above the per pupil spending for our American children? Our concern is the families of this State that are already financially hurting. One of my friends who is retired said to me, "if property taxes go up any more, I am going to lose my house." She is not the only one in this predicament. My usual question I ask every Session is "how much is enough?" I guess my answer is there will never be enough.

CYRUS HOJJATY:

I am totally in favor of people learning English. We have to learn the language that everybody has to know. What Assemblywoman Torres does not tell you is why we have a high disproportionate number of the population in our State that do not know English, and what are the benefits of having a population like that in our State. According to the Pew Research Center, one of the reasons we have such a high population is we have the highest rate of unlawful immigrants in our State. That is a concern. My concern is that A.B. 195 will incentivize more of this kind of behavior. The current border crisis is certainly not helping.

If you look at me by contrast, I am bilingual. I was born to a mother who came to the U.S. two years before I was born. Despite all that, I did not take any ELL courses. The language I know in addition to English is called Persian. Persian is vastly different than many other languages that students may already know as they struggle to learn English.

I also think it is a red flag because when I ask these questions many politicians ignore me and assume what they are doing is okay. I do not accept that. We have the right to know why we have these kinds of populations in our State. We already have federal law which mandates everybody has to be educated in public schools regardless of their situation. I do not understand why we need additional funding. More importantly, how will A.B. 195 benefit the average Nevadan? Unless these questions are answered, I do not support of A.B. 195.

LINDSAY ANDERSON (Washoe County School District):
We are neutral on A.B. 195.

ASSEMBLYWOMAN TORRES:

The opposition is urging the exact things I am intending to get with this legislation. The opposition stated we want to ensure we have more individuals in this Nation speaking English. By ensuring we have strong ELL programs, we give that opportunity to hard-working Nevada students. I am excited to do that with A.B. 195.

SENATOR HAMMOND:

I want to address a portion of what we heard in opposition testimony to A.B. 195. As a teacher in Nevada, when a student comes to you, your obligation is to teach that student no matter what. No matter what language they speak, or background, you still have to teach them. Is that true?

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ASSEMBLYWOMAN TORRES:
That is correct.

SENATOR HAMMOND:
Okay, in most of the testing that we do, is that done in English?

ASSEMBLYWOMAN TORRES:
Yes.

SENATOR HAMMOND:
Our test scores would go up if the students understood the question that is asked of them on the test. Is that true?

ASSEMBLYWOMAN TORRES:
Yes, that is 100 percent correct.

SENATOR HAMMOND:
The end result of what we are trying to achieve is ensuring that parents know their rights. That way we get more participation from the parents and we are on the same page so the students are more proficient in English for their own test scores and lives. In addition, this will increase Nevada school standing overall. Is that correct?

ASSEMBLYWOMAN TORRES:
Yes, if we increase parent engagement no matter what the parents' or students' native language is, we can have a better education system overall. Assembly Bill 195 does exactly that.

CHAIR DENIS:
Not only does A.B. 195 make it better for the student, but it makes it better for the teacher. The teacher can then have the tools to help that child.

ASSEMBLYWOMAN TORRES:
As an educator, I am always trying to get in touch with parents and get them engaged in the classroom. When my parents and families are engaged, my students are more likely to achieve. Assembly Bill 195 helps reinforce other policy we have to ensure family engagement in schools.

CHAIR DENIS:

I will close the hearing on A.B. 195 and open the hearing on A.B. 19.

ASSEMBLY BILL 19: Revises provisions relating to educational subjects and standards. (BDR 34-325)

DR. MOORE:

Assembly Bill 19 is known as standard streamline by the NDE. This bill was prefiled by Governor Steve Sisolak on behalf of NDE. School districts requested clarification of the social studies requirements for graduation. Teachers asked for clarification regarding the language in the *Nevada Administrative Code* (NAC) relating to those standards.

Section 1 is a conforming change to homeschool education by adding civics, financial literacy and multicultural education as components of homeschool education plans. It also removed government as a requirement of homeschool education plans. Section 1 makes a conforming change in statute so the changes made to the social studies standards by the Nevada Legislature during the Seventy-eighth and Seventy-ninth Sessions to multicultural education and financial literacy are captured in the core social studies requirements for high school. The standards determine what students should know and be able to do. The how, or method of instruction, is always left to the local entity, including the instructional materials. In the case of section 1, the families, parents or community in charge of homeschooling the student serve as that entity.

Section 2 makes a similar change by updating the core academic subject of social studies to include civics, financial literacy and multicultural education, and removes government. Section 3 makes a conforming change to academic standards adopted by the State Board of Education. Sections 4 and 5 exempt academic standards from being included in NAC and repeals existing NAC. Academic standards will still receive oversight and accountability from their adoption with the State Board of Education.

CHAIR DENIS:

I submitted a proposed amendment ([Exhibit G](#)) on behalf of our Committee that removes the section on homeschoolers. Having listened to the discussion in the Assembly and the discussion we have had here in our Committee, the amendment was submitted to be consistent with other bills. That amendment removes section 1.

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MR. KILLIAN:

That is correct. Proposed Amendment 3341 removes section 1 from A.B. 19.

CHAIR DENIS:

Does this change still not remove the requirement homeschools have to make an educational plan of instruction?

MR. KILLIAN:

That is correct. All this amendment does is remove the section from A.B. 19 that would make a change to that underlying section of *Nevada Revised Statutes* (NRS) 388D.050. It does not repeal NRS 388D.505, so they would still be required to submit an educational plan of instruction.

MR. DALY:

I present supporting testimony ([Exhibit H](#)) for A.B. 19.

ERICA VALDRIZ (Vegas Chamber):

We support A.B. 19. The Chamber has been supportive of previous legislative measures that have included classes like financial literacy. We believe these types of curriculum components are important to students.

BRITTANY HILL (Carson Montessori Student Legislative Team):

I am a student at Carson Montessori. I speak in favor of A.B. 19 and specifically the financial literacy portion. My sister Brenna was part of the Legislative team for the Seventy-eighth Legislative Session where S.B. No. 220 of the 78th Session was originally presented by Senator Joyce Woodhouse. She and the Carson Montessori Team pointed out the need for financial literacy and carefully outlined specifics that must be covered to prepare students for the real world. Things like mortgages, credit cards, taxes, insurance, student loans and preparation for real life are all part of financial literacy.

In today's world, more than ever since this pandemic, students must be prepared with a solid financial background. At Carson Montessori, we have always had a financial literacy component and practical life lessons. It took two sessions to get the financial literacy bill through the Legislature and we must keep it. Assembly Bill 19 simply puts these real life skills in one place.

CHAARVI BASANTH (Carson Montessori Student Legislative Team):

I am here from India attending school in America because my dad was hired by the State of Nevada as part of its technology department. I want to speak in favor of A.B. 19 and specifically the civics portion of this bill. My sister was part of Carson Montessori's Legislative Team for the Seventy-ninth Session that worked on both A.B. No. 220 of the 79th Session and S.B. No. 322 of the 79th Session. I want to talk about the importance of civics education and specifically the assessment piece that is required to be used.

My naturalization test is by far the most logical, efficient assessment. It not only assesses, it teaches. If you get an answer wrong, it will immediately go to a tutorial that teaches you the concepts. To quote my sister during her testimony:

Every person needs to know about his or her Country, its laws and its history because without that knowledge you will not be a well-informed citizen. Everyone in America has a right but those who have rights have a price, and to take this test seems like such a simple way to pay that price.

I could not agree more with my sister. Please pass A.B. 19 so these essential learning components remain intact.

HANK BROWN (Carson Montessori Student Legislative Team):

I support A.B. 19, which has consolidated several pieces of legislation. Countless hours of research, careful consideration to not overload teachers with more mandates and now three Legislative Sessions have gone into the development of A.B. 19. My sister Sadie was part of the Seventy-ninth and Eightieth Legislative Sessions, and I have strict orders we need to be sure A.B. 19 is passed.

Sadie was part of a real-world, hands-on Legislative process where the students, with the help of Assemblywoman Sarah Peters, wrote A.B. No. 182 of the 80th Session making neon the new State element for Nevada. She stated over and over "we learn with a purpose." That is exactly what A.B. 19 does. It puts these purposeful, practical, necessary real-life skills—including learning about cultures, traditions and beliefs in the world—in one place. This bill simplifies and helps to not overload the teachers' plates. To have all these practical life skills that are essential to our education implemented in an organized, one-stop shop is essential.

Evan Gong and my sister Sadie have stated over and over "we need to ensure the mission of providing the best instruction possible while making it as efficient as possible." We support the passage of A.B. 19. To Senator Dondero Loop, we know you are on the record for continually stating the end goal for education is to make productive, successful, law-abiding citizens and we could not agree more. Assembly Bill 19 is the perfect way to do that.

MARY PIERCZYNSKI (Nevada Association of School Superintendents):
We support A.B. 19. This piece of legislation clarifies what is included in the social studies curriculum, and we appreciate the bill being brought forward.

BRITTANY SHEEHAN:

I oppose A.B. 19. My largest concern is the impact to homeschooling education. We do not want to go into people's homes and tell them they need to teach multicultural studies, which seems vague and not clearly defined. It is being said this is a clarification of education standards of social studies, but the definition of social studies is history, geography and political science. It does not say anything about multicultural studies. I disagree it is a clarification, it is a new and different standard.

I support the amendment that was proposed to remove homeschooling, but I am in opposition to the entirety of A.B. 19. I am confused why you would take away government at the homeschool level and add civics to the other students. I do not think that is cohesive. It sets a different standard, which is confusing.

WIZ ROUZARD:

I am a parent, an African American and a Nevadan. I oppose A.B. 19. As the previous caller stated, I have concerns with the title and description of multicultural education. More importantly, this has to do with the authority the government has to impede the ability of parents like myself who have chosen to homeschool their kids for good reasons. This undermines our ability to have control over our kids' education by forcing a perspective or category. I too have concerns seeing the word government removed. Government needs to be taught and learned in more depth. To see that category removed and replaced with civics is problematic. Homeschooling parents go more in depth with our children on these issues already. I see this change being abused, and it attacks the core foundation of parenthood. Please support the amendment to A.B. 19 and protect the rights of parents.

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ELISSA WAHL (Chair, Nevada Homeschool Network):

We testify in neutral to A.B. 19. We have been in opposition to A.B. 19 for a few months but our members are pleased with the amendment.

ERIN PHILLIPS (President, Power2Parent):

We support A.B. 19. Parents want the right to choose and direct their child's education as they see fit. We understand the intent of this bill is to bring conforming language to statute and align existing standards. We previously opposed this bill due to the language of section 1. Homeschool families have taken on the responsibility to direct their child's education outside the traditional school setting. These families value their autonomy, and they are not amenable to any additional unnecessary burden to their educational plans. With the addition of this amendment, Power2Parent will gladly support A.B. 19.

KATIE MATTESON:

I want to thank Chair Denis for submitting the amendment that strikes section 1 of A.B. 19, which removes homeschoolers and for working with and listening to the Nevada Homeschool Network. This group should have been involved with A.B. 19 from the beginning when NDE was writing it up. With the strike of section 1, I am neutral to A.B. 19.

CHAIR DENIS:

I will close the hearing on A.B. 19 and open the hearing on A.B. 235.

ASSEMBLY BILL 235 (1st Reprint): Enacts provisions governing financial education for pupils and their parents and guardians. (BDR 34-42)

ASSEMBLYWOMAN BRITTNEY MILLER (Assembly District No. 5):

The Free Application for Federal Student Aid (FAFSA) is a form used by students to apply for college and other postsecondary technical and vocational training. The FAFSA is free to submit and used by the federal government and postsecondary institutions to determine whether a student qualifies for need-based financial aid. Assembly Bill 235 expands the responsibility of school district and charter high schools in providing information and otherwise assisting students and families to fill out the FAFSA.

Before the pandemic, I was at a conference with Senator Marilyn Dondero Loop of the Education Commission of the States where I heard Governor Tom Wolf of Pennsylvania talk about legislation that state was bringing around FAFSA. I

quickly learned that other states had implemented mandatory applications of their high school seniors. While I do not support mandatory requirements for all students, I do believe our school districts and Nevada System of Higher Education (NSHE) institutions collaborating and combining existing efforts can assist many more Nevada students in FAFSA completion. There are many activities and efforts occurring, and I do not want it to sound like nothing is happening, but the strength is in unifying our efforts to make the real impact for more students and families.

In 2018, the National Center for Education Statistics published results of a study undertaken to figure out why more students were not completing FAFSA. The Center found that roughly 65 percent of students completed the form. Of those who did not complete the form, 33 percent thought they or their family could afford training or college without it, 32 percent thought they were ineligible for financial aid, 28 percent did not want to take on the debt—not understanding there are free grants available, 23 percent did not have enough information on how to complete the FAFSA, 15 percent did not know the FAFSA existed and 9 percent thought the FAFSA forms were too much work or too time consuming. We often hear this last point regarding the challenges around completing the application.

This process determines and leads to the financial aid that students can receive for their postsecondary education. In today's world, we know you need a postsecondary degree or training. Our goal in K-12 education is to get our students to their next step. The website Nerdwallet found that Nevada's class of 2018 left behind more than \$17 million in unclaimed federal aid. They estimated that 33 percent of graduates, or 82,000 students, did not fill out the FAFSA that year and that 48,000 of those students would have been eligible for federal student aid of approximately \$36,000 each.

Clark County's own Data Insight Partners maintains a FAFSA tracker that shows a percentage of students filling out the FAFSA for each high school in the State. According to its research, FAFSA submissions are down 11 percent from the same time last year. To get our students back on track for college and career training, especially in these unprecedented times, we want to ensure they are getting all the financial aid for which they qualify.

This is why I requested A.B. 235. Section 1 requires that high schools educate twelfth grade students and families on the importance of filling out the FAFSA

and that it is not just for college. It also requires our two largest school districts hold 2 FAFSA assistance events and our other 15 smaller districts hold 1 FAFSA event each year. The event needs to be at the beginning of October, which is when the federal government recommends application.

Finally, A.B. 235 requires coordinated efforts with higher education institutes, including that staff would be present at the high school events to ensure that students and families receive the necessary support in completing the FAFSA. Basically, we are opening the schools where students and families are already familiar and comfortable so they have the opportunity to come in, use the school technology and have our higher education experts on-site to help them with the process. Additionally, districts will report the data to the State Treasurer's Office that manages our State scholarship programs.

KATE MARSHALL (Lieutenant Governor):

I want to add a personal story. I came from a family that had not attended college. I went to a parochial school on a scholarship and worked in the bookstore of the school in the morning and in the afternoon to pay for my tuition there. The Mother Superior at that school demanded I take the Scholastic Aptitude Test (SAT), otherwise I would get detention, which is the only reason I took the SAT, because I did not want to get detention. She then called my parents in and told my father under no uncertain terms he would be filling out the FAFSA.

My father thought the important thing in getting a job was to have one with benefits. He did not think college was for anyone in our family. College was for other people, and he was not inclined to even know what to do with the FAFSA.

That act the Mother Superior did changed my life. I did end up attending college. I remember not knowing what colleges to put, I just put colleges I had heard of. In other words, I had no sense of what colleges one might go to. That opportunity meant I got Pell Grants. I got Cal Grant A and Cal Grant B. I was called by colleges saying that I could go to their institution. I would not be here in front of you today, I would not be a college-educated person without the Mother Superior saying it would happen.

What A.B. 235 is doing is important. It is a cheap way to get our kids to have opportunity. There are other states which do this—Louisiana, Illinois and Texas

have varying degrees of policy regarding FAFSA. Many people do not realize they will get financial aid. They do not know what might be possible with financial aid. They do not see those opportunities in front of them. Putting those opportunities there is a win-win for Nevada.

CHAIR DENIS:

One of the reasons I brought the Promise Scholarship forward was that one of the big benefits was you had to fill out the FAFSA. I remember the first year we had the scholarship, we had around 12,000 kids sign up. We were leaving millions of dollars on the table. After that first application, our FAFSA applications went up by 9 percent. Anything we can do to help is amazing. Many of the kids who signed up for the Promise Scholarship realized they had enough money with just the FAFSA and did not need a scholarship. As a result, we tricked them into doing the FAFSA. Assembly Bill 235 is similar, it will help students understand many of them qualify, even if it is not for the full amount but for some amount. This bill is great to bring forward so we can get more of our kids to realize they can go to college and there is help out there.

SENATOR DONATE:

Earlier today we had a good conversation about the rights of ELL students, and as a first-generation student I attended one of the trainings my high school did during my senior year. That training was the reason I learned about what the FAFSA application was. I remember dragging my Mom after-hours because of it. When we talk about racial justice, access to higher education is definitely something that can pave the way for that conversation. Does A.B. 235 ensure these trainings, seminars and documentation are in other languages for families that do not speak English?

ASSEMBLYWOMAN MILLER:

Assembly Bill 235 does not guarantee the support will be offered in multiple languages, which it should be. However, I hope that is part of what will happen, because it is housed at individual high schools. Sometimes we have students at one particular high school or community where there are concentrations of languages.

SENATOR DONATE:

Assembly Bill 235 does say for those who are not seniors in high school, but are between grades 4 through 12, their parents should receive information about things like the Nevada College Kick Start Program, which is an excellent

example of what we can do before seniors get to complete their FAFSA. It is too late in the Session at this point, but I would like to have a conversation with you about how we can have conversations on college preparedness and scholarships at the junior level. By the time students have become seniors, the deadline has already happened.

ASSEMBLYWOMAN MILLER:

I am happy to have a conversation with you. I was one of the fortunate students who, when I marched into kindergarten, already knew I was going to college. I had that experience and support from home. To talk about the Kick Start, I am luckily on the Committee for Ways and Means. While on this Committee I have been learning about how much of the Kick Start money is not being utilized. We know it is often because parents do not know about it. We want to make sure parents are aware of these options, and it is their responsibility to make claims for their child entering fourth grade.

MIKE DYER (Nevada Catholic Conference):
We support A.B. 235.

MICHAEL FLORES (University of Nevada, Reno):

We believe A.B. 235 will promote a college-going culture. I worked with Chair Denis in 2017 on the Promise Scholarship, and we saw an immediate impact from that scholarship. We will see that same impact with A.B. 235. To Senator Donate's point about bilingual workshops, many of our recruiters are bilingual. We try to make sure when we go to schools where we know there will be a high population of Spanish speakers we have recruiters there who can communicate with them. We know it is not enough, we need to have more languages available. We are cognizant of that and working on it.

MR. RUIZ:

We support A.B. 235. In Nevada State College, 86 percent of students receive some sort of financial assistance. The FAFSA is a gateway issue for many students to access this aid. We think A.B. 235 will help students complete the FAFSA. We are committed to first-generation students at Nevada State College. The FAFSA is key to helping student's access aid and get more students pursuing higher education in Nevada.

MS. ANDERSON:

We support A.B. 235. Our high schools are excited to support our students. Our guidance counselors and our college and career counselors want to support our students. We need the partnership with higher education and we believe there is more work to do at the federal level to make the FAFSA easier to complete for our families. Right now, it is technical and there is work happening Nationwide to make the FAFSA easier to complete. We promise to continue that work to make sure more of our students are accessing the funds they need for their postsecondary success.

MS. NEISESS:

I have supporting testimony ([Exhibit I](#)) for A.B. 235.

RENE CANTU (Executive Director, Jobs for Nevada's Graduates):

I have supporting testimony ([Exhibit J](#)) for A.B. 235.

ERIC JENG (Asian Community Development Council):

Assembly Bill 235 does exactly what we do as part of our youth development program. On May 1 we held our seventh annual college readiness boot camp, which included the State Treasurer's Office. For us, this has been part of our program for a long time. We are in support of having a bill to ensure all schools give resources to our students to succeed. By providing financial aid resources at school, we are preparing young students for financial literacy, especially for Nevada with the highest loan default rate.

LEONARDO BENAVIDES (Clark County School District):

We support A.B. 235. We echo the statements made by our colleagues in Washoe County School District (WCSD) and NSHE institutions. We understand the importance of the FAFSA and the accessibility it gives for our underserved communities to access higher education.

TYA MATHIS COLEMAN (Deputy Director, College Savings Division, Office of the State Treasurer):

Our division is committed to helping Nevada families as they plan, save and pay for postsecondary education. One program administered by our team is the Nevada College Kick Start Program. Since 2013, the State Treasurer's Office has established 529 Plan college savings scholarship accounts for all public school kindergarten children in Nevada. The Nevada College Kick Start Program is a free \$50 college savings scholarship account for students. The Program

uses a portion of the program management fees, not taxpayer dollars. As of May 2021, more than 275,000 students have been added to the program Statewide. We encourage families to call our office or visit [<http://www.nevadatreasurer.gov/CollegeSavings/Plans/>](http://www.nevadatreasurer.gov/CollegeSavings/Plans/) to learn how to claim their child's College Kick Start account.

We are glad to see the information about the Nevada College Kick Start Program was amended into this bill. It is our belief that when students and their families start thinking and planning for the students' higher education—whether that be a trade school, community college or a four-year institution—it is more likely our students will attend. Studies show that the percent of jobs requiring a college degree will jump to 70 percent by 2030.

As Nevada works to diversify the local economy, creating high-level jobs with better pay and benefits, it will require a more educated workforce to fill those positions. To develop a workforce that can compete in the global economy, it is essential that more Nevadans plan for a higher education. The Nevada College Kick Start Program, the FAFSA assistance and other services offered through our office play an important role in creating this college-going culture. We are planting seeds in the minds of Nevada students and their families that attending and graduating from an institution of higher learning is within reach. Assembly Bill 235 is an excellent opportunity for our office to expand our reach and complement the work our team is doing Statewide.

ALEX BYBEE (Communities in Schools of Nevada):

We support A.B. 235. Students who complete the FAFSA enroll in college at a significantly higher rate than students who do not. Further, education on the application process for FAFSA and its benefits, particularly for first generation students who are often students of color and in poverty, is a critical access and equity issue. In 2017, \$18 million in Pell Grants went unclaimed, which could ease the uneven financial burden that low-income students bear to complete their college education, thereby disrupting cycles of generational poverty.

At Communities of Schools in Nevada our mission is to surround students with a community of support, empowering them to stay in school and achieve in life. We see the many barriers that students face in completing their high school education and the effect those barriers have on postsecondary planning and attainment. Legislation that encourages greater awareness and access to federal student aid will move Nevada closer to its vision of ensuring we provide

equitable education opportunities, both in the K-12 and higher education systems, to our young people and establish a well-trained and prepared workforce.

We know that if we could scale access to support and financial aid for postsecondary plans, more students like those we serve would receive the education and training required to improve their lives and careers. Communities in Schools of Nevada and our Statewide site coordinator workforce stand ready to partner with school districts and governing boards of charter schools to implement A.B. 235 and ensure those we serve have greater knowledge about the process for the FAFSA. Assembly Bill 235 is an important step forward to expanding access to postsecondary attainment.

MARIANA KIHUEN (College of Southern Nevada):

We support A.B. 235. As several of my colleagues have already stated, Assemblywoman Miller has been meeting with stakeholders about this bill for at least a year now. Assembly Bill 235 is about access and equity for students. It does create another pathway to higher education, particularly for first generation, low-income and immigrant students. The College of Southern Nevada stands ready to execute the requirements of A.B. 235 and to support students with the financial aid education to get them through the doors of higher education.

SABRA NEWBY (University of Nevada, Las Vegas):

We support A.B. 235. On a personal note, even after all of the years since I applied to college, I still recall the feelings of fear and confusion when my single mother and I first tackled the FAFSA. Fast forwarding to today, over 85 percent of University of Nevada, Las Vegas, students come from Nevada. This issue is about equity to lower barriers for access to higher education.

ANNETTE DAWSON OWENS (School Readiness Policy Director, Children's Advocacy Alliance):

We support A.B. 235. We believe in increased financial planning assistance for parents and students. We know these practices benefit students and families. It is the right direction for Nevada to be headed and for schools to implement so all our students have access to the financial aid supporting their next steps to college and careers.

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MS. PIERCZYNSKI:

We support A.B. 235. This is an important piece of legislation, and our Lieutenant Governor's personal story pinpointed how important it is.

KANANI ESPINOZA (Nevada System of Higher Education):

We support A.B. 235. Our institutions stated it best earlier, and we echo their comments.

CHAIR DENIS:

I will close the hearing on A.B. 235 and open the hearing on A.B. 266.

ASSEMBLY BILL 266 (1st Reprint): Revises provisions governing class size.
(BDR 34-704)

ASSEMBLYWOMAN BRITTNEY MILLER (Assembly District No. 5):

Assembly Bill 266 increases transparency around class size and class size ratios. For the last three Sessions I have sponsored legislation to shine a light on the large class sizes in our State, including both Sessions documenting that Nevada has the largest class sizes in the Country. One thing I have never done is request any type of study on class sizes.

We know the problems, and we need to move toward the solution. We know the impact that large class size has on the social and academic development of our students. We also know the impacts it has on physical and emotional safety for our students. We know the additional strain it adds for the working conditions of educators. Coming back this third Session, I am no longer trying to convince you of the idea.

In 2017, I sponsored A.B. No. 312 of the 79th Session, which required the State Board of Education to develop recommendations for student-teacher ratios in Grades K-12 for each classroom and course of instruction. The only exceptions were performing band, performing orchestra and performing choir. The recommendations were based on evidence-based national standards and best practices that took into consideration the unique needs of certain students, including ELL students and students with special needs. In July 2018, the State Board of Education recommended a student-teacher ratio of 1:15 for kindergarten through Grade 3, and 1:25 for Grade 4 through Grade 12.

We are extremely far from reaching this prescription in many of our schools and districts, and we know that a major part of the solution is funding and staffing. However, we first need accurate data on what staffing should look like. To gain an understanding of the number of positions it would take in each district to fill classrooms with the student-teacher ratio recommended by the State Board, A.B. 266 requires the district board of trustees to base the number of job vacancies in the school district on the number of teachers required to achieve those recommended ratios, to the extent funds are available. This requirement is in section 3 of the bill. We often, especially in our State's largest districts, hear vacancy numbers that do not compute.

On April 5, 8 News Now reported that the Clark County School District (CCSD) reported only 479 vacancies. We also know that is based on the practice of having extreme class sizes, upward of 50 students per class, and filling classes with full-time substitutes to cover vacancies. What would the numbers be if we staffed by the recommended ratio?

In 2019, I sponsored A.B. 304 of the 80th Session, which included obtaining recommendations for student-to-social worker ratios. One requirement was the board of trustees of each school district maintain on the website of the school district the number of pupils per licensed teacher, not averages, that are in each class in the districts no less than 30 days after the beginning of the year. During the Interim, we found this was not occurring. Overall, there is a question about how the data is collected and reported. The only explanation is that school personnel who are licensed, but do not teach their own classes, are calculated in class size ratios. You can access reports online whether you go to the NDE, the school districts and even individual schools and grades. There is a huge discrepancy between what is published as the student-teacher ratio there and the reality.

How does a school present an average of 1:24, when everyone in that building knows the average class size is above 40? Sections 1 and 2 of A.B. 266 aim to correct this by ensuring a more accurate licensed teacher-student ratio count by excluding administrators and other licensed personnel who are not conducting class. In other words, only active teachers can be used in the calculation. This would remove licensed personnel such as counselors, coaches, strategists, special education teachers, those on special assignment, those during preparatory periods and so on. To further enhance transparency, A.B. 266 contains a provision to require each school district's board of trustees to post

on its website the number of positions held by fulltime substitutes and those who are employed and working through an alternative route of licensure. This requirement appears in section 3 of A.B. 266.

Finally, in 2019 I also worked to ensure that teachers in oversized classes were not harmed by the working conditions during performance evaluations. In both Sessions I reported the data of increased work stress, workload and frustration based on large class sizes and the impact they have on teacher retention. The burnout is real; 8 News Now reported in April that just for the month of March 400 teachers had resigned from CCSD. Last Session, we passed S.B. No. 475 of the 80th Session, which requires an administrator who conducts an evaluation to consider the student-teacher ratios recommended by the State Board and the impact that class sizes have when they exceed those recommendations.

When these tools were developed, I do not think anyone envisioned 40 or 50 students in a classroom. The NDE recommended to hold a conversation about this issue. During the Interim, we discovered those considerations are not occurring at all. In these desperate times, we need to acknowledge the work and efforts of teachers. Respect and acknowledgement go a long way in terms of retention. Section 4 of A.B. 266 provides acknowledgement of the impact of excessive class sizes on performance and evaluation.

I have accepted two friendly amendments in regard to the evaluation. They are both included in the reprinted version of A.B. 266 you see before you. These amendments pertain to the Nevada Educator Performance Framework (NEPF). There are two separate sections to the NEPF: an instructional and a professional section. In the instructional section, there are 19 indicators or categories. Of those 19, there are 3 specific topics we identified that are impacted the most by excessive class sizes. They would include standard two, indicator one; and standard three, indicators one and four. The Clark County Education Association (CCEA) recommended having a value system equated to the evaluation. The rationale for this is included in the testimony ([Exhibit K](#)) you should all have a copy of.

The additional weight is the class size equivalent to the percentage that exceeds the applicable recommended ratios of pupils. In other words, if your class is 20 percent larger than recommended, you will receive a 20 percent bonus on that one indicator. In this example, a small percentage such as a 3.2 could

change to 3.84. The rationale is that a teacher who is already performing at a 3.2 in that one specific category is doing so with an increased class size. If they had a reasonable class size, what then would their scores be?

The second amendment was accepted from NDE, which pertains to the professional standards. The professional standards contain 15 indicators. They involve things like physical space, environment and parent outreach. These indicators are impacted by increased class sizes for each additional student in a class. We know we have teachers with rosters of 240 students. In this amendment it would add an additional point to each of these two standards.

Not only is class size negotiated in collective bargaining, but many states and districts pay teachers per student they have over the contracted numbers. I have spoken to teachers all over the Country, and asked them what they do when they are given a student and they have already exceeded the recommended class size. They have told me they tell their principal they cannot take any more students. We need to acknowledge the work being put in by Nevada teachers and the performance they are showing while also dealing with drastic class sizes.

In this reprint, the language is not as precise as it should be. I will be submitting another amendment to ensure the language is precise. Some of that language is described in [Exhibit K](#). The amendment will specify these changes will only apply to the indicators I described. The NDE also noticed that this change did not have a cap on the evaluation score. The highest you can get in a category is four. This change suggested by the NDE would ensure the score would never go beyond that number.

I have lived and experienced these struggles myself. Not only do I feel the additional stress of increased class sizes, but the demoralizing disappointment that, as one person, I cannot give every student what he or she needs. On average, my class sizes have always been over 42. With 42 students in class, students do not get all the time and attention they deserve. I do not have the money, the staff or the buildings to magically change our class size ratios overnight, but I am committed to addressing the issue as we strive to move forward each Session. As a teacher, this was a difficult year for me and many. I feel the full weight of being blamed for everything that happens in society, whether it is fact or narrative. This is Teacher Appreciation Week. It is time we show our teachers we appreciate them, not just by discounts to supplement

inadequate pay, not just by snacks or social media posts, but by listening to what they have been telling us for years.

SENATOR DONDERO LOOP:

I know firsthand how stressful it is to have a large class. You stated that 400 teachers had resigned. Do we have any information or documentation about those teachers?

ASSEMBLYWOMAN MILLER:

We interviewed teachers who quit. I would recommend you look up those interviews as they are insightful. In 2019, the Nevada State Education Association had done surveys and studies. It is well-documented that class size is one of the primary reasons for teachers leaving.

SENATOR DONDERO LOOP:

I have no doubt. I assume [Exhibit K](#) is a friendly amendment.

ASSEMBLYWOMAN MILLER:

[Exhibit K](#) is the rationale to CCEA's amendment, which was accepted on the Assembly side.

SENATOR DONDERO LOOP:

Is the blue amended language in [Exhibit K](#) included in A.B. 266?

ASSEMBLYWOMAN MILLER:

If you look at section 4, subsection 2, paragraph (f), it says:

... award the teacher an additional weight for criteria relating to learning and engagement by pupils that is equivalent to the percentage by which the ratio of pupils for which the teacher is responsible exceeds the recommended ratio of pupils per licensed teacher.

A few things are missing. This section specifically needs to mention those particular three indicators. It needs to specifically say "not to exceed four." Finally, this section needs to say the additional point in the professional part is not to exceed four.

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SENATOR DONDERO LOOP:
I appreciate the bill.

SENATOR BUCK:
We need to do a study on how charter schools stay around a ratio of 1:25 in K-Grade 5 education and 1:30 in Grades 6-12 education. In our districts, there are not enough classrooms and not enough teachers who will teach. How does A.B. 266 address the root of the problem, which is the teacher pipeline and encouraging our substitute teachers to get their degrees?

ASSEMBLYWOMAN MILLER:
The intent of the bill is not to address the teacher pipeline. The intent is to address the existing situation. There are many other pieces of legislation that address the teacher pipeline; A.B. 266 is not one of them.

SENATOR BUCK:
In section 4, to be clear, if a teacher has a large class size, his or her only evaluation score would be something in the self-evaluation. What is the purpose of an evaluation system if random weights are applied? It seems subjective.

ASSEMBLYWOMAN MILLER:
On the reprinted version, it is not about teachers just applying their own random evaluation scores. That was replaced by the adopted amendment from the CCEA and the NDE. What I discussed is what replaces that language.

SENATOR BUCK:
Do they get an extra weight based on a variable of more students as opposed to results?

ASSEMBLYWOMAN MILLER:
It is specific because we said, when it exceeds the recommended class size by NDE. If the recommendation for fourth grade is 25 students and you have 40 students, then the value-based increase would activate. Not all schools use the NEPF so I am happy to explain further how it is administered.

SENATOR BUCK:
Would the evaluation come out better if you had more students in your class?

ASSEMBLYWOMAN MILLER:

You could look at it that way, but I choose to look at this change differently. I would note that administration often stacks classes in a way where you have all ELL, special needs, behavioral problems or academically-inclined students in a single class. It can be for a variety of reasons, I am not implying this decision is to stick it to the worst teachers. Often, those students are sent to the better teachers as they can handle the large class sizes. If someone is performing at a 3.2 and they have 40 students in that classroom, how well would they perform if they had 25 or 30 students? In [Exhibit K](#), CCEA explains and addresses the multiple studies done about the effectiveness and reliability of the NEPF.

BRENDA PEARSON, PH.D. (Clark County Education Association):
I have supporting testimony ([Exhibit L](#)) for A.B. 266.

MR. DALY:
I have supporting testimony ([Exhibit M](#)) for A.B. 266.

ALEXANDER MARKS (Nevada State Education Association):
I would like to read testimony from a member and President of the Washoe Education Association, Phil Kaiser, who is in support of A.B. 266.

We are all aware that Nevada ranks at the top of the Nation in class size, but the current structure for determining class size may significantly underrepresent the actual workload of educators. Undoubtedly, this results in some students not getting what they need. Educators and schools not receiving the evaluations that are appropriate likely result in more educators leaving education, making our shortages worse. Nevada has sought to limit class sizes for decades. In order to lay the foundation for success however, the guidelines set by the Department of Education are nonbinding recommendations and the funding to achieve these goals has never been adequate. In a nutshell, Nevada has never implemented class size reduction as intended.

Furthermore, it is not just the number of students per educators but the needs of the students. Recently, I spoke to a second grade teacher who has a class close to the recommended limits but included in that number are ten students with Individualized Education Programs and six who are English Learners. Think about

trying to implement the appropriate accommodations for those students. Think about the planning and preparation to make sure the students get what they need to learn. The workload on the teacher is much greater than the numbers themselves would indicate, so one weakness of the data on class size is that it underrepresents the actual workload. If a teacher is responsible for a class exceeding the recommended ratios, the teacher should get additional credit for his or her evaluation.

The State needs to more accurately report not just the class size pupil-teacher ratios, but also more accurately to assess the workloads that educators face and then adequately fund according to the needs of our students. Let's post the number of fulltime subs, and include that number in the vacant positions. Let's publish the number of educators that would be needed if the actual class size recommendations were being met. That would help give a more accurate measure of the situation and potentially provide policy makers the information needed to help solve this problem. I urge you to support A.B. 266. It will put Nevada on the path to more accurately determine the workload of students and educators, reflect that in evaluations and help us better address the needs of our students.

Ms. NEISESS:

I have supporting testimony ([Exhibit N](#)) for A.B. 266.

Ms. OWENS:

We support A.B. 266 and our educators. We support transparency and more accurate accountability and reporting regarding the student-to-teacher ratios. We believe in equity and access for all of our students to a high-quality education and high-quality educators. We especially support transparency surrounding the manner of reporting and the documentation of the number of fulltime substitutes in each school building. We know Nevada has the largest class sizes in the Country. We must do better with solutions going forward.

Ms. SHEEHAN:

I oppose A.B. 266 because the effect of this bill is creating theoretical performance teacher evaluations. Therefore, it is masking the reality of the impacts on the students by excusing it. The children are due equal-quality

education, regardless of the size of the classroom. I do not think that creating an elevation of a teacher's score will do anything good for the student.

MS. ANDERSON:

We are certainly willing to report class size data in any way we can that makes it more transparent. There is no intent on behalf of WCSD to mislead the public with class size reporting. We are willing to work on that data to make it more accessible to the public. What we are opposed to is the automatic increase in teacher evaluation as a result of class size. Certainly, class size impacts performance, but we do believe our administrators are taking that into account when performing their teacher evaluations. We want to make sure that the relationship between administrator and teacher remains productive and relevant, and the administrator is able to raise the educator based on the performance of that teacher. That is why we oppose A.B. 266.

BRAD KEATING (Clark County School District):

We oppose A.B. 266. Student achievement and reducing class sizes is a priority for this district. While we appreciate that class size plays a factor in the ability to teach all our students, administration is cognizant of this and takes it into consideration when evaluating our hard-working employees. Class size is a No. 1 priority for our school districts, and we will work to ensure all data is shared in a way the public feels is accessible.

MS. PIERCZYNSKI:

Our concern with this particular bill is with the NEPF. My colleagues in WCSD and CCSD have already expressed those concerns.

ASSEMBLYWOMAN MILLER:

None of us right now have the money, staffing or the buildings to go into our ideal class size ratios. The question was brought up regarding the pipeline issue. Before pipeline, we spend so much money, effort and different strategies to recruit teachers. We should put that same type of energy, passion and financial investment into retaining the trained teachers we already have. It is an interesting position that the groups in opposition to acknowledging the hard work that teachers do came from the districts. There are other districts that pay teachers for each student over the recommended ratios and that student-teacher ratios are collective bargains.

Two of the largest districts here stated they believe A.B. 266 is already happening. They know that administration is taking this into consideration. Yet, I would request the districts could submit names of all these teachers who say their administration personnel are accounting for their excessive class size. I request we have discussions of their class sizes and consideration during the evaluation process. I would be interested to know who these teachers are, which schools they work at and who are these administrators? We can believe and say we know this issue is happening, but the reality is if we asked our teachers, they would respond differently. This is because it is not happening even after last Session when those recommendations were put out by NDE that aligned with S.B. No. 475 of the 80th Session.

CHAIR DENIS:

I will close the hearing on A.B. 266 and go to public comment.

MS. SHEEHAN:

I come into these hearings in good faith and to participate. I had an experience with a member of this Committee. I recognize we do not assault the character of members of the Chamber, and I will choose my words selectively. I ask that you give me space to make my comment. On May 3 during my testimony, Senator Fabian Donate shook his head repeatedly and later tweeted commentary on my testimony. I am his constituent, I live in Senatorial District No. 10, East Central Las Vegas, Nevada. I feel disrespected by the obstruction of my testimony by my own representative, and I would like to remind you all that in the Senate Standing Rules, Rule No. 21 is about decorum.

My own representative did not give me proper treatment to exercise my right to speak. The way you treat your constituents should be used to demonstrate young adults can and should be included in these seats with the duty of serving Nevadans. You have a duty to listen for a full two minutes without gesture or condemning opinion. I am asking for a personal apology, and acknowledge even if we do not agree on issues we can extend respectful treatment to one another. Nevadans do deserve to be treated with dignity.

MR. KEATING:

For a good news minute, while a comment was made insinuating that districts do not care about their teachers, I want you all to know we do care about every one of our educators in CCSD and those across Nevada. Great news this week

was that the Magnet Schools of America honored 30 schools in CCSD for their efforts including providing the most prestigious award in Magnet Schools of America to Thurman White Academy of the Performing Arts. The school was awarded \$5,000 along with the distinguished award. Choir director and teacher Athena Mertis was named Region 2 Teacher of the Year. Finally, Magnet Schools of America named CCSD administrator Gia Moore Magnet Schools of America National District Administrator of the Year. She is our Director of College and Career Readiness and School Choice, and we are proud of everything she has done to increase equity and access in all of our Magnet Schools across the District.

MS. ANDERSON:

For a good news minute, I would like to honor Raymond Swigart who teaches science at Wooster High School. He was named outstanding Science, Technology, Engineering and Mathematics Educator of the Year by the Society of Women Engineers. He has taught at Wooster High School for 23 years, and several of his former students submitted testimonials in his support.

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CHAIR DENIS:

Seeing no further public comment, the meeting is adjourned at 3:45 p.m.

RESPECTFULLY SUBMITTED:

Ian Gahner,
Committee Secretary

APPROVED BY:

Senator Moises Denis, Chair

DATE: _____

| EXHIBIT SUMMARY | | | | |
|------------------------|-----------------------|-----------------------|--|-----------------------|
| Bill | Exhibit Letter | Begins on Page | Witness / Entity | Description |
| | A | 1 | | Agenda |
| S.C.R. 9 | B | 1 | Jen Sturm | Work Session Document |
| A.B. 195 | C | 1 | Assemblywoman Selena Torres | Conceptual Amendment |
| A.B. 195 | D | 1 | Chris Daly / Nevada State Education Association | Support Testimony |
| A.B. 195 | E | 1 | Marie Neisess / Clark County Education Association | Support Testimony |
| A.B. 195 | F | 1 | Erika Castro / Progressive Leadership Alliance of Nevada | Support Testimony |
| A.B. 19 | G | 1 | Senator Moises Denis | Proposed Amendment |
| A.B. 19 | H | 1 | Chris Daly / Nevada State Education Association | Support Testimony |
| A.B. 235 | I | 1 | Marie Neisess / Clark County Education Association | Support Testimony |
| A.B. 235 | J | 1 | Rene Cantu / Jobs for Nevada's Graduates | Support Testimony |
| A.B. 266 | K | 1 | Assemblywoman Brittney Miller | Testimony |
| A.B. 266 | L | 1 | Brenda Pearson, Ph.D. / Clark County Education Association | Support Testimony |
| A.B. 266 | M | 1 | Chris Daly / Nevada State Education Association | Support Testimony |
| A.B. 266 | N | 1 | Marie Neisess / Clark County Education Association | Support Testimony |